

**NEW COLLEGE OF FLORIDA**

**Policies and Procedures Manual**

**2003**

**TABLE OF CONTENTS**

<b><u>Policy Number</u></b>	<b><u>GENERAL ADMINISTRATION</u></b>	<b><u>Page Number</u></b>
	<b><u>Office of the President</u></b>	
0-001	Issuance of Policies and Procedures .....	2
0-002	Official New College of Florida Policies and Procedures Manual .....	6
0-003	Audit and Related Services .....	7
0-004	ADA Policy .....	11
0-005	Candidacy of Employees for Public Office .....	15
0-006	Reprisals .....	17
0-007	Sexual Battery .....	18
0-008	Non-Criminal Investigation Procedures .....	23
0-009	Sexual Harassment .....	25
0-010	Misconduct .....	29
0-011	Equal Educational Opportunity Policy .....	31
	<b><u>General Counsel</u></b>	
0-100	Authority to Sign Contracts & Other Documents .....	32
0-101	Compliance with Legal Process and Responding to Communications from Attorneys and Court Officials .....	33
0-102	NCF Records – Public Records Law Compliance and College Record Confidentiality .....	35
	Student Records Policy .....	38
0-103	Sunshine Law/Public Meetings .....	55
	<b><u>University Advancement</u></b>	
0-200	NCF Publications .....	62
0-201	Use of College Name and Symbols .....	64
0-202	Naming of Institutional Facilities .....	66
0-203	Events Calendar .....	68
	<b><u>Research</u></b>	
0-300	Statement of Policy Regarding Inventions and Works .....	69
0-301	Misconduct in Research .....	73
0-302	Administration of Subcontracts and Subgrants .....	80
0-303	Sponsored Research, Exemptions from General Accounting and Purchasing Procedures .....	84

0-304	Research and Research Grants.....	89
0-305	Use of Human Subjects in Research.....	90
0-306	Fiscal Misconduct in Research.....	91
0-307	Use of Animal Subjects in Research.....	95

**Budgets, Human Resources & Informational Technology**

0-500	Using and Protecting Microcomputing Resources .....	96
0-501	Appropriate Use of Information Technology Resources .....	100
0-502	Use of College Space for Class or Class Related Activities.....	102
0-503	Use of College Space (All-Inclusive) .....	103
0-504	Information and Communication Security Program.....	108
0-505	Securing Computer Accounts for Terminating Employees .....	110
0-506	College Budgets.....	112
0-507	Space Management .....	113

**Human Resources**

0-600	Observance of Religious Holidays by University Employees.....	115
0-601	Smoking in Buildings .....	116
0-602	Drug-Free Workplace .....	117
0-603	Drug Free Workplace: Notification Procedures .....	118
0-604	Alcohol and Drug Testing.....	119
0-605	Limited Access Personnel Records.....	121
0-606	New College of Florida Personnel Matters.....	122

**ADMINISTRATIVE SERVICES**

**Financial**

2-001	Signature Authorizations .....	167
2-002	Control of College Revenues and Expense Refunds .....	168
2-003	Accounts Receivable.....	169
2-004	Central Billing.....	171
2-005	Payroll.....	172
2-006	Revolving Fund – Payroll .....	174
2-007	College Property .....	175
2-008	College Set-Off Procedures .....	178
2-009	Employee Grants-In-Aid Collection.....	183

**Facilities**

3-001	Building Maintenance.....	185
3-002	Equipment Construction and Installation.....	186
3-003	Campus Master Plan .....	187
3-004	College Land Use Planning and Utilization Policy .....	188
3-005	Campus Signage.....	190

**Business Operations**

5-001	Scope and Responsibility of the Purchasing Department	
-------	---	--

5-002	Competitive Solicitations.....	194
5-003	Purchasing Documents.....	195
5-004	Purchasing Approvals Required .....	196
5-005	Central Receiving.....	198
5-006	Mail .....	200
5-007	Mail Permit # 686 (3 <sup>rd</sup> Class Bulk Mail) .....	201
5-008	Records Management – Retention and Disposal Procedures .....	203
5-009	Risk Management and Insurance Programs.....	204
5-010	Disposal of Surplus Property .....	208
5-011	Ethics in Purchasing.....	210
5-012	Issuance of NCF Identification Card (NCF Card) – Faculty/Staff .....	212
5-013	Issuance of NCF ID Cards (Students).....	215
5-014	Textbook and Supply Requisitioning.....	217
5-015	Departmental Purchases Through College Bookstore .....	219
5-016	Academic Regalia .....	220
5-017	Prompt Payment and Payment Scheduling .....	221
5-018	Policy Against Fraudulent or Other Dishonest Acts.....	226

### **Safety and Security**

6-001	Opening of Rooms and Other Facilities.....	221
6-002	Bomb Threat Policy .....	224
6-003	Florida Right-To-Know Law .....	228
6-004	Canines on Campus.....	230
6-005	Transportation of Medical Emergencies.....	231
6-006	College Environmental Health and Safety.....	232
6-007	Operation of Boats .....	236
6-008	Operation Alert .....	238
6-009	Accident/Injury and Loss Control Prevention .....	241
6-010	Key Control and Rekeying of Buildings and Facilities .....	243
6-011	Vehicles, College (State) .....	245
6-012	Fire and Security Monitoring System.....	246
6-013	College Fireworks Policy.....	249
6-014	Environmental Regulatory Compliance Procedures.....	251
6-015	Lifeguards and Pool Safety .....	253
6-016	Cart/Utility Vehicle Operation.....	254
6-017	Possession of Firearms and Weapons on College Property .....	258
6-018	University Police Department.....	259
6-019	Appointment, Employment and Removal of University Police .....	260
6-020	New College of Florida Vehicle Registration, Parking and Traffic Regulations. ....	263

## **ACADEMIC AFFAIRS**

### **General Academic Affairs Policies**

10-001	CLEP General and Subject Examinations .....	278
--------	---	-----

10-002	Mandatory Orientation for New Students.....	279
10-003	CLAST Policy.....	280
10-004	New College of Florida Admissions.....	282
10-005	Admission, Readmission & Transfer Credit Evaluation.....	285
10-006	Student Exchange Programs .....	287
10-007	Academic Records from Other Institutions .....	288
10-008	Observance of Religious Holy Days by Students.....	289
10-009	Student Registration and Tuition Payment and Refund.....	290
	Tuition, Fee Schedule and Percentage of Cost .....	294
	Waiver of Tuition and Fees.....	300

**College Library**

12-001	College Library .....	302
--------	-----------------------	-----

**STUDENT AFFAIRS**

**General Student Affairs Policies**

30-001	Alcoholic Beverages .....	304
30-002	Policy on Foreign Students .....	307
30-003	Recreational Facilities License .....	309
30-004	Policy on Financial Aid Refunds & Repayments .....	313
	Proposed Rule 6C11-6.002, F.A.C. – Student Financial Aid .....	314
30-005	Student Events Management Policy .....	324
30-006	Illegal Use of Alcohol and Other Controlled Substances .....	328
30-007	Admission of Students with Prior Conduct Problems .....	332
30-008	Career Resource Center Senior/Alumni Placement.....	334
30-009	Student Ombudsmen.....	336
30-10	Student Code of Conduct.....	337

**Student Health**

33-01	Immunization Policy.....	348
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## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Issuance of Policies and Procedures</b>	<b>4-27-02</b>	<b>0-001</b>

### **I. INTRODUCTION (Purpose and Intent)**

The New College of Florida Board of Trustees set policy for New College of Florida. In certain areas, the President is authorized to establish policies and procedures. The policies and procedures concerning the various programs, services, facilities, and activities of the New College of Florida are to be compiled for general reference purposes into this College-wide Policies and Procedures Manual. Policies and procedures will be issued in the following areas.

#### **A. General Administration**

This area includes all policies and procedures of College-wide scope and authority and which cover those policies necessary for overall operation and administration of the College. These policies and procedures will normally be promulgated by the Board of Trustees or the President, as appropriate, although the President may delegate authority to issue General Administration policies to the principal officer in the various staff offices reporting directly to the President.

#### **B. Administrative Services**

This area includes policies and procedures with College-wide application primarily in the business, fiscal, and planning areas. These policies and procedures will normally be promulgated by the Board of Trustees or the President, as appropriate. The President may also delegate the authority to issue administrative policies and procedures to administrative officials.

#### **C. Academic Affairs**

This area includes academic policies and procedures with College-wide application. Such policies and procedures will normally be promulgated by the Board of Trustees or the

President, as appropriate. The President may also delegate the authority to issue Academic Affairs policies and procedures to academic officials.

#### **D. Student Affairs**

This area includes policies and procedures with College-wide application pertaining primarily to Student Affairs. Such policies and procedures will normally be promulgated by the Board of Trustees or the President, as appropriate. The President may also delegate the authority to issue Student Affairs policies and procedures to Student Affairs officials.

## **II. STATEMENT OF POLICY**

The authority and responsibility for issuing operational policies and procedures are vested in the Board of Trustees and the President. This policy statement has been formulated to implement that authority and responsibility and to provide a format for the orderly promulgation of policies and procedures at the New College of Florida. The President is responsible for the development of procedures to implement the foregoing policy and hereby authorizes the following format and procedural steps as appropriate for the issuance of the policies and procedures developed within the various areas comprising the College.

**A.** It is the responsibility of each administrative head to both generate appropriate new policies and to constantly review and update existing policies and procedures in his area. When it becomes necessary to issue a new or revised policy statement, a thorough study should be made which includes suggestions and comments from appropriate campus groups, College offices, and, when feasible, discussion with and recommendation from the appropriate College advisory council or committee.

**B.** In developing new or revising old policies or procedures care should be taken to ensure that the policy is not in conflict with or a duplication of State of Florida Board of Education policy or the BOR/UFF Collective Bargaining Agreement. Board of Education policy will take precedence over any College policy. Should a new or revised Board of Education policy statement be issued after a College policy has been established, the Board of Education statement will automatically replace the College policy.

**C.** Policies and Procedures - All proposed revised policies must be typed in two forms - the first would be as it would appear in final form as an official New College of Florida Policy and Procedure and the second would show the policy in a strike through and underline format, showing every new word and every deleted word. New policies would be labeled as New Policies. All policies, revised or new, would be accompanied by a summation or explanation of why the policy is to be promulgated or revised.

**D.** The Revised Policy in two forms or New Policy and Summation will be forwarded to the General Counsel for circulation/distribution as follows:

1. The Policies and Summations will be circulated to President's staff for review/comment.
2. The Policies and Summations will be submitted to all Faculty members for review and comment.
3. Policies and Summations will be submitted to the Student Government for review and comment.
4. Policies & Summations will be submitted to UFF for review as required by the BOR/UFF Collective Bargaining Agreement.
5. If, after six weeks, comments have been received, they will be forwarded to the President and Vice President who will reconsider or correct the policy as necessary.
6. The General Counsel will secure the final approvals, assign an effective date and distribute the final form policy campus-wide to all manual holders.

**E.** The General Counsel will maintain all current existing policies, policies which have been replaced or repealed and the list of manual holders.

**F.** The following numbering system shall be used by the respective areas:

**1. General Administration: 0-001 through 0-999**

Suballocated in blocks of 100 or more to each of the issuing staff offices. Example:

- a) Office of the President -- 0-001 through 0-099
- b) General Counsel -- 0-100 through 0-199
- c) College Advancement -- 0-200 through 0-299
- d) Research -- 0-300 through 0-399
- e) Development & Alumni Affairs -- 0-400 through 0-499 (5/95 to be transferred to 0-200 area)
- f) Planning, Budget and Information Technology - 0-500 through 0-599
- g) Human Resources and Diversity -- 0-600 through 0-699

**2. Administrative Services: 1-001 through 9-999**

Suballocated in blocks of 100 or more to each of the issuing departments (areas). Example:

- a) Human Resources -- 1-001 through 1-999 (5/95 to be transferred to 0-600 area)
- b) Financial -- 2-001 through 2-999
- c) Facilities -- 3-001 through 3-999
- d) Information Resources -- 4-001 through 4-999 (5/95 to be transferred to 0-500 area)

- e) Business Operations -- 5-001 through 5-999
- f) Safety and Security -- 6-001 through 6-999

**3. Academic Affairs: 10-001 through 29-999**

Suballocated in blocks to appropriate issuing areas.

- a) General Academic Affairs Policies -- 10-001 through 10-999
- b) College Library -- 11-001 through 11 -999

**4. Student Affairs: 30-011 through 49-999**

Suballocated in blocks to appropriate issuing areas.

- a) General Student Affairs Policies -- 30-001 through 30-999
- b) Student Organizations -- 31-001 through 31-999
- c) Residence Halls -- 32-001 through 32-999
- d) Student Health Center -- 33-001 through 33-999
- e) Veteran Services -- 34-001 through 34-999

**H.** The outline and form to be used in each separate policy and procedure will be the same overall outline and form as used herein, i.e., I. INTRODUCTION (Purpose and Intent), II. STATEMENT OF POLICY. Additional sections, i.e., III, IV, etc., may be used in order to provide a detailed statement of the policy and procedure. A sample form follows this policy statement. Such forms will be signed by the President and where applicable, the appropriate Vice President on the last page of the policy. Each of the pages will be initialed in the "Approved" box in the heading by the authorized official issuing the policy, thereby verifying each individual page. The notation "Rev." should precede the Effective Date in the heading on all policies subsequently changed after initial distribution and promulgation.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Official New College of Florida Policies and Procedures Manual</b>	<b>4-27-02</b>	<b>0-002</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide for an official copy of the New College of Florida Policies and Procedures Manual, to be kept in a given location and for such copy to serve as the official College reference in resolving those questions which may arise pertaining only to those policies and procedures included in the document entitled New College of Florida Policies and Procedures Manual the following policy is adopted.

**II. STATEMENT OF POLICY A.** The official copy of the New College of Florida Policies and Procedures Manual is the copy, consisting of the originally signed copies of those policies and procedures adopted for the purpose of inclusion in this manual.

**B.** The General Counsel is responsible for keeping the official copy of the New College of Florida Policies and Procedures Manual.

**C.** It is the responsibility of the Agency Clerk, located in the Office of the President, to keep the official copy of the manual current and available upon request.

# NEW COLLEGE OF FLORIDA

## Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Audit and Related Services</b>	<b>4-27-02</b>	<b>0-003</b>

### I. INTRODUCTION

This statement outlines the authority and responsibility of the Office of the President for the direction of a broad, comprehensive program of internal audit and related services for the New College of Florida as outlined in Sections 20.055, Florida Statutes; Chancellor's Memorandum; and the State University System Office of Inspector General Operations Manual.

### II. STATEMENT OF POLICY

The Inspector General function is an independent function within the College administration designed to assist management by 1) completing and coordinating audits, 2) providing management and tax advisory services, and 3) conducting investigations. As prescribed by State law, these duties include :

- Reviewing the reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information.
- Reviewing the systems established to ensure compliance with those policies, plans, procedures, laws, and regulations which could have a significant impact on operations and reports and determining whether the College is in compliance.
- Reviewing the means of safeguarding assets and, as appropriate, verifying the existence of such assets.
- Reviewing the economy and efficiency with which resources are employed.
- Reviewing operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations of these programs are being carried out as planned.
- Providing advisory services in connection with programs, systems, or procedures.
- Identifying areas with high expected or suspected risk and consulting with management to identify the appropriate actions to be taken by staff and management.
- Coordinating with external auditors, as needed.
- Reviewing the adequacy and effectiveness of controls to prevent or detect theft, fraud, or embezzlement.

### III. PROCEDURES

#### A. Reporting Relationships

The President oversees the Inspector General function. He or she reports directly to the President and indirectly to the State University System Chief Inspector General (who reports directly to the Chancellor and indirectly to the Florida Board of Education). This reporting relationship is to ensure and maintain appropriate independence and objectivity in the conduct and reporting of audits and other work efforts.

Also toward that end, the President's staff will have access to all persons, records, systems, data, facilities, or other information of the College necessary to carry out their responsibilities. When feasible and appropriate, reasonable advance notification of the need for such access will be given.

## **B. Development of Two-Year Work Plan**

The Two-Year Work Plan is a document which details anticipated activity for the coming two years. The plan is a composite, based upon available staff resources, of the most needed audits or related services as determined by a risk assessment and the requirements of the Board of Education. It has planned projects for each of the two years.

A detailed risk assessment is performed once every two years and is updated on the years when the detailed assessment is not performed. During this process, input is sought from College management to ensure their interests and concerns are represented. From this process, a priority ranking is developed of areas to receive audit or related services.

In addition to College selected areas, the SUS Chief Inspector General will determine one or more System-wide initiatives to be completed each year. These are determined based upon direction received from the Board of Education Accountability and Audit Committee and/or the Chancellor and Board of Education staff.

After taking all the above into consideration, the President will prepare a Two-Year Work Plan and present it to the Board of Trustees for approval. Upon such approval, it is forwarded to the Chief Inspector General to coordinate approval of the Board of Education.

During the course of a fiscal year, unforeseen requirements for audit or related services may develop. These matters will be considered by the President and appropriate members of management. When necessary, the schedule of planned projects can be modified.

## **C. Services Provided**

To accomplish all requirements noted in the STATEMENT OF POLICY, above, the Inspector General function generally includes services of the following nature:

## **1. Audits**

A detailed audit process and methodology is outlined in the State University System Office of Inspector General Operations Manual. An audit is usually comprised of the sections noted below:

### Audit Performance

- Audit notification - When a unit is placed on the Two-Year work plan, management of that area will be notified. Closer to the actual time of the audit, management will be contacted to schedule an entrance conference.
- Audit planning and preliminary review - Management will be included in this process to ensure their objectives are met in the audit, to the extent possible.
- Fieldwork and performance of testing - Statistical and non-statistical sampling methodologies are utilized to increase the efficiency of the audit process while achieving a representation of the population.
- Discussion of findings/issues with management - Preliminary finding meetings will be held with management periodically during the audit. This keeps them apprised of the findings and the issues and provides an opportunity to correct any problem areas immediately, when possible.
- Issuance of draft report - At the conclusion of fieldwork and testing, a draft report of findings will be issued to management and an exit conference will be scheduled to discuss the draft report.
- Management's responses - Management must document a response and planned corrective action (with a target completion date) for any audit recommendations. The President or his or her staff work with management, if needed or desired, to assist in the development of action plans. These responses must be forwarded to the Provost or the responsible staff person for review and transmittal to the Vice President for Finance and Administration or his or her staff.
- Issuance of final report - After receipt of management responses, the final report addressed to the Board of Trustees is issued and forwarded to the Chair of the Board, Provost or the responsible staff person, all concerned members of management, the SUS Chief Inspector General, and the State Auditor General.

### Post-Audit Assistance

- Training and guidance.
- Assistance with recommendation implementation.

### Post-Audit Evaluation by Audited Unit

- Evaluation - Upon completion of the audit, all involved members of management receive an evaluation form requesting their assessment of various factors associated with the project. This feedback is utilized in an attempt to continually improve the quality of audit services.

### Follow-up

- Scheduled follow-up, performed biannually.
- Follow-up during subsequent reviews or audits.

## **2. Management and Tax Advisory Services**

In areas of internal control, compliance, operational, fiscal, or taxation processes, reviews and reports which are less formal and less structured are generally appropriate. These may include special research, consultations, training, or other assistance. Requests for advisory services may be made to the Vice President for Finance and Administration at any time and should be coordinated through the Office of the Provost or the responsible staff person.

## **3. Investigations**

The President is designated as the initial College contact for all allegations of fraudulent or other dishonest activity. Information received regarding possible criminal activity is immediately forwarded to the University Police Department. Non-criminal activity is reviewed in accordance with University Policy No. 0-008.

## **4. Coordination with External Auditors**

The President should be advised in writing when any auditors, reviewers, or inspectors external to the College will be conducting an audit review of any College activity. The Vice President for Finance and Administration should also be sent a copy on any draft or final report to such individuals or groups.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>NEW COLLEGE OF FLORIDA ADA POLICY</b>	<b>4-27-02</b>	<b>0-004</b>

**I. INTRODUCTION ( Purpose and Intent)**

It is the policy of the New College of Florida to comply fully with the requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, and all other Federal and State laws and regulations prohibiting discrimination on the basis of disability or handicap.

**II. STATEMENT OF POLICY**

**A. GENERAL**

(1) In order to comply with section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, New College of Florida strives to afford people with disabilities equal opportunity and full participation in all aspects of College life. To that end, it is the policy of New College of Florida to provide equal employment and admission opportunity for, and to make reasonable accommodation to employ and admit the disabled, and assist disabled students in independent living and self-sufficiency as required by law.

(2) Unlawful discrimination based on disability is unacceptable conduct that will not be tolerated at the College.

(3) The President of New College of Florida or his designee is responsible for coordinating compliance with these policies. With respect to disabled students, the Diversity and Gender Center, located in Hamilton Center, 5700 North Tamiami Trail, Sarasota, Florida, arranges accommodations for, determines the disability status of, and, in conjunction with staff and faculty, identifies success strategies for disabled students. Tashia Bradley, Coordinator, can be contacted by phone (941-359-4642) or e-mail ([tbradley@sar.usf.edu](mailto:tbradley@sar.usf.edu)). Success strategies and accommodations include but are not limited to, extended time on examinations, alternate formats for printed materials, and the services of interpreters.

(4) Students with disabilities are invited to identify themselves as having a disability and are responsible for registering with the Center by providing appropriate documentation of their disabilities. Once a student is approved for services, he or she will be provided with ways to access accommodations. An informational letter will be prepared for each of the student's professors. The student is then responsible for following up with the faculty. Faculty cooperation is vital to institutional compliance with the Americans with Disabilities Act of 1990. Information received by the Center is confidential. Student rights and responsibilities are explained and students are expected to act accordingly. The Diversity

and Gender Center welcomes any questions, concerns or comments that will enhance the program.

## **B. PROCEDURES**

### **(1) PUBLIC ACCOMMODATIONS.**

Sponsors of programs and events, such as campus cinemas, lectures and speakers, must advise potential attendees who may require reasonable accommodation to participate that such accommodation must be requested of the program sponsor at least five (5) working days prior to the event. Normally, the accommodation will be provided and funded by the program sponsor, however, requests for assistance and questions may be directed to the the Diversity and Gender Center. Final decisions on public accommodations issues will be made by the Vice President for Finance and Administration.

### **(2) EMPLOYEES**

#### **(a) Application**

1. New College of Florida may consider the skills, knowledge and/or experience of an applicant with a disability as attributes which could contribute to the diversity goals of the College.

2 Applicants are entitled to request reasonable accommodation in the application process, e.g., alternative application format or assistance in completion of the application, at least five (5) working days prior to time accommodation needed.

3. New College of Florida may make pre-employment inquiry as to an applicant's ability to perform essential job functions with or without reasonable accommodation and invite an applicant to give five (5) working days notice of any reasonable accommodation needed during the recruitment/hiring process. Otherwise, New College of Florida should not make pre-employment inquiry as to disability. Medical/Disability records are kept separate in Human Resources/Employee Relations files.

4. Pre-employment physical exams may be required for those positions for which there is a bona fide job related physical requirement, however, if such exams will be required of persons with a disability then those exams must also be given to all persons seeking the position after conditional job offers are made.

#### **(b) Employment**

1. New College of Florida will not unlawfully discriminate against its employees on the basis of disability and will provide accessibility and reasonable accommodation to its employees with regard to any aspect of employment including fringe benefits, training, conferences, professional meetings and recreational/social activities sponsored by New College of Florida. To request a reasonable accommodation under the Americans with Disabilities Act (ADA), an employee of New College of Florida must:

i. Submit a written request outlining the requested accommodation(s) to his/her immediate supervisor. Provide a copy of the request to appropriate Human Resources/Employee Relations staff.

ii. Attach documentation to the written request, including diagnosis of a disability, from the employee's primary health care practitioner. "Primary health care practitioner" is defined as a medical doctor, psychiatrist, or licensed psychologist.

2. The employee's supervisor will provide the appropriate Human Resources/Employee Relations staff with:

i. A copy of the employee's position description which enumerates the essential and marginal functions of the job. Should the supervisor need assistance in determining the essential functions of the position, the supervisor may consult with the appropriate Human Resources/Employee Relations staff.

ii. A brief statement outlining the potential impact of the requested accommodation upon the department.

3. In consultation with the supervisor, the appropriate Human Resources/Employee Relations staff will:

i. Determine and, if appropriate, offer an appropriate and reasonable accommodation to the employee via memorandum.

ii. Assign an "Accommodation Request Number" (ARN) for internal processing.

3. College employees scheduled for either domestic or international travel and who are requesting an ADA reasonable accommodation for such should submit their request a minimum of five (5) working days in advance of the scheduled travel.

4. The responsibility for funding the cost of a reasonable accommodation rests with the employee's department. Should a department demonstrate that funds do not exist, the department supervisor should then refer a request for co-funding to the next highest administrative level. Final decisions on employee disability issues for New College of Florida will be made by the Vice President for Finance and Administration.

### **(3) STUDENTS**

#### **(a) Applications**

1. The SUS application for admission invites applicants to disclose whether they would like "Special Admissions Consideration" based on disability. New College of Florida personnel responsible for making admissions decisions may give "special consideration" to applicants who self identify themselves as a person with a disability on the application (i.e. may consider the applicant's disability experience, skills and knowledge as attributes which could contribute to the diversity of the student body) but should not afford such an applicant any preferential treatment.

2. New College of Florida may make pre-enrollment inquiry as to an applicant's ability to meet the technical and academic standards of the College with or without reasonable accommodation, but should not otherwise make pre-enrollment inquiry as to disability.

**(b) Academic and Student Affairs Accommodations**

1. Students with disabilities who require reasonable accommodation in order to meet the academic requirements of New College of Florida or to participate in Student Affairs activities or services must request an accommodation in writing from the Dean of Student Affairs. Such requests must be accompanied by documentation of disability and an explanation of any documentation related to the need for the particular accommodation requested.

2. The Dean of Student Affairs may request that a student submit any additional documentation of disability or need for accommodation necessary to permit New College of Florida to make a decision on the request.

3. If disability and need for accommodation are adequately shown and the provision of such accommodation would not fundamentally alter the academic program, the Dean of Student Affairs, in consultation with other appropriate New College of Florida representatives, (e.g. the faculty member who teaches the course for which the student requests accommodation) will offer the student a reasonable accommodation.

4. In the event a student desires to appeal the offer of accommodation or in the event the Dean of Student Affairs and the person or unit requested to implement an accommodation on behalf of New College of Florida (e.g. a faculty member, etc.) are unable to reach agreement as to accommodation, final decisions as to student accommodations will be made by the President. (This should be the same person who considers appeal requests for reasonable substitution or modification of academic requirements per Board of Education Rule 6C-6.018).

**D. MISCELLANEOUS**

(1) Confidential documentation prepared in connection with requests for accommodation will be maintained apart from other personnel, student or other records.

(2) New College of Florida may request any person seeking accommodation to provide documentation of a specific and generally recognized physical or mental impairment that shows that the specific modification being requested is appropriate and necessary for the diagnosed disability.

(3)The New College of Florida General Counsel is available to assist with questions concerning ADA and the law and should be notified in the event an accommodation requestor retains a lawyer or otherwise makes claims in an external legal or administrative forum.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Candidacy of Employees for Public Office</b>	<b>4-27-02</b>	<b>0-005</b>

**Purpose:**

To advise College employees who wish to seek elected public office of the requirements of law and College policy and the effect of the law and policy on their employment with the College.

**Policy and Procedure:**

The right to be a candidate for and hold public office is a valuable one which requires a significant expenditure of intellectual and physical energy and time. Generally, College employees will be expected to take a leave of absence when running for public office would interfere with the full discharge of the employee's College duties. Employees must take all reasonable steps to avoid conveying the impression that the employee is an agent or representative of the College and avoid even an appearance of a conflict in this regard. Generally, College employees should resign, if elected, when holding public office is incompatible with College duties. The following is a summary of the provisions of State law and procedure respecting each category of College employment. The Federal Hatch Act, Title V, U.S.C. sec.1501 et seq. does not apply to College employees.

**I. USPS**

**A.** USPS employees cannot generally be candidates for or hold non-local public offices.

**B.** USPS employees may be candidates for and hold local public office when authorized by the President as having no interest which conflicts or activity which interferes with State employment.

1. USPS employees seeking or holding public office should submit a request for approval to be a candidate for and/or hold local public office to the President no later than 45 days prior to the deadline for qualifying for office.
2. The President will determine whether the candidacy or duties of the local public office involve an interest which conflicts or an activity which interferes with the

- employee's State employment and will either grant or deny the request with reasons stated to the employee.
3. The original of the request and a copy of the President's authorization will be retained in the employee's personnel file.
  4. A USPS employee who has been granted approval to become a candidate may be granted a leave of absence without pay or may be allowed to use accrued annual or compensatory leave credits at the President's discretion.

## **II. Faculty and A&P--(BOE Rule 6C-5.255)**

**A.** Faculty and A&P staff who intend to seek election to and hold public office shall notify the President responsible for the unit in which they are employed of their intentions by letter which includes facts sufficient for determination to be made whether the candidacy and office will interfere with the full discharge of College duties. Specifically, the President shall be advised of the office sought, the qualifying date, duties of office, hours of work involved in campaigning and holding office and what effect the candidacy will have on College duties. If it is determined that candidacy for and holding public office will interfere with College duties, the employee must take a leave of absence or submit a resignation.

## **III. University Police--(Sec. 99.012(7), Florida Statutes)**

**A.** Sworn police officers and subordinate personnel in the New College of Florida University Police who wish to seek public office are subject to the USPS or A&P procedure outlined above, whichever is applicable. However, sworn police officers and subordinate personnel are additionally subject to the provisions of sec. 99.012(7), Florida Statutes, which law mandates a leave of absence without pay from employment during the period of office seeking.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Reprisals</b>	<b>4-27-02</b>	<b>0-006</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy has been established to provide a statement upholding the right of College students and employees to engage in grievance proceedings and the like and committing the College to a position of not taking adverse action against individuals who file such complaints or those who assist them in doing so.

**II. STATEMENT OF POLICY**

The New College of Florida recognizes the right of its employees and students to voice their concern on campus issues or personal issues of concern to them. The College provides its employees and students with grievance processes described in College policy, collective bargaining agreements, state statutes, and federal law.

The College respects the right of its employees and students to participate in the grievance process and will not take any negative, retaliatory, or reprisal action as a result of an employee or student electing to lodge a grievance, appeal, or claim, whether filed before a campus body or officer or before an external regulatory board or commission.

Any employee or student who believes that adverse actions may have been taken against them because they participated in lodging a grievance, appeal, or claim against the College or one of its employees should file a written statement of their complaint with the Office of the President. An appropriate review and response to the complaint will be rendered to each employee or student who files a claim that adverse action has been taken against them as a reprisal.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Sexual Battery</b>	<b>4-27-02</b>	<b>0-007</b>

**STATEMENT OF POLICY**

Sexual battery (rape) is a felony under the criminal laws of the State of Florida and will not be tolerated at the New College of Florida. Any such act is a violation of College policy which, in the case of students, is subject to disciplinary action under the New College of Florida student code of conduct rule; and, in the case of employees, is subject to disciplinary action under applicable College rules and collective bargaining agreements.

It is the intent of the College to create and maintain a work and study environment that is safe from sexual battery. In addition, the College is committed to establishing policies and procedures that are responsive to victims of sexual battery. This policy provides a general overview of sexual battery and includes the following subjects:

- I.** Definitions and enforcement.
- II.** The rights of victims under Florida Statutes.
- III.** The rights that shall be accorded by the College to victims of campus-related sexual batteries.
- IV.** The services that are provided by the College to assist victims of sexual batteries, and to prevent sexual batteries from occurring.
- V.** Procedures for monitoring and reporting statistical data on campus-related sexual batteries.

**I. DEFINITIONS AND ENFORCEMENT**

Sexual battery is a felony under the criminal laws of the State of Florida. [Florida Statutes Chapter 794]. Rape is defined as the "oral, anal or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object", without the person's

consent. Sexual battery does not include acts done for bona fide medical purposes. Other related crimes are: sexual battery by multiple perpetrators (§794.023, F.S.); failure of certain witnesses to report sexual batteries (§794.027, F.S.); carnal intercourse with unmarried person under 18 years (§ 794.05, F.S.).

As law enforcement officers of the State with jurisdiction of crimes occurring on property or facilities which are under the College's supervision, the New College of Florida Police Department is responsible for the investigation of campus sexual battery incidents. The New College of Florida Police Department provides immediate assistance to the victim and initiates investigative processes to apprehend the perpetrator of the crime. The New College of Florida Police Department promptly informs the Sarasota County State Attorney's Office of sexual battery complaints and may consult with the State Attorney during the investigation of the complaint.

Sexual battery committed by students is a violation of the New College of Florida student code of conduct rule. Student perpetrators are subject to institutional disciplinary sanctions including expulsion as provided by the New College of Florida rule in addition to those stated above in accordance with State law.

Campus related sexual battery committed by employees is misconduct as provided by applicable rules and collective bargaining agreements. Employee perpetrators are subject to institutional disciplinary action including termination as provided by such rules/agreements in addition to those stated above in accordance with State law.

## **II. RIGHTS OF VICTIMS UNDER FLORIDA STATE STATUTES**

Florida laws provide protection and rights to victims of sexual batteries.

**A.** Florida Statute §794.024(1) provides that it is a misdemeanor of the 2nd degree for a public employee or officer to willfully and knowingly disclose the identity of an alleged victim of a sexual battery, child abuse/neglect, or lewdness, indecent exposure to persons other than those specified in the Statute (examples: investigator, prosecutor, defense, pursuant to court order, pursuant to §119.07)

**B.** Florida Statute §794.026 allows for the victim of a sexual offense (sexual battery or lewdness, indecent exposure) to maintain a cause of action for damages in certain

circumstances when their identity is inappropriately disclosed prior to open judicial proceedings.

**C.** Florida Statute §794.03 prohibits the printing, publishing or broadcasting in any instrument of mass communication of information leading to the identity of a victim of sexual battery and provides that such information is exempt from §119.07, Florida Statutes.

**D.** Florida Statute §960.003 provides that HIV testing may be ordered by the court. The court has the authority to order HIV testing for persons charged in certain listed crimes (which include sexual battery), upon the request of the victim or victim's legal guardian.

### **III. RIGHTS OF VICTIMS OF CAMPUS RELATED SEXUAL BATTERIES**

Certain rights shall be accorded to victims in connection with proceedings involving alleged student perpetrators under the New College of Florida student code of conduct.

### **IV. NEW COLLEGE OF FLORIDA SERVICES**

#### **A. Victim Services**

##### **1. Victims' Advocacy Program**

The Victims' Advocacy Program will assist New College of Florida students or employees who are victims of actual or threatened violence including assault, battery, sexual battery and attempted sexual battery. Services are available on-call 24 hours per day, 7 days a week by calling 252-5156.

Victim services include assistance in contacting professors or supervisors about absence, etc.; assistance with referrals and follow-up medical treatment and counseling services on and off campus; assistance with immediate changes in residence hall arrangements if needed for victims living on campus; assistance with immediate safe housing; transportation and assistance in disciplinary proceedings and/or the criminal justice system.

Police reports are strongly encouraged; however, reports are not required for information and referral assistance. The Victim Advocate telephone number is 252-

5156 and can be reached by contacting the Counseling and Wellness Center, The Parkview House. Office hours are Monday through Friday, 8 a.m. to 5 p.m. An on-call advocate can be reached anytime by contacting the program telephone number. The Victim Advocate is required by the Jeanne Clery Act to report the occurrence of sexual battery to the University Police Department immediately after the incident is brought to their attention. This information only includes the specifics of the incident and not the victim's name.

## 2. Counseling

The Counseling and Wellness Center provides professional counseling services to New College of Florida students. The direct services that are offered include: intake evaluation, short-term personal counseling, psychiatric consultation, group counseling and referral services.

For more information or an appointment, call 359-4254. The offices are located in the Parkview House. Office hours are from 8 a.m. to 5 p.m., Monday through Friday.

## 3. Student Health Services

The Counseling and Wellness Center functions as a walk-in clinic for students and maintains a day infirmary only. Services include on-site nurses and physicians, a variety of lab tests, and specialty clinics (including GYN).

The Counseling and Wellness Center is located in the Parkview House on the Palmer Campus. The telephone number is 359-4254 and the hours are 8 a.m. to 5:30 p.m., Monday through Friday.

## 4. Employee Assistance Program

The Employee Assistance Program provides professional counseling and referral services to New College of Florida employees. The direct services that are offered include: intake evaluation, short-term personal counseling, and referral services. For more information or an appointment, call the Director of Human Resources. The offices are located in Building "D", Room 120, Palmer Campus. Office hours are from 8 a.m. to 5 p.m., Monday through Friday.

## **B. Prevention Services/Education Programs**

### 1. Educational programs include the following:

**a.** The New College of Florida Police Department and Counseling and Wellness Center offer a variety of programs designed to educate students on protection and personal safety, risk reduction, drug and health risks, date acquaintance rape programs for both men and women, and a physical self defense program for women.

**b.** The Counseling and Wellness Center and the Residence Life Program offer alcohol and drug awareness programs including programming on sex under the influence.

**c.** Mandatory orientation programming for all new students includes a session on campus safety and another on wellness issues.

**d.** The Counseling and Wellness Center and the Residence Life Program offer outreach programming. Topics include: women's health; sexually transmitted diseases; substance abuse awareness and sexuality; and AIDS education.

**2.** The University Police provides a campus escort service after dark. The telephone number is 359-4210. Hours of operation are 24 hours a day, 7 days a week.

**3.** The emergency blue light telephone system provides direct and immediate access to the University Police dispatcher when the caller opens the telephone box. There are telephones designated by blue flashing lights located throughout the campus. Maps of the exact locations are available through the University Police.

## **V. STATISTICAL REPORTING**

Pursuant to federal law, specifically the Student Right to Know and Campus Security Act of 1990 (the Jeanne Clery Act), the University Police Department is required to report to the public statistics concerning the occurrence on campus of specific criminal offenses reported to local police agencies or to any official of the institution who has significant responsibility for student campus activities. The crimes that must be reported include murder, manslaughter, forcible and non-forcible rape, robbery, aggravated assault, burglary, arson, and motor vehicle theft. The information is used to make timely warnings to the community of the occurrence of these crimes.

It is the College's policy to provide to the public, upon request, the number of sexual battery cases that have been reported to University Police within a specified time period. Crime statistics are reported to Tallahassee in accordance with State law. Information concerning the incidence of crime is reported to the College community in a regular and timely manner through local and on-campus media. This information is also forwarded to the Federal Bureau of Investigation and included in the national crime report published by the United States Department of Justice.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Non-Criminal Investigation Procedures</b>	<b>4-27-02</b>	<b>0-008</b>

**I. INTRODUCTION (Purpose and Intent)**

The fundamental character of the academic enterprise should set the context of administrative decision making. This, the values of the academic environment – values that encourage free expression, self direction, independence of thought and action, individual responsibilities, collegiality and the highest standards of ethical behavior -- should guide the determination of methods of investigation and documentation that will be utilized in the resolution of situation involving non-criminal malfeasance, misfeasance or other misconduct of College employees in the performance of duties.

**II. STATEMENT OF POLICY**

As noted in Policy No. 0-003, the President is responsible for conducting a College-wide audit program of independent examinations and making reports and recommendations. The President may conduct special reviews of situations involving possible non-criminal malfeasance, misfeasance and other misconduct of employees.

The President is designated as the initial College contact for all allegations of fraudulent or other dishonest activity. When such allegations or other activities reveal situations involving possible criminal misconduct, the University Police Department and/or other appropriate law enforcement agencies have sole jurisdiction as provided by Florida and federal Law. In such situation, the University Police Department is promptly notified and responsible for the investigation and subsequent handling of the matter through the criminal justice system. The University Police Department utilizes such methods of lawful investigations as are deemed necessary by the University Police working in consultation with the Sarasota County State Attorney and/or other appropriate law enforcement agencies. The President may provide assistance to the University Police during such investigations.

In situations involving non-criminal malfeasance, misfeasance or other misconduct of College employees, the President utilizes review and investigative procedures which may include reviewing College records and interviewing employees and others. Such reviews are conducted in a reasonable, straightforward, collegial and ethical manner consonant with the values of the academic community. Reviews of this nature, however, frequently require that a prudent level of confidentiality be maintained for both the protection of the information

under review and the parties involved. Information gained and work performed may be considered confidential, as defined in Section 1012.91, Florida Statutes.

It is the policy of the College that the methods of review utilized in non-criminal situations will not include investigative surveillance. As used herein, the term "investigative surveillance" does not include the normal supervision of employees.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Sexual Harassment</b>	<b>4-27-02</b>	<b>0-009</b>

**I. INTRODUCTION (Purpose and Intent)**

New College of Florida strives for a study and work environment for students, faculty and staff that is free from sexual harassment. To achieve this goal, sexual harassment is prohibited at New College of Florida, and behavior that constitutes sexual harassment is unacceptable.

**II. STATEMENT OF POLICY .**

**(1) Definitions of Sexual Harassment.**

(a) Sexual harassment is defined as:

1. unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education experience;

b. submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or

c. such conduct is sufficiently severe and pervasive so as to alter the conditions of, or have the purpose or effect of substantially interfering with, an individual's work or academic performance by creating an intimidating, hostile, or offensive working or educational environment.

2. any conduct or activity which creates an adverse impact on an individual's ability to acquire or retain a benefit of employment (including hiring, promotion, salary increases, disciplinary actions or any other terms and conditions of employment), which acts to limit a student's access to, participation in or benefit from an educational program, or which creates a hostile or abusive employment or educational environment.

(b) sexual harassment does not include verbal expression or written material that is relevant and appropriately related to the subject matter of a course/curriculum or to an employee's duties. This policy is not intended to abridge academic freedom or the College's educational mission.

**(2) Prohibited Conduct.** The following actions are prohibited:

(a) Sexual harassment by or between any faculty member, staff member or student, including individuals of the same sex.

(b) Sexual harassment by any faculty member, staff member or student against any individual who is not a faculty member, staff member or student while assigned to duties or academic programs of the College regardless of their work location;

(c) Sexual harassment by any vendor or individual external to the College against any faculty member, staff member or student during the transaction of business with the College;

(d) Retaliation by any faculty member, staff member or student against any individual who, in good faith, has made any allegation of sexual harassment, or who has testified, assisted, or participated in any way in any investigation, proceeding, or hearing conducted under this policy or any federal or state law.

(e) Knowingly making false accusations or allegations of sexual harassment, or making false statements in any inquiry or investigation of alleged sexual harassment

(3) **Potential Participants.** Potential participants in a sexual harassment situation include, but are not limited to:

(a) faculty--faculty

(b) faculty--student

(c) faculty assistant--student

(d) supervisory staff-subordinate staff

(e) staff --faculty

(f) staff --staff

(g) staff --student

(h) student--student

(i) faculty --staff

(4) **Examples of Prohibited Conduct.** Examples of prohibited conduct include, but are not limited to:

(a) Displaying or telling of sexually oriented jokes, statements, photographs, drawings, computer images, web sites, videos, slides, graphics, calendars, cartoons, e-mails or other communications.

(b) Making sexually explicit or suggestive gestures or sounds

(c) Making actual or implied promises of an employment or educational opportunity or benefit in exchange for sexual activity.

(d) Making actual or implied threats to impede or interfere with employment or educational opportunities or benefits for failing to agree to or engage in sexual activity

(e) Inappropriate and unwelcome sexual touching, including but not limited to: patting, fondling, pinching, attempted or actual kissing.

(f) Requesting or coercing sexual intercourse or sexual favors, or attempting to or actually engaging in a sexual assault.

(g) Continuing to ask someone for a date after being told "no."

(h) Continuing any of the conduct listed in the above examples after being told or being otherwise made aware that the conduct is unwelcome

Prohibited conduct does not include verbal expression or written material that is relevant and appropriately related to the subject matter of a College course/curriculum or to an employee's duties.

(5) **Consensual Amorous or Sexual Relationships.** New College of Florida strives to create and maintain a professional, collegial environment for work and study. Professional and collegial relationships are based on mutual respect and trust. When persons in positions of unequal power engage in amorous or sexual relationships they should be aware that they

may be at risk of being accused of sexual harassment, either during the relationship or after the relationship ends, or being accused of having a conflict of interest. For additional information concerning conflicts of interest please refer to Ch. 112, Part III, Florida Statutes, the applicable collective bargaining agreement, and State of Florida Board of Education and College rules.

The College recognizes that consensual, amorous or sexual relationships between two people of unequal position or power (e.g., between a supervising staff member and a subordinate staff member, faculty member and student, or staff member and student) may become exploitative or lead to charges of sexual harassment. Accordingly, the College encourages its staff, faculty and students to refrain from such relationships.

**(6) Reporting Sexual Harassment.** If you believe you are being sexually harassed:

(a) If possible, tell the person whose actions you find offensive that you want the behavior to stop and/or that the behavior or conduct is unwelcome, and/or,

(b) Tell your supervisor or the head of the department in which you are enrolled or employed, or the supervisor/department head's supervisor of the offensive behavior, and/or,

(c) Contact the President of New College or his/her designee, (941) 359-4310

**(7) Procedures for Internal Handling of Complaints or Allegations of Sexual Harassment.**

(a) Authority to Investigate.--- The President or his/her designee is responsible for investigating complaints or allegations of sexual harassment.

(b) Filing of Complaints.--- The following persons may file complaints or allegations of sexual harassment:

1. any person protected under section (3) who believes that he/she has been sexually harassed

2. on behalf of any person protected under section (3), any person having knowledge of instances of sexual harassment of such protected person by any student, faculty or staff member, or vendor, or individual external to the College during the transaction of business with the College.

3. any faculty or staff member, who is in a supervisory position, and who is aware of possible instances of sexual harassment by any student, faculty or staff member.

(c) Mandatory Reporting of Alleged Sexual Harassment.--- Faculty and staff members who are in supervisory positions are required to promptly report verbally or in writing allegations of sexual harassment to the President or his designee. For purposes of this section, a faculty or staff member is deemed to be in a "supervisory position" if:

1. he/she supervises one or more other staff members; or

2. with respect to students, he/she qualifies under (7)(c)1. or supervises or teaches the student who is complaining about alleged sexual harassment.

(d) Review of Complaints of Alleged Sexual Harassment.--- Complaints of alleged sexual harassment shall be reviewed by the President or his designee to determine if an investigation is required. If the President or his designee determines to conduct an investigation, the complaint shall be investigated and resolved in accordance with appropriate procedures.

(e) Time Deadline for Filing Complaint of Alleged Sexual Harassment.--- A written complaint must be filed with the President or his designee within ninety (90) days of the alleged incident of sexual harassment. The President or his designee shall render a decision sixty (60) days thereafter. The President's or his designee's decision shall constitute agency action for purposes of further proceedings under Chapter 120, Florida Statutes.

(8) **Procedures External to New College of Florida.** Complaints of alleged sexual harassment may also be filed with the following external agencies:

(a) U.S. Equal Employment Opportunity Commission, Tampa, (813) 228-2310, TDD (813) 228-2003

(b) U.S. Department of Education, Office for Civil Rights, Atlanta, (404) 562-6358, TDY (404) 562-6454.

(c) Office of Federal Contracts Compliance Programs, Orlando, (407) 648-6181.

(d) Florida Commission on Human Relations, Tallahassee, 1(800) 342-8170, TDD (904) 488-8696.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Misconduct</b>	<b>4-27-02</b>	<b>0-010</b>

**6C11-8.004 Misconduct.**

(1) Applicability. This rule is applicable to all General Faculty and Administrative and Professional employees and to all University Support Personnel Systems employees of New College of Florida.

(2) College employees who intentionally act to impair, interfere with, or obstruct the mission, purposes, order, operations, processes, and functions of the College shall be subject to appropriate disciplinary action by College authorities as set forth in the applicable rules and laws governing such actions. Misconduct shall include, but not be limited to, the following:

- (a) Violence or threat of violence to others or against one's self.
- (b) Theft, conversion, misuse, damage or destruction of College property or of the property of members of the College community.
- (c) Unauthorized interference with the freedom of movement of any member or guest of the College.
- (d) Unauthorized interference with or impeding the rights of others to carry out their activities or duties at or on behalf of the College or in entering, using, or leaving any College facility or scheduled activity.
- (e) Interference with academic freedom and freedom of speech of any member or guest of the College.
- (f) Non-compliance with written or oral requests or orders of authorized College personnel in the performance of their official duties.
- (g) Providing false information to College officials, withholding required information from College officials or others, or misusing College documents.
- (h) Possession or use of fireworks, explosives, dangerous chemicals, ammunition, or weapons on campus without the written approval of the appropriate College authority.
- (i) Creating or in any way initiating a false alarm.
- (j) Misuse of, or interference with, firefighting equipment.
- (k) Disturbing the peace.
- (l) Violation of the College policy concerning the use of alcoholic beverages on campus.
- (m) Illegal possession or misuse of drugs and other controlled substances.
- (n) Unauthorized solicitation of funds.

(o) Violation of the Laws of Florida or of the United States -- any act that could constitute a violation of the laws of this state or nation will establish cause for legal and/or disciplinary action by the College.

(p) Endangering the health, safety, and welfare of members or guests of the College.

(q) Sexual harassment or other forms of illegal discrimination.

(r) Misuse or duplication of any College key.

(s) Violation of the College policy concerning smoking in buildings.

(t) Fabrication, falsification, plagiarism, misrepresentation of findings or other deviation from accepted practices in carrying out research or reporting the results of research, or failure to comply with legal requirements governing research.

(3) This rule shall apply to acts conducted on or off campus when relevant to the orderly conduct, processes, and functions of the College.

*Specific Authority , 1001.74(19), 1001.74(41), 1006.60, 1012.92 FS. Law Implemented 1006.61, 1006.60(2), 1012.92(1), FS. History—New \_\_\_\_\_.*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Equal Education and Opportunity Policy</b>	<b>4-27-02</b>	<b>0-011</b>

**I. INTRODUCTION (Purpose and Intent)**

New College of Florida is committed to the principles of equal educational and employment opportunities for, and non-discrimination towards applicants and employees with respect to race, color, religion, age, disability, sex, marital status, national origin, and veteran status, as provided by law, and in accordance with the College’s respect for personal dignity. It is the College’s goal to create and maintain a work and study environment that is positive and free of unlawful discrimination. Further, the College encourages the recognition of the diversity of its population and seeks to promote delivery systems, curricula activities and programs that reflect this diversity in all facets of College life.

**II. STATEMENT OF POLICY**

**Equal Education and Opportunity Policy.**

(1) Unlawful discrimination is unacceptable conduct that will not be tolerated at the College.

(2) No faculty member, student, administrator, supervisor or other employee or official of the College shall unlawfully discriminate or to take any other retaliatory action against an individual who, in good faith, has opposed an alleged unlawful discriminatory practice or has made a charge, testified, assisted or participated in any manner in an investigation or proceeding, under provisions of applicable law, relating to an alleged unlawful discriminatory practice.

(3) The College shall establish specific goals and strategies to promote equal educational and employment opportunities for members of minority groups, women, persons with disabilities and veterans

(4) Any applicant or employee who believes he or she has not been treated in accordance with the College’s Equal Education and Opportunity Policy may file a complaint with the President or his designee.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Authority to Sign Contracts and Other Documents</b>	<b>4-27-02</b>	<b>0-100</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to provide clear guidelines regarding the authority to sign contracts, agreements, letters of understanding, and other documents regarding legal assurances, commitments, and obligations on behalf of the College and its constituent units (colleges, departments, programs, etc.).

**II. STATEMENT OF POLICY**

The Florida Statutes and Board of Education provide that the President is the chief officer responsible for the operation and administration of the College. The President's authority includes the approval and execution on behalf of the New College of Florida Board of Trustees, of all contracts, agreements, letters of understanding, and other documents regarding legal assurances, commitments, and obligations on behalf of the College. The President requires that all such contracts be submitted to the General Counsel for review and approval as to form and legality.

The President may delegate to the Provost and Vice Presidents (and their designee(s) in certain circumstances) the authority to sign certain described contracts and other documents.

In the absence of such an express delegation of authority by the President, it is appropriate for the President to sign all contracts, agreements, letters of understanding, and other documents regarding legal assurances, commitments, and obligations on behalf of the College and its constituent units. Accordingly, College employees must not sign such contracts and other documents of agreement or commitment on behalf of the College unless they have been expressly delegated the authority to do so. For information and advice regarding such delegations of authority, College employees should contact the General Counsel.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Compliance with Legal Process and Responding to Communications from Attorneys and Court Officials</b>	<b>4-27-02</b>	<b>0-101</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to provide guidelines and procedures for College employees who receive legal process (e.g., court orders, summonses, subpoenas, etc.) or other communications from attorneys or court officials relating to College employment.

**II. STATEMENT OF POLICY**

The General Counsel is charged with the duty to advise the New College Board of Trustees and the President on legal matters and direct College legal affairs.

In order for the General Counsel to carry out his or her duty properly, it is necessary that the General Counsel be apprised of legal developments throughout the College.

Accordingly, all College employees (except University Police Officers subpoenaed for testimony pertaining to law enforcement activity) are required to seek the advice of the General Counsel regarding compliance with and response to all legal process, including a subpoena, court order, summons, letter from a lawyer or court official, or other form of legal process served on an employee in relation to his/her College employment.

**III. PROCEDURES**

All summonses, court orders, and subpoenas requiring either the personal appearance of a College employee for testimony relating to employment at College in his/her capacity as such or the production of College documents or records should ideally be served in the President's office, COH 204, 5700 North Tamiami Trail, Sarasota, Florida 34243, telephone number 359-4310.

If process is not served in the President's office, the following procedures are applicable:

1. Court Orders/Summonses - The person served should immediately forward either the original or a copy of the court order or summons to the President's office. When time is critical, please hand deliver or transmit it by facsimile (359-4655) to the President's office.
2. Subpoenas - The subpoena should be immediately forwarded to the President's office (COH 204). When time is critical, please hand deliver or transmit it by facsimile (359-4655). The College is often unable to comply with subpoenas for these records due to statutory confidentiality provisions.
3. Letters, correspondence and other communications from lawyers and court officials - the recipient of such communication should acknowledge receipt and indicate that the letter will be forwarded to the President's office for response. Then, the recipient should forward the letter to the President's office immediately.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>New College of Florida Records - Public Records Law Compliance and College Record Confidentiality</b>	<b>4-27-02</b>	<b>0-102</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to establish a procedure for responding on a reasonably timely basis to requests for public records in the custody of the College, while at the same time maintaining the confidentiality of College records which are confidential pursuant to law, and recognizing exemptions from the requirements of the Public Records Law.

**II. STATEMENT OF POLICY**

It is the policy of the New College of Florida that all public records in University custody shall be open for inspection by any person, at reasonable times and under reasonable conditions, and that University custodians of public records shall furnish copies of public records upon payment of a charge, where authorized by this policy, for the cost of duplication and labor.

**III. DEFINITIONS**

A. Public Record -- Any document, paper, letter, map, book, tape, photo, film, sound recording, or other material, regardless of physical form or characteristic, (including E-mail) , made or received pursuant to law or ordinance or in connection with the transaction of official College business.

B. Confidential Records and Non-Public Records -- College records which are exempt from the inspection and duplication requirements of the Public Records Law, and/or which are protected against public disclosure by Federal or State law. Confidential and non-public records are not subject to the charge procedure outlined in section IV.C of this policy. Confidential and non-public records generally include, but are not limited to:

1. Student records --§ 1002.20(12); § 1002.22,§ 1006.52, F.S.
2. Medical/Psychological records -- § 455.667, § 90.503, F.S. (located at the Counseling and Wellness Center)

3. Certain police records -- Chapter 119, F.S.
4. Evaluative personnel records --§1012.91, F. S.
  - a. reflecting academic evaluations of employee performance
  - b. reflecting nonacademic performance evaluations only if created on or before July 1, 1995
5. Social Security numbers in State employment records -- §119.07, F.S.
6. Certain information concerning University Police, Mental Health workers and their families - Chapter 119, F.S.
7. Certain collective bargaining records -- § 110.201, § 447.605, F.S.
8. Certain Division of Sponsored Programs records --§ 1004.22, F.S.
9. Certain Direct Support Organization records --§ 1004.28, F.S.

#### **IV. PROCEDURE**

A. Location of Records--Questions concerning the location of particular records may be referred to the Agency Clerk at extension 2450 or the General Counsel at extension 24310.

B. When a person receives a request to inspect or copy a College record, that person must determine whether the requested record is public or confidential and may telephone the General Counsel at extension 24310 for assistance.

C. If the requested record is a public record, the records custodian must, within a reasonable time \* :

1. Make the record available for inspection under reasonable conditions\* (which may include supervision of inspection), and/or
2. Furnish copies of the record to the records requestor without charge, where duplication and labor costs do not exceed \$10, or
3. Where duplication and labor costs are estimated to exceed \$10\*\*, charge the requestor a reasonable fee based on the actual cost of duplication and labor in accordance with the following procedure using the New College of Florida Public Records Charge Document (copy attached):
  - a. Complete items 1-4 of the New College of Florida Public Records Change Document and ask the public records requestor to sign the estimate.
  - b. Duplicate the requested records, then indicate actual costs of duplication and labor

and secure the accountable officer's signature on the New College of Florida Public Records Charge Document.

c. Furnish the requested record copies to the requestor when he/she presents evidence of payment in full.

\*Where questions arise concerning what constitutes a reasonable time or reasonable conditions, please contact the General Counsel at extension 24310.

\*\* Records requested in faculty grievance proceedings are provided without charge under the applicable collective bargaining agreement.

DEPARTMENT OF EDUCATION  
DIVISION OF COLLEGES AND UNIVERSITIES  
NEW COLLEGE OF FLORIDA  
PROPOSED RULE 6C11-2.001  
STUDENT RECORDS POLICY

6C11-2.001 New College of Florida Student Records Policy.

(1) Introduction. The policies and procedures outlined in this policy are designed to implement the provisions of the Family Educational Rights and Privacy Act ("FERPA"; 20 U.S.C. 1232g), and s. ~~228.093~~ 1002.22 and ~~240.237~~, 1006.52, Florida Statutes, pursuant to which New College of Florida is obligated to inform students and parents of their rights to review and inspect education records, to challenge and seek to amend education records, to control disclosure of education records, and to complain to the FERPA Office or to Florida Circuit Court concerning alleged violations by New College of Florida of any of such rights. New College of Florida has placed the responsibility for administration of this policy with its FERPA Coordinator who is the College Registrar.

(2) Definitions. The following definitions of terms apply to the construction of this policy:

(a) Student -- an individual who is registered for an on-or-off campus program leading to the award of academic credit from the College.

(b) Education records -- those records which are maintained by the College employees/agents of the College, which contain information directly related to a student. "Record," as used herein, includes any information or data recorded in any medium, including but not limited to handwriting, print, magnetic tapes and disks, film, microfilm, and microfiche. "Agents," as used herein, means any individual who, pursuant to express or implied authorization, represents and acts for the College. The following types of records are expressly exempt from the definition of "education records":

1. Sole possession records -- personal record of College employees/agents which meets the following test:

- a. It was created by the College employee/agent as a personal memory aid; and
- b. It is in the sole possession of the College employee/agent who created it; and
- c. The information contained in it has never been revealed or accessible to any other person, including the student, except the College employee's/agent's "temporary substitute." "Temporary substitute," as used herein, means an individual who performs on a temporary basis the duties of the College employee/agent.

2. Employment records -- records which are used only in relation to an individual's employment by the College. However, the following are education records rather than employment records:

- a. Records relating to a student's employment by the College if the position in which the student is employed depends on his/her status as a student.
- b. Records relating to a student's employment by the College if the student receives a grade or credit based on his/her performance as an employee.

3. Pre-attendance records -- records relating to an individual's application for admission to New College of Florida prior to his/her actual attendance as an enrolled student in the program for which application was made. This includes records relating to an application for admission to one of the colleges within the College prior to the individual's actual attendance as an enrolled student in that college.

4. Alumni records -- records created and maintained on an individual as an alumnus/alumna of New College of Florida.

5. Law enforcement records -- records created and maintained by the College Police which are used solely for law enforcement purposes, are maintained apart from education records, and are not disclosed to individuals other than law enforcement officials of the same jurisdiction; provided that, in addition, no member of the College Police shall have access to education records where this policy authorizes release without the student's prior written consent.

6. Health records -- records of the College's Counseling and Wellness Center for Human Development which are used only for the provision of medical, psychiatric, or psychological treatment and which are kept separate from education records.

(c) Personal identifier -- any data or information that relates a record to an individual. This includes the individual's name, the name of the individual's parents, or other family members, the individual's address, the individual's social security number and any other number or symbol which identifies the individual, a list of the individual's personal characteristics, or any other information which would make the individual's identity known and can be used to label a record as the individual's record.

(3) Annual Notification.

(a) The College will publish annually in the New College of Florida catalog a notice of student rights under FERPA and s. ~~228.093~~ 1002.22 and ~~240.237~~, 1006.52, Florida Statutes.

(b) The notice will advise of the following:

1. a student has the right to inspect and review his/her education records.
2. The College intends to limit the disclosure of information contained in a student's education records to the following circumstances:

- a. the student has given prior written consent to the disclosure; or
- b. the disclosure is of directory information which the student has not refused to permit the College to disclose; or
- c. the FERPA and Florida Statutes authorize the College's disclosure of the information without the student's prior written consent.

3. a student has the right to request the College to amend any part of his/her education record which he/she believes to be inaccurate, misleading, or in violation of his/her privacy or other rights; and, should the College deny the student's request, that the student has a right to a hearing to present evidence that the record is inaccurate, misleading, or in violation of his/her privacy or other rights.

4. there exists the right to report violations of FERPA to the Family Policy Compliance Office of the U.S. Department of Education, and to bring an action in Florida Circuit Court for violations of s. ~~228.093~~, 1002.22, Florida Statutes.

5. The locations where copies of this policy are available to students.

(4) Locations of Education Records.

(a) Admission records are located in the Office of Admissions, and the custodian for such records is the Dean of Admissions and Financial Aid, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(b) Cumulative academic records are located in the Registrar's office and the custodian for such records is the College Registrar, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(c) Medical records are located in the Counseling and Wellness Center, and the custodian for such records is the Director, Counseling and Wellness Center, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(d) Psychological/Psychiatric counseling records are located in the Counseling and Wellness Center, and the custodian for such records is the Director, Counseling and Wellness Center, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(e) Student employment records are located in the Campus Business Office, and the custodian for such records is the the Vice-President of Finance and Administration, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(f) Financial aid records are located in the Campus Business Office, and the custodian for such records is Dean of Admissions and Financial Aid, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167

(g) Financial records are located in the Campus Business Office, and the custodian for such records is the College Comptroller, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(h) College records are located in the college dean's office and/or departmental offices of each college or department and in the faculty offices at each college or department and the custodian for such records is the appropriate dean, department chairperson, professor, instructor or lecturer.

(i) Disciplinary records are located in the Office of Student Affairs, and the custodian for such records is the Dean of Student Affairs, New College of Florida, 5700 North Tamiami Trail, Sarasota, Florida 34243-2167.

(j) Occasional records, student education records not encompassed within the above-enumerated categories such as copies correspondence located in offices not listed above either shall be collected and the student directed to their location by the FERPA Coordinator, or shall otherwise be made available to the student for inspection and review.

(5) Procedure to Inspect Education Records.

(a) Students who wish to inspect and review their education records should submit a written request to the appropriate record custodian or to the FERPA Coordinator. The request should identify as accurately as possible the specific records the student wishes to inspect and review. It may identify records according to the types listed in subsection (4) of this policy, as records located at specific places, or as records under the custodianship of specific College employees/agents identified by title. Records listed in this policy as "occasional records" should be identified in terms which will make it possible for the FERPA Coordinator to locate them and make them available for the student to inspect and review.

(b) The FERPA Coordinator or the record custodian shall either permit the student to immediately inspect and review his/her education records or advise the student when and where the records will be available for inspection and review. Access to education records requested in compliance with this policy shall be granted within a reasonable period of time, but in no case more than thirty (30) calendar days after the FERPA Coordinator or the record custodian receives the student's written request. The FERPA Coordinator or the record custodian or his/her designee shall have the right to be present while the student inspects and reviews the records. Upon reasonable request, the College shall furnish the student with an explanation or interpretation of his/her record.

(c) Upon reasonable request and demonstration to the FERPA Coordinator that the failure to provide the student with copies of the requested education records will effectively deny the student the right to inspect and review such records, the College will arrange for the student to obtain copies of such records. In the event that the student has an unpaid financial obligation to the College, he/she shall not be entitled to transcripts or copies of education records.

(d) When records contain personally identifiable information about more than one student, a student may inspect only that information which relates to him/her.

(e) The College reserves the right to refuse to permit a student to inspect and review the following education records:

1. The financial records of the parents of the student or any information contained therein.

2. Statements and letters of recommendation prepared by College officials or submitted with the student's application for admission which were placed in the student's records before January 1, 1975 or for which the student has waived his/her right of access in writing; provided, however, that if such statements and letters of recommendation have been used for any purpose other than that for which they were originally prepared, the student may inspect and review them.

3. Those records which are excluded from the definition of "education records" under this policy.

(6) Copies of Education Records.

(a) Fees. The College will charge the following fees for copies of education records:

1. New College of Florida official transcripts -- \$5.00.

2. FERPA required copies of education records -- the fee for FERPA required copies of education records shall be Ten Cents (\$.10) per page, which reflects actual copying costs but does not include the cost of search and retrieval. Copies of education records are required by FERPA under the following circumstances:

a. A failure to provide such copies would effectively deny the student the right to inspect and review his/her records; or

b. The College has disclosed information from the student's education records under authority of the student's prior written consent and the student requests a copy of the information disclosed; or

c. The student requests copies of records the College has disclosed to other schools where the student seeks or intends to enroll.

3. Copies (not signed and certified) of education records will be available to students when administratively possible, even though not required by FERPA, at a copying cost of One Dollar (\$1.00) per page plus the actual cost of search, retrieval, and mailing.

(b) When administrative costs of collecting fees exceed the amount which would be received, the FERPA Coordinator shall be authorized to waive such fees.

(c) The College reserves the right to deny transcripts or copies of records not required by FERPA in any of the following situations:

1. The student has an unpaid financial obligation to New College of Florida.

2. There is an unresolved disciplinary action against the student.

3. There is an unresolved litigation between the student and New College of Florida.

(7) Directory Information.

(a) Designation of directory information. The College hereby designates the following described personally identifiable information contained in a student's education record as "directory information" in order that the College may, at its discretion, disclose the information without a student's further prior written consent:

1. The student's name.
2. The student's local and permanent addresses.
3. The student's local and permanent telephone listing.
4. Date and place of birth.
5. The student's classification and major field of study.
6. The student's participation in officially recognized activities and sports.
7. The weight and height of members of athletic teams.
8. The student's dates of attendance part-time or full-time status, degrees and awards received, and most recent previous educational agency or institution attended.
9. The student's photographic image.
10. Other similar information.

(b) Student's refusal to permit disclosure of "directory information." The College will publish in the Schedule of Classes for each academic term the above list, or a revised list, of the items of information it proposes to designate as "directory information." Students must notify the FERPA Coordinator in writing if they refuse to permit the College to disclose directory information about themselves; such notification must be received by the FERPA Coordinator no later than the end of the second week of classes of the academic term or the student will be deemed to have waived his/her right of refusal until the next academic term. When the FERPA Coordinator receives a student's refusal to permit the College to disclose

"directory information" about that student, the FERPA Coordinator will notify the appropriate records custodians of the student's action. The records custodians will not make any further disclosures of directory information about that student without the student's prior written consent except to the extent authorized by FERPA and the Florida Statutes.

(c) Publication of directory information in the College Directory. New College of Florida proposes to publish for each academic year a College Directory which will contain certain items of directory information respecting students who are registered during the Fall Semester of such academic year. Students registering during the Fall Semester must notify the FERPA Coordinator in writing of their refusal to permit the College to disclose or publish directory information in the College Directory; such notification must be received by the FERPA Coordinator no later than the end of the second week of classes of the Fall Semester or the student will be deemed to have waived his/her right of refusal with respect to the College Directory until Semester One of the next academic year.

(d) Requests for directory information. All requests for directory information about students should be referred to the FERPA Coordinator.

(8) Use of Education Records. All custodians of a student's education records and other College employees/agents will follow a strict policy that information contained in a student's education record is confidential and may not be disclosed to third parties without the student's prior written consent except as otherwise provided in this section.

(a) College officials shall have access to student education records for legitimate educational purposes.

1. "College official," as used herein, means:

a. A person currently serving as a member of the State of Florida Board of Education.

b. A person under contract to the State of Florida Board of Education/New College of Florida or the Florida Department of Administration in any faculty or staff position at New College of Florida.

c. A person employed by the State of Florida Board of Education as a temporary substitute for a staff member or faculty member at New College of Florida for the period of his/her performance as a substitute.

d. A person employed by the State of Florida Board of Education or under contract to the State of Florida Board of Education to perform a special administrative task for New College of Florida. Such persons may be employed as secretaries, clerks, attorneys, auditors, and consultants. They shall be considered to be College officials for the period of their performance as an employee or contractor.

2. "Legitimate educational purpose," as used herein, means a College official's need to know in order to:

a. Perform an administrative task outlined in the official's position description or contract; or

b. Perform a supervisory or instructional task directly related to the student's education; or

c. Perform a service or benefit for the student such as health care, counseling, student job placement, or student financial aid.

(b) Under the following circumstances, College officials may make disclosures of personally identifiable information contained in the student's education records without the student's consent:

1. To another college or College where the student seeks or intends to enroll.
2. To certain federal and state officials who require information in order to audit or enforce legal conditions related to programs at the College supported by federal or state funds.
3. To parties who provide or may provide financial aid to the student in order to:
  - a. Establish the student's eligibility for the financial aid;
  - b. Determine the amount of financial aid;
  - c. Establish the conditions for the receipt of the financial aid; or
  - d. Enforce the terms of the agreement between the provider and the receiver of the financial aid.
4. To state or local officials in compliance with state law adopted prior to November 19, 1974.
5. To an individual or organization under written agreement or contract with New College of Florida or the State of Florida Board of Education for the purpose of conducting a study on the College's behalf for the development of tests, the administration of student aid, or the improvement of instruction.
6. To accrediting organizations to carry out their accrediting functions.
7. To parents of a student if the parents claim the student as a dependent under the Internal Revenue Code of 1954. The College will exercise this option only on the condition that evidence of such dependency is furnished to the FERPA Coordinator.

8. To comply with a lawfully issued subpoena or judicial order of a court of competent jurisdiction. The College will make a reasonable effort to notify the student before it makes a disclosure under this provision.

9. The result of a disciplinary proceeding may be released to the victim of the student's crime of violence.

10. All requests for disclosure under the nine (9) circumstances listed above, where the College may disclose personally identifiable information without the student's prior consent to third parties other than its own officials, will be referred to the FERPA Coordinator or appropriate records custodian.

(c) College officials are authorized to make necessary disclosures from student education records, without the student's prior consent in a health or safety emergency if the College official deems:

1. The disclosure to be warranted by the seriousness of the threat to the health or safety of the student or other persons; and

2. The information disclosed is necessary and needed to meet the emergency; and

3. The persons to whom the information is disclosed are qualified and in a position to deal with the emergency; and

4. Time is an important and limiting factor in dealing with the emergency.

(d) College officials may not disclose personally identifiable information contained in a student's education record, except directory information or under the circumstances listed above, except with the student's prior written consent. The written consent must include the following:

1. A specification of the information the student consents to be disclosed;

2. The person or organization or the class of persons or organizations to whom the disclosure may be made; and

3. The date of the consent.

(e) The student may obtain a copy of any records the College discloses pursuant to the student's prior written consent.

(f) The College will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those third parties agree that they will not redisclose the information without the student's prior written consent.

(9) Records of Requests for Access and Disclosures Made from Education Records.

(a) All requests for disclosures of information contained in a student's education record or for access to the record made by persons other than College officials or the student or those requests accompanied by the student's prior written consent will be submitted to the FERPA Coordinator or appropriate records custodian. The FERPA Coordinator or appropriate records custodian will approve or disapprove all such requests for access and disclosures and, except for requests for directory information, he/she will maintain a record of these actions.

(b) This record of requests/disclosures shall include the following information:

1. The name of the person or agency that made the request.

2. The interest the person or agency had in the information.

3. The date the person or agency made the request.

4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

(c) The College will maintain this record of requests/disclosures as long as it maintains the student's education record.

(10) Procedures to Request Amendment of and Challenge Education Records.

(a) Students have the right to, in accordance with this policy, request amendment of and challenge the content of their education records.

(b) Definitions.

1. The term "incorrect" is used herein to describe a record that is inaccurate, misleading, or in violation of the privacy or other rights of students. A record is not "incorrect," for purposes of this policy, where the requestor wishes to challenge the evaluation reflected by the grade an instructor assigns for a course.

2. The term "requestor" is used herein to describe a student or former student who is requesting the College to amend a record.

(c) Students who believe that their education records contain information which is incorrect should informally discuss the problem with the record custodian. If the record custodian finds the information is incorrect because of an obvious error, and it is a simple matter to amend it to the satisfaction of the requestor, the record custodian may make the amendment.

(d) If the record custodian cannot amend the record to the requestor's satisfaction or if the record does not appear to be obviously incorrect, the record custodian will:

1. Provide the requestor a copy of the questioned record at no cost; and

2. Ask the requestor to initiate and provide the record custodian a written request for the amendment; such written request must identify the information which the requestor

believes is incorrect, must state why such information is incorrect, and must be dated and signed by the requestor.

(e) The record custodian will send the request, together with a written explanation of his/her refusal to amend the record to the requestor's satisfaction, to the FERPA Coordinator. The FERPA Coordinator will examine the request, discuss it with appropriate College officials, including the person who initiated the record, the College General Counsel, and other persons who might have an interest in the questioned record. At the conclusion of this investigation, the FERPA Coordinator will summarize his/her findings, make a recommendation for the College's action, and deliver the request, the record custodian's written explanation, his/her summary of findings, and his/her recommendation to the College President.

(f) The College President will instruct the FERPA Coordinator whether the record should or should not be amended in accordance with the request. If the College President's decision is to amend the record, the FERPA Coordinator will advise the record custodian to make the amendment. The record custodian will advise the requestor in writing when he/she has amended the record and invite the requestor to inspect the record.

(g) If the College President's decision is that the record is correct and should not be amended, the FERPA Coordinator will prepare and send the requestor a letter stating the decision. This letter will also inform the requestor that the requestor has a right to a hearing pursuant to s. 120.57, Florida Statutes to challenge the College's decision not to amend.

(h) In the event the education records are not amended to the requestor's satisfaction, the requestor shall have the right to place with the education records a written statement explaining, commenting upon, or disagreeing with information contained in the education

records. This statement shall be maintained as part of the student's education record for as long as the College maintains the questioned part of the record. Whenever the questioned part of the record is disclosed, the student's written statement shall also be disclosed.

(11) Right of Waiver of Access -- The College may request a waiver of access to evaluations and letters of recommendation related to admissions, employment applications and receipt of honors. While such a waiver may be requested, requests for waivers do not constitute a pre-condition for admission, financial aid, or any services or benefits. Upon request, students who have waived access to such items can receive a listing of all individuals providing confidential recommendations or evaluations.

*Specific Authority 120.53(1)(a), (b), 1006.52, FS. Law Implemented 120.53(1)(a), (b), 1002.20(12), 1002.22, 1006.52, FS. History—New\_\_\_\_\_*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Sunshine Law/Public Meetings</b>	<b>4-27-02</b>	<b>0-103</b>

**I. INTRODUCTION (Purpose and Intent)**

**II. STATEMENT OF POLICY**

**A. General Policy**

Florida’s Government in the Sunshine Law, codified at section 286.011, Florida Statutes, declares that all meetings of the New College of Florida Board of Trustees, at which official acts are to be taken, must be open to the public at all times. The open meeting requirement also applies to Board committees even where the committee only makes non-binding recommendations to the Board. The public’s right of access applies not just to the proceeding at which the formal vote or action is taken, but also to the entire decision-making process, including discussions and deliberations leading up to the vote or action. Thus, any gathering of two or more members of the Board or Board committee to discuss some matter which will foreseeably come before the Board or Board committee for official action is subject to the Sunshine Law.

**B. Requirements of Sunshine Law**

The Sunshine Law imposes three basic requirements:

1. meetings of the board or committee must be open to the public;
2. reasonable notice of the meeting must be given; and
3. minutes of the meeting must be taken and made available for public inspection.

**C. Consequences of Violation of Sunshine Law**

1. Effect of Violation on Validity of Action Taken. Violation of the Sunshine Law negates the action taken and renders the results invalid.

2. **Assessment of Attorneys Fees.** In a legal action to invalidate board action for violating the Sunshine Law, the court can assess attorneys' fees against the board (and, in some limited circumstances individual board members) if it determines that the board or board members violated the Sunshine Law.

3. **Criminal Sanction.** Any member who knowingly violates the Sunshine Law is guilty of a second degree misdemeanor.

#### **D. Application of Sunshine Law to Board Committees**

1. Committees Engaged Solely in Fact Finding or Information Gathering Not Subject to Sunshine Law. Board committees established strictly for, and performing only fact-finding activities (i.e. information gathering and reporting) are not subject to the Sunshine Law.

2. Committees with Decisionmaking or Advisory Powers Subject to Sunshine Law Board committees to whom board decision making authority has been delegated, or who make official recommendations to a board on matters upon which the board will take official action are subject to the Sunshine Law. The relevant inquiry is whether the committee plays an integral part in the overall decision-making process by materially affecting or limiting the options ultimately presented to the board for formal action.

3. Meetings/Discussions Between Board Member and Board Committee Member The Sunshine Law applies to meetings between members of the *same* board or committee. Thus, one member of a board may meet or talk privately with one member of a committee of that board as long as one member is not also a member of the board or committee and has not been delegated decision-making authority; and (3) is not participating in the discussions as a liaison for the board or committee or any smaller group thereof.

#### **E. Application of Sunshine Law to Staff Personnel**

1. Meetings/Discussions Between Board/Board Committee Members and Staff. Individual Board or Board committee members are free to meet with staff personnel at any time since staff are not normally subject to the Sunshine Law.

2. Meetings Between Staff Members Meetings between staff where the discussions relate to matters upon which the board or board committee may take action are not subject to the Sunshine Law if:

- a. the discussions are informational;
- b. none of the individuals present has decision-making authority with respect to the matter; and
- c. no formal action is, or could be taken at the meeting on the matter

3. When Staff are Subject to Sunshine Law. Staff personnel are subject to the Sunshine Law if they are:

- a. performing delegated Board or Board committee decision-making functions outside the ambit of their normal staff functions;
- b. acting as liaisons between Board or Board Committee members; or
- c. acting in place of Board or Board Committee members at their direction

Thus, a staff person or staff committee charged with making non-binding recommendations to a board is subject to the Sunshine Law. Likewise, to the extent the president of a university has been delegated authority to take official action, an ad hoc committee appointed by president to advise him/her with respect to such action is subject to the Sunshine Law.

#### **F. Application of Sunshine Law to Correspondence and Electronic Communications**

1. Physical Presence of Members Not Necessary to Application of Sunshine Law The physical presence of two or more Board, Board committee, and/or staff members is not necessary to application of the Sunshine Law. It is the nature of the members' interaction, not necessarily their physical presence, that triggers the Sunshine Law.

2. Communication by written correspondence, telephone, teleconference, or computer Communication between members by written correspondence, telephone, teleconference, or computer by which they act, deliberate upon, or discuss any matter which may foreseeably come before them for official action is subject to the Sunshine Law.

#### **G. Guidelines for Complying with the Sunshine Law**

The following guidelines should be followed to ensure that the Sunshine Law is not violated:

1. Compliance Required When Two or More Members Meet to Discuss in Person or Electronically Matter which Foreseeably May Come Before Them If two or more board or board committee members wish to meet in person or electronically for the purpose of discussing or deliberating upon a matter which will foreseeably come before the board or committee for official action, they should ensure that the public is given reasonable notice of, and access to the meeting (attached are form notices).

2. Interactions Which Should Not Take Place Without First Giving Notice and Conducting Open Meeting, Discussion or Deliberation In the absence of compliance with the Sunshine Law, members of the same board or board committee should not:

- a. meet with another board or committee member for purposes of taking any official action relating to, or within the scope of their official board duties or affairs; or

b. engage in any discussion with another Board member, either verbally, in writing, or electronically, relating to matters within the scope of their official duties or affairs which may foreseeably come before them for official action.

3. Safe Harbor for Purely Administrative, Fact Finding, Investigative or Information Gathering Functions The open-meeting requirement applies to meetings at which a board or board committee takes official acts. Thus, acts which do not require board action to be official are not generally subject to the Sunshine Law. Consequently, where two or more Board or Board committee members are performing only the following functions, their actions and discussion pertaining thereto are not subject to the Sunshine Law:

a. investigative and fact-finding functions: (i.e., information gathering and reporting) An individual board member may state his or her position, or make a recommendation to another board or committee member, provided such position statement or recommendation does not seek a response from the other member

b. purely administrative and operational functions for which no official Board or Board committee action is required or contemplated

## **H. Giving Notice of Meeting, Discussion or Deliberation**

1. Method and Contents of Public Notice The notice of public meeting should contain the time and place of the meeting, and an agenda, if one is available. If no agenda is available, a subject matter summation will be adequate. The use of press releases and/or phone calls to the media or wire services is easy and highly effective. On matters of critical public concern, advertising in the newspaper is appropriate. The appropriate notice should be posted prominently at locations around campus typically reserved for notices to the New College of Florida community (e.g., library, Hamilton Center, Cook Hall). If practical, also post the notice on the New College of Florida official website (contact Agency Clerk who is Suzanne Janney, Cook Hall, Room 125, 5700 North Tamiami Trail, Sarasota, Florida 34243). Attached is a sample of notice.

2. Time of Public Notice For regular meetings, advance notice of one week is required. In emergencies, notice that is appropriate and effective under the circumstances should be given. Special meetings should have at least 24 hours reasonable notice to the public

3.

## **I. Electronic Meetings, Discussions and Deliberations**

1. Method and Contents of Public Notice of Meeting/Discussion Conducted Electronically The following guidelines should be followed with regard to the use of teleconferencing, video conferencing and computers (e.g., internet or intranet e-mail or chat rooms) to discuss or deliberate upon matters otherwise subject to the Sunshine Law:

a. Proper notice must be given

b. The notice should include the locations where the interactive telecommunications capabilities will be provided

c. Interactive public access must be provided at a designated location on campus where electronic conferencing equipment or computers providing the necessary telecommunications access is made available without charge to members of the public who might not otherwise have access to such interactive telecommunication capabilities

d. Where a quorum is required to take official action, the members making up the quorum must be physically present (e.g., Board or Board committee meetings). Attached is a sample notice.

## **J. Minutes of Meeting**

The Sunshine Law mandates that minutes be taken of any meeting or discussion that is subject to the sunshine Law. The minutes should be filed with the New College of Florida Agency Clerk who is Suzanne Janney, Cook Hall, Room 125, 5700 North Tamiami Trail, Sarasota, Florida 34243.

## **K. Questions and When in Doubt**

The Florida Supreme Court has stated in regard to the Sunshine Law that “[w]hen in doubt, the members of any board...should follow the open meeting policy of the State.”

If you have any questions, or are in doubt, contact New College of Florida’s General Counsel who is David Smolker, 500 East Kennedy Boulevard, Suite 200, Tampa, Florida 33602, phone: 813-223-3888; e-mail: [dsmolker@bsbpropertylaw.com](mailto:dsmolker@bsbpropertylaw.com).

Records received, considered or made by a search and screen committee will almost always be public records that must be made available for public inspection and copying according to the requirements of the Florida Public Records Law. (See New College of Florida Policy & Procedure 0-102). One applicable exception provides access limitations for evaluative information regarding a New College of Florida employee's performance. (All academic evaluations are confidential, but nonacademic evaluations are confidential only if they were created on or before July 1, 1995). (Note that no such provision applies to outside applicants' evaluations).

Should you have a question about compliance with Florida's Public Meetings Law or Public Records Law, or a question about any legal responsibility of the university and its employees, please do not hesitate to contact the General Counsel for advice and assistance.

NOTICE OF PUBLIC MEETING

The New College of Florida announces a public meeting of \_\_\_\_\_ to which all persons are invited.

**DATE** **AND** **TIME:**

\_\_\_\_\_

**PLACE:**

\_\_\_\_\_

**PURPOSE:**

\_\_\_\_\_

A copy of the agenda or summary of the subject of the meeting may be obtained by writing to New College of Florida at Cook Hall, 5700 North Tamiami Trail, Sarasota, Florida 34243 or by calling \_\_\_\_\_ (name) at \_\_\_\_\_ (phone #).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise New College of Florida at least 48 hours before the meeting by contacting \_\_\_\_\_ (name) at (phone#) \_\_\_\_\_. If you are hearing or speech impaired, please contact (name) \_\_\_\_\_ at (phone#) \_\_\_\_\_.

NOTICE OF PUBLIC MEETING

BY INTERACTIVE ELECTRONIC PUBLIC ACCESS

The New College of Florida announces a public meeting of \_\_\_\_\_ (name of board or board committee) to which all persons are invited.

**DATE**

**AND**

**TIME:**

\_\_\_\_\_

**PLACE:**

\_\_\_\_\_

**PURPOSE:**

\_\_\_\_\_

This meeting will be conducted via the following interactive electronic communication technology: \_\_\_\_\_ (identify technology) \_\_\_\_\_.

Interactive electronic public access to this meeting will be provided without charge to persons seeking such access.

This access will be available at \_\_\_\_\_ (indicate location where access available) \_\_\_\_\_.

The meeting can be accessed by \_\_\_\_\_ (explain how to access the meeting) \_\_\_\_\_.

If you require further assistance, call \_\_\_\_\_ (name) \_\_\_\_\_ at \_\_\_\_\_ (phone#) \_\_\_\_\_.

A copy of the agenda or summary of subject matter of meeting may be obtained by writing to New College of Florida at Cook Hall, 5700 North Tamiami Trail, Sarasota, Florida 34243 or by calling \_\_\_\_\_ (name) \_\_\_\_\_ at \_\_\_\_\_ (phone#) \_\_\_\_\_.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise New College of Florida at least 48 hours before the meeting by contacting \_\_\_\_\_ (name) \_\_\_\_\_ at \_\_\_\_\_ (phone #) \_\_\_\_\_. If you are hearing or speech impaired, please contact \_\_\_\_\_ (name) \_\_\_\_\_ at \_\_\_\_\_ (phone#) \_\_\_\_\_.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>New College of Florida Publications</b>	<b>4-27-02</b>	<b>0-200</b>

### I. STATEMENT OF POLICY

Any and all publications and promotional materials, including graphics-capable electronic communications (e.g., World Wide Web Home Pages) should bear the College logo or seal. Appropriate use of the logo and seal is set forth in the College's Graphics Standards Manual. Further guidance may be obtained through the Public Affairs Director.

### II. PROCEDURES

#### A. Standards

1. All publications shall comply with rules and regulations included in the College's Graphics Standards Manual. Manuals are available in the offices of Department Heads, Deans, Vice Presidents and Public Affairs Director.
2. All New College of Florida publications paid for by state funds shall be produced in compliance with sections 283 and 287, Florida Statutes.
3. The editor and issuing unit shall be responsible for the contents of the publication produced.

#### B. Mechanics of Getting into Print

1. Consult with the Public Affairs Director about the type of publication desired. Consider the purpose, audience, desired results, and budget in making decisions about publications and alternatives. Develop effective copy and design consistent with the Graphics Standards Manual, budget limitations and time constraints.
2. Delivery and distribution mode and cost.
3. Preparation of the manuscript copy and acquisition of necessary artwork, illustrations and pictures.

C. The Requisition and Bidding Process

1. The standard "Requisition to Purchase" shall be used to secure printing service when using state funds to purchase. The requisition shall be prepared by the department and approved by the appropriate authorized designee.
2. The requisition shall be forwarded to the appropriate Purchasing staff.
3. All printing by off-campus vendors and costing less than \$11,000 require written or confirmed telephone quotation. Two (2) bids are required.
4. On-campus printing is strongly encouraged and does not require multiple bids.
5. All printing costs of \$11,000 or more requires formal bidding and a ten (10) day posting period.
6. All bids shall contain the following information: quantity to be printed, options for additional prints or reprints, dimensions, paper stock, number and color of ink, expected photos and artwork, typesetting requirements, folding and binding needs, proofs required and a time schedule for both the printer and the College to follow.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Use of College Name and Symbols</b>	<b>4-27-02</b>	<b>0-201</b>

**I. INTRODUCTION (Purpose and Intent)**

In order to promote goodwill in the business community and increase the visibility of the New College of Florida, the New College of Florida Board of Trustees will generally grant revocable, renewable licenses which enable third party entities to use the College name and symbols for approved commercial, promotional and product purposes.

The Board of Trustees does not permit the use of the New College of Florida name or symbols in commercial or other advertising or promotional materials where such use implies College endorsement of the advertiser or product or service unless approved by the Board.

All requests for the commercial use of the New College of Florida name or symbols should be referred to the President. All requests from non-College third parties for non-commercial use of the New College of Florida name or symbols should be referred to the President. Organizational units of the College, registered student organizations and official New College of Florida Faculty and Staff groups do not require permission to use the New College of Florida name and symbols for non-commercial purposes.

**II. STATEMENT OF POLICY AND PROCEDURE**

Persons interested in acquiring a license to use the College name or symbols for commercial purposes must apply to the Board through the President. Applicants shall state with particularity the symbols they wish to use and the use they wish to make of the symbols. If the symbols are to be placed on a product, a copy, example or detailed description of the product should accompany the application.

If the Director of Auxiliary Services determines the requested use is permissible, an agreement outlining the terms and conditions of the license will be forwarded to the requestor. Before the license is issued, the requestor must sign and return a copy of the agreement indicating agreement with its terms to the Board. All licenses shall expire and are renewable in accordance with the terms of the agreement.

Persons interested in acquiring a license to use the College name or symbols for non-commercial purposes must apply to the Board through the President. Applicants shall state

with particularity the symbols they wish to use and the use they wish to make of the symbols. If the symbols are to be placed on a product, a copy, example or detailed description of the product should accompany the application. If the Board determines the requested use is permissible, a letter outlining the terms and conditions of the license will be forwarded to the requestor. Before the license is issued, the requestor must sign and return a copy of the letter indicating agreement with its terms to the Board.

All such licenses shall expire and are renewable in accordance with the terms of the letter of agreement.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Naming of Institutional Facilities</b>	<b>4-27-02</b>	<b>0-202</b>

**I. GENERAL POLICY**

The New College of Florida may recognize the significance of certain events, individuals, or groups, by recommending to the Florida Board of Education that institutional buildings or other facilities or parts thereof be named in honor of the event, individual, or group. The New College of Florida Board of Trustees has authority and responsibility for approving the name of buildings and facilities or parts thereof on behalf of the College, and recommending approval by the Board of Education in accordance with applicable laws and rules. The President has authority and responsibility for the administration of this policy.

**II. GENERAL CRITERIA**

A. Facilities and/or parts thereof may be named for an individual, living or deceased, who is not a College employee but has distinguished himself or herself through significant contributions to the College. These contributions may be in the form of material gifts, special service, extraordinary achievement in a scholarly discipline, or magnanimous dedication to the betterment of the College or society. In accordance with Section 267.062, Florida Statutes, a College facility may not be named for any living person except as specifically provided by law.

B. As a general rule, College facilities shall not be named for current or former College employees, living or deceased. An exception to this policy may be considered by the Board of Trustees when an individual has made significant contributions to the College. The contribution to the College must be broader than any sub-part.

In special and limited cases, the Board may decide that the contributions of a deceased or retired College employee were of such extraordinary dimensions that appropriate recognition would include naming a part of a building, such as an office, classroom, lobby area, laboratory, or auditorium for that individual.

1. No facility, building, or part thereof shall be named for an individual who is currently employed by the College.

2. No request to name a facility, building, or part thereof for a retired employee or deceased individual will be considered by the College until two years following the date of retirement or date of death.

C. Buildings or facilities may be named for a donor or donors to the College in accordance with the following guidelines:

1. A building or facility may be named for a donor who makes a gift which approximates or exceeds 50% of the total construction cost of the building or facility; or

2. Donors may establish endowments to provide for the perpetual maintenance of existing academic facilities. Naming opportunities exist for the recognition of such gifts. Information regarding such naming opportunities is available from the President.

### **III. PROCEDURE**

A. Nominations for the naming of facilities or parts thereof shall be made in writing to the President who, in consultation with the president of the New College Foundation, Inc., shall provide a recommendation to the Board of Trustees. Each nomination shall be acknowledged and acted upon by the Board of Trustees.

B. The President shall also refer nominations for the naming of a building or facility for a person or entity other than a donor to the Provost and to the College Standing Committee on Honors and Awards for a recommendation. Such recommendations shall be given to the President within 60 days of referral to the committee.

C. The Board of Trustees has final authority to approve the naming of buildings on behalf of the College, and to recommend approval by the Board of Education.

### **IV. RECOGNITION**

If the naming of a building or facility or part thereof is approved by the Board of Trustees, the Board of Education, and the Florida Legislature, as appropriate, the President or designee shall be responsible for planning and coordinating appropriate recognition activities and events.

### **V. EXCEPTIONS**

The Board of Trustees shall have the sole authority to make exceptions to these policies and procedures in order to serve the College's interests.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>NEW COLLEGE OF FLORIDA EVENTS CALENDAR</b>	<b>4-27-02</b>	<b>0-203</b>

**I. INTRODUCTION (Purpose and Intent)**

The New College of Florida Events Calendar was created to give the College community -- and beyond -- a central place to view social, athletic, and theatrical events; public lectures, meetings, and conferences; visits to campus or neighboring communities by dignitaries or other high profile personalities; required testing sites and times; and any other type event to which the general public is invited. The Events Calendar is informational in nature, and is also intended to assist all divisions and departments with event planning so as to minimize scheduling overlaps and conflicts.

**II. STATEMENT OF POLICY**

The New College of Florida Director of Public Affairs, at the direction of the President, and in coordination with the President of the New College Foundation, Inc., is the responsible overseer of the operation of the Events Calendar. This includes maintenance, editorship, and timely entry by all authorized editors. College staff, as appropriate, shall be granted editing capability by the President.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Statement of Policy Regarding Inventions and Works</b>	<b>4-27-02</b>	<b>0-300</b>

**I. INTRODUCTION (Purpose and Intent)**

**II. STATEMENT OF POLICY**

**Inventions and Works.**

(a) Definitions. The following definitions shall apply for purposes of interpreting and implementing this policy:

1. A "work" includes any copyrightable material such as printed material, computer software or databases, audio and visual material, circuit diagrams, architectural and engineering drawings, lectures, musical or dramatic compositions, choreographic works, pictorial or graphic works, and sculptural works.

2. An "invention" includes any discovery, invention, process, composition of matter, article of manufacture, know-how, design, model, technological development, strain, variety, culture of any organism, or portion, modification, translation, or extension of these items, and any mark used in connection with these items.

3. "Instructional technology material" includes video and audio recordings, motion pictures, film strips, photographic and other similar visual materials, live video and audio transmissions, computer programs, computer assisted instructional coursework, programmed instructional materials, three-dimensional materials and exhibits, and combinations of the above materials, which were prepared or produced in whole or in part by an employee, and which are used to assist or enhance instruction.

4. "College support" includes the use of College funds, personnel, facilities, equipment, materials, or technological information; and includes such support provided by other public or private organizations when it is arranged, administered, and/or controlled by the College.

5. "Employee" means all General Faculty, Administrative and Professional, USPS, and OPS employees of the College, in-unit or non-unit, regardless of classification or source

of funding of the position, and volunteers and other persons who engage in College-supported effort.

(b) Works.

1. Independent Efforts. A work made in the course of independent efforts is the property of the employee, who has the right to determine the disposition of such work and the revenue derived from such work. As used in this section, the term independent efforts means that:

- a. the ideas came from the employee;
- b. the work was not made with the use of College support; and
- c. the College is not held responsible for any opinions expressed in the work.

2. College-Supported Efforts. If the work was not made in the course of independent efforts, the work is the property of the College and the employee shall share in the proceeds therefrom. However, in keeping with tradition, it is not the intent of the College to assert rights to books, articles, and similar works, the intended purpose of which is to disseminate the results of academic research or scholarly study nor to assert rights to instructional technology material which is developed without the use of appreciable College support and is used solely for the purpose of assisting or enhancing the employee's instructional assignment.

3. Disclosure.

a. Upon the creation of a work, and prior to any publication, the employee shall disclose to the President or Vice President any work made in the course of College-supported efforts, together with an outline of the project and the conditions under which it was done.

b. The President or Vice President shall gather information to assess the relative equities of the employee and the College in the work.

c. Within sixty (60) days after such disclosure, the President or Vice President will inform the employee whether the College seeks an interest in the work, and a written contract shall thereafter be negotiated to reflect the interests of both parties, including provisions relating to the equities of the employee and allocating proceeds resulting from such work. All such agreements shall comport with and satisfy any preexisting commitments to outside sponsoring contractors.

d. The employee and the College shall not commit any act which would tend to defeat the College's or employee's interest in the work and shall take any necessary steps to protect such interests.

(c) Inventions.

1. Disclosure/College Review.

a. An employee shall fully and completely disclose to the President or Vice President all inventions which the employee may develop or discover while an employee of the State College System together with an outline of the project and the conditions under which it was done. With respect to inventions made during the course of approved outside employment, the employee may delay such disclosure, when necessary to protect the outside employer's interest, until the decision has been made by the outside employer whether to seek a patent.

b. If the College wishes to assert its interest in the invention, the President or Vice President shall inform the employee within one hundred twenty (120) days of the employee's disclosure to the President or Vice President.

c. The President or Vice President shall conduct an investigation which shall assess the respective equities of the employee and the College in the invention, and determine its

importance and the extent to which the College should be involved in its protection, development, and promotion.

d. The President or Vice President shall inform the employee of the College's decision regarding the protection to be sought for the invention within a reasonable time, not to exceed 135 days from the date of the disclosure to the President or Vice President.

e. The division, between the College and the employee, of proceeds generated by the licensing or assignment of an invention, shall be negotiated and reflected in a written contract between the College and the employee. All such agreements shall comport with and satisfy any preexisting commitments to outside sponsoring contractors.

f. The employee shall not commit any act which would tend to defeat the College's interest in the matter, and the College shall take any necessary steps to protect such interest.

2. Independent Efforts. All inventions made outside the field or discipline in which the employee is employed by the College and for which no College support has been used are the property of the employee, who has the right to determine the disposition of such work and revenue derived from such work. The employee and the President or Vice President may agree that the patent for such invention be pursued by the College and the proceeds shared.

3. College-Supported Efforts. An invention which is made in the field or discipline in which the employee is employed by the College or by using College support is the property of the College and the employee shall share in the proceeds therefrom.

4. Outside Employment.

a. While an employee may, in accordance with Rule 6C4-10.005 and the pertinent collective bargaining agreement, engage in outside employment pursuant to a consulting agreement, requirements that an employee waive the employee's or College's rights to any inventions which arise during the course of such outside employment must be approved by the President or Vice President.

b. An employee who proposes to engage in such outside employment shall furnish a copy of this Rule and, if applicable, the pertinent collective bargaining agreement, to the outside employer prior to or at the time a consulting or other agreement is signed, or if there is no written agreement, before the employment begins.

5. Release of Rights.

a. In the event a sponsored research contractor has been offered the option to apply for the patent to an invention or other rights in an invention, the College will use its good offices in an effort to obtain the contractor's decision regarding the exercise of such rights within 120 days.

b. At any stage of making the patent applications, or in the commercial application of an invention, if it has not otherwise assigned to a third party the right to pursue its interests, the President or Vice President may elect to withdraw from further involvement in the protection or commercial application of the invention. At the request of the employee in such case, the College shall transfer the invention rights to the employee, in which case the invention shall be the employee's property, and none of the costs incurred by the College or on its behalf shall be assessed against the employee.

c. All assignments or releases of inventions, including patent rights, by the President or Vice President to the employee shall contain the provision that such invention, if patented by the employee, shall be available royalty-free for governmental purposes of the State of Florida, unless otherwise agreed in writing by the College.

(d) Execution of Documents. The College and the employee shall sign an agreement individually recognizing the terms of this rule.

(e) Responsibility. The authority and responsibility for administration and implementation of this rule is delegated to the Vice President.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Misconduct in Research</b>	<b>4-27-02</b>	<b>0-301</b>

**I. INTRODUCTION**

A. Purpose and Intent. In recent years the issue of misconduct in research has become a matter of concern to research institutions, individual scientists, sponsors of research, including the Federal government, and the general public. However, it should be noted that instances of verified misconduct in research are rare. The New College of Florida expects that all research conducted by its faculty, students, or other associates will comply with generally-accepted ethical and legal standards for research. The purpose of this policy document is to establish the procedure for reporting and investigating possible misconduct in research at the New College of Florida. The final responsibility for carrying out this policy lies with the College’s President. While responsibility for determination of appropriate discipline or evaluative actions in response to a finding of misconduct remains with the appropriate President or Provost, the procedures described herein are designed to deal with the unusual occurrence of research misconduct, and do not represent a consensus that such misconduct is widespread at the College.

B. Application of the Policy. This policy is applicable to all cases of alleged or apparent misconduct in research at the College. Research misconduct is defined as: fabrication or falsification of data, plagiarism, or other practices which seriously deviate from commonly accepted practices in proposing, carrying out or reporting research. Research misconduct does not include honest error or honest differences in interpretations or judgments of data.

C. Appointment of the Standing Committee on Research Misconduct. The President shall appoint a Standing Committee on Research Misconduct which shall consist of six members no less than five of whom shall be faculty members from different areas within the College. The members of the Committee shall serve for terms of three years. The terms of the initial appointments shall be staggered, with two of the members appointed for one year, two for two years and two for three years. The President shall designate the Chair of the Committee.

**II. PROCEDURES FOR REPORTING AND INVESTIGATING RESEARCH MISCONDUCT**

The procedures for reporting and investigating research misconduct are presented below. Time limits are given for each step to insure timeliness. While all time limits are subject to extension for good cause, the applicability of time limits imposed by regulations of sponsoring agencies must be considered. For the sake of the person charged with misconduct, the College, and any agencies or sponsors involved with the research, it is important that all charges be investigated in a rapid but thorough manner.

A. The Initial Inquiry. Any person who has reason to believe that an individual has engaged in an act of research misconduct at the College should report that act to the department chair or equivalent responsible administrative official with supervisory authority for the person so charged. In the usual case governed by these procedures, the responsible official will be the department chair. For administrative units in which there are no departments, or if the person charged is a department chair, the charge would typically be taken to the President. Charges against Directors or Deans should be taken to the University Provost or appropriate Vice President. If such charges are brought to any other person, they should be referred discreetly to the appropriate administrative official.

1. The administrative official shall conduct a preliminary and informal inquiry to determine whether an investigation is warranted. As part of the preliminary informal inquiry, the administrative official shall provide the person charged and the President with a written statement or summary of the allegations and invite response, unless the administrative official has a good faith belief that evidence will be destroyed or that the inquiry/investigation will otherwise be compromised by informing the person charged, in which case advice must be sought from the General Counsel. Confidentiality should be maintained to the maximum extent possible under relevant law. The ability to keep any and all matters confidential will depend on the nature of the allegations and the type of evidence. Misuse of information or records may result in discipline for misconduct and may be a violation of the Code of Ethics for state employees.

2. During the inquiry, the administrative official should consider the content and reliability of the information (e.g., degree of specificity, supporting documentation, etc.) and any prior knowledge of the individuals and events associated with the possible misconduct. The administrative official conducting the inquiry is authorized to consult with any person whose advice (s)he finds appropriate. Throughout the inquiry, the administrative official shall take reasonable steps to obtain or preserve the data necessary to make a determination in the case and to maintain the confidentiality of the person bringing charges, in order to protect him/her from possible reprisals. Whether a case can be reviewed effectively without the involvement of the person bringing charges depends upon the nature of the allegation and the evidence available. Cases that depend specifically upon the observations or statements of that person cannot proceed without his/her open involvement; other cases in which sufficient information is provided to enable initiation of an inquiry may permit the person to remain anonymous. In all cases where testimony of the person bringing charges is essential or important evidence, that person must provide a written and signed statement of charges. If reprisals are brought against the person making charges, the College shall take appropriate action in conformance with College policy and State and Federal law.

3. If, after completing the inquiry, it is determined that no investigation is warranted, then the matter shall be dismissed. In all cases, a written report containing a statement of the evidence reviewed, summaries of relevant interviews, and conclusions will be filed in the office of the administrative official making the inquiry. If it is determined that no investigation is warranted, this report and all other documents concerning the inquiry will be kept in a sealed envelope(s) separate from the personnel file of the person charged, with access limited to the fullest extent of the law, including but not limited to Florida Statutes, Ch. 1012.91, which provides for release of evaluative employee information only upon the employee's authorization, court order, or for use by College officials in discharge of official duties. Destruction of such records will be scheduled as soon as possible under applicable record retention schedule and law. The inquiry will not be mentioned in the personnel file of the person charged. The President and the person charged will be notified that the charges have been dismissed and shall receive a copy of the report. In addition, the person making the charges will be informed that the case has been dismissed. If the person making the charges feels that the case has been dismissed prematurely, (s)he may request that the next higher administrative official review that case.

4. If the allegations are not dismissed, the written inquiry report and all records and evidence in the case will be forwarded to the President, for transmittal to the Standing Committee on Research Misconduct. When the case is forwarded to the Standing Committee, a copy of the written report shall be given to the person charged, and the appropriate Dean/Director and Vice President/Provost, along with a notice of submission to the Standing Committee containing a statement that no official determination of misconduct has been made. Such notice shall also be sent to the person initially making the charges. The person charged shall have the right to provide written comment on the written report. Whenever possible, the initial inquiry should be completed and the case either dismissed or forwarded to the Standing Committee within fifteen (15) working days after the charge has been received by the administrative official. The inquiry must be completed within sixty (60) calendar days of initiation unless circumstances clearly warrant a longer period. In such cases, the inquiry report shall include documentation of reasons for exceeding the sixty (60) day period.

**B. Reporting to Funding Agency.** If the researcher who has been charged with misconduct is the recipient of federal research funding, the College must comply with federal requirements regarding notification of the funding agency. Funding agencies must be immediately notified if at any stage of the investigation or inquiry any of the following conditions are found to exist: an immediate health hazard; an immediate need to protect federal funds or equipment; an immediate need to protect the interests of the person making the charges, the person(s) charged, or his/her co-investigators or associates, if any; it is probable that the alleged incident is going to be reported publicly; or if there is a reasonable indication of criminal violation. In all cases where one or more of the above conditions may exist, the appropriate Vice President/Provost, the President, and the General Counsel shall be notified immediately upon receipt of a report or allegation of misconduct. In cases which do not involve the above circumstances, federal regulations in force at the time should dictate when the funding agency is notified. In all cases, it will be the responsibility of the President to communicate with the funding agencies.

## C. Investigation

1. Investigation Panel. Upon receipt of the inquiry report concerning a complaint of research misconduct, the Standing Committee and the person charged shall nominate, and the appropriate Vice President/Provost shall select, within fifteen (15) working days, a panel of not fewer than three members to investigate the complaint. The panel shall include at least one faculty member, and at least one College employee in the same employee classification plan as the person charged (if (s)he is not a faculty member), and shall include persons who have knowledge of the field of research of the person charged. The panel may include members from outside the College, including experts if necessary. The panel may not include anyone with a potential conflict of interest in the case. No member of the Standing Committee shall be a panel member. The person charged shall have at least three (3) days to object to the panel's proposed membership and the appropriate Vice President/Provost may at his/her discretion alter proposed membership, with or without soliciting additional nominations, or confirm proposed membership over objection.

(a) The panel shall select its own chair at the first meeting. One panel member shall be assigned by the chair to keep notes of each meeting. All panel meetings are closed meetings, open only to the panel and those invited or requested to attend by the panel.

(b) Invitation to Attend Proceedings. The person charged shall have the opportunity to provide oral testimony to the panel at least once before the investigation is completed. In addition to responding to panel questions, the person charged may submit additional statement(s) and/or written material or other exhibits to the panel. To expedite the fact-finding mission of the panel, the panel may invite the person charged to be present when oral testimony from witness(es) is taken. Whether or not (s)he is invited to be present, the person charged shall be allowed to submit questions for any witness to the panel for consideration; however, the nature and extent of the actual questioning permitted is at the discretion of the panel.

(c) Right to Have Assistance of a Lawyer or Other Person. The person charged shall also have the right to be accompanied by a lawyer or any other person when appearing at a proceeding of the panel. The role of such lawyer or other person is as an advisor only, and the advisor may speak to and consult with the person charged, but may not serve as advocate, question witnesses or panel members, or otherwise participate in the proceedings. If the person charged wishes to have a lawyer present, he or she shall give the panel advance notice in writing. In the event that the person charged chooses to be accompanied by a lawyer, the University may be asked to provide a lawyer to assist the panel. The College lawyer's role at a proceeding shall be subject to the same limitations noted above for the lawyer or other person accompanying the person charged.

(d) Collection and Examination of Evidence. The panel shall collect and examine evidence to determine relevant facts. Upon request of the panel, the person charged shall submit information relevant to the allegations of misconduct, which may include, but not be limited to:

(i) Research papers and notebooks, logs, source documents, computer printouts, and machine-readable materials, or any other records in whatever form.

(ii) A list of all current and former collaborators and co-workers.

(iii) A list of published abstracts, papers and books, and copies of abstracts, papers and books submitted for publication or under review.

(iv) A list of reports and grant applications submitted to outside foundations and funding agencies, and copies of such reports and applications.

The panel may inspect the log materials, research notebooks, and other research materials of the person charged, and may take written or oral evidence from that person and from other individuals, both within and outside the College. Copies of any written material or other exhibits presented to the panel shall be provided to the person charged, or when that is not feasible, made available to him/her for inspection. Judicial rules governing the admissibility of hearsay evidence, authentication of documents, and the like shall not govern the investigation of the panel except insofar as the panel chooses to adopt them. The panel is expected to consider matters such as relevance, competence, and reliability of evidence as necessary.

(e) Confidentiality. The chair of the panel shall be the custodian of all records made or received by the panel. Access to such records will be limited to members of the panel, chair of the Standing Committee, the appropriate Vice President/Provost, the President, and the General Counsel, unless the chair of the panel is otherwise advised by the General Counsel. It is the responsibility of the chair of the panel to seek advice from the Office of the General Counsel immediately upon receipt of any request for inspection or copying. Confidentiality of all information and documents will be maintained to the fullest extent allowed by law.

(f) Preparation of the Panel Report. After the investigation is completed, the panel shall prepare a report which summarizes the relevant evidence presented and its findings of fact. The report must include reference to any evidence of provision of false information or testimony, or suppression of relevant evidence, by any person. The panel shall submit its final report to the Standing Committee on Research Misconduct within forty-five (45) working days after it receives the case.

2. Review of Panel Report by the Standing Committee. The Standing Committee shall provide a copy of the panel report to the person charged. Upon request made within five (5) days of receipt of the Panel Report, the person charged shall be granted a meeting with the Standing Committee to present an oral response to the Panel Report. The meeting will be held no sooner than ten (10) nor later than twenty (20) days after receipt of the request. If no meeting is requested, the person charged shall be allowed fifteen (15) working days from receipt of the Panel Report to submit a written response. After its review of the panel's report and the response of the person charged, if any, the Standing Committee will accept, or reject, the panel's findings, and may remand the case to the original panel with instructions for further consideration or investigation, or nominate new panel members for re-review.

3. Report of the Standing Committee. The Standing Committee shall issue its report within fifteen (15) working days after receiving the oral or written response of the person charged (if any), or within fifteen (15) days of the expiration of the response period if none is received. The report of the Standing Committee will include a summary of its review of the panel report, and an explanation of any rejection of findings. The report shall include a description of the policies and procedures under which the investigation was conducted, how and from whom relevant information was obtained, findings, basis for any findings, and an accurate summary of the views of any person found to have engaged in misconduct. The Standing Committee will (within 120 days of initiation of the investigation) provide a copy of its report, the panel report, and the comments of the person charged to the appropriate Vice President/Provost, who will be responsible for releasing the information to the following:

- (a) The person charged.
- (b) The appropriate Dean or Director.
- (c) Any granting agencies or sponsors involved in the case, through the President.

### **III. DETERMINATION OF MISCONDUCT**

A. While it is the purpose of the Standing Committee only to investigate and determine factual matters, the Committee may use its knowledge of the case to advise on disciplinary action and other issues stemming from the investigation. Such recommendations are to be presented in an advisory capacity, and are not binding. The appropriate Vice President/Provost shall consider sanctions set forth in regulations of granting agencies in assessing appropriate College action.

B. The appropriate Vice President/Provost or designee will be responsible for the determination of whether the facts found constitute misconduct and what disciplinary action, if any, will be taken against the person charged or any other College employee(s) as a result of the investigation. The appropriate Vice President/Provost is responsible for implementation of the applicable procedures regarding discipline and/or evaluation, and for notifying the President of any such action. The President shall notify any granting agencies or sponsors of any such sanctions, notwithstanding College policy pursuant to F.S. Sec. 1012.91. (F.S. Sec. 1012.91 is the Florida statute describing limits on access to College employees' evaluative personnel records).

C. If any disciplinary action is taken, the burden of proof shall be on the College, and the person charged may seek review through applicable grievance, complaint, and/or litigation procedures provided by collective bargaining agreement, College or Board of Education rule, and/or applicable law or regulation.

D. If the allegations of misconduct were found to have been maliciously motivated, appropriate disciplinary action may be taken against those responsible for making the allegations. If the allegations were found to have been made in good faith, regardless of

whether they were substantiated, no disciplinary measures may be taken against the person who brought the charges, and warnings against retaliatory actions may be advisable.

#### **IV. COORDINATION OF INVESTIGATION WITH OTHER INSTITUTIONS**

If the President has reason to believe that any person currently or formerly associated with the College is under investigation elsewhere for research misconduct, (s)he may request a report from the investigating institution as to the status of the inquiry. If a person currently or formerly associated with the College has been found to have engaged in research misconduct at another institution, the President may request the Standing Committee to form a panel to investigate whether any work done at the New College of Florida involved similar research misconduct. The panel shall operate under the procedures set out in this policy, and shall coordinate its investigation with those undertaken by any other institution.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Administration of Subcontracts and Subgrants</b>	<b>4-27-02</b>	<b>0-302</b>

**I. INTRODUCTION:**

**II. STATEMENT OF POLICY:**

It is the policy of the New College of Florida that the purchase of goods and/or services under a grant or contract will be done by utilization of a Purchase Order. Where the procurement is sufficiently standard that the terms and conditions can be written on the Purchase Order, a separate contract will not be required. Where the procurement is sufficiently complex and nonstandard, or when required by the prime grant or contract, a subgrant or subcontract will be executed by the concerned parties and implemented by attaching to a purchase order issued to the vendor.

**III. PROCEDURES FOR COST REIMBURSEMENT SUBAGREEMENTS:**

Where execution of a subagreement is required or deemed advisable, the following procedures will obtain:

1. An agreement will emanate from the Coordinator of Research Programs and Services which will insure that the technical requirements of the prime agreement are met. The subagreement will meet the standards required by Florida Statute 287.058.

The Coordinator of Research Programs and Services will request from subcontractors or subgrantees who are covered under OMB A-133 a copy of their most recent audit as required by A-133. The Coordinator of Research Programs and Services will review the audit report and, if necessary, contact the subrecipient regarding relevant audit criticism.

The Coordinator of Research Programs and Services will coordinate with Controller as to the acceptability of payment and billing terms and procedures. The Coordinator of Research Programs and Services will also secure the approval of the project director for the subagreement document.

The agreement will state clearly if deviations from projected budgets are permitted. If deviations are permitted, the agreement will include the percentage of deviation allowed. The agreement will also state clearly if administrative overhead or fringe benefit rates are fixed or variable and if variable, the percentage of variance.

2. The draft agreement will be reviewed by the General Counsel to insure that the terms and conditions are consistent with applicable laws and regulations. The General Counsel will approve or modify the draft agreement to legally acceptable language, coordinating such changes with the Coordinator of Research Programs and Services. The approved document will be returned to the Coordinator of Research Programs and Services.

3. The Coordinator of Research Programs and Services will secure the appropriate signatures of the subgrantee or subcontractor and will execute or cause to be executed the agreement on behalf of New College of Florida.

4. The Coordinator of Research Programs and Services will transmit one copy of a fully executed original to the subgrantee or subcontractor. One copy of the subagreement will be sent to the project director, one copy to the Controller and one copy to the Provost/Vice-President for Academic Affairs.

5. The project director will initiate a purchase requisition to the Controller through normal channels with the subagreement document attached to and made a part of the purchase order which will be issued. The purpose of this transaction is to insure that funds are properly available in the agreement and that said funds are properly encumbered and dedicated to the purpose of this procurement.

6. The project director will be responsible for monitoring and insuring the technical performance of the subgrantee or subcontractor and will certify to this performance prior to the payment of any invoices by the Controller.

7. The Coordinator of Research Programs and Services] will maintain records for the required period of time and will monitor subagreement payments.

8. Invoices for payment to subgrantees and subcontractors will be submitted to the project director by subgrantee/subcontractor employee who is knowledgeable and authorized to do so referencing the purchase order and subagreement under which the remittance is to be made. The invoice will be signed by a subgrantee/subcontractor employee who is knowledgeable and authorized to do so, such signature attesting to the accuracy of the invoice and that the expenditures for which reimbursement is sought are in accordance with the subagreement and were made solely for the performance of the subagreement. The invoicing documentation required depends upon the type subcontractor/subgrantee involved. The requirements are outlined below:

a. State of Florida Agencies:

Invoice displaying general cost categories.

The State Comptroller's audit staff has previously reviewed documentation when subcontractor submitted invoice; therefore, supporting documents do not have to be resubmitted.

The project director must send a copy of the subcontract with the first payment request.

b. Colleges and Universities in Continental United States:

Invoice to Accounts Payable in Purchasing and Financial Services displaying cost categories as stated in proposal budget.

The project director must send a copy of the subcontract with the first payment request to the Controller.

c. All other subcontractors:

Invoice displaying general cost categories.

The project director must send a copy of the subcontract with the first payment request to the Controller.

Detailed documentation supporting all expenditures including:

- (1) Payroll registers or time sheets to support salary charges.
- (2) Copies of invoices to support material, supplies, and equipment charges.
- (3) Completion of official State of Florida travel form.

9. The project director will examine the invoice to determine that charges are consistent with work performed and will certify acceptability for payment and forward to the Controller.

10. Controller will examine the costs for allowability and the back-up documents for consistency with the invoice, then insure prompt payment in accordance with established procedures.

11. Controller will be responsible for acquisition and/or examination of any fiscal records maintained by the subgrantee/subgrantor should the need arise or should it otherwise appear desirable.

**Procedures for Fixed Price Subagreements:**

1. All of the procedures above for cost reimbursement subagreements apply to fixed price agreements except for the following:

The fourth paragraph of No. 1; deviation from projected budgets do not have to be identified.

The second paragraph of No. 8; a payment schedule must be included in the contract calling for a regular invoicing by the subrecipient for an established amount. The invoice by the subrecipient need not include any line item budgeting detail.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Sponsored Research Exemptions from General Accounting and Purchasing</b>	<b>4-27-02</b>	<b>0-303</b>

**I. INTRODUCTION**

**II. STATEMENT OF PURPOSE**

To describe New College of Florida procedures for the administration of Sponsored Research Exemptions as provided for by Florida Statutes.

REFERENCES

Board of Education Standard Practice 00-0000-2-04-01, Exemptions from General Accounting and Purchasing Procedures.

Florida Statutes 1004.22

**III. PROCEDURES**

1. General Procedures

A. Florida Statute 1004.22(7) allows the College in particular instances to exempt the purchase of materials, supplies equipment or services for research purposes from general purchasing requirements. Also, Florida Statute 1004.22(10) provides that:

"The operation of the divisions of sponsored research and the conduct of the sponsored research program are expressly exempted from the provisions of any other laws or portions of laws in conflict herewith and are, subject to the requirements of subsection (7), exempted from the provisions of chapters 215 [Financial Matter], 216 [Planning and Budgeting], and 283 [Public Printing and Stationery]."

B. The exemption may only be exercised when the Provost certifies to the President/designee that in a particular instance, the exemption for the purchase of materials, supplies or equipment is necessary for the efficient or expeditious prosecution of a sponsored project . The certification will be in the form of a memorandum in the format given in [Exhibit 1](#). The memorandum will:

- (1) State the necessity for exemption.
- (2) Specify the legal or procedural requirements to be set apart.
- (3) Define the purchase, contract, award, project, or interrelated activities for which the exemptions are being given, specifically identifying the project title and number, contract title and number, etc., as appropriate.

C. Payments made for purchases or other actions under a sponsored research exemption may not subsequently be reimbursed from other College funds.

## 2. Exemption Criteria

The Provost may exempt a contract from certain general requirements of law and practice by certifying to the President that one or more of the following conditions exist:

### a. Competitive Bidding

The Principal Investigator must submit a memorandum to the Provost requesting a sponsored research exemption. The memorandum must contain a detailed justification for the request and evidence that some form of price comparison or determination of price reasonableness has been performed. If the vendor is a governmental agency, the acquisition is excluded from competitive bid requirements. The request may be considered when:

- (1) A certain vendor is specified in a prime contract or grant award.
- (2) A certain vendor is approved in writing by the prime contractor or granting agency in accordance with the provisions of the prime contract or grant award.
- (3) The purchase of specific goods or services from a certain vendor can be demonstrated to be more efficient or expeditious based on compatibility, availability, or the current capabilities of the Principal Investigator and staff.
- (4) The purchase of specific goods or services from a certain vendor can be demonstrated to be necessary to meet the time requirements of the prime contract or grant award.
- (5) The purchase of specific goods or services from a certain vendor can be demonstrated to be mandated by scientific or technical requirements.

(6) The purchase of specific goods or services from a certain vendor can be demonstrated to be at a cost below industry norms.

(7) Other conditions which can be demonstrated to meet the statutory criteria of "necessary for the efficient or expeditious prosecution of a research project." The specific condition must be fully explained.

b. Confidentiality

The prime contract, grant award, or subcontract contains a confidentiality clause requiring the research materials to be exempt from public scrutiny, or if it is determined that, pursuant to Subsection 240.241(2), Florida Statutes, the research activity necessitates an exemption from public scrutiny.

c. Documentation and Advance Payments

(1) Documentation

(a) The level of detail and documentation for reporting and payment required by the prime contractor or granting agency in the provisions of the prime contract or grant award (or approved in writing by the sponsor) is less than that required by the State of Florida.

(b) When an exemption from the general provisions of Chapter 215, Florida Statutes, and related rules and practices is authorized, subcontractors' invoices shall contain a level of detail that is commensurate with the level of detail and reporting required of the College by the prime contract of grant award.

(c) It is not necessary for copies of receipts to be obtained or submitted with the voucher to the State Comptroller for the payment of such invoices, if the invoice contains a statement certifying that receipts in support of the itemized invoice are maintained in the contractor's records and may be inspected by officials of the State of Florida.

(2) Advance Payments

(a) The subcontractor or vendor requests an advance payment and it can be demonstrated that the advance payment is necessary to fund extensive start-up costs, realize discounts or cost savings, or create adequate cash flow in order to provide required goods or services.

(b) The College shall retain the documentation justifying advance payments in the Provost's Office. The Principal Investigator is responsible for determining that all goods/services, for which an advance payment has been made, are satisfactorily received.

(c) When an exemption from the general provisions of Chapter 215, Florida Statutes, and related rules and practices for documentation or advance payment is authorized, the provisions of a contract between the College and the subcontractor must include essentially the following language:

"The Contractor agrees to return to the College any over payments due to unearned funds or funds disallowed pursuant to the terms of this Contract or by the College, such funds shall be considered within 45 days following the time the overpayment and/or disallowance is discovered unless otherwise authorized by the College in writing. In addition, the Contractor agrees to exclude from its expenditure reports and any other claims for reimbursement any amounts disallowed by the prime agency and the College in accordance with the terms of this Contract."

(d) Travel

Non-State of Florida personnel performing travel under a sponsored research subcontract may be reimbursed for travel expenses in accordance with the provisions of the applicable prime contract or grant and the travel allowances established by the subcontractor.

(e) Other

Other conditions which can be demonstrated to meet the statutory criteria of "necessary for the efficient or expeditious prosecution of a sponsored project." The specific condition must be fully explained.

### 3. Execution and Distribution

a. If the request is for an exemption from the competitive bid requirements, the Principal Investigator will submit the request for the sponsored research exemption. This should be accompanied by the requisition and any additional essential documentation, and sent to the Provost, allowing sufficient time for adequate review of the request.

b. Request for other sponsored research exemptions may be initiated by the Principal Investigator, the Provost, or others as appropriate.

c. The Provost will review the request for sponsored research exemption to determine if all of the required conditions have been met. The certification will be prepared by the Provost, signed by the Provost and forwarded to the Controller.

d. Prior consent to a sponsored research exemption by the Controller is not required, although the Director's advice and counsel may be sought.

(1) The Controller will be responsible for compliance with State of Florida and College rules and regulations. Further, if the Controller has knowledge of any

information that would impact the use of a sponsored research exemption, the Provost should be contacted prior to issuance of the purchase order.

(2) Any purchase orders issued under a sponsored research exemption will contain a statement to this effect.

(3) The Controller will forward a copy of the certification, along with a copy of the contract and/or purchase order to the College Controller's Office. The College Controller's Office will forward a copy of these documents to the State Comptroller as an attachment to the voucher for the payment of the first invoice.

e. A copy of the Sponsored Research Exemption Certification and any supporting documentation will be maintained in the Provost.

NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Research and Research Grants</b>	<b>4-27-02</b>	<b>0-304</b>

**I. INTRODUCTION (Purpose and Intent)**

The New College of Florida encourages research and creative scholarship as integral parts of intellectual and professional enrichment of the faculty, staff, and students. Such activity adds to the general good of society and enables the College to become a source of intellectual leadership.

**II. STATEMENT OF POLICY**

All requests to outside agencies for funding of specific projects shall be routed through the Provost. Procedures to be followed are described in the Project Administration Manual. Copies are available in the Office or the DSR Web page.

All requests from an outside agency to perform a funded project that involve participation by students, staff, faculty, or the use of campus facilities, are to be referred to the Provost.

Funded and unfunded projects that involve human or animal subjects are to be reviewed prior to the beginning date of the project by the appropriate institutional review board(s).

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>STATEMENT OF POLICY REGARDING USE OF HUMAN SUBJECTS IN RESEARCH</b>		<b>0-305</b>

**[Policy being drafted.]**

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Fiscal Misconduct in Research</b>	<b>4-27-02</b>	<b>0-306</b>

**I. INTRODUCTION, POLICY AND PURPOSE**

A. Background. In recent years, the issue of misconduct in research has become a matter of concern to research institutions, individual scientists, sponsors of research, including the Federal Government, and the general public. Several categories of misconduct are recognized by Federal Government agencies in reporting/accountability documents including fiscal and scientific misconduct. Fiscal misconduct in research is the subject matter of this statement and may result from mismanagement of research monies and personnel by contract and/or grant recipients, employees, or other related persons.

B. Policy Statement. It is the policy and intention of the New College of Florida that all research conducted by its faculty, students or other associates will comply with generally accepted ethical and legal standards for accounting and accountability in research.

C. Purpose. The purpose of this document is to establish procedures for reporting and inquiring into possible fiscal misconduct in research when it is believed those ethical and legal standards under this policy are not being met at the New College of Florida.

D. Responsibilities. The responsibility for implementing and overseeing these procedures lies with the College’s President. The responsibility for conducting inquiries into allegations of misconduct lies with the responsible administrative official as defined in part II of this document. Responsibility for determination of appropriate discipline or evaluative actions in response to a finding of fiscal misconduct remains with the appropriate Vice President or Provost.

E. Application of the Procedures. These procedures are applicable to all cases of alleged or apparent fiscal misconduct in research at the College.

F. Fiscal Misconduct Defined. Fiscal misconduct in research is defined as: (1) fabrication or falsification of fiscal or personnel data; (2) intentional disregard for College, State or Federal policies and procedures and/or grant or contracting agency/entity requirements, including requirements related to use of grant funds,

personnel or equipment; (3) other deliberate actions that deviate from commonly accepted practices in the course of proposing and administering research projects; or (4) negligent administration of research projects.

## **II. PROCEDURES FOR REPORTING AND INQUIRING INTO FISCAL MISCONDUCT IN RESEARCH**

The procedures for reporting and inquiring into allegations of fiscal misconduct in research are presented below. The interests of the person charged with fiscal misconduct, the College, and any agencies or sponsors involved with the research are served best by a rapid and thorough inquiry into all allegations.

A. Confidentiality. Each person having access to any materials related to allegations of fiscal misconduct in research shall maintain such information in confidence to the maximum extent possible under applicable law consistent with carrying out the procedures set forth herein. Altering, modifying, concealing, or destroying related information or records by any person may be a criminal violation, may result in discipline for misconduct and may violate the Code of Ethics for state employees.

B. Reporting - Allegations of Misconduct. Any person who has reason to believe that an individual has engaged in an act of fiscal misconduct in research at the College should report that act to the responsible administrative official having supervisory authority for the person so charged. Usually, the responsible official will be the department chair. For administrative units in which there are no departments or when the person charged is a department chair, the report would typically be made to the Director or the Dean. Charges against Directors or Deans should be reported to the Provost or appropriate Vice President. If such charges are reported to any other person, that person should refer the report directly to the appropriate administrative official.

C. Reporting - Summary of Allegations.

1. The administrative official shall promptly provide to the President a verbal summary of the allegations. Based on this summary, the President will determine if a contracting or granting agency must be notified and whether or not there is a reasonable indication that a possible criminal violation has occurred, in which case investigation by the University Police may be initiated. In making these determinations, the President may seek advice and counsel from the General Counsel and other appropriate administrative officials.

2. The administrative official shall provide the person charged with a verbal summary of the allegations, and invite response of the person charged, unless the administrative official has a good-faith belief that evidence of the alleged fiscal misconduct will be destroyed or that the inquiry will otherwise be compromised by informing the person charged, in which case advice may be sought from the General Counsel and/or the University Police, as appropriate.

D. The Initial Inquiry. The administrative official shall promptly initiate and conduct a preliminary informal inquiry that may include gathering information and records, and conducting interviews. During the inquiry, the administrative official should consider the content and reliability of the information (e.g., degree of specificity, supporting documentation, etc.) and any prior knowledge of the individuals and events associated with the possible fiscal misconduct. The administrative official conducting the inquiry is authorized to consult with any person whose advice (s)he finds appropriate. This includes consulting with the Vice President for Finance and Administration.

Throughout the inquiry, the administrative official shall take reasonable steps to obtain or preserve the information and records necessary to make a determination in the matter and to protect the anonymity of the person bringing charges, in order to protect him/her from possible reprisals. In all cases where testimony of the person bringing charges is essential or contains important evidence, that person must provide a written and signed statement of charges. If reprisals are brought against the person making charges, the College shall take appropriate action in conformance with College policy and State and Federal law.

E. Initial Inquiry Results. After completing the inquiry, the administrative official will present a written report containing a statement of the evidence reviewed, summaries of relevant interviews, and his/her conclusions to the appropriate Dean, appropriate Vice President/Provost, and the General Counsel for their information, and to the President to determine if further inquiry is warranted. This report will also be used in determining necessity of reporting to granting or contracting agencies.

F. Findings - Procedures.

1. Finding of No Misconduct. If it is determined by the President that no further inquiry is warranted, the initial inquiry report and all other documents concerning the inquiry will be kept in a file separate from the personnel file of the person charged, with access limited to the fullest extent permitted by law, including but not limited to, Florida Statutes, Section 1012.91, that provides for release of evaluative employee information only upon the employee's authorization, court order, or for use by College officials in discharge of official duties. The inquiry will not be mentioned in the personnel file of the person charged. The person charged will be notified that the charges have been dismissed and shall be given a copy of the report. In addition, the person making the charges will be informed that the charges have been dismissed. If the person making the charges feels that the charges have been dismissed prematurely, (s)he may request that the next higher administrative official review the matter.

2. Findings of Misconduct. If it is determined by the President that there is fiscal misconduct, the President shall direct the administrative official to forward the written inquiry report and all records and information in the matter to the appropriate Dean, appropriate Vice President/Provost, the President and the General Counsel. The

President, in consultation with the General Counsel and other appropriate administrative officials, will determine whether or not the alleged fiscal misconduct in research may be an indication of possible scientific misconduct in research, as defined in New College of Florida Policy 0-301 Misconduct in Research. New College of Florida Policy 0-301 defines misconduct in research as fabrication or falsification of data, plagiarism, or other practices which seriously deviate from commonly accepted practices in proposing, carrying out, or reporting research.

- (a) If the President determines that the alleged fiscal misconduct should be inquired into as possible scientific misconduct, the President will return the written inquiry report and all records and information in the matter to the person conducting the initial inquiry for re-evaluation of the allegations under New College of Florida Policy 0-301 Misconduct in Research which will supersede this policy. All further inquiries will be conducted pursuant to New College of Florida Policy 0-301.
  
- (b) If the President deems that the alleged fiscal misconduct should not be inquired into as possible scientific misconduct, the President will forward the written inquiry report and all records and information in the matter in his/her possession, along with any recommendations, to the appropriate Vice President/Provost. The responsibility for determination of appropriate discipline or evaluative actions in response to a finding of fiscal misconduct resides with the appropriate Vice President or Provost.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>STATEMENT OF POLICY REGARDING USE OF ANIMAL SUBJECTS IN RESEARCH</b>		<b>0-307</b>

**[Policy being drafted]**

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Using and Protecting Microcomputing Resources</b>	<b>4-27-02</b>	<b>0-500</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to define the basic set of procedures for the management, use, and protection of microcomputing resources. This policy applies to all Wide Area Networks (WANs), college and department Local Area Networks (LANs), college and department microcomputers and includes the hardware, software, and College data used in these environments. Microcomputers and LANs which are not connected to any larger network may differ somewhat in their protection requirements from those that are so connected.

In accordance with New College of Florida Policy 0-508 (information and communication security program), each department, unit or division of the College is responsible for implementing procedures and controls for protecting College information. But the protection of the College’s ability to conduct its business extends beyond basic procedures for handling, storing and disposing of information.

Advances in technology have enabled the implementation of a substantial number of microcomputer-based application systems by the College. In some cases, these applications have become critical to the operation of the College. It is essential, therefore, that adequate measures be used to protect the integrity and reliability of those microcomputing systems and the College data they process. Each department must ensure a level of protection not only appropriate for the microcomputers and LANs in its own environment but also with regard to the level of protection used for the larger campus networks of which they may be a part.

**II. STATEMENT OF POLICY**

Each department, unit or division of the College shall establish and maintain procedures which are adequate to protect the microcomputing resources under its management. These procedures shall include the following areas:

**LAN Administration**

Each LAN shall have a designated LAN administrator who is responsible for the operation, security, management, and user support functions for the LAN.

The LAN administrator shall ensure that all software residing on the LAN server has been properly purchased and licensed.

The LAN administrator shall be responsible for implementing procedures to protect the LAN from virus attacks and for removing a virus if one is found.

The scope of the privileges granted to the LAN administrator and the resulting high level of access to data may present serious exposures. Consequently, only regular position staff should be assigned duties as a LAN administrator.

LAN administrators shall carry out the college or department procedures for backup of its LAN data and software.

### **System and Data Access Controls**

Each fully-authorized user of a LAN shall have a unique logon ID. Users who no longer have access shall have their logon IDs suspended or deleted in a timely manner. (See New College of Florida Policy 0-511 for existing host procedures for removing access from transferring or terminating employees.) Any ID which is used to access a LAN, and which does not provide a unique user identification, shall have access only to specific restricted LAN resources.

Access control procedures shall be used to authenticate all users who access each LAN. Such controls shall include, at a minimum, a logon ID and a response mechanism (such as a password) for each user. The network operating system shall be configured to encourage a periodic expiration of all passwords as well as to establish a suitable minimum length for passwords.

Logon IDs which have supervisor or root privileges shall be highly secured. Such IDs shall be reserved for system management tasks and shall not be used as the IDs for normal day-to-day work by the users having these privileges.

Access rights and privileges for all authorized users shall be maintained and managed so as to secure access to data in a manner appropriate to the needs of the user and the value of the data.

Confidential data shall be protected against unauthorized access regardless of form, computing environment or location. Serious access control problems can be created when confidential College data is downloaded or otherwise transferred from a secure environment to a less secure environment.

Procedures shall be established for the management of data residing on the hard drives of any equipment that is transferred or surplus. If equipment is transferred to another University department, then all College and department data shall be removed from the equipment hard drive prior to the transfer. Special care shall be taken to remove all data from the hard drive of equipment that is being surplus or donated.

At the time of termination of employment from a department or from the College, an employee shall certify as part of the department's termination processing that all College or department data has been removed from the employee's personally-owned home equipment.

### **Software Integrity**

Appropriate procedures shall be established and documented for the management of microcomputer and LAN software. These procedures shall address the processes by which such software is acquired, installed, tested, documented, changed, and maintained.

All proprietary software installed on College equipment shall be administered in accordance with each individual software license agreement. Software that is surplus or donated must be removed from the equipment to which it is currently licensed. New College of Florida Policy 5-014, "Disposal of Surplus Property", provides further information regarding forms to be used for this purpose.

Procedures shall be established for the management of employee-owned software which is installed on College equipment. Employee-owned software must be removed from College equipment when the equipment is no longer being used by that employee, or upon that employee's termination of employment with the department or the College. Procedures shall be established to ensure that any employee-owned software installed on College equipment has been legally obtained by the employee. Departments shall retain the right to prohibit the installation of any employee-owned software on College equipment.

At the time of termination of employment from a department or from the College, an employee shall certify as part of the department's termination processing that all College or department software has been removed from the employee's personally-owned home equipment and that all original software diskettes or copies have been returned to the College.

Procedures shall be established for the management of proprietary software purchased for an employee's use in a telecommuting arrangement. The procedures shall ensure that the software is removed from any non-College equipment at the conclusion of the telecommuting arrangement or at the termination of the employee's employment with a department or with the College.

### **Software and File Backup**

Effective backup procedures shall be maintained for the data and software residing on LAN servers. Full-volume backups, incremental backups and application-based backups shall be utilized on a regular basis as appropriate to the college or department needs and to the value of the data. Procedures shall also address periodic testing to ensure the ability to successfully restore data from these backups.

Backups shall be stored on-site in a secured area which would not be subject to the same disruption of services as the LAN server area. All data considered mission-critical to the operation of the department shall also be maintained in an alternate backup location.

### **Business Resumption Planning**

Recovery plans shall be developed and maintained for the restoration and continuation of critical services in the event of a significant disruption of normal microcomputer and LAN operations. These shall include plans for interim manual processing, as well as plans for resuming operations in an alternate location should that be necessary to maintain the mission-critical functions of the college or department. These plans shall address areas such as replacement of hardware and software, restoration of data, relocation of personnel and so on, as appropriate to the needs of the college or department.

### **Training**

Programs shall be developed and maintained for training employees in the proper use and protection of microcomputing resources. Appropriate training areas should include logon ID and password management, detection and prevention of viruses, backup procedures for client data, proper uses of proprietary software, LAN administrator training and general security awareness. Programs shall also include the provision and availability of appropriate hardware and software reference materials for employees.

### **Equipment Protection**

Procedures shall be developed and maintained for protecting microcomputer equipment and components from theft and physical damage. Equipment shall be located only in areas that have sufficient physical access controls; file servers, in particular, shall be in a secure area with access permitted only by authorized persons. Protective measures shall include power surge protection, fire or smoke detection, alarm systems and other devices as appropriate.

## **III. PROCEDURES**

Deans, Directors and Department Chairpersons shall be responsible for implementing the provisions of this policy in their respective areas.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Appropriate Use of Information Technology Resources</b>	<b>4-27-02</b>	<b>0-501</b>

**I. INTRODUCTION (Purpose and Intent)**

The increasing reliance on information technology resources by the College requires an environment in which these resources are used in a responsible and effective manner by everyone in the College community. Such an environment will permit the most efficient and productive use of these resources. The purpose of this policy, therefore, is to establish guidelines for the appropriate and responsible use of information technology resources by College students, faculty and staff.

Information technology resources shall be interpreted to include all College computing and telecommunications facilities, equipment, hardware, software, systems, networks and services which are used for the support of the teaching, research and administrative activities of the College.

**II. STATEMENT OF POLICY**

The information technology resources of the New College of Florida are a vital component of the academic and administrative environment of the College. It is the responsibility of all College students, faculty and staff to use these resources in a responsible, ethical and lawful manner. Any member of the College community who abuses these resources has engaged in unacceptable conduct. Activities which intentionally damage or interfere with the work of other users are especially inappropriate and may constitute felonies under Florida state law.

Students, faculty and staff are responsible for all actions taken using any computer logon ID assigned to them. Appropriate use of a logon ID includes proper password protection for the logon ID, not allowing anyone else to use the logon ID, not using someone else's logon ID and not abusing the privileges granted to the logon ID.

New College of Florida Policy 0-501 assigns responsibility for protecting College information to all faculty, staff and students. Each college, division or unit is required to administer appropriate controls to protect the confidentiality, integrity and availability of College information.

Copyrighted software must only be used in accordance with its license or purchase agreement and must not be copied or altered except as permitted by law or by the software licensing agreement. Unauthorized copying, distribution or use of such software is a crime and the College as well as individuals may be held legally liable for these actions.

Other examples of inappropriate actions under this policy include, but are not limited to, the following:

- Unauthorized access, alteration or destruction of another user's data, programs, electronic mail or voice mail.
  
- Attempts to obtain unauthorized access to either local or remote computer systems or networks.
  
- Attempts to circumvent established security procedures or to obtain access privileges to which the user is not entitled.
  
- Attempts to modify computer systems or software in any unauthorized manner.
  
- Unauthorized use of computing resources for private purposes.
  
- Transmitting unsolicited material such as repetitive mass mailings, advertising or chain messages.

### **III. PROCEDURES**

Individual colleges and departmental shall advise users in their areas of these policies and may also issue additional "conditions of use" for facilities under their control. Such conditions must be consistent with this College policy but may provide additional detail, guidelines, restrictions and/or enforcement mechanisms appropriate to their area. Units may require signatures of individuals acknowledging an understanding of these policies and conditions before providing access.

Violations of this policy may lead to suspension of the user's computer logon ID and/or disciplinary action. In any investigation of misuse of information technology resources, the system administrator may inspect, without notice, the contents of computer files, system output, electronic mail and other related materials.

Chapter 815, Florida Statutes, the "Florida Computer Crimes Act," describes offenses which are felonies under Florida law. These offenses include unauthorized modification of programs or data, unauthorized disclosure or use of confidential data, unauthorized access to computer systems or networks and denial of computer system services to an authorized user. Offenses under the Florida Computer Crimes Act shall be investigated by the appropriate law enforcement agencies. Some offenses may require investigation by federal law enforcement agencies.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Use of College Space for Class or Class Related Activities</b>	<b>4-27-02</b>	<b>0-502</b>

**I. INTRODUCTION (Purpose and Intent)**

The use of classroom facilities for regularly scheduled classes has priority over other academically related and non-academic purposes. To ensure maximum utilization and also to meet the growing and changing needs of the New College of Florida, classroom space is not assigned to individual departments, but rather to a centralized pool from which all assignments for class schedules are made on a term basis.

**II. STATEMENT OF POLICY**

Space shall be assigned on an equitable basis (incorporating and coordinating needs from all colleges as to type of space, capacity of room time required, etc.) from the central pool of available classrooms. Departments may be requested to adjust schedules so that all requests may be satisfied. The responsibility for the final coordination of all class schedules as to time and place of class meeting shall rest with the Registrar, at 359-4220.

**III. PROCEDURES**

Several months prior to each term, each Department shall receive printouts of classroom assignments reflective of the previous, same-term assignments. Colleges may then request changes, additions and deletions to these assignments during a specified "change period." Subsequent to this period, the campus scheduling office shall review all requests and officially assign classrooms in an optimum manner. When requests cannot be met, efforts will be made to locate satisfactory alternatives.

After official assignments have been made, colleges may request schedule changes prompted by changes in course offerings, instructors, or other circumstances. These requests shall be reviewed by the campus scheduling office and, when possible and appropriate, approved.

The College's printed class schedule shall reflect only official assignments approved by campus scheduling offices, as of the necessary pre-print deadline. After class schedules have been printed, changes may again be requested; however, colleges are encouraged to minimize these requests, as alternatives will be scarce, and redirection of students disruptive.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Use of College Space (All-Inclusive)</b>	<b>4-27-02</b>	<b>0-503</b>

**I. INTRODUCTION (Purpose and Intent)**

College space, whether within buildings or part of the grounds, parking lots, roads, or athletic facilities, are valuable resources. These resources should be allocated and used in a manner that best supports the mission of the College.

**II. STATEMENT OF POLICY**

College space should be used solely to support the instruction, research, and public service mission of the College. The College is not in the business of leasing space and, therefore, should not allocate its space resources to uses that do not support the College mission.

This policy is superseded by any Joint Use Agreement which the College enters with other educational institutions.

**III. USE**

Conflicting requests for use of space occur infrequently because of the variety of facilities and time periods available. However, because space is a limited resource, if a conflict occurs, use should be scheduled in accordance with the following priority order:

- A. Credit instruction, research, curricular events such as recitals and symposia, and administration.
- B. College-sponsored, non-credit instruction.
- C. Co-curricular public service - an event or program that is associated with a part of the College curriculum, offered by an academic department, and targeted for a non-college audience, in addition to college participants.
- D. Extra curricular - events or programs that enrich the College student experience such as intramurals, recreational sports, club activities, lecture series, and student government sponsored programs.

E. College-sponsored conferences.

F. Alumni and New College Foundation activities.

G. Professionally associated activities - events or programs offered by professional associations that are related to the academic disciplines or career fields of University faculty or staff in which University faculty or staff are members.

H. Other public service events.

Some New College of Florida space is particularly designed or designated for one or more of the uses listed above. In such cases, the designation should supersede the priority order listed above.

#### **IV. USERS**

Potential participants in the above activities and, therefore, users of College space, fall into four categories:

A. College: College persons, groups, and organizations are members of the College community - that is, students, faculty members, administrative and professional, and university support personnel service employees; Student Government, officially constituted divisions, and departments.

B. College Related Groups and Organizations: Groups or organizations that are not officially affiliated with the College, but are related to the College because of their promotion of the interests of the College community, the academic professions, and other related interests of the faculty, staff, or students. These organizations may or may not receive budgetary support. Examples of such groups include student organizations that are registered with the Office of Student Affairs, honor societies, The New College Alumnae/i Association, faculty committees, employee councils, The New College Foundation, Inc., employee bargaining units, and groups of Florida Board of Education staff, or staff of other State University institutions, etc.

C. Non-College Groups and Organizations:(non-profit)- Not for profit groups or organizations including other State agencies.

D. Non-College Groups and Organizations: (profit)- Persons, groups, or organizations that exist primarily for the purpose of carrying on commercial activity for private gain or benefit.

When considering requests to use College space, space scheduling offices should follow the priority of:

A. College members conducting College business,

- B. College-related groups and organizations,
- C. non-College, not for profit organizations, and
- D. non-College, for profit organizations.

Events, activities, programs, and facilities of the New College of Florida are available without regard to race, color, sex, religion, national origin, Vietnam or disabled veteran status, handicapped, or age, as provided by law and in accordance with the College's respect for personal dignity.

## **V. USE BY NON-UNIVERSITY GROUPS**

Some College space, because of the mission and/or budget sources of its occupants, its level of use by the College, and/or its relatively low ratio of cost-of-use to cost-of-maintenance, should be used as extensively as possible. Examples of such space include the Hamilton Center, the Harry A. Sudakoff Lecture and Conference Center, College parking lots, and dormitories. If after being used to the extent needed by the College, and by College-related organizations, these facilities have "excess capacity," or unscheduled time periods, mission-related use by non-College groups should be promoted or welcomed. The Space Committee shall identify those College facilities to which use by non-College groups should be directed.

Use of some College facilities, such as classrooms and conference rooms, by non-College groups should be minimized and, therefore, limited to:

- A. Educational activities of non-College groups coordinated through the Provost.
- B. Non-educational activities of non-College groups coordinated through the Director of Public Affairs.

## **VI. SCHEDULING**

Scheduling of College space shall be done decentrally through the Director of Public Affairs depending upon the facilities to be scheduled.

## **VII. AUTHORIZATION FOR USE**

Either a licensing agreement or a location permit should be signed whenever a College-related customer or a non-College customer is to use New College of Florida space. Whether a licensing agreement or a location permit should be used will be determined by the extent of risk (to the College) associated with the activity to be scheduled in College space. When the extent of risk cannot be determined, a licensing agreement should be used. Uniform licensing agreements and location permits, available from the General Counsel, will be used. Scheduling offices which believe that their facilities require special provisions in these licenses or permits, should contact the General Counsel for assistance.

Location permits may be signed by the Director of Public Affairs, or his/her designee. Licensing agreements may be signed by the Vice President for Finance and Administration.

### **VIII. CHARGES**

College-related groups should not be charged for occupancy of College space. Non-College, not-for-profit groups may be charged for occupancy of any College facility at the discretion of the accountable officer scheduling the facility. Non-College, for-profit groups should be charged for occupancy of space in any New College of Florida facility. Charges should be set based on the budget recovery needs of a non-state funded facility, or a charge comparable to state leasing rates if the facility is state funded. Collection of funds from users of facilities, and the disposition and use of these funds should be in accordance with appropriate administrative operating procedures.

If services to support the user of the College space (such as set-up, clean-up) are provided by College units, who charge the College community for their services, then all users should be charged. If charges are not routinely levied, but services above the normal level are required to support the customer's use of a facility, charges should be levied. Because student fees help to support the operations of certain facilities, lower user fees for student organizations may be appropriate.

### **IX. SET-UP**

All users will be referred either to the Division of Conferences and Institutes, who will coordinate obtaining set-up services for a fee, or to a written guide that will advise the user how to proceed to arrange for services.

### **X. HEALTH AND SAFETY**

If in the course of reviewing a request for use of College space by a College or College-related user, a College official believes that further review is warranted to ensure health, safety, or security, than the Green Sheet or Space Impact process should be utilized. These processes apply whenever food is served by the user, without the services of vendors with whom the College has contracted for food service. Use of vendors other than those with whom the College has contractual agreements must be approved by the appropriate College official having authority to approve use of vendors. Workload precludes the College from extending these review services to non-College users, thus the need to use uniformly-worded licensing agreements that remove the College from legal liability while reserving the right to inspect use.

In regard to the provision of security at any event occurring on College property, the user shall contact the University Police, who, in their discretion, may provide the necessary security, or require that the user provide either provide the necessary security, or provide necessary supplemental security.

### **XI. PROCEDURE**

See accompanying figures for guidance regarding how to proceed in implementing the above policy:

[Figure 1: University User](#)

[Figure 2: University-related User](#)

[Figure 3: Non-University User](#)

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Information and Communication Security Program</b>	<b>4-27-02</b>	<b>0-504</b>

**I. INTRODUCTION (Purpose and Intent)**

Florida Statutes, Section 282.318 - 1984 "Security of Data and Information Technology Resources Act" requires each head of a department to be responsible for assuring an adequate level of security for all data information technology resources.

The State University System has issued a Standard Practice entitled "Security" in response to the security legislation. The Standard requires each College to establish an Information Security Manager (ISM). The ISM is required to perform a risk analysis and to certify compliance annually. Further activities include administering the security program, developing policies and procedures, implementing cost effective safeguards, ensuring periodic internal audits, including written security specifications in the solicitation of information and communication technology resources, and including a description of the existing security program and further plans for assuring the security of data and information technology resources as a part of the Information Resource Commission's planning process.

An information and communication security program is not just a mainframe computer issue. While mainframe computing will be a part of the program other items such as personnel, environment, utilities, purchasing practices, and public safety will also play a part. This program applies at New College of Florida and to information and systems when used remotely from the New College of Florida location.

**II. STATEMENT OF POLICY**

It is the policy of the New College of Florida that all information utilized in the course of business and education is considered an asset, and as such, administration, faculty, staff, and students are responsible and accountable for its viability and protection. It is a management responsibility to maintain information security and integrity through administration of appropriate legal, auditable controls to protect College information from unauthorized, intentional or accidental disclosure, modification, destruction, denial, or misappropriation.

Information and communication security shall be the operational responsibility of the assigned representative within each college, division, or unit. The responsibility for

developing and coordinating the security program shall ultimately rest with the College's Information Security Manager.

The College shall establish a committee to recommend security standards for the following categories: physical environment, data and software, physical access, logical access, personnel issues (as related to security), records management, and communication. These standards and the application thereof shall be in compliance with the laws of the State of Florida and subject to periodic audit by the established authority.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Securing Computer Accounts for Terminating Employees</b>	<b>4-27-02</b>	<b>0-505</b>

**I. INTRODUCTION (Purpose and Intent)**

The following policy has been established to ensure that an employee who has terminated or transferred will not retain existing mainframe computer access privileges. This policy shall also apply in cases of leave of absence and other situations where access privileges may need to be suspended.

**II. STATEMENT OF POLICY**

Under the current system of assigning computer logon IDs, the logon ID belongs to a position rather than to the individual in that position. When an employee transfers to another position with increased security privileges in the same department, the employee should not retain the same logon ID which was used in the previous position. The employee should use the logon ID belonging to the new position since it would already have the correct security privileges established for it.

Upon receipt of official notification from an employee of the intent to terminate employment with the current department, the supervisor shall determine the date on which computer access privileges need to be revoked. No later than the final day of employment within the department, the supervisor shall obtain the password from the terminating employee for his/her computer logon ID and perform the following:

A. Sign on to the logon ID with the employee's existing password and change that password to one which only the supervisor knows.

B. Contact the Director of Campus Computing, 359-4350 to apply the necessary changes to the logon ID itself. The employee's name on the logon ID shall be changed to "TBA" or the name of another employee who will be taking over the responsibilities of the terminating employee and using the logon ID. In addition, one of the following two steps may also be taken if the logon ID is not going to be used while this position is vacant:

1. The logon ID shall be expired if the department will not be reissuing it to another employee, or

2. The logon ID shall be suspended if it had special privileges. Merely changing the password on such a logon ID is not sufficient to protect against unauthorized use of the logon ID since passwords may be revealed or discovered.

Before an existing logon ID is reassigned to a different employee, the supervisor shall make certain that the new user of the logon ID is entitled to all of the security privileges which the previous logon ID holder had. Upon filling the vacant position, the supervisor shall contact the Director of Campus Computing to assign the new employee's name to the logon ID and, if necessary, unsuspend the logon ID.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Budgets</b>		<b>0-506</b>

[need for policy currently under review]

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Space Management</b>	<b>4-27-02</b>	<b>0-507</b>

**I. INTRODUCTION (Purpose And Intent)**

College space is an important resource which must be allocated and used in a manner that optimally supports the College’s mission; therefore, space shall be managed centrally.

**II. STATEMENT OF POLICY**

The College Space Committee shall oversee the management of College space. Space issues not having major College impact may be delegated by the Space Committee to the appropriate administrative official for handling out-of-committee.

**III. PROCEDURES**

The following procedures shall help support the allocation and management of space at the College: annual inventory, annual space allocation request, and space impact request.

**Annual Inventory**

Each Spring the President will conduct a census of College space. Each accountable officer will be requested to review and update a turnaround document listing his/her assigned space, its use, and occupants. This census will be used to annually update the College’s space inventory. The space inventory supports the Capital Operating Budget, building programs, Board of Education reporting, and New College of Florida management information.

**Annual Space Allocation Request**

Each Spring, accountable officers may request, through their deans/directors and vice-presidents, the allocation of additional space to meet programmatic needs. If these requests cannot be met by current Division allocations, requests that are supported by the appropriate deans/directors and vice-presidents, should be sent to the President for review vis-a-vis the availability and appropriateness of under utilized or newly available space. These requests with recommendations will be forwarded to the Space Committee for decision.

## **Space-Impact Request**

Most changes impacting College space must be managed through the space-impact request process. Examples of such changes include a department wishing to:

- a. Lease space
- b. Renovate or remodel space (excludes daily work order requests processed through the Physical Plant Center)
- c. Change the use of space
- d. Add temporary space, such as trailers
- e. Locate aesthetic items, such as sculpture or tree

Vice Presidents may submit requests to the President. Requests will be reviewed by the President and other appropriate offices, and referred with recommendations to the Space Committee for decision.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Observance of Religious Holidays by College Employees</b>	<b>4-27-02</b>	<b>0-600</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy is set forth in order to comply with FBOE Rule 6C-5.835 on the observance of religious holidays by College employees.

**II. STATEMENT OF POLICY**

The College will reasonably accommodate the religious observance, practice and belief of employees with regard to attendance and scheduling of work. Employees wishing to observe a holy day of their religious faith, shall, upon notifying their supervisor, be allowed to take accrued leave or, in its absence, leave without pay to observe a religious holy day of their faith. Each employee is responsible for work missed and will be permitted a reasonable amount of time to make up the work. Faculty will make arrangements for another instructor to conduct the class in his or her absence or reschedule the class.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Smoking in Buildings</b>	<b>4-27-02</b>	<b>0-601</b>

**I. INTRODUCTION (Purpose and Intent)**

The 1992 Florida Legislature revised the Florida Clean Indoor Air Act to forbid the designation of smoking areas inside any educational facility, government building, or other common area as defined in Sec. 386.203 Florida Statutes. Because the law's prohibition of designation of indoor smoking areas applies to all New College of Florida buildings, smoking cannot be permitted in any indoor location on any New College of Florida campus.

**II. STATEMENT OF POLICY**

In order to protect the health, comfort and environment of the College community, smoking is not permitted in any indoor area or building on the New College of Florida campus. Designation of indoor smoking areas (meeting rooms, dining rooms, work places, etc.) is not possible at any time or location on campus. Sec. 386.208 Florida Statutes provides that smoking in a public building is a non-criminal violation punishable by a fine of not more than \$100.00 for the first violation and \$500.00 for each subsequent violation. Jurisdiction rests with the appropriate county court.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Drug-Free Workplace</b>	<b>4-27-02</b>	<b>0-602</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to insure that all College personnel, students and departments understand that the College has a drug-free workplace policy prohibiting the unlawful manufacture, distribution, possession or use of alcohol or controlled substances.

**II. STATEMENT OF POLICY**

The unlawful manufacture, distribution, possession or use of alcohol or a controlled substance is prohibited on New College of Florida property or in connection with any of its activities. No employee/student is to report to work/class while under the influence of illegal drugs or alcohol. Any New College of Florida employee or student determined to have violated this policy shall be subject to disciplinary action for misconduct. Violation of this policy by an employee/student will be reason for evaluation/treatment for a drug/alcohol use disorder or for disciplinary action up to and including termination/expulsion in accordance with applicable collective bargaining agreements, policies and procedures, or referral for prosecution consistent with local, State, and Federal law.

In order to comply with Federal law, New College of Florida requires that an employee notify the dean, director or supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The Provost must notify any Federal contracting agency within ten (10) days of having received notice that an employee engaged in the performance of such contract or grant has had a criminal drug statute conviction for a violation occurring in the workplace. The College will discipline any employee who is so convicted and/or require the employee's satisfactory participation in a drug abuse assistance or rehabilitation program.

Under provisions of Chapter 90-226, Laws of Florida, Section 775.16, Florida Statutes, a person who has been convicted in Florida during or since October 1990 of a drug-related felony is disqualified from obtaining employment at New College of Florida unless he/she provides proof of completion of all sentences of imprisonment or supervisor/probation sanctions imposed by the court, by the Parole Commission or by law. This law applies to all applicants including faculty, A&P and USPS and OPS.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Drug-Free Workplace: Notification Procedures</b>	<b>4-27-02</b>	<b>0-603</b>

**I. INTRODUCTION (Purpose and Intent)**

In accordance with the Drug-Free Workplace Act of 1988, Public Law 100-690, and New College of Florida Policy Statement 0-603, a College employee engaged in the performance of work under a grant or contract from a federal agency must notify the College of his/her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) days after such conviction, and the College must notify the Federal agency of such conviction within 10 days after receiving such notice from an employee or otherwise receiving actual notice of such conviction. The purpose of this policy is to provide clear guidelines for the submission of these required notifications.

**II. PROCEDURES FOR REPORTING WORKPLACE DRUG CONVICTIONS**

Within five (5) calendar days following the conviction, the employee shall report in writing a drug conviction to his/her department chair or other immediate supervisor. The appropriate supervisory official, as determined above, will promptly send copies of the employee's written notification to his/her area Vice President, and to the President.

**III. PROCEDURES FOR NOTIFYING FEDERAL CONTRACTING AGENCY**

The President is the administrative official responsible for notification of Federal contracting or granting agencies. The President, or his designee, shall notify, in writing, the appropriate Federal contracting agency within ten (10) calendar days of having received notice that an employee engaged in the performance of such contract or grant has had a criminal drug statute conviction for a violation occurring in the workplace. The written notification shall include the employee's name, position title, and the identification number(s) of such affected grant.

Unless the Federal agency has designated a central point for the receipt of such notices, the President, or his designee, shall provide written notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Alcohol and Drug Testing</b>	<b>4-27-02</b>	<b>0-604</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to comply with the Federal Omnibus Transportation Employee Testing Act of 1991 which mandates testing for alcohol and controlled substances of all employees in and applicants for positions requiring a commercial drivers license as a condition of employment. The policy applies to all applicants for employment and all New College of Florida employees (hereafter referred to as employees), including faculty, staff, OPS, and graduate assistants applying for or holding positions requiring a commercial drivers license as a condition of employment.

**II. STATEMENT OF POLICY**

The Omnibus Transportation Employee Testing Act of 1991 mandates testing for alcohol and controlled substances of all employees in and applicants for positions requiring a commercial drivers license as a condition of employment.

Testing is conducted under the following circumstances: pre-employment (controlled substances only) random, reasonable suspicion, post-accident, and return-to-work.

Testing is conducted at approved sites and in accordance with Federal law.

The employee/applicant's department is responsible for the costs associated with the alcohol and/or controlled substances testing and the medical review officer, including any follow-up/return-to-work tests.

An employee whose test confirms prohibited alcohol concentration levels (.02 or greater) or the presence of a controlled substance will be terminated from employment. Applicants for employment with like test results will be denied employment.

An employee is required to comply with all testing requirements; refusal to take a test is considered to be a positive test and will result in termination.

The College will make available to applicants and provide to employees educational materials that explain the requirements and procedures of the College policy. Employees shall sign a statement acknowledging receipt of the policy, procedures, and specific program information. A copy of the signed and dated receipt will be placed in the employee's official personnel file.

The President or his or her designee will maintain all records relating to the alcohol and controlled substances testing programs according to Federal requirements.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Limited Access Personnel Records</b>	<b>4-27-02</b>	<b>0-605</b>

**6C11-8.003 Limited-Access Personnel Records.**

Pursuant to Florida Statutes Section 1012.91, except as required for use by the president or president's designee in the discharge of his or her official responsibilities, the following records are confidential and exempt from the provisions of s. 119.07(1) and will only be released upon the written authorization of the employee or upon order of a court of competent jurisdiction:

(1) Evaluative information created prior to July 1, 1995. Any and all information, wherever maintained, which reflects an evaluation of an employee's performance and was created prior to July 1, 1995 shall be confidential and shall not be disclosed except to the evaluated employee, or the New College of Florida officials whose duties to supervise or evaluate the employee require access to the records.

(2) Records containing information reflecting academic evaluations of employee performance.

(3) Records maintained for the purposes of an investigation of employee misconduct, but only until:

(a) the investigation is no longer active;

(b) the College gives written notice to the employee that the investigation is concluded; or

(c) a letter of discipline issues.

In addition, for sexual harassment investigations, portions of the records which identify the complainant, a witness, or information that could reasonably lead to the identification of either remain confidential after the completion of the investigation.

(4) Records maintained for the purposes of any disciplinary proceeding brought against an employee, but only until a final decision is made in the proceeding.

(5) Records maintained for the purposes of any grievance proceeding brought by an employee for enforcement of a collective bargaining agreement or contract, but only until a final decision is made in the proceeding.

(6) Any records or portions thereof which are otherwise confidential by law.

*Specific Authority 1012.91, FS. Law Implemented 1012.91, FS. History--New \_\_\_\_\_.*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>New College of Florida Personnel Matters</b>	<b>4-27-02</b>	<b>0-606</b>

DEPARTMENT OF EDUCATION  
DIVISION OF COLLEGES AND UNIVERSITIES  
NEW COLLEGE OF FLORIDA  
EMERGENCY RULES 6C11-ER02-10 THRU 6C11-ER02-26  
PERSONNEL MATTERS

NUMBERS AND TITLES OF RULES TO BE ADOPTED

- 6C11- ER02-10 Purpose
- 6C11- ER02-11 Conflict of Interest
- 6C11- ER02-12 Employment of Relatives
- 6C11- ER02-13 Seeking or Holding Elective Public Office
- 6C11- ER02-14 Outside Activity
- 6C11- ER02-15 Misconduct
- 6C11- ER02-16 Employee Selection and Appointment
- 6C11- ER02-17 Grievance Procedure
- 6C11- ER02-18 Discipline
- 6C11- ER02-19 Non-Reappointment
- 6C11- ER02-20 Inventions and Works
- 6C11- ER02-21 Employee Recognition Program
- 6C11- ER02-22 University Support Personnel Staff Personnel Files
- 6C11- ER02-23 Disciplinary Action- University Support Personnel Staff (USPS)
- 6C11- ER02-24 Grievances- University Support Personnel Staff (USPS)
- 6C11- ER02-25 Limited-Access Personnel Records
- 6C11- ER02-26 Appointment, Employment and Removal of University Police

\_\_\_\_\_6C11-ER02-10 Purpose.

(1) Rules 6C11-ER02-10 through 6C11-ER02-26 contain personnel rules applicable to one or more groups of New College of Florida employees.

(2) Rules 6C11-ER02-10 through 6C11-ER02-26 contain only those personnel rules for College employees which have college-wide application by virtue of the authority granted to the College in chapters ~~229~~ 1001, et seq, and ~~240~~, Florida Statutes. These college-wide personnel rules are supplemented by Board of Education rules prescribing State University System General Personnel Policy found in Chapter 6C-5, Florida Administrative Code, including the state and federal laws, rules, and internal management memorandum informing administrators of the procedures and guidelines for implementing Chapter 6C-5 incorporated by reference in Chapter 6C-5; applicable College policies and procedures; and appropriate collective bargaining agreements.

(3) For purposes of these rules, College employees are those persons who have been hired by the College and receive financial compensation to perform services for the College and whose work is directed and controlled by the College, including General Faculty and Administrative and Professional employees and University Support Personnel Systems employees. The term "employee" does not include volunteers or independent contractors.

*Specific Authority 1001.74(19), FS. Law Implemented 1001.74(19), FS. History--New*  
\_\_\_\_\_.

#### 6C11-ER02-11 Conflict of Interest.

(1) Applicability. This rule applies to all College employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) College employees are bound to observe, in all official acts, the highest standards of ethics consistent with the code of ethics of the State of Florida, Chapter 112, Part III,

Florida Statutes, and the advisory opinions rendered with respect thereto. Other provisions of State law govern obligations and responsibilities of employees who receive State Compensation in addition to their annual salary (see Section ~~240.283~~, 1001.75(3) (Florida Statutes).

*Specific Authority 1001.74(19), FS. Law Implemented 112.313, 112.3145, 1001.74(19), FS. History--New \_\_\_\_\_.*

6C11-ER02-12 Employment of Relatives.

(1) Applicability. This rule applies to all College employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Employment of related persons in a single organizational unit or in work-related organizational units is permitted, provided that such employment will not involve a conflict of interest, including but not limited to participation by the relative in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, evaluation, promotion, demotion, or salary of the related person. The Vice President/Provost responsible for the subject organizational unit shall determine, and document in writing, prior to employment of related persons, that a conflict of interest will not occur.

(3) "Relatives" or "related" persons are those related to each other in one of the following ways: husband; wife; parent; child; brother; sister; spouse of a child, brother, or sister; or parent, child, brother, or sister of spouse.

*1001.74(19), FS. Law Implemented 1001.74(19), FS. History--New \_\_\_\_\_.*

6C11-ER02-13 Seeking or Holding Elected Public Office.

(1) Applicability. This rule applies to all College employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Any employee who intends to seek election to and hold public office shall notify the President or President's designee of their intentions in writing.

(3) The President or President's designee shall consider whether the employee's candidacy for holding public office will interfere with the full discharge of the employee's duties.

(4) If it is determined that the candidacy will interfere with the full discharge of the employee's duties, the employee shall be advised in writing that if he/she chooses to continue to pursue the candidacy, he/she will be required to take a leave of absence or submit a resignation, as determined by the President or President's designee.

(5) Sworn law enforcement officers must take a leave of absence without pay during the period of office seeking, pursuant to Section 99.012(7), Florida Statutes.

*Specific Authority 1001.74(19), FS. Law Implemented 1001.74(19), FS. History--New*

\_\_\_\_\_.

6C11-ER02-14 Outside Activity.

(1) Applicability. This rule applies to all College employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) General.

(a) An employee shall not engage in any outside activity which interferes with the full and competent performance of the employee's duties in the public interest. Nothing in this rule is intended to discourage an employee from engaging in outside activity in order to increase their professional reputation, service to the community, or income, subject to the conditions stated herein.

(b) "Outside Activity" shall mean any private practice, private consulting, or other activity, compensated or uncompensated, which is not part of the employee's College duties and for which the College has provided no compensation.

(c) An employee engaging in any outside activity shall not use the facilities, equipment, or services of the College in connection with such outside activity without prior written approval of the Vice President/Provost responsible for the employee's organizational unit. Such approval may be conditioned upon reimbursement for the direct costs resulting from the use thereof.

(d) An employee engaging in outside activity shall take reasonable precautions to ensure that the outside employer or other recipient of services understands that they are engaging in such outside activity as a private citizen and not as an employee, agent, or spokesperson of the College.

(3). Reporting Requirement.

(a) Any General Faculty or Administrative and Professional employee who proposes to engage in any outside activity which the employee should reasonably conclude may create a conflict of interest, or which may otherwise interfere with the full performance of the

employee's professional or institutional responsibilities, shall submit a complete written report of outside activity to their supervisor prior to engaging therein.

(b) The reporting provisions shall not apply to activities performed wholly during a period in which the employee has no appointment with the State University System.

(c) In the event the proposed outside activity is determined to constitute a conflict of interest or other interference with the employee's College duties, the supervisor shall discuss the matter with the employee within two weeks of receipt of the employee's written notification.

(d) If the matter is unresolved following this discussion, the employee may refer the matter to the responsible Vice President/Provost who shall determine whether the outside activity creates a conflict of interest or otherwise interferes with the employee's College duties. The employee shall be notified in writing of the College's final action on the determination no later than three weeks from the date the matter was referred to the Vice President/Provost.

(e) The employee may engage in such outside activity pending the decision of the Vice President/Provost. If the Vice President/Provost determines that there is a conflict of interest or other interference with the employee's College duties, the employee shall cease such activity immediately and turn over to the College any compensation earned there from.

*Specific Authority 1001.74(19), FS. Law Implemented 112.313, 112.3145, 1001.74(19), FS. History--New \_\_\_\_\_.*

6C11-ER02-15 Misconduct.

(1) Applicability. This rule applies to all College employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) College employees who intentionally act to impair, interfere with, or obstruct the mission, purposes, order, operations, processes, and functions of the College shall be subject to appropriate disciplinary action by College authorities as set forth in the applicable rules and laws governing such actions. Misconduct shall include, but not be limited to, the following:

(a) Violence or threat of violence to others or against one's self.

(b) Theft, conversion, misuse, damage or destruction of College property or of the property of members of the College community.

(c) Unauthorized interference with the freedom of movement of any member or guest of the College.

(d) Unauthorized interference with or impeding the rights of others to carry out their activities or duties at or on behalf of the College or in entering, using, or leaving any College facility or scheduled activity.

(e) Interference with academic freedom and freedom of speech of any member or guest of the College.

(f) Non-compliance with written or oral requests or orders of authorized College personnel in the performance of their official duties.

(g) Providing false information to College officials, withholding required information from College officials or others, or misusing College documents.

(h) Possession or use of fireworks, explosives, dangerous chemicals, ammunition, or weapons on campus without the written approval of the appropriate College authority.

(i) Creating or in any way initiating a false alarm.

(j). Misuse of, or interference with, firefighting equipment.

(k) Disturbing the peace.

(l) Violation of the College policy concerning the use of alcoholic beverages on campus.

(m) Illegal possession or misuse of drugs and other controlled substances.

(n). Unauthorized solicitation of funds.

(o). Violation of the Laws of Florida or of the United States -- any act that could constitute a violation of the laws of this state or nation will establish cause for legal and/or disciplinary action by the College.

(p) Endangering the health, safety, and welfare of members or guests of the College.

(q) Sexual harassment or other forms of illegal discrimination.

(r) Misuse or duplication of any College key.

(s) Violation of the College policy concerning smoking in buildings.

(t) Fabrication, falsification, plagiarism, misrepresentation of findings or other deviation from accepted practices in carrying out research or reporting the results of research, or failure to comply with legal requirements governing research.

(3) This rule shall apply to acts conducted on or off campus when relevant to the orderly conduct, processes, and functions of the College.

*Specific Authority 1001.74(19), 1006.60, FS. Law Implemented 1001.74(19), 1006.61, 1006.60 FS. History—New \_\_\_\_\_.*

6C11-ER02-16 Employee Selection and Appointment.

(1) This rule applies to all General Faculty and Administrative and Professional employees; provided, however; that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of General Faculty and Administrative and Professional employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Search and selection

(a) The selection of General Faculty and Administrative and Professional employees shall be the responsibility of the appropriate administrative officer having supervisory responsibility over the position and shall be in compliance with Board of Education rules found in Chapter 6C-5, Florida Administrative Code, and applicable State University System and College policies and procedures.

(b) The appropriate administrator shall secure reliable and detailed information on candidates and reach decisions on their relative merits. Candidates selected for final consideration should be provided with information such as: title and nature of position, approximate salary, type of contract, basic assignment, and other duties inherent in the position. The candidate should also be provided with information concerning the College and the State University System.

(c) If practicable, the candidate reaching the final stages of the search should be invited for personal interviews with appropriate personnel.

(d) In making preliminary contacts with candidates, it should be made clear that no offer of employment is being made.

(3) Appointments

(a) The hiring authority shall verify and document education and experience of the recommended candidate.

(b) After deciding to recommend a candidate for appointment, the official in charge of the employment unit should transmit the recommendation to the appropriate administrative officers.

(c) The responsible Vice President/Provost may then offer the candidate employment by means of a contract or letter of appointment, subject to the provisions of Section 216.311, Florida Statutes.

(d) No contract or letter of appointment shall be for a term exceeding one year.

(e) All contracts shall be signed by the President, the responsible Vice President/Provost, and the employee.

*Specific Authority 1001.74(19), FS. Law Implemented 216.311, 1001.74(19), FS. History--  
New \_\_\_\_\_*

6C11-ER02-17 Grievance Procedure.

(1)Applicability. This rule applies to all General Faculty and Administrative and Professional employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of General Faculty and Administrative and Professional employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) All problems shall be resolved whenever possible before the filing of a grievance, and open communication is encouraged so that resort to the grievance procedure will not normally be necessary.

(3) The burden of proof shall be on the College in a grievance alleging violation of Rule 6C11-ER02-18, Discipline. In all other grievances, the burden of proof shall be on the grievant.

(4) It is the intent of this rule to provide a complete response to a grievance but not to encourage multiple processing of the same issue. If, prior to or while seeking resolution of a dispute under this rule, a grievant seeks resolution of the matter in any other forum, whether administrative or judicial, the College shall have no obligation to entertain or proceed further with the matter pursuant to this rule. The College's response to other individuals or groups having appropriate jurisdiction in any other procedure shall not be an act or omission giving rise to a grievance under this procedure.

(5) All time limits contained in this rule may be extended by agreement of the parties. Upon failure of the grievant to file an appeal within the time limits provided in this rule, the grievance shall be deemed to have been resolved at the prior step.

(6) Definitions.

(a) The term "grievance" shall mean a dispute concerning the grievant's rights regarding the terms and conditions of employment.

(b) The term "grievant" shall mean a non-unit Administrative and Professional or General Faculty employee who has been directly affected by an act or omission of the College and who has filed a written grievance under this rule.

(c) The term "days" shall mean calendar days. In the event an action falls due on Saturday, Sunday, or a state holiday, the action will be considered timely if it is accomplished by 5:00 p.m. on the following business day.

(d) The term "counsel" shall mean a lawyer or lay advisor.

(7) Step 1.

(a) All grievances shall be filed in writing with the person designated by the President as Step 1 Representative for the unit of the College in which the grievant performs duties, with a copy to the Office of the General Counsel, within 25 days following the act or omission giving rise thereto, or the date the grievant knew or reasonably should have known of such act or omission if that date is later. The identification of applicable designated Step 1 Representatives may be obtained from the Clerk of the College.

(b) The written grievance shall contain the following information: grievant's name; name and address of counsel, if any; specific provision(s) of College or Board of Education rule or regulation claimed to have been violated; a statement of the grievance, including the acts or omissions which are claimed to have given rise to the grievance; the remedy sought; and signature. The College may refuse consideration of a grievance which does not contain all required elements. The grievant may, in the written grievance which is filed, request the postponement of any action in processing the grievance formally for a period of up to 25 days, during which period efforts shall be made to resolve the grievance informally.

(c) Upon the grievant's written request, additional extensions of up to 25 days should be liberally granted unless to do so would impede resolution of the grievance. During such postponement period(s), upon request, the Step 1 Representative may, at his/her discretion, arrange an informal conference between the appropriate administrator and the grievant.

(d) The grievant may at any time terminate a postponement period by giving written notice to the Step 1 Representative that the grievant wishes to proceed with the Step 1 meeting provided for below. If the initial postponement period, or any extension thereof,

expires without such written notice, the grievance shall be deemed informally resolved to the grievant's satisfaction and need not be proceeded further.

(e) The Step 1 Representative shall conduct a meeting no later than 15 days following receipt of the grievance, if no postponement is requested, or receipt of written notice that the grievant wishes to proceed with the Step 1 meeting.

(f) At the Step 1 meeting the grievant shall have the right to present any evidence in support of the grievance.

(g) The Step 1 Representative shall issue a written decision, stating the reasons therefor, within 25 days following the conclusion of the Step 1 meeting. The decision shall include a finding as to whether the grievance concerns a substantial interest of the grievant and/or whether there are any disputed issues of fact material to the grievance. In the event the decision at Step 1 refers to documents not presented by the grievant at the Step 1 meeting, copies of such documents shall be attached to the decision.

(8) Step 2.

(a) If the grievance is not satisfactorily resolved at Step 1 the grievant may request review by the responsible Vice President/Provost by delivering a written request within 10 days of receipt of the Step 1 decision. The Step 2 review must state the reason(s) for the grievant's dissatisfaction with the Step 1 decision.

(b) The responsible Vice President/Provost may schedule a Step 2 meeting with the grievant and/or other appropriate persons or may issue a decision on review of the documents alone, at his/her discretion.

(c) The responsible Vice President/Provost will issue a written decision, stating the reasons therefor, within 25 days following the conclusion of the Step 2 meeting or within 25

days of receipt of the Step 2 review request if no meeting is held. At the time of issuance of the Step 2 decision, the responsible Vice-President/Provost shall give the grievant notice of the Step 2 decision pursuant to section 120.569(1), F.S.

(d) If the Step 2 decision determines the grievant's substantial interests,, the grievant may request a hearing under Section 120.57, Florida Statutes, by submitting a petition to the Clerk of the College, with a copy to the President, within twenty-one (21) days of receipt of notice of the Step 2 decision. The petition shall conform to the requirements of Rule 28-106.201, F.A.C. if the requested hearing involves disputed issues of material fact, or Rule 28-106.301, F.A.C. if it does not. Proceedings conducted pursuant to Rule 6C11-ER02-17(8)(d) shall be conducted in accordance with sections 120.569 and 120.57, F. S., and Chapter 28-106, F.A.C.

*Specific Authority 1001.74(19), FS. Law Implemented 1001.74(19), FS. History—  
New\_\_\_\_\_*

6C11-ER02-18 Discipline.

(1)Applicability. This rule applies to all General Faculty and Administrative and Professional employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of General Faculty and Administrative and Professional employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Just cause shall be defined as:

(a) Incompetence, or

(b) Misconduct.

(3) Suspension and Termination. The appointment of a College employee may be suspended or terminated during its term for just cause. When the President or the responsible Vice President/Provost has reason to believe that suspension or termination should be imposed, the President/Vice President/Provost shall provide the employee with a written notice of the proposed suspension or termination and the reasons thereof. The employee shall be given at least ten days in which to respond to the President/Vice President/Provost before the proposed action is taken. After considering the employee's response, or after the expiration of the response period should the employee fail to respond, the President/Vice President/Provost shall issue a written notice of action.

(4) Notice of Suspension or Termination. All notices of disciplinary action shall include a statement of the reasons for the action and the effective date and shall be sent by registered mail, return receipt requested. During the period following notice, the employee may, at the discretion of the President/Vice President/Provost, be reassigned.

(5) Other Disciplinary Action. The responsible Vice President/Provost retains the right to impose other disciplinary action for just cause. Counseling shall not be considered disciplinary action.

(6) Leave Pending Investigation. Notwithstanding the provisions above, the Vice President/Provost may immediately place an employee on paid leave pending investigation when the Vice President/Provost has reason to believe that the employee's presence on the job would adversely affect the functioning of the College, impede investigation of the alleged act warranting disciplinary action, or jeopardize the safety or welfare of other employees or colleagues. Within two working days, excluding weekends and designated holidays, the

employee shall be sent a written statement of reasons for the leave by certified mail, return receipt requested.

*Specific Authority 1001.74(19), 1006.60, FS. Law Implemented 1001.74(19), 1006.61, 1006.60, 1012.92, FS. History--New \_\_\_\_\_.*

6C11-ER02-19 Non-Reappointment.

(1) Applicability. This rule applies to all General Faculty and Administrative and Professional employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of General Faculty and Administrative and Professional employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) The College's offer of employment shall be consistent with the following:

(a) Appointments shall not create any right, interest, or expectancy beyond the specific period of time set forth in the appointment, as modified by (c) below.

(b) Employees appointed with a modifier other than Regular (for example Visiting or Acting) are not entitled to any notice of non-reappointment.

(c) Employees who are issued an employment contract with a clause providing that employment will cease on the date indicated and further notice is not required, are not entitled to the notice of non-reappointment referenced in (c) below.

(3) Faculty and A&P employees may be non-reappointed upon written notice from the President/designee. The period of notification (prior to the effective date of non-reappointment) is based on the employee's length of continuous employment as Regular Faculty or A&P as follows:

(a) 3 months notification for all Regular A&P employees and Faculty in their first year of employment;

(b) 6 months notification for all Regular A&P employees after their first year of employment.

(c) 6 months notification for all Regular Faculty during their second year of employment; and

(d) 12 months notice for all Regular Faculty with two or more years of service.

(4) Following receipt of the notice of non-reappointment, employees may be assigned other duties and responsibilities and/or placed on leave. The College is committed to compensate the employee until the effective date of non-reappointment or separation from employment for other reasons (whichever is sooner); however, a change in assignment may affect the employee's compensation as follows:

(a) If administrative duties are removed for which a stipend was granted, the stipend shall be removed;

(b) If temporary additional duties are removed, for which a temporary special pay increase was granted, the temporary special pay increase shall be removed; or

(c) If the employee agrees to a voluntary demotion which includes a reduction in salary during the notice period.

*Specific Authority* 1001.74(19), *FS. Law Implemented* 1001.74(19), *FS. History—*

*New* \_\_\_\_\_

6C11-ER02-20 Inventions and Works.

(1) Definitions. The following definitions shall apply for purposes of interpreting and implementing this rule:

(a) A "work" includes any copyrightable material such as printed material, computer software or databases, audio and visual material, circuit diagrams, architectural and engineering drawings, lectures, musical or dramatic compositions, choreographic works, pictorial or graphic works, and sculptural works.

(b) An "invention" includes any discovery, invention, process, composition of matter, article of manufacture, know-how, design, model, technological development, strain, variety, culture of any organism, or portion, modification, translation, or extension of these items, and any mark used in connection with these items.

(c) "Instructional technology material" includes video and audio recordings, motion pictures, film strips, photographic and other similar visual materials, live video and audio transmissions, computer programs, computer assisted instructional coursework, programmed instructional materials, three-dimensional materials and exhibits, and combinations of the above materials, which were prepared or produced in whole or in part by an employee, and which are used to assist or enhance instruction.

(d) "College support" includes the use of College funds, personnel, facilities, equipment, materials, or technological information; and includes such support provided by other public or private organizations when it is arranged, administered, and/or controlled by the College.

(e) "Employee" means all General Faculty, Administrative and Professional, USPS, and OPS employees of the College, in-unit or non-unit, regardless of classification or source of funding of the position, and volunteers and other persons who engage in College-supported effort.

(2) Works.

(a) Independent Efforts. A work made in the course of independent efforts is the property of the employee, who has the right to determine the disposition of such work and the revenue derived from such work. As used in this section, the term independent efforts means that:

1. the ideas came from the employee;
2. the work was not made with the use of College support; and
3. the College is not held responsible for any opinions expressed in the work.

(b). College-Supported Efforts. If the work was not made in the course of independent efforts, the work is the property of the College and the employee shall share in the proceeds therefrom. However, in keeping with tradition, it is not the intent of the College to assert rights to books, articles, and similar works, the intended purpose of which is to disseminate the results of academic research or scholarly study nor to assert rights to instructional technology material which is developed without the use of appreciable College support and is used solely for the purpose of assisting or enhancing the employee's instructional assignment.

(c) Disclosure.

1. Upon the creation of a work, and prior to any publication, the employee shall disclose to the President or Vice President any work made in the course of College-supported efforts, together with an outline of the project and the conditions under which it was done.

2. The President or Vice President shall gather information to assess the relative equities of the employee and the College in the work.

3. Within sixty (60) days after such disclosure, the President or Vice President will inform the employee whether the College seeks an interest in the work, and a written contract

shall thereafter be negotiated to reflect the interests of both parties, including provisions relating to the equities of the employee and allocating proceeds resulting from such work. All such agreements shall comport with and satisfy any preexisting commitments to outside sponsoring contractors.

4. The employee and the College shall not commit any act which would tend to defeat the College's or employee's interest in the work and shall take any necessary steps to protect such interests.

(3) Inventions.

(a) Disclosure/College Review.

1. An employee shall fully and completely disclose to the President or Vice President all inventions which the employee may develop or discover while an employee of the State College System together with an outline of the project and the conditions under which it was done. With respect to inventions made during the course of approved outside employment, the employee may delay such disclosure, when necessary to protect the outside employer's interest, until the decision has been made by the outside employer whether to seek a patent.

2. If the College wishes to assert its interest in the invention, the President or Vice President shall inform the employee within one hundred twenty (120) days of the employee's disclosure to the President or Vice President.

3. The President or Vice President shall conduct an investigation which shall assess the respective equities of the employee and the College in the invention, and determine its importance and the extent to which the College should be involved in its protection, development, and promotion.

4. The President or Vice President shall inform the employee of the College's decision regarding the protection to be sought for the invention within a reasonable time, not to exceed 135 days from the date of the disclosure to the President or Vice President.

5. The division, between the College and the employee, of proceeds generated by the licensing or assignment of an invention, shall be negotiated and reflected in a written contract between the College and the employee. All such agreements shall comport with and satisfy any preexisting commitments to outside sponsoring contractors.

6. The employee shall not commit any act which would tend to defeat the College's interest in the matter, and the College shall take any necessary steps to protect such interest.

(b) Independent Efforts. All inventions made outside the field or discipline in which the employee is employed by the College and for which no College support has been used are the property of the employee, who has the right to determine the disposition of such work and revenue derived from such work. The employee and the President or Vice President may agree that the patent for such invention be pursued by the College and the proceeds shared.

(c) College-Supported Efforts. An invention which is made in the field or discipline in which the employee is employed by the College or by using College support is the property of the College and the employee shall share in the proceeds therefrom.

(d) Outside Employment.

1. While an employee may, in accordance with Rule 6C11-ER02-14 and the pertinent collective bargaining agreement, engage in outside employment pursuant to a consulting agreement, rights to any inventions which arise during the course of such outside employment are subject to the provisions of Rule 6C11-ER02-20 (3)(a)-(c). Such employee

is not authorized to waive the employee's or the College's rights to any such inventions. Any such waiver must be approved by the President or Vice President.

2. An employee who proposes to engage in such outside employment shall furnish a copy of this Rule and, if applicable, the pertinent collective bargaining agreement, to the outside employer prior to or at the time a consulting or other agreement is signed, or if there is no written agreement, before the employment begins.

(e) Release of Rights.

1. In the event a sponsored research contractor has been offered the option to apply for the patent to an invention or other rights in an invention, the College will use its good offices in an effort to obtain the contractor's decision regarding the exercise of such rights within 120 days.

2. At any stage of making the patent applications, or in the commercial application of an invention, if it has not otherwise assigned to a third party the right to pursue its interests, the President or Vice President may elect to withdraw from further involvement in the protection or commercial application of the invention. At the request of the employee in such case, the College shall transfer the invention rights to the employee, in which case the invention shall be the employee's property, and none of the costs incurred by the College or on its behalf shall be assessed against the employee.

3. All assignments or releases of inventions, including patent rights, by the President or Vice President to the employee shall contain the provision that such invention, if patented by the employee, shall be available royalty-free for governmental purposes of the State of Florida, unless otherwise agreed in writing by the College.

(4) Execution of Documents. The College and the employee shall sign an agreement individually recognizing the terms of this rule.

(5) Responsibility. The authority and responsibility for administration and implementation of this rule is delegated to the Vice President. *.Specific Authority 1001.74(19), 1004.22 FS. Law Implemented, 1001.74(19), 1004.22 FS. History--New*

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6C11-ER02-21 Employee Recognition Program.

(1) The New College of Florida Employee Recognition Program shall provide for recognition of eligible employees.

(2) The College is authorized to expend State funds for recognition and awards to employees in compliance with this rule. Any award will be contingent upon the availability of funds. Nothing in this rule is intended to govern the expenditure of private funds to which the College may have access.

(3) The awards provided for herein shall acknowledge employee achievement in the following components:

(a) Superior Accomplishment -- Exemplary performance by faculty members, or Administrative and Professional (A&P), or USPS employees, that is deemed to have significantly contributed to their respective field, thereby reflecting positively on the caliber of the State University System.

(b) Service -- Sustained satisfactory service with the State University System by faculty members, A&P, or USPS employees.

1. Eligible employees may be recognized for service upon retirement.

2. Eligible employees will be recognized upon achieving increments of five continuous years of satisfactory service at the College.

(4) Superior Accomplishment Component.

(a) Awards for superior accomplishment may be presented to eligible employees on an individual basis or collectively for outstanding group performance. The Human Resource Director coordinates the selection process for the College-wide Outstanding Staff Awards. The Equal Opportunity Affairs officer coordinates the selection process for the Affirmative Action awards. Divisional awards may be presented by Deans or Directors.

(b) Awards for superior accomplishment, whether College-wide or division, shall be in accordance with the following provisions:

1. No cash award granted under the superior accomplishment component shall exceed \$1,000, excluding applicable taxes. Savings Bonds or other items in lieu of cash may be awarded, provided the cost of such item does not exceed \$1,000.

2. Certificates, pins, plaques, letters of commendation, or other appropriate tokens of recognition of superior service may be awarded, provided the cost of the token does not exceed \$50.

3. Lump sum bonuses based solely on performance will not be awarded.

4 All divisional award activity must be reported to the Human Resource Director

(5) Service Award Component.

(a) Divisions may recognize retiring employees or appointed members of a state board or commission upon the expiration of his or her term whose service has been satisfactory. Awards may take the form of suitable framed certificates, pins, or other tokens

of recognition and appreciation, provided such awards do not cost in excess of \$50 each. All service awards shall be reported to the Human Resources Director.

(b). The Human Resources Director shall be responsible for the administration and coordination of the continuous satisfactory service awards program. The College shall, in accordance with Section 240.2111, Florida Statutes, recognize employees who have attained continuous satisfactory service in increments of five years.

(6) The College shall prepare an annual report to be presented to the Board of Education for outlining the level of participation in the employee recognition program.

(a) New College of Florida shall submit to the Board a calendar year report that includes at least the following items:

1. The number of employees recognized for superior accomplishments;
2. The number of employees recognized for continuous satisfactory service to the College.
3. The College's Human Resources Director shall be responsible for regularly gathering data regarding the number of individual employees being recognized under any component of this program.

*Specific Authority 1001.74(19), FS. Law Implemented 1001.74(19), FS. History--New*

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6C11-ER02-22 University Support Personnel Staff (USPS) Personnel Files.

(1) Applicability. This rule applies to all University Support Personnel Staff employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of University Support

Personnel Staff employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Contents of Files -- Normally, a personnel file would contain, but is not limited to, the following:

(a) Information gathered as part of employment procedure, including applications, letters of reference, letters of appointment, acceptance of appointment, contracts, employment test results, loyalty oath, approvals of special hiring rates, substitutions or training and experience.

(b) Information required to substantiate salary transactions, including appointment papers, contracts, salary adjustments and differentials.

(c) Performance evaluations, including performance appraisal forms, reprimands, letters of dismissal, suspension, reduction in pay, layoff, request and approvals to take appealable disciplinary actions, letters of grievance, responses to letters of grievance or appeal, findings, recommendations and results of grievances or appeals.

(d) Medical records which address the employee's ability to do the job.

(3) Access to Files

(a) Individuals Wishing to Review Their Personnel Files -- Employees wishing to review their files may do so during normal business hours. Files shall be reviewed in the presence of a representative of the Personnel Office who will answer questions or offer other assistance as necessary. Any employees who are unable to review their files during the time period indicated should contact the Director of Personnel and every effort will be made to make special arrangements to meet the employee's request.

(b) Access by College Officials -- Personnel files shall be open to officials of the College who are responsible for the supervision of the employee or who are considering an employee for employment or promotion, and by officials and employees of the College in the performance of their official duties, if such duties reasonably require their having access to the files. Files should be reviewed in the presence of a representative of the Personnel Office who will answer questions or offer other assistance as necessary.

(c) Access by Others -- Access to the personnel files of College employees by persons other than those covered above shall be governed by the Florida Public Records Law, Chapter 119, Florida Statutes, and s ~~240.253~~, 1012.81, Florida Statutes. Others wishing to review the files of College employees may do so during normal business hours. Copies of any document or file will be provided in accordance with the law and any material not covered by the public records law will be removed prior to inspection or copying unless otherwise approved for same. The Director of Personnel shall have the authority to establish additional requirements as is administratively necessary to carry out this policy and to insure the orderly transaction of College business. Files shall be reviewed in the presence of a representative of the Personnel Office who will answer questions or offer other assistance as necessary.

(d) A log of who reviews the file and the date reviewed will be maintained in each personnel file.

#### (4) Inclusion of Materials in Personnel Files

(a) The majority of the material found in a personnel file enters that file through the normal course of activities, including the original employment procedure and salary transactions procedures. Other information may enter an employee's file by being placed

there by College officials in the course of carrying out their responsibilities. Since all employees have a right to know what is being placed in their files, items of a non-routine nature shall require either that the employee has acknowledged the contents of the material being placed in the file by signing the material which is to be placed in the file, or the document(s) will show that the employee was given a copy (through the appropriate indication at the end of the document which is being placed in the file). In either case, the document should clearly indicate that it is to be placed in the employee's file.

(b) Employees should have the right to place information or documentation into their personnel files by forwarding the information to the Director of Personnel for that purpose. Examples of the types of information employees may place in their files are updating of education or training and clarification or rebuttal of information placed in their files by College officials.

(c) Items received by the Personnel Office will be reviewed for compliance with this rule and for appropriateness and shall be placed in the file or returned to the sender on that basis.

*Specific Authority 1001.74(19), 1012.81, FS. Law Implemented 119.07(1)(a), (2)(a), 1012.81, FS. History--New \_\_\_\_\_.*

6C11-ER02-23 Disciplinary Action -- University Support Personnel Staff (USPS).

(1) Applicability. The following guidelines for disciplinary action apply to all University Support Personnel Staff employees; provided, however, that their application is subject to the terms and conditions of any existing applicable collective bargaining

agreements in the case of University Support Personnel Staff employees who are members of a collective bargaining unit and are represented by a collective bargaining agent:

(a) Offenses -- Guidelines for Disciplinary Action.

1. On the job offense and deficiencies.

a. Misuse of property or equipment (including chemicals, etc.) in a manner which endangers life or property.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

b. Sleeping

(I) First occurrence -- Written reprimand

(II) Second occurrence -- Suspension

(III) Third occurrence -- Dismissal

c. Leaving work station which must be attended without authorization.

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

d. Reporting to work under the influence of intoxicants or drugs.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

e. Willful destruction of property or equipment.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

f. Fighting or creating a disturbance which adversely affects morale, production, or maintenance of proper discipline.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

g. Insubordination (refusal to obey orders, or like behavior).

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

h. Horseplay (rough or boisterous play or pranks which do or may cause injury or embarrassment to others).

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

i. Willful falsification of records (false statements, misrepresentation or fraud of official documents, such as applications,

leave slips, or work and production records).

(I) First occurrence -- Written reprimand to dismissal

(II) Second occurrence -- Dismissal

j. Theft (regardless of whether articles are owned by individuals, the College or the State).

(I) First occurrence -- Suspension to dismissal

(II) Second occurrence -- Dismissal

k. Malicious use of profane or abusive language (directly to or in the presence of others).

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

l. Unauthorized distribution of written or printed material of any kind.

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

m. Chronic or excessive absenteeism -- a pattern of absence in a 30 day period which adversely affects employees' work or management's ability to transact business.

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

n. Abuse of Sick Leave (includes the intentional use of leave for reasons other than personal or family illness or injury or exposure to contagious disease).

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

o. Inattention to duty (includes loafing, loitering, and wasting time during working hours) within any six-month period.

(I) First occurrence -- Oral or written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

p. Habitual tardiness (reporting late for work, over-extending breaks or meal periods) within any six-month period.

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

q. Absence without authorized leave (during any six-month period) for period less than three consecutive workdays.

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

r. Gambling.

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

s. Willful violation of written rules, regulations and policies.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

t. Negligence (careless workmanship, slovenliness in performance of duty).

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

(IV) Fourth occurrence -- Dismissal

u. Sub-standard work (includes failure to carry out assigned work or instructions within reasonable time or by a specified deadline).

(I) First occurrence -- Oral to written reprimand

(II) Second occurrence -- Written reprimand to suspension

(III) Third occurrence -- Suspension to dismissal

v. Violation of any provision of law or College rule, including prohibitions of unfair labor practices and discrimination.

(I) First occurrence -- Oral reprimand to dismissal.

w. Sexual Harassment as defined by the College's Sexual Harassment Policy Statement incorporated by reference herein.

(I) First occurrence -- Suspension to dismissal

(II) Second occurrence -- Dismissal

x Engaging in concerted activities to commit an offense (e.g., work stoppage, slow-down, mass call-in alleging sickness).

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

y. Revealing privileged information.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

z. Use of corporal punishment, mishandling, verbal or physical abuse of client.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

aa. Failure to report any mistreatment of a client in a timely manner.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

(III) Third occurrence -- Dismissal

bb. Failure to report lost or stolen property.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

cc. Inefficiency or inability to perform assigned duties and/or substandard (below) performance of assigned duties.

(I) First occurrence -- Written reprimand to dismissal

(II) Second occurrence -- Dismissal

2. On or off the job offenses.

a. Under the influence of or possession of non-prescribed drugs or the sale and/or distribution of a drug or narcotic while on duty.

(I) First occurrence -- Suspension or dismissal

(II) Second occurrence -- Dismissal

b Violation of the Code of Ethics for public employees, s 112, Florida Statutes.

(I) First occurrence -- Written reprimand to dismissal

(II) Second occurrence -- Dismissal

c. Conviction of any crime other than traffic violations.

(I) First occurrence -- Written reprimand to suspension

(II) Second occurrence -- Suspension to dismissal

d. Conviction of a misdemeanor, under Section 110.1127, Florida Statutes.

(I) First occurrence -- Suspension to dismissal

(II) Second occurrence -- Dismissal

e. Conviction of a felony.

(I) First occurrence -- Suspension to dismissal

(II) Second occurrence -- Dismissal

(b) Types of Disciplinary Action.

1. Nonappealable. Nonappealable disciplinary actions include written and oral reprimands.

2. Appealable. Appealable disciplinary actions include suspension, dismissal, demotion and reduction in pay.

(c) Procedure for Nonappealable Disciplinary Action.

1. Oral reprimands. An employee's immediate supervisor shall have the authority to issue oral reprimands.

2. Written reprimands. Written disciplinary actions must be reviewed by the appropriate department head before they are given. A copy of the letter containing the action shall be forwarded to the Division of Personnel Services for inclusion within the employee's personnel folder.

(d) Procedure for Appealable Disciplinary Action.

1. Prior to initiating any appealable disciplinary action, the department head shall review the action and procedures with the Chief Administrative Officer of Personnel Services or his designee. The Chief Administrative Officer of Personnel Services or his designee shall delegate to the appropriate department head the authority to take appealable disciplinary action if it has been determined that the action to be taken is in accordance with established disciplinary procedures.

2. All appealable disciplinary actions must be communicated to the employee in writing by certified mail with return receipt requested within 5 working days from the date the action is taken. This communication must contain a statement of the reason for the disciplinary action, the nature of the action taken and a notice of the employee's right to a "predetermination conference" as well as the employee's right to arbitration appeals under Board of Education Rule 6C-5.950, F.A.C.

3. A copy of the official letter taking disciplinary action shall be made a part of the Division of Personnel Services personnel folder. Any related information regarding the action taken shall also be included in this folder.

*Specific Authority 1001.74(19), 1012.91, 1012.92, FS. Law Implemented 1001.74(19), 1012.92, FS.*

*History—New\_\_\_\_\_*

6C11-ER02-24 Grievances -- University Support Personnel Staff (USPS).

(1) Applicability. The following grievance procedures apply to all University Support Personnel Staff employees; provided, however, that their application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of University Support Personnel Staff employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Definition of grievance. A grievance is defined as the dissatisfaction that occurs when an employee believes that any condition affecting the employee's terms and conditions of employment is unjust, inequitable, or creates a problem, except that an employee shall not have the right to file a grievance concerning performance appraisals unless it is alleged that the appraisal is based on factors other than the employee's performance.

(3) Suspensions, involuntary reductions in pay, transfers, layoffs, involuntary demotion and dismissals shall not be grievable under this process, and review of such actions may be handled in accordance with the provisions of Board of Education Rule 6C-5.760 which governs arbitration appeals or other actions in accordance with grievance procedures contained in applicable collective bargaining agreements.

(4) Procedures for filing grievances (permanent employees).

(a) Step 1 -- Any USPS employee, regardless of the source of funds from which the position is funded, who has a grievance must file either orally or in writing the grievance

with his or her immediate supervisor within seven (7) calendar days from the date the employee becomes aware of the act or condition that is the basis of the grievance.

(b) Step 2 -- If the grievance is not resolved, the grievance shall be filed in writing within seven (7) calendar days to the College dean or director, a copy to the employee's immediate supervisor, and a copy to the Assistant Director of Personnel acting as Chief Administrative Officer responsible for local administration of these grievance provisions.

(c) Step 3 -- If the grievance is not resolved at Step 2, the Chief Administrative Officer, upon request by the grievant, shall review and furnish the employee a written decision within 30 calendar days from the date the grievance is filed at Step 3. The decision is final and binding on all parties, except for grievances referenced below.

(d) Procedural review. If it is alleged that the College failed to comply with ~~BOE~~ Board of Education Rules, an employee shall have the right to file the grievance with the Chancellor within five (5) work days of receipt of the College's decision.

(5) Procedures for filing grievances (non-permanent employees).

(a) Step 1 -- Any USPS employee without permanent status, regardless of the source of funds from which the position is funded, who has a grievance, may file the grievance either orally or in writing with the immediate supervisor who shall attempt to resolve the grievance.

(b) Step 2 -- If the grievance is not resolved, the grievance shall be filed in writing with the next-level supervisor, the original to the immediate supervisor. The decision made by the next-level supervisor will be considered final. Employees who do not have permanent status in the USPS shall not have the right to proceed with a grievance to the Chief Administrative Officer.

(6) Grievability of performance appraisals alleging factors other than performance.

(a) Any USPS employee who alleges that factors other than job performance were used by the supervisor in determining the Below Performance rating received shall file the grievance at Step 2.

(b) The review of the grievance at any step shall be solely to determine whether the performance was done in an arbitrary and capricious manner.

(c) If a reviewer determines that the performance appraisal was done in an arbitrary and capricious manner, the reviewer shall have the authority to order that the appraisal be marked "NOT VALID" and direct that another performance appraisal be conducted.

*Specific Authority 1001.74(19), FS. Law Implemented 1001.74(19), 1006.60, 1012.92, ,FS.*

*History--New \_\_\_\_\_*

6C11-ER02-25 Limited-Access Personnel Records.

(1) Applicability. This rule applies to all College employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.

(2) Pursuant to Florida Statutes Section ~~240.253~~, 1012.91 except as required for use by the president or president's designee in the discharge of his or her official responsibilities, the following records are confidential and exempt from the provisions of s. 119.07(1) and will only be released upon the written authorization of the employee or upon order of a court of competent jurisdiction:

(3) Evaluative information created prior to July 1, 1995. Any and all information, wherever maintained, which reflects an evaluation of an employee's performance and was

created prior to July 1, 1995 shall be confidential and shall not be disclosed (except to the evaluated employee, or the College officials whose duties to supervise or evaluate the employee require access to the records.

(4) Records containing information reflecting academic evaluations of employee performance.

(5) Records maintained for the purposes of an investigation of employee misconduct, but only until:

(a) the investigation is no longer active;

(b) the College gives written notice to the employee that the investigation is concluded; or

(c) a letter of discipline issues.

In addition, for sexual harassment investigations, portions of the records which identify the complainant, a witness, or information which could reasonably lead to the identification of either remain confidential after the completion of the investigation.

(6) Records maintained for the purposes of any disciplinary proceeding brought against an employee, but only until a final decision is made in the proceeding.

(7) Records maintained for the purposes of any grievance proceeding brought by an employee for enforcement of a collective bargaining agreement or contract, but only until a final decision is made in the proceeding.

(8) Any records or portions thereof which are otherwise confidential by law.

*Specific Authority 1001.74, 1012.91 FS. Law Implemented 1012.91 FS. History--New*

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6C11-ER02-26 Appointment, Employment, and Removal of University Police

(1) General. This chapter implements section ~~240.268(6)~~, 1012.97, Florida Statutes and shall apply to the appointment, employment and removal of New College of Florida University Police officers. Any person employed or appointed as a university police officer shall meet the minimum standards established by the State of Florida Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes.

(2) Appointment of University Police Officer. New College of Florida shall appoint university police in accordance with the following standards and procedures:

(a) In order to qualify for consideration for appointment or employment by the College as a university police officer, an applicant must:

1. have graduated high school or passed the General Education Development Test in accordance with Florida Department of Education Rule 6A-6.021, Florida Administrative Code and attained, at minimum, an Associates degree or transcript verification of successful completion of one (1) year of college work from an accredited institution as defined in s. 943.22(1), Florida Statutes, or licensed by the Florida Board of Independent Colleges and Universities, or shall have attained a certificate issued by the United States Armed Forces Institute prior to December 31, 1974, showing successful completion of high school equivalency.

2. demonstrate, based on psychological testing administered by the College, that he or she is psychologically fit to discharge the duties and responsibilities of a university police officer; and

3. meet the minimum requirements of Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes

(b) Prior to appointment of any university police officer, the College shall conduct a thorough background investigation in accordance with the procedures and standards established in Rules 11B-27.0011, 11B-27.0021, 11B-27.0022, and 11B-27.0025, Florida Administrative Code, to determine whether an applicant meets the minimum standards

established by the Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes

(c) If an applicant qualifies under paragraph (2)(a)(1.)-(2.) and meets the minimum standards established by the Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes, he or she shall be eligible for consideration for appointment and employment. If appointed, and before entering into the performance of his or her duties, an applicant shall:

1. take and subscribe in writing to the oath of office as set forth in New College of Florida University Police Department General Order I-102, dated September 30, 2001, which shall be administered by the Chief of University Police; and

2. subscribe in writing to the Law Enforcement Code of Ethics as set forth in New College of Florida University Police Department General Order I-102, dated September 30, 2001.

(c) The College shall obtain and approve a bond on each university police officer in the amount of Five Thousand Dollars (\$5,000.00) or such other amount as may be determined by the College based on the amount of money or property likely to be in the custody of the officer at any one time. The bond shall be payable to the Governor of the State of Florida or his or her successor in office, and shall be conditioned upon the faithful performance of the duties of such officer.

(d) Appointment or Employment of Uncertified Applicants. Applicants who are not currently certified by the Criminal Justice Standards and Training Commission and who are otherwise eligible for consideration for appointment or employment may be temporarily

appointed or employed in accordance with section 943.131, Florida Statutes and Rule 11B-27.002(h)(1)-(4), Florida Administrative Code provided that:

1. the Chief of University Police first certifies in writing that:
  - a. a critical need to appoint or employ the applicant exists
  - b. the critical need is documented; and
  - c. the applicant is or will be enrolled in the next approved basic recruit training program available in Sarasota or Manatee County; and
2. the requirements of section 943.131, Florida Statutes are complied with.

(3) Pursuant to s. 943.133(1), Florida Statutes, the Chief of University Police shall be responsible for the collection, verification, and maintenance of documentation establishing that applicants appointed or employed comply with the requirements of ss. 943.13 and 943.131, Florida Statutes, and rules adopted pursuant thereto. Prior to the employment or appointment of any university police officer, the Chief shall execute and maintain a Criminal Justice Standards and Training Commission registration affidavit of compliance form as required by section 943.133, Florida Statutes attesting to compliance with s. 943.133(1).

(3) Requirements for Continued Employment of University Police Officer. In addition to any other conditions of employment established by rule or policy of the State of Florida Board of Education or the College and applicable to University Support Personnel, or by collective bargaining agreement, each university police officer as a condition of continued employment or appointment as university police officers, shall continue to meet the minimum standards established by the Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes; shall maintain in good standing his or her certification pursuant to chapter 943, Florida Statutes and Rule 11B-27.0023, Florida Administrative

Code, and shall receive periodic Criminal Justice Standards and Training Commission-approved continuing training or education pursuant to chapter 943, Florida Statutes.

(4) Notification of Employment, Appointment and Separation. The Chief of University Police shall be responsible for notifying Criminal Justice Standards and Training Commission of the appointment, employment and separation of university police officers in accordance with Rules 11B-27.002(1)(c)1., 11B-27.002(1)(c)3., 11B-27.002(1) and 11B-27.002(4), Florida Administrative Code, and for submitting affidavits of separation as required by Rule 11B-27.002(5), Florida Administrative Code.

(5) Requirements for Certification. The Chief of Police shall be responsible for annually filing with the Criminal Justice Standards and Training Commission, in accordance with Rule 11B-27.002(2), Florida Administrative Code, documentation verifying that all officers employed or appointed by the College as of June 30<sup>th</sup> of the year have satisfied the requirements of s. 943.13, Florida Statutes

(6) Duty to Report, Investigations and Procedures. When the allegation is made or the College has cause to suspect that a university police officer it employs does not comply with s. 943.13(4) or (7), Florida Statutes, or subsection 11B-27.0011(4), Florida Administrative Code, or if an act of conduct of the officer has resulted in the officer's arrest, the President or his designee, or the Chief of Police, as appropriate, shall:

(a) conduct and conclude an internal investigation, including an official disposition, pursuant to New College of Florida University Police Department General Order I-109, dated September 30, 2001;

(b) take, in connection with the conduct and disposition of such investigation, such other action, including, but not limited to, the reassignment, suspension, or removal of the

officer as is consistent with General Order I-109, College rules found in Rules 6C11-ER02-10 through 6C11-ER02-26, Florida Administrative Code, Board of Education Rule, Systemwide Personnel Matters, Chapter 6C-5, Florida Administrative Code, and applicable collective bargaining agreements; and

(b) satisfy the investigative reporting requirements and procedures of Rules 11B-27.003 and 11B-27.0011(5), Florida Administrative Code.

*Specific Authority ss 1001.74(19), 1001.74(41), 1012.97(6)), F.S. Law Implemented*

*1001.74, F.S. History—New\_\_\_\_\_*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Signature Authorizations</b>	<b>4-27-02</b>	<b>2-001</b>

**I. INTRODUCTION (Purpose and Intent)**

The Vice President for Finance and Administration is responsible for the control of all expenditures and uses Signature Authorization Forms as a means to exercise this control. These forms are maintained in the Controller’s office.

**II. STATEMENT OF POLICY**

Signature Authorization Forms are required to be on file for each College account prior to making expenditures. The Vice President for Finance and Administration is responsible for determining the persons authorized to sign and for assuring that up-to-date signature forms are on file at all times. Complete procedures are outlined in the Administrative Services Fiscal Operations Manual, Section 17 - New Account Establishment, found on-line in Gopher.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Control of College Revenues and Expense Refunds</b>	<b>4-27-02</b>	<b>2-002</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy statement is to provide guidelines for the control and collection of funds which are required by State Statutes or regulations to be deposited in any of the College's accounts.

**II. STATEMENT OF POLICY**

All State-related funds collected by any department or office must be deposited in the College Cashier's Office or picked up by an armored car service for direct deposit to a College bank account.

The Vice President for Finance and Administration is responsible for approving new collections of revenue and for establishing procedures and systems concerning the collection of all revenues for New College of Florida.

The College Controller is responsible for ordering, controlling and issuing prenumbered official receipts to departments to insure the proper recording of revenue and expense refunds. These receipts will be the only receipt to be used outside of the Cashier's Office for official collections and will be utilized by all offices not having mechanical receipt devices or prenumbered ticket sales as approved by the College Controller.

NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Accounts Receivable</b>	<b>4-27-02</b>	<b>2-003</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose and intent of this policy is to provide a means of (or procedures for) billing students, staff and outside individuals or firms for services rendered or for fines assessed due to failure to comply with the College policies, such as library fines for late returned library books. Since Florida Statutes do not permit the College to extend credit, all bills are payable upon receipt.

**II. STATEMENT OF POLICY**

A. Any department desiring to initiate a program to issue charge documents must first seek the approval of the College Controller to assure compliance with the Florida Statutes, Board of Education’s Policy and College policies and practices. For detailed procedures, see Administrative Services Fiscal Operations Manual, Section 3 - Billing Procedures.

B. The Controller may employ any of the following means of collecting monies due the College:

1. Issue monthly bills.
2. Issue College collection letters.
3. Hold all transcripts or current grades.
4. Refuse registration for any future semester until the accounts receivable has been collected.
5. Turn delinquent accounts over to a collection agency designated by the Board of Education.
6. Make payment agreements via contracts or promissory notes.
7. Collect funds owed by employees by means of Set-Off Procedures (see New College of Florida Policy 2-009, Set-Off Procedures).

8. Any other action which is legal and not in conflict with the Board of Education's policy.

C. The College Controller is authorized to request write-off of uncollectible amounts.

D. Detailed procedures for generating accounts receivable charges are available from the Controller.

E. The College will withhold diplomas and place students on pending status:

1. For nonpayment of any obligation, or

2. For not completing the exit interview which is required by 20 USC Sec.1092(b) for all students who receive long term loans (i.e. for repayment over term of one year or more).

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Central Billing</b>	<b>4-27-02</b>	<b>2-004</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose and intent of this policy is to provide a billing mechanism through which a College department may sell services or supplies to another department. Through this mechanism, the buying department is charged and the selling department is credited as either revenue (if the selling department is an auxiliary enterprise) or as a reduction of expenditure (if it is a department operating in the General Revenue funds and simply transferring the cost of the service or supply to another department.)

**II. STATEMENT OF POLICY**

A. The UCD form (Uniform Charge Document) which is used to accomplish this transaction must not be used by any department until first securing the approval of Finance and Accounting, since its misuse could seriously affect accounting capability.

B. The Central Billing procedures are outlined in the New College of Florida Administrative Services Fiscal Operations Manual, Section 3 - Billing Procedures, found on-line in Gopher.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Payroll</b>	<b>4-27-02</b>	<b>2-005</b>

### 1. INTRODUCTION (Purpose and Intent)

The purpose of this policy statement is to inform employing departments of fundamental policies concerning the payment of College personnel and the payroll systems, developed in compliance with guidelines established by the State Comptroller's Office, for compensating hourly and salaried personnel. (For detailed procedures, see Administrative Services Fiscal Operations Manual, Section 19 - Payroll Certification Process, found on-line in Gopher.)

### II. STATEMENT OF POLICY

#### A. Biweekly Payroll

The State of Florida Operating Procedures provide for payment of wages on a biweekly basis.

#### B. Methods of Wage Payments

All persons will be paid by State warrant, Electronic Fund Transfer (EFT) or College check. There will be no cash payments. The Office of the State Comptroller is responsible for the issuance of all payroll warrants and EFT deposits. No wage payments will be made from the College revolving fund unless approved by the College Controller (see New College of Florida Policy 2-006, Revolving Fund - Payroll).

#### C. Post-Certified Payrolls

The College policy is to post-certify salaried personnel and hourly personnel.

#### D. Employee Records and Withholding Tax Statements (W-2 Forms)

Employee records are maintained in the Office of the State Comptroller. W-2 statements are prepared for all State employees by the State Comptroller's Office during the month of January. An individual will receive one tax

statement which includes wages received during the calendar year from all employing agencies.

**E. Set-Off Procedures**

The College may collect funds owed by employees by means of Set-Off Procedures (see New College of Florida Policy 2-009, College Set-Off Procedures).

**F. Wage Assignments**

Under no circumstances will an employee's warrant be issued to a creditor without the employee's written consent or legal process.

**G. Distribution of Payroll Warrants**

All payroll warrants will be distributed in the to the authorized appointee whose duties are segregated from those who prepare, certify, and approve the department's payroll.

**H. Direct Deposit by Electronic Fund Transfer (EFT)**

Employees may elect to have their net pay directly deposited to their bank through EFT. Employees electing EFT will have their net pay available at their bank by 9:00 a.m. of the payday. The EFT agreement (available through the Personnel Office and individual banks) is between the employee, their bank and the State Comptroller's Office.

**I. Payroll Stubs**

Payroll stubs are prepared each payday for every employee who receives a warrant. These stubs reflect earnings and deductions for both the current payroll period and cumulative earnings to date for the calendar year. Individuals receiving more than one warrant for the period, as a result of being paid from more than one fund, will receive one stub reflecting the total of all earnings and deductions.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Revolving Fund - Payroll</b>	<b>4-27-02</b>	<b>2-006</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose and intent of this policy is to provide the guidelines used for issuing a revolving fund check when a State payroll warrant is not received.

**II. STATEMENT OF POLICY**

- A. The State Comptroller requires that the use of the revolving fund for wage payments is limited to emergencies caused by administrative error.
- B. Overtime or wage advances cannot be paid from the revolving fund.
- C. If an employee is receiving a State warrant and a revolving fund check for an additional amount, a revolving fund check will not be issued to the employee unless the revolving fund check is a substantial part of the employee's pay, i.e. 45% or more. A revolving fund check will not be issued if it is 10-15% of the employee's pay. The area between 15% and 45% will be dealt with on an individual basis.
- D. 10% will be deducted from the revolving fund check with a minimum of \$10.00 and a maximum of \$100.00 as required by the State Comptroller. This money will be given to the employee by separate warrant from the State Comptroller, plus or minus adjustment deemed necessary by the State Comptroller on a subsequent payday.
- E. Revolving fund wage payments to an employee must not be recurring in nature.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Property</b>	<b>4-27-02</b>	<b>2-007</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy is set forth in order to comply with Florida Statutes related to State property and to observe sound management principles related to property accountability.

**II. STATEMENT OF POLICY**

**A. Definition of "Equipment" or "Property"**

The words "equipment" or "property" used herein are interchangeable and refer to tangible items of personal property of a non-expendable nature, the normal life of which is one year or longer and the cost of which is \$500.00 or more.

Regardless of source of funds, all items meeting the above definition will be considered as property. Source of funds may include items purchased from expense, operating capital outlay, state and federal surplus and construction funds. In addition, hardback-covered bound books that are circulated to students or the general public, the value or cost of which is \$25.00 or more, and hardback-covered bound books the value or cost of which is \$100.00 or more, are considered property and will be purchased from operating capital outlay funds.

**B. Identification**

All property acquired by the College, whether by purchase, fabrication or gift which is practicable to identify by marking, will be visibly marked with a property identification number by one or more of the following methods:

1. Bar Code Label with readable number.
2. Indelible pencil.
3. Etching needle.
4. Metal tags.
5. Steel dies.
6. Branding irons.
7. Paint or stencils.

### **C. Physical Inventory**

All College property must be physically inventoried annually and it is recommended that property be inventoried upon change of accountable officer. It is the accountable officer's responsibility to maintain definitive control over all equipment listed on his/her inventory.

The Physical Plant staff will conduct cyclical property inventories and have the responsibility for College property management and control techniques.

### **D. Disposition**

Relief from responsibility must be obtained by completion of New College of Florida Form 3008, "Relief from Property Accountability", whenever an item of equipment is:

1. Excess to the needs of a department -- to be transferred to surplus property.
2. Obsolete -- to be transferred to surplus property,
3. Damaged -- to be scrapped.
4. Cannibalized -- to dismantle equipment for usable parts.

### **E. Stolen Property**

Unlocated and Stolen -- Relief from responsibility, must be obtained by completion of New College of Florida Form 3010, "Report of Survey Unlocated/Stolen/Other" whenever an item of equipment is:

1. Unlocated - due to inventory shortage.
2. Stolen - Theft or sudden disappearance.
3. Other - Transfer to other State agency.

"Report of Survey" form must be completed, signed by the accountable officer, and a police report case number when equipment is stolen. It is not necessary to report inventory shortages to the University Police as they will be reported in accordance with "unlocated" items as described above. Any department experiencing a theft or sudden and mysterious disappearance of equipment shall immediately report this fact to the University Police. Upon completion of investigation, the University Police will notify the Vice President of Finance and Administration, or designee if the stolen item is not recovered. He or she will remove the item from the property record and notify the appropriate accountable officer.

#### **F. Off-Campus Use**

When College property is to be removed from campus for some official purpose, an "Off Campus Equipment Use Permit", New College of Florida Form 6028, must be submitted. The form must be approved by the appropriate dean or division head. No new equipment should be removed from campus prior to being decaled and having a completed and approved "Off Campus Equipment Use Permit" form.

#### **G. Property Transfer**

Whenever property is physically relocated on a permanent basis or changes accountable officers, a "Report of Change of Location of Property", New College of Florida Form 3009, must be completed and submitted to the Vice President of Finance and Administration. When equipment is transferred on a temporary basis, it is recommended that the accountable officer maintain adequate internal records for locating all properties under his/her control.

### **III. PROCEDURES**

Detailed procedures are contained in the Administrative Services Fiscal Operations Manual, Section 22 - Property, found on-line in Gopher.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Set-Off Procedures</b>	<b>4-27-02</b>	<b>2-008</b>

### I. INTRODUCTION (Purpose and Intent)

The purpose of this policy statement is to provide guidelines and procedures for the collection of funds owed to the College by its employees, including final action determination and set-off procedures.

### II. STATEMENT OF POLICY

Under the provisions of Florida Statutes, 1010.03, the College, through its Controller's Office, is directed to exert every effort to collect all delinquent accounts. This legislative directive includes the duty of collecting all monies owed the College by its employees.

Recognizing the difficulties that may arise in repaying debts to the College, the Controller's Office has established a policy that affords College personnel ample time and opportunity to clear their debts. However, in light of the College's statutory duty to clear delinquent accounts, this policy also recognizes that at some terminal point in the collection process there is the necessity for final action to be taken on effecting repayment. Under this Policy and Procedure Statement, final action may include deducting a percentage of the employee's debt to the College from his/her paycheck each pay period until the entire debt is cleared.

### III. PROCEDURES

**A. Categories of Debts** - There are five main categories of employee debts, grouped according to the department which has responsibility for their collection.

1. Travel
  - a. Travel advance repayment
2. Student Financial Services

- a. National Direct Student Loans
  - b. New College of Florida Student Loans
  - c. Short-term Loans
  - d. Scholarship and/or grant repayments
3. Cash Collections
- a. Returned checks and Service Fees
  - b. Accounts Receivable
    - (1) Tuition and Fees
    - (2) Physical Education Equipment
    - (3) Keys
    - (4) Library Fines
    - (5) Learning Technologies Fines/Sales
    - (6) Graduation Fee
    - (7) Health Services
    - (8) Food Services
    - (9) Rental Fees
    - (10) Housing
    - (11) Child care
    - (12) Traffic Fines
    - (13) Overpayments
    - (14) Copy Charges
    - (15) Miscellaneous
4. Payroll - Salary Overpayments

**B. Preliminary Collection Procedures** - The following policies and procedures are followed in effecting repayment prior to the terminal point at which time set-off procedures may be instituted:

- 1. Travel (travel advance repayment)
  - a. All employees who receive travel advances must complete and return a Reimbursement Voucher immediately upon returning from the trip for which the advance was made.
  - b. If no voucher is filed within ten (10) calendar days from the employee's date of return, a letter of notice that the employee has ten (10) days to file a travel reimbursement voucher will be sent to the employee's campus address.
  - c. If no travel voucher is received by Travel at the end of this ten (10) day period, set-off procedures will be implemented. (See III.C.).

## 2. Student Financial Services

### a. National Direct Student Loans, New College of Florida Student Loans and Health Profession Loans..

(1) Repayment on the above loans is made through a billing service employed by the College.

(2) The billing service will send each employee a past due notice at the following intervals after payment is due: 15 days, 45 days, 60 days and 75 days.

(3) At ninety (90) days the delinquent account is turned over to the College and the borrower is contacted by telephone and advised that repayment must be made. If no contact is made, or no reasonable repayment agreement can be made, employee debtors will be sent a letter at their residence informing them that set-off procedures may be implemented.

(4) If Student Financial Services is not contacted within ten (10) days after receipt of the above letter, set-off procedures will be implemented. (See III. C.).

### b. Short-Term Loans and Scholarships and/or Grants

(1) Repayment of the above accounts are handled entirely by the College. The employee responsible for the delinquency will be sent past-due notices at the following intervals after payment is due: 5 days, 10 days, and 2 weeks.

(2) The past due notice sent two (2) weeks after payment is due will include a warning that if payment is not received within thirty (30) days, set-off procedures will be implemented. (See III. C.).

## 3. Cash Collections

### a. Returned Checks and Service Fees

(1) When a check is returned to the College, the following notice will be sent:

(a) A Notice Letter will be sent to the employee's home address immediately upon receipt of the bad check advising the employee of the situation and requesting a response within ten (10) days.

(b) If the account is not cleared at the expiration of this ten (10) day period, set-off procedures will be implemented. (See III. C.).

### b. Accounts Receivable

(1) Employees will be placed on the accounts receivable system after conventional

attempts by the College to obtain payment are unsuccessful (example, no response to fine notice from Library.)

(2) Once the charges are put on the accounts receivable system, the employee will be billed monthly if the outstanding debt is \$5 or more.

(3) If payment is not received within six (6) months of the date of the first billing, the employee will be notified that if arrangements are not made in ten (10) days, set-off procedures will be implemented on his/her debt. (See III.C.).

#### 4. Payroll - Salary Overpayments

a. Department personnel shall notify the Payroll Department when a salary overpayment has occurred. The Payroll Department calculates the exact amount of the overpayment and sends a letter to the employee notifying them of the overpayment, that they have ten (10) days before set-off begins, their right to an administrative review, and that they can make repayment arrangements.

b. If no repayment arrangement has been made by the end of the ten (10) day period, the Payroll Department will take the next step in the set-off procedure. (See III.C.).

### **C. Set-Off Procedures**

1. When the procedures above have been exhausted and no satisfactory arrangements for repayment have been made by the employee, set-off procedures will be implemented. This process includes the following steps:

a. The employee is advised by certified letter (return receipt) that he/she has ten (10) calendar days to either clear the account, make satisfactory payment arrangements, or submit documentary evidence disputing his/her debt. The employee is also advised of his/her right to administrative review of the decision to set-off his/her debt and deduct sums from the employee's paycheck (Florida Statutes, 120.57).

b. If no arrangements have been made at the end of ten (10) days, all evidence of the employee's debt is reviewed.

c. If, upon review, a determination is made that the debt is in fact due and owing, set-off procedures are implemented and the employee is advised in writing of the amount and duration of the deductions from his/her salary warrant.

#### **D. Amount of Payroll Deduction**

1. In the event that the total amount of the debt is less than ten percent (10%) of the employee's biweekly gross salary, the full amount of the employee's debt will be deducted in the first or second pay period after the decision to set-off the debt is made.
2. If the amount of the debt is greater than ten percent (10%) of the employee's biweekly gross salary, the amount deducted each pay period will be at least ten percent (10%) of the employee's gross salary and will not exceed twenty percent (20%) of the employee's net salary after mandatory deductions.
3. In the event that an employee-debtor is terminated or voluntarily leaves the College's employ, the entire amount of the debt will be deducted from the employee's final paycheck.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Employee Grants-In-Aid Collection</b>	<b>4-27-02</b>	<b>2-009</b>

**I. INTRODUCTION**

II. -This policy will implement the provisions of Chancellor's Memorandum 85-06.2, State University System Employee Grants-in-Aid Program.

**II. Policy** -The Employee Grants-in-Aid Program is designed to support black, other minority, and women employees who have demonstrated a commitment to further their education and who have potential for advancement. The program is additionally designed to increase the number of black, other minority, and women employees qualified for promotion in USPS and administrative and professional positions, and faculty in non-traditional disciplines. The College Office of Equal Opportunity Affairs maintains guidelines and procedures to cover application procedures and deadlines and a mechanism for resolving grievances associated with the awards. In the event an employee accepts a grant-in-aid of educational leave, the employee must agree to complete the course work for education requirements which are the subject of the grant and leave and to repayment by service to the SUS of two times the length of the educational leave. In the event the foregoing conditions are not fulfilled, the employee must agree to repay the salary and stipend paid to the employee while on leave. The College will monitor the academic progress of the grant recipients and in connection with the home department will monitor personnel actions such as resignation or termination which may cause changes in the status of the grant-in-aid recipient.

**III. Procedure -**

1. Before issuing a grant-in-aid to an employee, the College will require the employee to execute a promissory note such as that exemplified by [Attachment Form A](#).
2. After a grant-in-aid is issued, the College will monitor the academic progress and in connection with the home department will monitor the personnel status of the grant recipient.
3. At the time it appears the conditions of the grant are not being met . . .
  - a. The College will determine the employment status of the grant recipient and determine the exact amount received by the grant recipient and notify the recipient of default, with a copy to the Controller for pending.

b. In the event the grant recipient does not correct the deficiency within five (5) days of notice of default, the College will place the recipient on Accounts Receivable by forwarding Attachment Form B to Accounts Receivable and request by memorandum setoff of the amount received and owed from the recipient's paycheck and/or the withholding of the final checks for pay, annual leave or sick leave.

c. In the event the deficiency is not corrected and set off/withholding cannot be instituted, the College will forward the matter to the General Counsel's Office for collection and notify the Controller by copy of the transmittal memo.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Building Maintenance</b>	<b>4-27-02</b>	<b>3-001</b>

**I. INTRODUCTION (Purpose and Intent)**

To define and place the responsibility and charges for routine building maintenance work and building work and/or service of specific benefit to departments.

**II. STATEMENT OF POLICY**

The Maintenance Department shall receive an E&G appropriation each fiscal year and shall be responsible for funding routine building maintenance to protect the State's investment in its physical facilities.

Other building work, service, and charges of specific benefit to a department shall be that department's responsibility.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Equipment Construction and Installation</b>	<b>4-27-02</b>	<b>3-002</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy has been established to ensure that facilities are not improperly altered and that the addition of equipment requiring electrical and/or mechanical work is properly installed.

**II. STATEMENT OF POLICY**

A. No fixed equipment shall be attached in any manner to a building without an approved space request.

B. Any movable equipment (i.e., equipment not fixed to walls or floors) will be constructed by Physical Plant or by an outside vendor on the recommendation of Physical Plant.

C. Specialized departmental movable equipment used for teaching and/or research may be constructed in college or departmental shops provided such construction has been approved in advance by the Controller. Such equipment must be properly decaled in order to meet physical property audits.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Campus Master Plan</b>	<b>4-27-02</b>	<b>3-003</b>

**I. INTRODUCTION (Purpose and Intent)**

The Campus Master Plan, which is updated on an annual basis, provides for the orderly and systematic growth of the physical facilities at the College.

**II. STATEMENT OF POLICY**

The Chairman of the Space Committee has the authority and the responsibility to coordinate the College’s efforts in the compilation of data and the production of maps, plans, and charts required to complete the Campus Master Plan.

The Campus Master Plan will be updated and sent to the Board of Education on an annual basis.

**III. PROCEDURE**

It is the responsibility of the Provost to provide enrollment projections by discipline; the responsibility of the Vice President for Finance and Administration to provide information on the staffing requirements based on the enrollment projections; the responsibility of Director of Facilities Planning to determine the square footage of space required by using the Board of Education formulae using the enrollment and staffing projections; and, the responsibility of the Director of Facilities Planning, using the abovementioned data, to determine the number, size, and type of buildings required. It is also the responsibility of the Director of Facilities Planning to locate these buildings on the Campus Master Planning Map, project and locate future roads, parking, and utility requirements on the map. Upon completion of a draft of the Campus Master Plan, it is submitted to the Space Committee for its comments and suggestions. After these comments and suggestions have been incorporated into the plan, it is then submitted to the President and the Board of Trustees for approval. Upon approval, the plan then becomes the official Campus Master Plan of the College.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Land Use Planning and Utilization Policy</b>	<b>4-27-02</b>	<b>3-004</b>

**I. INTRODUCTION (Purpose and Intent)**

To establish an orderly process for determining and implementing a College-wide land use and utilization policy and related procedures.

**II. STATEMENT OF POLICY**

The authority and responsibility for development of the College’s formal land use plan shall rest with the Director of Facilities Planning who shall recommend through the Vice President for Finance and Administration, such plan or plans for review and approval by the Space Committee, the President, and the Board of Trustees. The Space Committee will consult with other College constituencies as appropriate.

Upon approval by the Board of Trustees, the plan shall be adopted as the authoritative statement for College land usage. All amendments or variations to the plan will require approval by the Space Committee, the President, and the Board of Trustees.

A. The Director of Facilities Planning, through the Vice President for Finance and Administration, shall prepare and recommend to the Space Committee and the President a long range master plan for land usage. The plan may consist of a map or maps and narrative that delineates broad land uses to include dedicated areas for:

1. Academic or educational facilities
2. Administrative support facilities
3. Residential facilities
4. Student facilities
5. Recreational/athletic facilities
6. Restricted green space
7. Parking and roadways
8. Facilities for external entities

B. The Director of Facilities Planning shall review and recommend, through the Vice President for Finance and Administration, to the Space Committee and the President all requests for:

1. Amendments or variations to the adopted land use plan.
2. New buildings or other physical facilities which would require a dedication of College property.
3. Memorials, building dedication markers, outdoor signage, fencing and other fixtures which might be erected on College property.
4. Modifications, additions or deletions of physical facilities or other uses which impact the dedication of College property.

C. The Vice President for Finance and Administration shall review all rezoning or modification of zoning of property of interest to the College.

The College has no formal authority in rezoning actions but regularly requests consideration of its recommendations regarding such actions by the appropriate governmental body.

D. The Director of Facilities Planning shall review and recommend, through the Vice President for Finance and Administration, all requests for dedication and use of College land for external entities to the Space Committee and the President. These requests must meet all requirements of Florida Statutes, Board of Education and Department of Education rules and regulations and be a direct complement and of significant benefit to the academic programs and the educational mission of the College in order to receive approval.

E. The above policies and procedures pertain to all College properties including:

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Campus Signage</b>	<b>4-27-02</b>	<b>3-005</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to specify the methods and responsibilities for administrating a signage program to provide a consistent signage policy based on the Campus Master Plan. The signage will enhance the visual environment and aid communication and direction to visitors, students, faculty and staff. Also, this program is established to eliminate the proliferation of signs (both permanent and temporary) that are contrary to the established standards described herein. This policy applies to all entities located on all campuses unless specifically stated otherwise.

**II. STATEMENT OF POLICY**

**A. PERMANENT SIGN POLICY**

**1. Exterior Signs.**

All requests for exterior permanent signs must be sent to College’s Physical Plant Division for approval. The College’s Physical Plant shall review the requests with the Director of Facilities Planning for coordination with the Campus Master Plan and for coordination with ongoing projects. All requests must conform to the Campus Master Plan signage program. Any request for an exception to this program must be approved by the Vice President for Finance and Administration.

Signage types will be broken down into a hierarchy of sizes and functions. Hierarchy is determined by the importance of the sign to the overall system and its scale relationship to the intended user.

**a. Main Entry Features.** The major entrance to the campus shall be identified to the outside user with a major site feature which will include the main entry signs. The features themselves will be site specific and relate to the main entries intended in the adopted campus master signage plan. The site features may be different to specifically relate to the surrounding scale and location.

**b. Campus Identity Signs.** These signs shall be used to mark the boundaries of the campus to the general public and are scaled to be readable from the automobile. There shall be two types of identity signs -- identity pylon or identity pylon with reader board.

Both sign types shall be illuminated and shall carry logo and campus location. The identity sign shall be a monolithic slab with reader board eleven feet (11' ) high and eight feet (8') wide, with a four feet (4') by eight feet (8') removable module. The identity pylon shall be four feet (4') wide by ten feet (10') high.

**c. Directional Signs.** These signs shall be used to direct the vehicle user through the campus roadways and parking areas. Their major goal will be to direct traffic to particular points of interest in the simplest and shortest direction. All signs will typically show the College logo and location and all information will be set with a reflective copy type.

Due to the requirements of certain campuses, two types of directional signs shall be provided. Primary directional signs and illuminated signs with removable message strips (for flexibility). These signs are approximately six feet (6') wide by ten feet (10') high. Secondary signs are intended to support primary signs as well as to aid and direct campus vehicular traffic. Secondary signs are designed to be non-illuminated with non-reflective copy types.

**d. Building Identification Signs.** These signs shall carry the logo of the campus only and shall be used to specifically identify a building, groups of buildings or a specific college on the campus. There are two types of signs for this category -- one type if primary relationship is to the automobile and a different type if primary relationship is to the pedestrian.

Automobile signage shall be a four feet (4') by three feet (3') high panel on a three foot (3') high base. The pedestrian oriented identification sign shall be non-illuminated and made up of a three feet (3') by one foot (1') high panel on an eighteen inch (18") high base.

**e. Information Signage.** In order to control the orderly flow of information necessary for proper movement throughout the campus, signage elements shall provide information such as restrictions, parking lot locations and requirements, street names, maps, etc. In most cases, these signs are intended for the vehicle user and shall be a three feet (3') by two feet (2') high panel on a post reaching six feet (6') high overall. These signs shall be non-illuminated and used with reflective copy.

**f. Pedestrian Kiosks.** These shall be specifically scaled to the pedestrian, shall include a map or directory of the campus and have an appropriately sized lockable board for changing campus information. These signs shall be strategically located along major pedestrian corridors.

**g. Regulatory Signage.** Traffic control signs shall meet all required specifications of the Uniform Traffic Control System (UTCS) set forth by the Department of Transportation. These signage elements shall be set on a post and panel system using international symbols whenever possible. Regulatory signs will be used by individual campuses to safely control vehicular circulation throughout roadways and parking lots as deemed necessary.

## **2. Interior Signs.**

**a. Existing Interior.** All requests to add, delete, or alter any permanent interior building sign shall be approved by the Physical Plant Division.

**b. New Interior.** Signs will be provided as part of a building project as administered by the Director of Facilities Planning.

## **B. TEMPORARY SIGN POLICY - EXTERIOR, INTERIOR**

Signs and notices are to be placed only on authorized boards, A-frames, or in door card holders, except as provided herein. No signs are to be attached to any College building, tree, or light post, except as specified below.

### **1. Directional Signs.**

Directional signs for meetings and conferences being held on the Tampa Campus may be posted at specific locations.

### **2. Temporary Interior Signs.**

Small signs are limited to bulletin boards and A-frames.

### **3. Student Activities.**

For any major student related activity, non-electrical signs, not to exceed four feet (4') in width and not to have an overall height of more than eight feet (8') may be displayed. Non-fabric signs that are more than four feet (4') by eight feet (8').

Student Government election posters or signs not exceeding four feet (4') by eight feet (8') may be utilized 15 days before election day plus an additional seven days for runoffs. They must not block any passageway, obstruct any College buildings, signs, or other structures or otherwise unreasonably distract or interfere with members of the College community in carrying out their normal functions. Signs should not be placed in a manner which would block a driver's view at an intersection. Signs placed along the roadway must be placed a minimum of 30 feet (30') from an intersection. The College's Physical Plant Division may be consulted when there are any questions

concerning the desired location of a sign. These posters or signs must be removed immediately following the scheduled event.

When signs are improperly constructed, placed, or allowed to deteriorate into a state of disrepair, they will be removed immediately by the Division of Physical Plant.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Scope and Responsibility of the Purchasing Director</b>	<b>4-27-02</b>	<b>5-001</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines and good purchasing practices for the acquisition of all commodities, contractual services and minor construction in order to obtain the best quality, price and delivery or performance available.

**II. STATEMENT OF POLICY**

A. The Purchasing Director is responsible for assuring that all purchases from College funds are made in accordance with the law. Unless officially delegated, no other department or individual is authorized to sign a contractual agreement or to make any off-campus purchase on behalf of the College.

1. A requisition must be submitted to the Purchasing Director prior to making a purchase, commitment or a contractual arrangement, except in the case of valid emergencies. The Purchasing Director is responsible for verifying that the requisition is properly approved by the accountable officer or other authorized person and that it contains the necessary information to make the purchase.

2. All price negotiations and bidding processes, when required, are the sole responsibility of the Purchasing Director.

B. The Purchasing Director is responsible for central receiving.

C. The Purchasing Director is responsible for proper disposition of surplus property.

D. The Purchasing Director is responsible for the administration of the records retention program.

E. The Purchasing Director is responsible for administering the vendor diversity initiative program and is available to assist in identifying certified minority vendors .

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Competitive Solicitations</b>	<b>4-27-02</b>	<b>5-002</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines for informal and formal competitive solicitation processes to achieve fair, open and equitable competition for purchasing commodities and services at the lowest possible cost with the best quality.

**II. STATEMENT OF POLICY**

A. Purchases exceeding \$25,000 require formal competitive solicitations , unless made from an authorized contract, a sole source vendor, a valid emergency, or exempted by a Sponsored Research Waiver.

B. Purchases costing between \$5,000 and \$25,000, and not covered by an established contract, require two or more informal price quotations, when possible and practical.

C. Purchases costing less than \$5,000, and not covered by an established contract, are made in accordance with good purchasing practices calling for price quotations when practical.

D. No purchase may be divided or sub-divided for the purpose of circumventing required informal or formal competitive solicitation.

E. Public notice of issuance of a competitive solicitation or any committee meetings related to such competitive solicitation will be posted on the Purchasing Director's public bulletin board located outside of the Purchasing Director. The notice may also be posted on the New College of Florida Purchasing Director's website, Florida Communities Network, and/or fax on demand.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Purchasing Documents</b>	<b>4-27-02</b>	<b>5-003</b>

### I. INTRODUCTION (Purpose and Intent)

To provide documents for the acquisition of commodities, contractual services or construction.

### II. STATEMENT OF POLICY

A. Requisitions. Requisitions are initiated by departments and submitted to the Purchasing Director for the purchase of commodities and/or services. Requisitions are also used for reimbursements and prepayments.

B. Purchase Orders. Purchase Orders are required for the acquisition of commodities and/or services. The Purchasing Director will forward the Purchase Order to the vendor, the initiating department, accounts payable, receiving departments and property department .

C. Change Orders. The Purchasing Director will issue a Change Order to change items, quantities, specifications, etc. on the purchase order, as needed or as requested by the initiating department.

D. Competitive Solicitations. Competitive Solicitations are required for purchases exceeding \$25,000 or more, and for purchases of printing as specified in Chapter 283, F.S. The competitive solicitation documents shall contain all the legal terms and conditions necessary to protect the College's best interest in purchasing transactions.

E. Lease Agreements. Lease Agreement form is a legal document approved by the Board of Education as a standard form for lease of off-campus space. The Purchasing Director handles execution of the agreement with the lessors.

F. Sole Source Certification. Sole Source Certification request is initiated by a department for obtaining approval from the Purchasing Director in order to acquire a commodity or service that is available from only one vendor.

G. Payment of Membership Fees or Dues. A Public Records Statement form, informing the organization that its records are public records and subject to Section 119.07 of the Florida

Statutes pursuant to Section 119.012 of the Florida Statutes, shall be attached and forwarded with the requisition for purchase order approval for payment of membership fees or dues.

H. Tax Exemption Certificate. Consumer's Certificate of Exemption form is utilized by the Purchasing Director as verification of the College's State and Federal tax exemption status, pursuant to the sales and use tax law. This tax \*exemption is to be used only by the Purchasing Director for purchases solely from state funding.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Purchasing Approvals Required</b>	<b>4-27-02</b>	<b>5-004</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines for compliance with rules and regulations prescribed by State Law.

**II. STATEMENT OF POLICY**

A. Sole Source - when requesting a purchase from only one vendor costing more than \$25,000, a written justification is required from the initiating department explaining why only one vendor can provide the commodity or service which will accomplish the function required. The Purchasing Director must then verify the noncompetitive nature of the request and either authorize a sole source purchase or notify the department that the purchase should be competitively bid.

B. Emergency Purchases - the President or President's designee may authorize an emergency purchase without competitive solicitation when there exists a threat to public health, welfare or safety, under emergency conditions or when the delay of a purchase may be detrimental to the College. The Purchasing Director serves to evaluate and recommend to the President or President's designee whether such an emergency purchase should be authorized. Departments should make every attempt to contact the Purchasing Director immediately upon need for an emergency purchase.

C. Contracts - only the President and the President's designee, including the Director/designee are authorized to execute contracts. Purchase related contracts must be approved by the General Counsel's Office, for form and legality, prior to acquisition of the commodity or service. The Purchasing Director will secure the required legal approval.

D. State Comptroller approval is required for prepayments, third-party financing arrangements, rent/lease of equipment costing \$3,500 or more annually, and multiple year maintenance contracts.

E. The Vice President for Finance and Administration will review the acquisition of all telephone and other communication equipment for system compatibility prior to issuance of a

purchase order. The Purchasing Director will coordinate the review with the Vice President for Finance and Administration.

F. The Purchasing Director is required to obtain the approval of the Vice President for Finance and Administration for any purchase of computer workstations and/or software costing \$20,000 or more. For purchases of computer work-stations and/or software less than \$20,000, A copy of the completed purchase requisition should be provided to the Vice President for Finance and Administration.

G. Lease of off campus space requires Board of Trustees approval.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Central Receiving</b>	<b>4-27-02</b>	<b>5-005</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines and controls for all incoming and outgoing shipments and for deliveries to departments via Central Receiving on the campus.

**II. STATEMENT OF POLICY**

A. Upon receipt of package(s), receiving personnel make a preliminary inspection for apparent damage and identify the shipment against the purchase order(s).

B. College policy does not allow for State employees or vehicles to be used for the delivery of personal packages, and personal shipments should not be addressed c/o the College.

All freight addressed to the New College of Florida is presumed to be official business unless otherwise determined on inspection.

C. Delivery of goods is normally made within twenty-four (24) hours to the ordering department and a receiving hand ticket is signed, acknowledging receipt. United Parcel Service and Roadway Parcel Service will deliver items directly to the ordering department if the package bears a complete delivery address.

D. Central Receiving is responsible for reporting shipments which have visible damage.

E. To avoid liability issues, shipments of chemicals, radioactive materials, prescription drugs, art scientific equipment, live animals, specimens, computers and medical equipment are not unpacked by Central Receiving personnel. These shipments are delivered intact to the ordering department.

G. Art Exhibitions are shipped by REA, air freight or van lines. Upon arrival, Central Receiving personnel will direct the driver to the unloading dock, after making arrangements to receive the shipment.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Mail</b>	<b>4-27-02</b>	<b>5-006</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to identify those eligible to use campus postal services; to provide a brief statement on mail preparation and how postage is purchased; how postage stock may be purchased; and places responsibility for initially redirecting mail.

**II. STATEMENT OF POLICY**

**A. Eligibility to Use Campus Postal Services**

1. Campus postal services are available for conducting the business of the College. Eligibility in this instance is defined as those departments, units or organizations which maintain a College account number for the purpose of carrying on official College business. Campus postal services are not for personal use.
2. With the exception of dormitory residents, campus mail is not for personal use. Faculty and staff should ensure that their personal mail is addressed to their residence or post office box number.
3. Mail should be marked "confidential" if it is desired that it be opened by the addressee only.
4. Chain letters are prohibited in campus and U. S. Postal Services mail.

**B. Preparation of Mail**

1. All outgoing mail must include the College's standard return address format in order to facilitate its prompt return if undeliverable and to provide accurate information for billing.
2. Official College mail destined for off-campus must be accompanied by a Mail Transfer Voucher identifying the account to be charged and the classification of the mail (*i.e.*, first class, third class, parcel post, etc.).

3. The College retains the right to refuse service to any individual or group failing to follow the detailed procedures issued by the New College of Florida Post Office.

#### C. Postage

1. The New College of Florida Post Office will affix proper postage to outgoing official College mail according to a department's request indicated on the Mail Transfer Voucher. Postage charges will be billed to departments via Central Billing.

2. Stamp stock for official College business may be purchased by State warrant payable to the U. S. Postmaster.

3. Personal stamp stock may be purchased from the with cash only.

#### D. Forwarding of Official Mail

The New College of Florida Post Office does not maintain a record of forwarding addresses; therefore, departments and offices must maintain forwarding addresses for faculty and staff who leave their area. The U. S. Postal Service requires that change of address records are to be kept for one year, thereafter, they are to be sent to the New College of Florida Post Office for disposition. Address corrections must be made by departmental secretaries or clerical staff. If the forwarding address is unknown, the secretary or clerical staff must note on the letter "Return to Sender. Forwarding address unknown at New College of Florida."

#### E. Request for Change in Mail Delivery

Personnel involved in any change in mail delivery should contact the New College of Florida Post Office prior to making the change.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Mail Permit # 686 (3rd Class-Bulk Mail)</b>	<b>4-27-02</b>	<b>5-007</b>

**I. INTRODUCTION (Purpose and Intent)**

To identify College account and College-affiliated units entitled to use the College’s non-profit permit number 686. Use of this permit is an economical method of mailings.

**II. STATEMENT OF POLICY**

A. Definition of Bulk Business Mail covered by Permit #686: A minimum of 200 pieces or 50# of printed matter (not individually typed or handwritten.)

B. Authorized User of Permit #686: New College of Florida Office of Admissions

C. Limitations on Use of Permit #686:

1. No authorized user may delegate or lend the use of the College’s permit to another group.
2. No profit-making organization or individual on the campus will be allowed to use the permit.
3. Approval to use Permit #686 must be obtained prior to use by contacting the Manasota Post Office.

D. Preparation

Upon approval to use Permit #686, the preparation for all outgoing third class bulk business mail must be in accordance with current Manasota Post Office memoranda and the U.S. Postal Service Regulation Article #134.43. Detailed instructions are available from the Manasota Post Office.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Records Retention and Disposition of Records</b>	<b>4-27-02</b>	<b>5-008</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines and outline general responsibilities and methods for the Records Management Program for the New College of Florida, as required by Chapter 267, Florida Statutes.

**II. STATEMENT OF POLICY**

A. The Controller has responsibility for the overall management of the Records Management Program and is the University Records Management Liaison Officer, as required by Chapter 1A-21.07, Rules of the Department of State, Bureau of Archives and Records Management.

B. Each vice president, dean, director, division chief and department or office head is responsible for insuring that all records under his jurisdiction are covered by retention schedules established in accordance with the State of Florida Public Records Disposal Procedures, and such schedules are followed in the management of records.

C. Each dean, director or separate division head shall appoint a records management liaison officer for his area of responsibility. The individual selected should be in a position to provide adequate support to the Records Management Program.

D. Essential records (those which would enable the department to perform essential functions during the course of a disaster and which would enable the department to resume operation and fulfill its obligations following the disaster) must be identified, duplicated and stored in an area with adequate protection.

**III. PROCEDURE**

A. Department

Public Records (all documents, papers, books, letters, maps, tapes, photographs, plans, sound recordings, or other material regardless of physical form or characteristic made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency) may only be disposed of after approval from the

Florida Department of State, Bureau of Archives and Records Management. This approval is requested on Form 107 which is submitted to the Purchasing Office. Approval is requested and received based on a Records Retention Schedule (copies available in the Purchasing Office). For any records not listed on the Records Retention Schedule, a Form 105 is needed to establish a schedule. After approval is received, the department is responsible for the destroying or disposing of the records and completing the Form 107 to be returned to Purchasing.

#### B. Division of Purchasing

Coordinates the submittal of Forms 105 and 107 to the Florida Department of State, Bureau of Archives and Records Management, returns the approved forms to the Department and files the final completed forms.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Risk Management and Insurance Programs</b>	<b>4-27-02</b>	<b>5-009</b>

**I. INTRODUCTION (Purpose and Intent)**

The following policy is issued to facilitate internal and external communications and to eliminate confusion regarding the administration of the College’s risk management and insurance programs.

**II. STATEMENT OF POLICY**

The role, scope and program responsibilities of the various personnel accountable for the College’s risk management and insurance programs are as follows:

A. Director of Environmental Health and Safety

- 1 . Responsible for overall coordination and effectiveness of all insurance loss control programs in terms of minimizing coststo the College through accident investigation and training programs.
2. Responsible for coordination of the correction of all physical hazard conditions that may have caused injury or illness in order to prevent further injury or liability.

B. Director of Purchasing

1. Responsible for providing the State of Florida comprehensive general liability insurance certificate to vendors/lessors when required by agreement.
2. Responsible for administration of any contractual requirements that contractors or subcontractors (when applicable for services performed on College property) furnish as evidence of the required Worker's Compensation, Property Damage and Public Liability, Automobile Liability, and Products Liability Insurance with New College of Florida and the State of Florida, Board of Education, as additional named insured on such liability insurance policies.
3. Responsible for administration of any contractual requirements when contractors who perform services on College property furnish a Performance and Payment Bond, when applicable.

4. Responsible for acting as the initial information contact for anyone injured on College property and referring their claims to the Division of Risk Management, with copy to the Division of Environmental Health and Safety.

5. College Coordinator for all insurance, commercial and self-insured, with the exception of the Worker's Compensation area administered by the Director of Personnel.

6. Responsible for College premium assessments and payments.

#### C. Director of Human Resources

1. Responsible for processing of all Worker's Compensation claims including both medical and salary compensation. This also includes maintaining attendance records submitted by the department for time loss days.

2. Responsible for receiving and processing all Notice of Injury forms before sending copies to the Division of Risk Management. Sends copies of the Injury Investigation Report to the Director of Environmental Health and Safety for review and appropriate investigation and correction of occupational hazards.

3. Responsible for developing and implementing a Worker's Compensation program which assists departments in returning injured employees to work, provides training to College staff, and encourages reduction in the cost of claims and resulting insurance premiums.

#### D. General Counsel

1. Responsible for representing the College's interests in legal proceedings arising from general liability, workers' compensation liability or contracts and lease liability.

2. Responsible for assuring that request for accident reports and other information in connection with liability claims involving students are properly processed according to Federal and State privacy laws.

3. Responsible for handling inquiries from lawyers representing clients with general liability or workers' compensation claims and suits against the College.

4. Responsible for interpreting statutes, rules and insurance policies as they pertain to the College.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Disposal of Surplus Property</b>	<b>4-27-02</b>	<b>5-010</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines for lawfully disposing of property declared as surplus.

**II. STATEMENT OF POLICY**

A. The Property Survey Board is responsible for proper disposal of surplus property. As departments have property items that are excess to their needs that are still usable, they should advertise on E-mail or other means available to them to let other departments know that these items are available for transfer (New College of Florida Form 3009 for transfer of property). If these items still remain available after three days or if items are unusable, prepare a New College of Florida Form 3008 and forward it to the Purchasing Director, Building “D”, Palmer Campus.

B. Definition of Equipment or Property: The words "equipment" or "property" used in this section are interchangeable and refer to equipment, fixtures, and other tangible property of a non-consumable and non-expendable nature (excluding books), the value or cost of which is \$500 or more, and the normal expected life of which is one year or more.

C. Surplus Property will be disposed of as follows:

1. If the property is to be cannibalized, an approval must be received in Central Receiving before cannibalization can begin. The approval must be kept with the items being cannibalized to prevent scanning. Central Receiving maintains a list of departments authorized to perform cannibalization.

2. If the property is to be scrapped or abandoned, Central Receiving will determine the disposal of it. Scrap metal will continue to be sold by bid as required.

3. Items may be used for trade-in by referencing the PRS Tracking Number on the New College Form 3008 when sent to the Purchasing Director.

4. Surplus property items determined by the Property Survey Board to have a current value of under \$1,000 shall be picked up by the vendor who has contracted with the

College to dispose of surplus property. The College shall have the option of bidding any surplus property valued at \$1,000 or more. The pickups will be done as needed. A Central Receiving employee will accompany the vendor, scan the equipment as it is removed, and return the tape to the Purchasing Director where the property will be removed from the College's records.

5. The surplus property items referenced in C.4 valued at \$1,000 or more will be picked up by Central Receiving and will be sold by bid. If the amount received is \$1000 or more on a single item, the monies received will be deposited into the account that listed the sold item in its inventory minus required advertisement fees.

D. Sale bids will be advertised in a local newspaper of general circulation two (2) weeks prior to the bid.

E. Property cannot be donated or given to individuals, non-state agencies or private companies.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Ethics in Purchasing</b>	<b>4-27-02</b>	<b>5-011</b>

### I. INTRODUCTION

All employees of the New College of Florida are governed by the provisions of the Code of Ethics of the State of Florida, Chapter 112, Florida Statutes, which prohibits certain actions or conduct and certain employment and business relationships. This Policy and Procedure provides particular guidance to those employees involved in the purchasing process.

### II. STATEMENT OF POLICY

College employees are to avoid certain actions, conduct and relationships in accordance with the Ethics Code. A summary of prohibitions follows:

- A. College employees should not accept or solicit anything of value if it might be perceived as influencing their official actions. College employees are prohibited from soliciting any gift from a lobbyist or political group and from accepting any gift worth more than \$100.00 from a lobbyist or political group.
  
- B. College employees are prohibited from corruptly using or attempting to use their position to obtain a special benefit or privilege for themselves or others.
  
- C. College employees are prohibited from disclosing or using non-public information obtained by reason of their public positions for the personal benefit of themselves or others.
  
- D. College employees acting as purchasing agents or in a public capacity are prohibited from purchasing, renting or leasing any realty, goods or services for their agency from a business entity in which they, their spouse, or child own more than a 5% interest. College employees may not sell, rent or lease to the College the realty, goods or services of a business entity in which they, their spouse, or child own more than a 5% interest.
  
- E. College employees are prohibited from holding any employment or contractual relationship which would pose a conflict between their private interests and public duties or which would impede the full and faithful discharge of their public duties.

F. College employees who participate in the decision making process involving a purchase request or who influence the content of any specification or procurement standard, or who render advice, investigation, or auditing, regarding his/her agency's contract for services, are prohibited from being employed with the person holding such a contract with the College.

### **III. PROCEDURE**

A. Exemptions - prohibitions against doing business with one's agency and conflicting employment may not apply in some cases (e.g. sealed competitive bidding, aggregate transactions less than \$500.00 in a year, etc.). Consult the Ethics Code or seek legal advice in such cases.

B. College employees, including purchasing agents, having the power to make any purchase exceeding \$1,000.00 must file a disclosure of financial interests form annually and, if applicable, a disclosure of gift form quarterly with the Department of State in Tallahassee.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Issuance of New College of Florida Identification Card - Faculty/Staff</b>	<b>4-27-02</b>	<b>5-012</b>

### I. INTRODUCTION (Purpose and Intent)

This policy concerns the issuance of official NEW COLLEGE OF FLORIDA identification cards (**NCFCard**) to all College employees and establishes the fee for issuance and replacement of the card.

### II. STATEMENT OF POLICY

It is the policy of the New College of Florida that all Faculty, Administrative and Professional (A&P), and University Support Personnel System (USPS) personnel must obtain and carry the NCFCard while on campus. Courtesy cards are available upon request to temporary NEW COLLEGE OF FLORIDA employees, volunteers, and staff members of College related entities. Retired USF employees are entitled to a retiree card.

### III. PURPOSE OF THE NCFCARD

The **NCFCard** is primarily used for identification, for verification of New College of Florida status, and for using College services, such as the Library, the purchase of parking decals, obtaining passes for College events and services.

### IV. TYPES OF NCFCARDS

Six types of identification cards are available:

- A. Faculty cards.
- B. Staff cards for:
  1. A & P employees;
  2. USPS employees; and
  3. Housestaff (Medical Resident-Health Sciences) employees appointed on a permanent basis.
- C. Courtesy cards for:

1. OPS employees;
2. temporary, emergency, and substitute USPS employees;
3. adjunct faculty;
4. volunteers; and
5. members of the Board of Trustees.

D. Retired New College of Florida faculty and staff

E. Alumni

F. Family cards are issued to permanent faculty, staff and College retired employees upon request. All privileges extended to the family are discontinued when the employee severs working relations with the College.

## **V. PROCEDURES FOR OBTAINING A NCFCARD**

A. NCFCards may be obtained at the NCFCard Center.

B. Legal identification (passport, driver's license, or State/Government Photo Identification card) must be presented to obtain a NCFCard.

C. For the issuance of a family card, the employee (with his/hers NCFCard) must accompany the family member(s), who must also provide legal identification.

D. Individuals qualified to receive a courtesy card, who are not in the College personnel data base, must present a letter from their sponsoring institution or entity.

E. Alumni must present proof of alumni status.

## **VI. CARDHOLDER RESPONSIBILITIES**

A. Use of the NCFCard by anyone other than the person to whom it was issued is strictly prohibited.

B. The cardholder is subject to disciplinary actions or other penalties for improper use of the card.

C. The cardholder is responsible for any and all losses associated with his/her card.

## **VII. FEES AND OPTIONS**

A. Fees for issuance of the first and replacement cards shall be in accordance with BOE Rule 6C-7.003(14).

B. The first NCFCard for retired Faculty/Staff will be provided at no cost.

C. Refer to the current fee schedule for cost of each additional family member card.

D. Status changes are the same as "first" cards.

### **VIII. NCFCARD FILE ACCESS**

A. Departmental users must coordinate with the NCFCard Office before implementing card applications.

B. Departmental users must file procedures with the NCFCard Office.

### **IX. DISCLOSURE STATEMENT**

NCFCards are the property of the New College of Florida and must be returned on request.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Issuance of New College of Florida Identification Card - Students</b>	<b>4-27-02</b>	<b>5-013</b>

### I. INTRODUCTION (Purpose and Intent)

This policy concerns the issuance of official NEW COLLEGE OF FLORIDA identification cards (**NCFCard**) to all College students and establishes the fee, in accordance with BOE Rule 6C-7.003(14), for issuance and replacement of the **NCFCard**.

### II. STATEMENT OF POLICY

It is the policy of the New College of Florida that all students must obtain and carry the **NCFCard** while on campus.

### III. PURPOSE OF THE NCFCARD

The **NCFCard** is primarily used for identification, for verification of New College of Florida status, and for using College services, such as the Library, the purchase of parking decals, obtaining passes for College sporting and theatrical events, and other related events/services.

### IV. TYPES OF PHOTO NCFCARDS

Two types of cards are available:

- A. Student cards; and
- B. Family cards, issued upon request.

### V. PROCEDURES FOR OBTAINING A NCFCARD

- A. **NCFCards** may be obtained at the NCFCard Center on each campus.
- B. Legal Identification (passport, driver's license, or State/ Government Photo Identification card) must be presented to obtain a **NCFCard**.
- C. For the issuance of a family card, the student (with their **NCFCard**) must accompany the family member(s) who must also provide legal identification. All

privileges extended to the family(s) are discontinued when the Sponsor is no longer a student.

## **VI. CARDHOLDER RESPONSIBILITIES**

- A. Use of the NCFCard by anyone other than the person to whom it was issued is strictly prohibited.
- B. The cardholder is responsible for any and all losses associated with their card.

## **VII. FEES AND OPTIONS**

- A. Fees for issuance of the first and replacement cards in accordance with Board of Education Rule 6C-7.003(14).
- B. Refer to the fee schedule for costs of each additional family member card.
- C. Financial services, long distance telephone services, and other features are options available at the user's discretion.

## **VIII. DISCLOSURE STATEMENT**

NCFCards are the property of the New College of Florida and must be returned on request.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Textbook and Supply Requisitioning</b>	<b>4-27-02</b>	<b>5-014</b>

### I. INTRODUCTION (Purpose and Intent)

The purpose of this policy is to provide guidelines for requisitioning all required and recommended textbooks and supplies.

### II. STATEMENT OF POLICY

Specific requisition forms are required for ordering textbooks and are supplied by the College Bookstore. These requisitions are completed and submitted to the Bookstore within a specified time to allow for books to be received before classes begin (For Fall Semester - April 15, for Spring Semester - September 15, and for Summer Semester - February 15.)

### III. PROCEDURES

A. The forms to requisition textbooks are generated by computer by the Bookstore and distributed as a 3-part white form. Complete requisition, providing all information requested. Forward two copies to the Bookstore, and retain copy for file.

1. List each course on a **separate requisition**, always include prefix, course number, and section number.
2. If identical books are to be used in all sections, indicate on requisition - specify total expected enrollment for combined sections. When sections of a course use different books, list each section on a separate requisition.
3. Recommended reading should be indicated in appropriate space.
4. All specialized supplies required by students must be listed on the textbook requisition for the class or classes where they will be used. Should supplies only be required, they must be submitted on a separate requisition which lists the class or classes for which they are needed. All supply requests must be forwarded to the Bookstore, who will provide copies as needed to the Bookstore.

5. If **no** texts or supplies are needed, indicate on requisition and submit to the Bookstore.

6. **Any** changes on the original requisition should be furnished to the Bookstore in writing.

B. Textbooks from Foreign Countries: Order at least **one semester** in advance to allow for **two** or **three months** delivery period, which is usually required.

C. Test Materials: To requisition test materials and answer sheets for class use, write a letter of request on College letterhead addressed to the publisher. Forward letter to the Bookstore to be attached to purchase order. **Such materials will not be shipped to the Bookstore unless this procedure is followed.**

D. When classes begin, compare the estimated enrollment given to the Bookstore for textbook ordering with actual enrollment. If over enrollment occurs, notify the Bookstore immediately in order for the department to expedite additional orders as required.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Departmental Purchases Through College Bookstore</b>	<b>4-27-02</b>	<b>5-015</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to provide guidelines for purchasing general office supplies by College departments from the Bookstore.

**II. STATEMENT OF POLICY**

A 10% discount is allowed for all purchases of general office supplies (except electronic items, software, calculators, sale items) by College departments. These purchases will be limited to under \$500 per day, whether purchasing a single item or a group of items. Items not available for departmental purchases from E&G, Auxiliary or Grant funds are as follows:

Records, recorded cassette tapes, CD's, greeting cards, social stationery, jewelry, cosmetics, novelties, soft goods, beauty aids, food items, tobacco products, umbrellas, picture and picture frames, film and film development, hardcover books over \$100, desk pen sets over \$10, desk lamps (decorative/incandescent), calculators (except battery, hand-held or solar).

If items are requested that are included on this list or if the total amount exceeds \$500, a Requisition should be prepared using the College Bookstore as the vendor. This requisition should be forwarded to the Purchasing Director for approval.

**III. PROCEDURE**

A. A Bookstore Requisition Attachment Form is completed, signed by an accountable officer, and presented in duplicate to the Bookstore by a department representative.

B. After merchandise is selected and the Bookstore has completed the cost information, the department representative will sign for the items received.

C. All student organizations must have forms signed by the organization's comptroller.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Academic Regalia</b>	<b>4-27-02</b>	<b>5-016</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is for the College Bookstore to provide academic regalia to graduates and faculty of the New College of Florida.

**II. STATEMENT OF POLICY**

The College Bookstore will be responsible for the acquisition and distribution of caps, medallions, gowns, and hoods to graduates and faculty in coordination with the Registrar's Office, and the Convocation Marshall.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Prompt Payment and Payment Scheduling</b>	<b>02/04</b>	<b>5-017</b>

**I. INTRODUCTION**

The purpose and intent of this policy is to ensure all payments processed by the College through its accounts payable operation are made in a timely manner. It establishes criteria for what is required to process an invoice, what constitutes late payment of an invoice, the calculation of the interest rate and payment, if any, due a vendor as a result of late payment, prompt payment exemptions, and provides a process for a dispute resolution.

**II. STATEMENT OF POLICY**

It is the policy of the College to process proper invoices within 30 days of receipt, or when goods and services are received and approved. Prorated interest payments will be calculated and paid to vendors of qualifying goods and services who receive late payments from the College, provided that interest due is in excess of \$10.00.

This policy shall become part of all purchase requisitions, purchase orders, contracts, and agreements.

**III. DEFINITIONS**

1. Dispute – differences of opinion held in good faith between a vendor and the College.
2. Governmental Entity – means state agencies, county or municipal governments, or other governmental bodies.
3. Late Payment – a payment that is distributed to a vendor after the payment due date.
4. Proper Invoice – a document presented by a vendor for prompt payment, which conforms to all College requirements.
5. Vendor – means any person who sells goods or services, sells or leases personal property, or leases real property to the College.
6. Vendor Ombudsman – means the position, within the Business Office whose responsibilities include the review and recommendation for disposition of vendor complaints involving the College’s prompt payment compliance guidelines.

**IV. INVOICE INFORMATION**

1. When submitting an invoice for payment, the original invoice must be submitted. If an original invoice is not available, then the copy must contain the statement “Original invoice not available. Records show that this obligation has not been previously paid.” with the signature of the person certifying the statement. No thermal copies may be submitted as the original.
2. An invoice should contain the following:
  - a. Invoice date.
  - b. Invoice number.
  - c. Vendor’s mailing “remit to” name and address for payment.
  - d. Vendor’s mailing address for correspondence, plus phone number, fax number and/or email address of representative who can answer questions regarding the invoice.
  - e. College’s purchase order (where applicable), contract or other document number.
  - f. Name and mailing (ship to) address of the College department that received the goods or services, as indicated on the purchase order or contract.
  - g. Description of goods delivered or services rendered in sufficient detail to identify them as the same goods/services in the purchase order or contract.
  - h. Where applicable, a breakdown of quantity, description, unit and extended prices. If a numerical code is used as a description, then a copy of the purchase order must be attached giving a description of the item purchased. No payment will be made from a statement.
3. Invoices should not include the following:
  - a. Payment terms that are different from those specified in the purchase order or contract.
  - b. Goods that have not been delivered to the College or services that have not been completed, unless the purchase order or contract contains a provision for advance payment.
  - c. Unit prices or quantities or total price or quantity that exceed those indicated in the purchase order or contract.
  - d. Charges for goods, services or freight that were not included on the purchase order or contract.
  - e. Taxes or fees from which the College is exempt as a non-profit, Florida public institution of higher education.
  - f. Charges for late payment interest. Vendors must request in writing payment for interest believed to be owed them but not yet paid by the College at the time of a suspected late payment.
4. Invoices received from vendors that have failed to supply the College with a complete and accurate W-9 or other form that provides all necessary data to determine 1099 status will be deemed insufficient for payment until such information is supplied.
5. No past due balances will be paid unless the supporting documentation for the past due amount is attached, e.g., invoice for past due amount.

6. The determination of any potential late payment is based upon adherence to the rules promulgated by the College, not by the vendor.
7. All invoices are to be sent to the appropriate College “remit to” department, as detailed in the purchase order or contract, where the invoice will be stamped with the date received. If an invoice is sent elsewhere, then the received date will be the date the invoice is received by the appropriate department.
8. Accounts Payable will give invoices that contain discounts preference in order to take advantage of the discount. College departments will be directed to approve and forward discounted invoices in a timely manner.

## **V. VENDOR NOTIFICATION OF INVOICING STANDARDS**

The College will notify vendors of its invoicing standards as follows:

1. Purchasing will submit the information contained in Section IV. Invoice Processing and Section X. Vendor Ombudsman contact information to the vendor at the same time as the purchase order or include a statement on the purchase order that notifies the vendor of the standards on the College website.
2. College departments should submit the information contained in Section IV. Invoice Information and Section X. Vendor Ombudsman contact information to contractors and other vendors or notify them of the standards on the College website at the time a contract is written or order is placed, if appropriate. These standards are not intended for out-of-pocket purchases.

## **VI. DETERMINATION OF PAYMENT COMPLIANCE**

1. The start date for prompt payment compliance will be the most recent date of the date the proper invoice is stamped as received by the appropriate department or the receipt, inspection, and approval of the goods and services. The department has 5 days from the receipt of the invoice to inspect and approve the goods and services and to approve the invoice for payment and forward to Accounts Payable.  
  
For discounted invoices, the department has 2 days from the receipt of the invoice to inspect and approve the goods and services and to approve the invoice for payment and forward it to Accounts Payable.
2. If the invoice does not indicate the date of receipt by the department, the received date will be that of the invoice date.
3. In the case of a dispute, the start date will not begin until the issue(s) is/are resolved. With department’s approval, those items that are not in dispute may be paid within allotted time frame.
4. The timeliness of the payment must allow time for resolution of disputes and accounts payable processing.

5. The College will be deemed out of compliance after the 30<sup>th</sup> day from the start date of prompt payment compliance. The 30-day requirement is calculated from the start date to the date of the check. The 30-day requirement may be waived under extenuating circumstances, if approved by the Controller.
6. The Business Office will monitor the timeliness of payments and recommend corrective action, as appropriate.

## **VII. INTEREST CALCULATION AND PAYMENT**

1. Interest payment will be calculated on the number of days after the 30-day limit until the check date. The College will issue a separate check no later than 30 days after the invoice check is paid. If the interest due is under \$10.00, payment will be waived.
2. The Business Office is responsible for generating an interest payment invoice. Said invoice will include the calculation of the amount of payment.
3. The interest rate will be adjusted on a yearly basis with the interest percent stated as a daily rate. The rate will be effective on July 1<sup>st</sup> of every year based on the latest available annual Federal funds rate, rounded to the nearest .25% plus 500 basis points. The annualized rate will not exceed 12%. This rate can be found on [www.federalreserve.gov](http://www.federalreserve.gov).
4. For the fiscal year 2003-2004, the daily interest rate will be .01643% (.0001643). Calculation is  $(FFR 1.0\% + 500BP)/365$ .
5. This section does not apply to payments made to State agencies or other governmental entities within the State of Florida.
6. For invoices that do not meet the College's standards, the department that reviews the invoice will take one of the following actions:
  - a) If the items missing from the invoice are not required to make the payment (e.g., vendor's phone number), use the invoice to process a payment before the Net Due Date.
  - b) Return the invoice to the vendor for correction and re-submission by mail or fax immediately and no later than 21 calendar days after the Invoice Receipt Date.
  - c) Partially pay the invoice to the extent it is correct, and notify the vendor of the error by mail or fax immediately and no later than 21 calendar days after the Invoice Receipt Date.

## **VIII. TRAVEL AND OTHER EMPLOYEE PAYMENTS**

Properly completed employee travel expense or other employee reimbursement requests will be processed during the next scheduled payment cycle. The payment cycle is normally once per week.

## **IX. ADVANCE PAYMENTS**

The College may authorize advance payments for goods and services, including, but not limited to registrations, memberships, lease payments, maintenance agreements and subscriptions when it is in the best interest of the College to make payments in advance and it has been determined there is adequate protection to ensure that such goods or services will be provided.

#### **X. VENDOR OMBUDSMAN DISPUTE RESOLUTION**

The Controller or his/her designee will act as vendor ombudsman. This individual will perform the following duties:

1. Evaluate payment patterns to discern timeliness of payments both for interest penalties and lost discounts.
2. Work with fiscal liaisons to help eliminate late payments and discounts lost.
3. Approve waivers for time extensions due to exceptional circumstances.
4. Work with vendors where problems are not resolved with the applicable department processors.
5. Ombudsman contact information will be provided to vendor in purchase orders and/or College website.

#### **XI. REVIEW AND RESPONSIBILITIES**

Responsible Party: College Controller

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Policy Against Fraudulent or Other Dishonest Acts</b>	<b>11-8-03</b>	<b>5-018</b>

### I. INTRODUCTION (Purpose and Intent)

All College employees are expected to observe the provisions of the Code of Ethics for Public Officers and Employees, Part III of Chapter 112, Florida Statutes. Generally, employees abide by laws and regulations, however, incidents of fraudulent or other dishonest acts may occur. Administrators at all levels of management should set the appropriate tone by displaying the proper attitude toward complying with laws, rules, and regulations, and are responsible for establishing and maintaining proper internal controls which will provide for the security and accountability of the resources entrusted to them. In addition, administrators should be cognizant of the risks and exposures inherent in their area of responsibility, and be aware of the symptoms of fraudulent and other dishonest acts, should they occur.

### II. GENERAL

A. Employees found to have participated in fraudulent or dishonest acts will be subject to disciplinary action pursuant to collective bargaining agreements and personnel policies and rules. Also, criminal or civil actions may be taken against employees or other individuals who participate in unlawful acts.

B. Employees who, in good faith, report wrongful activity meeting the criteria of Section 112.3187, Florida Statutes (Florida Whistleblower Act), are protected by the Florida Whistleblower Act against any retaliation for making such a report.

C. Employees are required to cooperate with any police or audit investigation, and they may be requested to keep their knowledge of the investigation confidential.

### III. DEFINITIONS

The Association of Certified Fraud Examiners (ACFE) defines “fraud” as: “The use of one’s occupation for personal enrichment through the deliberate misuse or misapplication of the employing organization’s resources or assets” (Report to the Nation on Occupational Fraud and Abuse, 1999). In that document, the ACFE further explains:

Occupational fraud and abuse encompasses a wide variety of conduct by employees, managers, and principals of organizations ranging from pilferage to sophisticated investment swindles. Common violations include asset misappropriation, corruptions, false statements, false overtime, petty theft and pilferage, use of company property for personal benefit, and payroll and sick time abuses. The key is that the activity:

- is clandestine;
- violates the employee's fiduciary duties to the organization;
- is committed for the purpose of direct or indirect financial benefit to the employee; and
- costs the employing organizations assets, revenues, or reserves.

See Exhibit A for a more detailed list of activities that constitute fraud or are considered fraudulent.

#### **IV. EMPLOYEE RESPONSIBILITIES**

A. When suspected fraudulent activities are observed by an employee (including a student employee), the employee must immediately make a report to the proper authority as follows:

B. Employees shall immediately contact the New College Police Department if they observe an unlawful act in progress, such as theft or destruction of property, or if they have reasonable suspicion that an unlawful act has been committed.

1. The employee shall notify his/her supervisor, the Director of Internal Auditing, or the College President (or designee) of all suspected fraudulent or dishonest acts. College supervisors and administrators who become aware of alleged fraudulent or other dishonest acts shall ensure the Director of Internal Auditing is made aware of such. As deemed appropriate, the Director of Internal Auditing shall keep the College President (or designee) informed of reported allegations of fraudulent or other dishonest acts.

2. The reporting employee will refrain from further examination of the incident, confrontation of the alleged violator, or further discussion of the incident with anyone other than the reporting employee's supervisor, the College President (or designee), or the Director of Internal Auditing and/or law enforcement.

#### **V. COLLEGE RESPONSIBILITIES**

It is the responsibility of the College to investigate allegations of fraudulent and other dishonest acts and act on such in accordance with internal operating procedures established in support of this Policy.

### **Exhibit A**

#### **EXAMPLES OF OCCUPATIONAL FRAUD AND ABUSE**

##### **I. Corruption**

- A. Conflicts of Interest: Purchasing Schemes, Sales Schemes, Other
- B. Bribery: Invoice Kickbacks, Bid Rigging, Other
- C. Illegal Gratuities
- D. Economic Extortion

## II. Asset Misappropriation

- A. Cash
  - 1. Larceny of Cash on Hand, from the Deposit, Other
  - 2. Fraudulent Disbursements
  - 3. Billing Schemes: Shell Company, Non-Accomplice Vendor, Personal Purchases
  - 4. Payroll Schemes: Ghost Employees, Commission Schemes, Workers Compensation, Falsified Wages
  - 5. Expense Reimbursement: Mischaracterized Expenses, Overstated Expenses, Fictitious Expenses, Multiple Reimbursements.
  - 6. Check Tampering: Forged marker, Forged Endorsement, Altered Payee, Concealed Checks, Authorized Marker
  - 7. Register Disbursements: False Voids, False Refunds
  - 8. Skimming
    - (i) Sales: Unrecorded, Understated
    - (ii) Receivables: Write-Off Schemes, Lapping Schemes, Unconcealed
    - (iii) Refunds and Other
- B. Inventory and All Other Assets
  - 1. Misuse
  - 2. Larceny: Asset Requisition and Transfers, False Sales and Shipping, Purchasing and Receiving, Unconcealed Larceny

## III. Fraudulent Statements

- A. Financial
  - 1. Asset/Revenue Overstatements: Timing Differences, Fictitious Revenues, Concealed Liabilities and Expenses, Improper Disclosure, Improper Asset Valuations.
  - 2. Asset/Revenue Understatements
- B. Non-Financial
  - 1. Employment Credentials
  - 2. Internal Documents
  - 3. External Documents

**Source:** *Association of Certified Fraud Examiners, Report to the Nation on Occupational Fraud and Abuse, 1999*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Opening of Rooms and Other Facilities</b>	<b>4-27-02</b>	<b>6-001</b>

**I. INTRODUCTION: PURPOSE AND INTENT**

To ensure that College buildings and facilities, including contents are adequately secured as required by the College and consistent with the best interests of the College.

**II. STATEMENT OF POLICY**

Access to College offices, classrooms, and other areas is available to authorized persons. To ensure that other persons do not unlawfully gain access to these areas, requests for opening of locked areas will be handled as follows:

A. Offices

1. Monday through Friday, 8:00 a.m. to 5:00 p.m.

The member requesting entry should contact the appropriate Vice-President, Dean, Director, Chairperson, or other available supervisor. If not available, the Custodial Staff shall be contacted at 359-4240.

2. Other Times

The University Police should be contacted. Prior to allowing entry to any facility the police will require verbal authorization from the Vice-President, Dean, Director, or Chairperson specifying the area(s) which may be entered. Under no circumstances will students be admitted to faculty or staff office areas unless authorized by the faculty or staff member to whose office admission is sought. This does not prevent an accountable office from issuing keys to students if necessary for the performance of assigned duties.

## B. Classrooms

1. Monday through Friday, 7:00 a.m. to 4:00 p.m.

The Custodial Staff will open unless it has been requested by the occupying department not to open (in the case of certain labs, etc.).

2. Monday through Friday, 4:00 p.m. to 10:00 p.m.

The Custodial Staff will open all classrooms in accordance with the schedule provided by the Director of Physical Plant.

3. Special Purpose Rooms (Music practice rooms, photo lab, etc.)

Areas designated as special purpose rooms normally contain expensive, easily removed items. The Custodial Staff will allow access to these facilities only upon written authorization of the Dean or Department Chairperson. Such authorization shall include the specific days and hours that the room shall be available to general use and a statement as to whether or not a monitor shall be present during such hours.

## C. Scheduled Events

1. Monday through Friday, 7:00 a.m. to 4:00 p.m.

Custodial Staff

2. Other times

University Police Department

## D. Special Considerations (non-duty hours)

Renovations, installation of equipment, or repairs should be performed during normal working hours. If this is not possible, the following procedures shall be followed:

1. Telephone Installation/Repair

All work to be performed shall be coordinated between Information Technologies and the department involved prior to the initiation of the work. Emergency repairs may require a deviation from this policy.

2. Carpet Installation or Other Work Performed by an Off Campus Vendor

All work performed by an off campus vendor shall be done during normal working hours unless under the direct supervision of a member of that department. The University Police shall be informed of the name of the vendor, the date and times of

such work, and the name of the department member who will be present during such times prior to the scheduling of the work.

### 3. Security Alarm Malfunctions

Applicable only to those departments having a security alarm system monitored by the University Police. Upon discovery of a malfunction in the alarm system of a facility, the police will contact the Physical Plant (359-4240) between 8:00 a.m. and 5:00 p.m. or refer to the Physical Plant Problem & Emergency Call Procedures after normal duty hours. Lateness of the hour or other undesirable factors are not justification for failure to respond.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Bomb Threat Policy</b>	<b>4-27-02</b>	<b>6-002</b>

**I. INTRODUCTION: PURPOSE AND INTENT**

THE PROBLEM

The increasing incidence of bomb threats made against College buildings and activities necessitates the creation of a policy designed to cope with such activity. While the vast majority of threats received are false and intended to disrupt the normal activities scheduled at the facility; one cannot assume that the caller does not have definite knowledge of an explosive device and is sincere in his desire to minimize personal injury.

**II. STATEMENT OF POLICY**

THE PENALTY

Florida Statute 790.164 - False reports of bombing state-owned property, etc., felony; penalty; reward.

It shall be unlawful for any person to make a false report with the intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any bomb, dynamite, or deadly explosive, or concerning any act of arson or other violence to property owned by the State. Any person violating the provisions of this subsection shall be guilty of a felony of the second degree, punishable as provided in §775.082, §775.083 or §775.084.

There shall be a \$5,000 reward for the giving of information to any law enforcement agency in the State, which information leads to the arrest and conviction of any person violating the provisions of this section. Any person claiming such reward shall apply to the law enforcement agency developing the case and be paid by the Department of Law Enforcement from the deficiency fund.

In an effort to deal with this problem in a coordinated manner whereby the potential for life or property loss is minimized, the following procedure is established.

### III. PROCEDURE

#### A. Receipt of Threat

Bomb Threat CALLED directly to College Building or College Switchboard.

##### 1. Secretary/Operator Responsibility

a. The most important single factor to keep in mind upon receipt of a bomb threat is to remain calm - the information gathered at this point is absolutely essential.

b. Complete the checklist for bomb threats.

Retain a copy as it will be used by the University Police ([see attachment](#)).

c. Immediately after the caller hangs up, the person receiving the call should report this information to their supervisor and call the University Police. The supervisor should at this point inform the appropriate Dean, Chairperson, as well as, the Vice President of Finance and Administration.

2. These procedures should be followed immediately, as any delay would only serve to increase the risk factor.

#### B. Threat Evaluation

Unfortunately, there is little reliable information to assist in differentiating between a bomb hoax and legitimate warning. As the primary responsibility and authority for handling bomb threats rests with the University Police, the following guidelines will be in effect:

1. The Senior University Police Official, or his designee, shall immediately gather and evaluate all available facts and information to determine the most reasonable course of action to be followed. In arriving at this decision, the Senior University Police Official shall discuss the need for evacuation of the building with the administrative official in charge of the building.

2. If, in the opinion of the administrative official in charge of the building, an evacuation is necessary, such action will be implemented immediately.

3. If the Police Department has information or knowledge which might substantiate the threat, immediate evacuation shall be required. This decision will be final.

4. In all cases where total evacuation is NOT ordered, the Senior University Police Official, or his designee, shall immediately communicate this decision to the Vice President for Finance and Administration for review and concurrence.

### C. Evacuation

1. If the recommendation is to evacuate the threatened structure, all occupants will be advised of the threat by Police personnel and advised to immediately leave the building.

a. All occupants should, prior to leaving, look for any unusual or suspicious objects, activities or persons and report same to Police personnel arriving on the scene.

b. Personal possessions such as attache cases, purses, or other handbags should be removed by the owner when departing the building.

c. Persons evacuating from a building will be required to remain at least 100 yards from the building until an approved reentry is announced.

d. Police personnel will conduct a search for an explosive or incendiary device.

2. If the recommendation is not to evacuate the threatened structure, the following shall apply.

a. The building supervisor, or his/her designee, shall immediately notify or cause to be notified, all building occupants of the receipt of the threat and offer an opportunity for each individual to make a decision as to remaining or leaving the building.

b. All occupants will make a visual inspection of their rooms and will immediately notify the University Police of any unusual, suspicious or unidentifiable object. Any such object being located will cause a reevaluation of the need for mandatory evacuation.

c. Police personnel will search the exterior of the building, the basement, stairwells, elevator shafts, closets, restrooms, and all areas readily accessible to the public.

### D. The Search

1. Cooperation between the Police Officer on the scene and the facility personnel should be utilized in the search for an explosive device. This will serve to expedite the search.

2. The search will be coordinated by the Senior University Police Official on the scene.

3. Areas housing critical equipment/machinery should be searched by personnel most familiar with the areas and the equipment. Staff members should be designated to search areas within their respective buildings.

4. It is imperative that building personnel involved in the search be instructed that their job is only to search for and report suspicious objects; they should not move, jar, or touch the object or anything attached thereto. If any suspicious device is found, the Senior University Police Official on the scene should be contacted immediately.

5. If the building has been ordered evacuated, all search procedures should be discontinued 15 minutes prior to the time of the threatened detonation and not resumed until 30 minutes thereafter.

6. The Senior University Police Official will determine when the building is to be reopened. After reentry occupants of assigned areas should be alert for unusual objects and report immediately if such an item is found.

#### E. Reassignment of Space for Disrupted Classes

The Registrar will assist in every way possible in relocating classes which are evacuated because of bomb threats.

Should some faculty feel their needs are unique, they may call the Registrar no earlier than one week prior to an exam, and an attempt will be made to secure some alternate space, on a space available basis.

At the actual time of the bomb threat, calls may be made directly to the University Police for information and possible relocation. Every effort will be made to provide for classes and those involved in final exams shall be given priority wherever possible.

The Registrar would appreciate being notified of any scheduled classrooms not being used during the final week of the quarter.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Florida Right-To-Know Law</b>	<b>4-27-02</b>	<b>6-003</b>

**I. INTRODUCTION (Purpose and Intent)**

The following policy is issued to facilitate compliance and to establish guidelines regarding the administration of the Florida Right-To-Know Law.

**II. STATEMENT OF POLICY**

The Florida Right-To-Know Law imposes on the New College of Florida an obligation to inform all employees of the listed toxic substances to which they are exposed in the work place and to provide training in safe handling practices and emergency procedures.

The role, scope and program responsibilities to comply with the intent of the Right-To-Know Law are as follows:

**A. Director of Environmental Health and Safety**

1. Coordinate implementation of the Right-To-Know Law, ensuring that departments comply with the requirements under the law.
2. Provide Right-To-Know pamphlets, posters and copies of the Florida Substance List to each department.
3. Maintain an inventory of Material Safety Data Sheets on all toxic substances and distribute copies to the appropriate departments.
4. Provide guidelines for employee training and assist in training a department trainer.
5. Serve as a point-of-contact for the Department of Labor and Employment Security.
6. Provide the local fire department and/or the College's Public Safety Department with a complete list of toxic substances, by location, for the entire campus.

## B. Individual Departments

### All Departments

1. Post Right-To-Know Posters in the workplace where they are clearly visible to all occupants.
2. Inventory the workplace for toxic substances that appear on the Florida Substance List, following established inventory procedures and send the completed inventory to the Division of Environmental Health and Safety.
3. Maintain a file containing Material Safety Data Sheets (MSDS) on all toxic substances inventoried to serve as a ready source of information for employee inquiries. Select one location within the department to house the MSDS file. Update the MSDS file as new toxic substances are introduced in the workplace and send copies of all sheets to the Division of Environmental Health and Safety.
4. Upon written request, provide a copy of the MSDS to the employee for any toxic substance to which the employee has been, is or may be exposed. This request must be complied with within five working days.
5. Instruct, within the first 30 days of employment, and at least annually thereafter, on the adverse health effects of each listed toxic substance with which the employee works, how to use each substance safely and what to do in case of emergency. Each training session should be documented and a copy forwarded to EH&S.
6. Actively seek out the use of less toxic substitutes that are equivalent in effectiveness. Restrict the use of toxic substances by personnel until properly trained and stop the improper use of any toxic substance.

## C. Purchasing Director

Incorporate wording within the College's purchase orders and bid specifications requiring vendors to list any listed toxic substance and to provide a Material Safety Data Sheet (MSDS) for each, at the time of delivery. Providing this information is the vendor's duty under the law. If the vendor does not include an MSDS in the shipment for each substance, notify the vendor of the same or contact the manufacturer of the substance.

## D. Human Resource Development

Include information on employee rights under the Right-To-Know Law in the new employee orientation program. This may be used to supplement more detailed training to be provided, as necessary, by the new employee's department.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Canines on Campus</b>	<b>4-27-02</b>	<b>6-004</b>

**I. INTRODUCTION (Purpose and Intent)**

To protect the health, safety, and welfare of students, faculty, staff and the general public.

**II. STATEMENT OF POLICY**

A. Canines, excepting seeing eye dogs, are not permitted in New College of Florida patio areas adjacent to swim facilities, in recreational facilities such as racquet ball and tennis courts, in food or dormitory facilities, inside College buildings, or at special events such as flea markets and open air concerts.

B. In all other parts of the campus where canines may be permitted, such animals must be kept securely tied by a line or leash not to exceed ten (10) feet in length. Canines are not permitted to run at large on any streets, unimproved lots or premises within the boundaries of the New College of Florida and should not be tethered and left unattended.

C. The consequences for violation are as follows:

1. Student violators will be referred to the Office of Student Affairs for disciplinary action in accordance with the College's student disciplinary procedure.
2. Staff violators will be referred to their supervisor.
3. Non-College violators will be referred to the Division of Public Safety. The first violation will result in a warning; further violations will result in a charge of trespass.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Transportation of Medical Emergencies</b>	<b>4-27-02</b>	<b>6-005</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide assistance to individuals who sustain injury on College property or in College facilities, and who may need transportation to off-campus medical facilities.

**II. STATEMENT OF POLICY**

A. Major Injuries

Persons who are identified as having sustained major injuries (unconscious or not ambulatory, i.e., unable to walk) shall be transported by ambulance to the nearest hospital.

B. Minor Injuries

In the event a person sustains minor injuries and retains rational consciousness and is ambulatory (able to walk), the mode of transportation shall be left to their discretion, i.e. call EMS, a taxi, friend, or transport self.

**III. REPORTING PROCEDURES**

In the event a person(s) sustains a major injury, those present on the scene shall immediately call the University Police who shall provide emergency first aid, secure the area, and arrange for the appropriate transportation in accordance with (I) and (II) above. The College extension to call is 4210.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Environmental Health and Safety</b>	<b>4-27-02</b>	<b>6-006</b>

**I. INTRODUCTION (Purpose and Intent)**

The personal health and safety of students, faculty, staff, and the visiting public is of primary concern to the State University System and the New College of Florida. A safe and healthy environment in which to pursue the College’s activities is of such importance that it will be given a high priority for implementation. A program is hereby provided to minimize injury to people, hazards to health, and damage to property.

The responsibility for establishing an environmental health and safety program, for leadership of the program and for its maintenance, improvement and effectiveness rests ultimately upon the President. A formal statement of policy on environmental health and safety and written procedures for carrying out the program are hereby promulgated.

New College of Florida recognizes that a complete environmental health and safety program adequately funded and staffed with professional personnel is an essential ingredient in maintaining a safe environment at the College. The Director of Environmental Health and Safety has the responsibility for identification, evaluation, control and correction of hazards in the core areas of fire protection engineering, industrial hygiene, occupational safety, waste management, biosafety, environmental sanitation, water quality, ergonomics, and accident preventive and investigation. Operational surveillance of these activities is so varied and diverse that regular preventive health and safety surveys are required throughout all College campuses to maintain compliance with applicable rules and regulations.

**II. STATEMENT OF POLICY**

The responsibilities of the various officials accountable for the College’s Environmental Health and Safety program are as follows:

**A. President**

1. Responsible for all matters pertaining to Environmental Health and Safety, provides the assurance that the College moves toward compliance with all state and federal regulations related to health and safety.

2. The President delegates operational authority for Environmental Health and Safety to the Vice President for Administrative Services.

B. Vice President for Finance and Administration.

1. Assumes institutional responsibility through the Director of Environmental Health and Safety for overall health and safety practices and their effective administration at all College facilities.

2. Works with deans, directors, and departmental chairpersons through the Director on of Environmental Health and Safety and all other units in the College.

3. Assures there is a strong working liaison between Environmental Health and Safety and all other units in the College.

4. Reviews the nominations submitted for appointment to applicable College committees.

5. Reviews agreements that New College of Florida may utilize during emergency operations with the counties' Bureaus of Emergency Management and American Red Cross.

C. The Director of Environmental Health and Safety

The Director of Environmental Health and Safety is responsible for:

1. Developing and maintaining written safety standards and procedures necessary to protect the health and safety of the College community. These procedures are based on applicable federal and state laws, codes, standards and regulations.

2. Develops and conducts training seminars aimed at promoting safety awareness, increasing proficiency in safe practices, and explaining the College's safety standards and procedures.

3. Administering a Fire Safety Engineering Program. This includes Life Safety Code and American Disabilities Act (ADA ) compliance, liaison with State Fire Marshall, review and approval of all plans for new construction, modification and/or renovation of College buildings for code compliance, and fire safety training.

4. Inspecting College facilities to detect existing or potential accident and health hazards and develops corrective or preventive measures where indicated.

5. Coordinating an accident, injury and occupational health investigation program.

6. Preparing semi-annual status reports for the Vice President of Finance and Administration, indicating the status of Environmental Health and Safety projects for the College.

7. Coordinating the College-wide Emergency Operation Plan with the University Police, is responsible for the appointment and training of emergency shelter managers, and works closely with the County's Emergency Management Team.

8. Administering an Industrial Hygiene Program. This includes asbestos program management, respiratory protection, indoor air quality, confined space entry, lockout/tagout, hearing conservation, personal protective equipment and workplace monitoring.

9. Administering a Waste Management and Occupational Health Program. This includes biosafety, laboratory safety standard right-to-know, community right-to-know, disposal of chemical/biomedical waste, blood borne pathogen, underground/aboveground storage tanks, environmental audits and contingency plans.

10. Administering an Environmental Sanitation/Water Quality Program. This includes food service inspections and water collection and analysis.

11. Administering a General Safety Program. This includes ergonomics, workstation reviews and equipment safety.

12. Providing assistance in all areas of Environmental Health and Safety to any unit of the College requesting the same.

13. Maintaining contact with the federal, state and local regulatory agencies to be aware of all environmental health and safety rules and regulations that apply to College operations.

D. Deans, Directors, and Departmental Chairpersons.

Divisions and/or departments at all College facilities and campuses shall assign safety responsibility as required and designate building supervisors and safety representatives to assist the Director of Environmental Health and Safety when unusual problems are encountered or when safety consultation is required.

1. Assume responsibility for enforcement and dissemination of Environmental Health and Safety policies and operational procedures pertinent to the personnel and facilities under their direction.

2. Disseminate Environmental Health and Safety policies of the various applicable safety committees to all employees in their unit.

3. Notify all faculty members, supervisors, principal investigators and staff that they are responsible for implementation and enforcement of health and safety regulations in their areas of responsibility.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Operation of Boats</b>	<b>4-27-02</b>	<b>6-007</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy applies to the operation of any boat purchased from State funds or any boat acquired by other methods but which is operated and maintained by the College. This policy also applies to any boat not owned by the College but operated in part or wholly with State funds. The concern of this policy is with the use of boats for official New College of Florida business.

**II. STATEMENT OF POLICY**

A. Boats for official New College of Florida business.

1. Such boats will be operated only by staff so designated in writing by the administrative official having the responsibility for their supervision.
2. Staff so designated will be fully aware of the liability, current operating and safety requirements of the law. Such requirements will be complied with during all operations. Any operation will be conducted with the awareness of the staff member's immediate superior.
3. Boats owned and operated by the College are to be used for specific purposes and must not be utilized for any other use without written authority.
4. Such boats are to be considered as registered vehicles of the College and will be afforded the same safe stowage applying to such vehicles.
5. Workers' compensation coverage will only apply during authorized use of boats.

B. Boats used in the Physical Education Program.

1. Boats may be used only during daylight hours.
2. Boats must have safety equipment as specified and required by law.

3. Boats must always have at least one experienced and qualified operator aboard.
4. Boats may not be used when small craft warnings are in effect.
5. The Dean of Student Affairs is responsible for this program and persons using boats must follow the specific rules and regulations as established by the department.

# NEW COLLEGE OF FLORIDA

## Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Operation Alert</b>	<b>4-27-02</b>	<b>6-008</b>

### I. INTRODUCTION: PURPOSE AND INTENT

The intent of this policy is to provide information and procedures for the handling of emergency situations which occur on the property of the College. An Operation Alert system has been developed which will augment existing policies and procedures for handling emergencies by accelerating the notification process. The University Police Department Communications Center, which is operational twenty-four hours a day, shall be notified immediately in emergencies as outlined in this policy. The notification procedures, as established herein, help to assure that all parties concerned with a particular type of emergency are contacted. The number of notifications made by individual persons is limited to allow all parties maximum flexibility in responding to the emergency in the manner most appropriate.

### II. STATEMENT OF POLICY

The Operation Alert system is limited to valid emergencies as detailed in this policy, and should be used by any member of the College community whenever any of the following situations occur.

Emergencies Covered:

1. Fatal or life threatening accidents occurring on a campus, involving students, employees, or members of the public when injuries require medical attention.
2. Violence of a major nature, occurring on or in close proximity to College property, which might endanger life or interfere with College activities.
3. Sexual assaults and relationship violence requiring medical attention.
4. College-related transportation accidents, involving hazardous materials, severe personal injury, or major property damage.
5. Reports of illness, involving humans or animals, due to chemical waste emissions.

6. Reports of outbreaks of illness or injury due to food poisoning or consumption of similar products, whether sold by the College or distributed privately on College property.
7. Environmental incidents, including major spills or major air emissions.
8. Explosions.
9. Natural disasters, including fire, flood, hurricane, or tornado.
10. Unauthorized work stoppages, emergency cancellations of College sponsored events, boycotts or threatened boycotts, or demonstrations that may lead to civil disorder or disruption of College activities.
11. Notification of power, steam, or water service interruption, with particular emphasis as it affects special lab experiment research projects or residence areas.
12. Reports of major vandalism or graffiti which appears to be motivated by ethnic, racial, religious, or sexual orientation bias.

For out-of-town emergencies such as a transportation accident, the College person involved is responsible for notifying his supervisor and/or dean, as well as for prompt local action appropriate to the situation.

### **III. PROCEDURE - NOTIFICATION OF EMERGENCY**

#### **A. Sarasota Campus**

In the event of a major emergency as outlined in these procedures; the Operation Alert phone number, (941) 359-4210, shall be dialed at any hour of the day or night. The nature and a brief outline of the emergency shall be reported to the police communication officer on duty. Informational items normally requested will include: name and telephone number of caller; place, time and type of emergency; number and general type of injuries; number of fatalities, if any; type of damage to facilities and equipment; type of projects, compounds or chemicals involved; purported cause of work stoppage, boycott or violence, etc. To ensure complete reporting, the officer on duty will ask several specific key questions, depending on the nature of the emergency. The following procedure will then be implemented:

1. The police communication officer will immediately notify the Senior University Police Official. In those instances involving violence against individuals, the Police Department shall immediately notify the Victim's Advocate.
2. The Senior University Police Official or the ranking police officer will in turn notify the Vice President for Finance and Administration and the Director of Public Affairs or, if they are not readily available, then the Provost and Dean of Student

Affairs. If the reported emergency situation involves students, then the Dean of Student Affairs and the Director of Residential Life shall be notified.

3. The Director of Public Affairs shall notify the President and other members of the President's Staff or other officials having a need to be advised of the situation.

4. The Vice President for Finance and Administration, the Public Affairs Director and the Dean of Student Affairs (if students are involved) shall report to the scene of the emergency or remain in telephonic communications, for the purpose of addressing the emergency and supplying necessary information to the media as may be appropriate.

5. In major emergencies likely to generate media inquiries, the Vice President for Finance and Administration, the Provost, the Dean of Student Affairs, and the Chief of University Police, and the Director of Public Affairs, and the Director of Physical Plant shall meet as soon as possible to develop a College response, designate a spokesperson, and prepare a briefing report for the President.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Accident/Injury and Loss Control Prevention</b>	<b>4-27-02</b>	<b>6-009</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to insure that all College personnel and departments understand the proper procedures to be followed for the reporting, claim processing, investigation, and prevention of all injuries and illnesses to the faculty, staff, students, and public.

**II. STATEMENT OF POLICY**

In compliance with FS 240.209 and FAC 6C-10.002, the following is provided so that all College personnel will be apprised of the role, scope and program responsibilities of the Director of Environmental Health and Safety with regard to the Loss Prevention Program at New College of Florida. Although the Director of Personnel is accountable for Workers' Compensation insurance and the Director of EH&S for the environmental health and safety program, both individuals have liaison responsibility with the SUS Loss Control Manager for this program. It is essential that both Directors maintain liaison with each other within their respective responsibility areas so that the accidents can be minimized to all College personnel.

A. The Director of Environmental Health and Safety Division Loss Control Responsibilities:

1. The Director of EH&S serves in general as a technical services resource to all areas and personnel of the College to minimize accident/illness through various programs.
  
2. EH&S will develop, coordinate and conduct training or train the trainer in the following programs: Accident Prevention & Investigation, Laboratory Safety, Chemical Safety (Florida Right-to-Know), Fire Safety, BioSafety, Office Safety (Ergonomics and Workstation Reviews), Back Safety and Lifting, Respiratory Protection, Personal Protective Equipment, Industrial Hygiene, Emergency Preparedness and other programs requested or identified through need or risk assessments.
  
3. The Director of EH&S receives copies of all Workers' Compensation Injury Reports for correction of unsafe physical conditions in conjunction with Physical Plant and the respective departments concerned.

4. EH&S will analyze all workers' compensation injury and illness reports provided by the Director of Personnel to identify repetitive injury types and to develop the appropriate accident prevention programs. The Director of EH&S will submit an annual report of findings to the President and staff.

5. The Director of EH&S receives all University Police incident and accident reports where students or employees are injured on College business and refers to the Director of Personnel appropriate administrative staff for processing. The Director of EH&S will escort insurance investigators and University Police to the accident site and assist with photographs so that accident causal factors can be determined. Investigations of accidents involving private vehicles not on College business are not included.

#### B. The Director of Environmental Health & Safety Loss Control Accident Procedure

1. The Director of EH&S will determine from initial accident report, from the supervisor's accident investigation report or from a caller to the University's Hazard Hotline (813-974-0333) reporting an unsafe or hazardous condition if the condition needs to be corrected immediately to prevent future accidents. The Director of EH&S will follow up as required with Physical Plant, Facilities Planning or the appropriate department to correct any unsafe or hazardous condition.

2. Any employee who may be questioned by an insurance representative concerning workers' compensation or College general liability should check with the respective insurance coordinator before giving out any information regarding a claimant's report. New College of Florida personnel contacted by an attorney representing either the College or some other party should first refer those individuals to the General Counsel's Office to insure that the College's rights and procedures are not violated.

3. Any employee group requesting Safety Awareness training or any area of environmental health and safety that relates to loss control prevention for either supervisors or non-supervisors should contact the Director of Human Resources to coordinate the program with the Director of EH&S.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Key Control and Rekeying of Buildings and Facilities</b>	<b>4-27-02</b>	<b>6-010</b>

**I. INTRODUCTION: PURPOSE AND INTENT**

The purpose and intent of this policy is to set forth procedures to provide for the security of campus buildings, facilities, personnel and property, insofar as keys and rekeying are concerned; and, to establish a program of accountability and responsibility for secure key control.

**II. STATEMENT OF POLICY**

A. The President of the College is, by State law, designated the accountable officer for all State property. The Vice President for Finance and Administration is delegated the responsibility to ensure the safety and security of persons and property of the College against loss through vandalism, theft, misuse or other criminal activity within buildings and facilities of the College. It is the policy of the College that other than during normal working hours, or other than during officially scheduled events, all academic and administrative buildings shall be locked in order to maintain the security of buildings and contents.

B. Keys are issued for entry to College buildings and facilities for the purpose of conducting official College business only. As used in this policy, the term "keys" may also refer to any device or system which locks or otherwise secures a College facility and contents. This includes, but is not limited to, card-keys, combinations and codes for alarm systems, electronic and mechanical locking devices, etc., in which the same procedures for keys may apply.

C. College office buildings shall be secured after normal working hours and classroom buildings after scheduled class hours. Faculty and staff who wish to access their respective offices or classroom buildings must contact the University Police Department to obtain assistance. A limited number of building exterior door keys may be issued if approved by their immediate Vice President, Dean, Director or Chairperson.

### **III. INDIVIDUAL FACULTY/STAFF RESPONSIBILITIES**

A. A person issued a College key is responsible to his or her "department head" (for purpose of this policy department head shall be defined as Vice President, Dean, Director, or Chairperson) for the security and proper use of each College key as follows:

1. Safeguarding and using the key to access assigned areas for official College business only.
2. Not loaning a College key to any other person.
3. Preventing the duplication of any College key assigned to them.
4. Locking doors, files, cabinets, etc., for which a key is issued.
5. Reporting to the University Police any condition he/she may observe which may jeopardize College property or personnel.
6. Assuming responsibility for the conduct of any person the key holder allows to enter a building or facility, as the result of his or her possession of a College key.
7. Immediately notifying the University Police and the department head when a key is lost or stolen.
8. Returning keys to the department head when no longer needed.
9. Agreeing that he/she understands his/her personnel record will not be cleared when terminating, transferring, or going on leave until his/her key record is cleared.

### **IV. PENALTIES FOR VIOLATION OF POLICY**

A. It is the policy of the College that negligence in the loss or use of a College key is a serious matter. Violations of this policy, through negligent behavior on the part of any staff or faculty member, shall result in appropriate disciplinary action and/or a \$50 pay setoff to be used to defray costs of rekeying. Illegal use of College keys may lead to criminal investigation and eventual criminal charges.

B. Keys assigned to faculty or staff which are not returned in accordance with College procedures may lead to a \$50 pay setoff to be used to defray rekeying costs.

### **V. KEY ISSUANCE PROCEDURE**

Please refer to Buildings and Grounds Key Request and Return procedures.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Vehicles, College (State)</b>	<b>4-27-02</b>	<b>6-011</b>

### I. INTRODUCTION (Purpose and Intent)

This vehicle policy is established to ensure that all College (State) vehicles (excluding electric carts, boats, boat motors/engines, turf equipment, construction equipment):

### II. STATEMENT OF POLICY

A. College (State) vehicles are to be used for official College business only.

B. Drivers

1. Only a College employee, volunteer or student (approved by an accountable officer) with a current valid Florida Driver's license, will be allowed to drive a College (State) vehicle. If the vehicle falls into the classification that requires a Commercial Driver's License (C.D.L.), the operator will have the C.D.L. **with the proper endorsements**, appropriate to the type of vehicle operated, in accordance with Section 322.10 of the Florida Statutes.

2. Driver shall not permit riders except those directly involved in the purpose for which vehicle is being used.

C. Centralized Repair and Inspection Station

1. A Centralized Repair and Inspection Station is established under the management of the Director of the Physical Plant, and the responsibilities of same include:

a. Establishing procedures for repairs, etc.

b. Establishing and enforcing preventative maintenance guidelines.

c. Routinely evaluating vehicles as to usefulness, efficiency, and safety of operation.

d. Establishing priorities for repairs and services.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Fire and Security Monitoring Systems</b>	<b>4-27-02</b>	<b>6-012</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide guidelines, and approval procedures for the installation and operation of the College fire and security alarm systems, to insure uniformity and maintenance compatibility throughout the College Campus.

**II. STATEMENT OF POLICY**

A. The Director of Physical Plant is responsible for and has the authority to maintain the College Fire and Security alarm systems.

B. The Director of Physical Plant is responsible for approving the installation of all new fire alarm systems and security systems, or the modification of existing systems.

C. All alarm systems shall be installed by the College and will use only standardized hardware. Existing systems that are currently tied into University Police shall be brought up to standards at the expense of the department who has the substandard system. Unauthorized alarm systems are prohibited, and shall be removed or upgraded at the expense of the owner or department.

D. The Director of Physical Plant shall report to and request authority for its actions from the Vice President for Finance and Administration

**III. PROCEDURES**

A. Building Security Alarms

1. Requests for new installations, or modification of existing systems shall be sent to the Director of Physical Plant for action and approval. Requests for approval shall be submitted in the format provided in Attachment I.

2. Financial responsibility for security alarm systems will be the responsibility of the requesting department. This will include all equipment, materials and labor to install and maintain the equipment. Each department with an installed security system must be connected and monitored by the University Police and will be assessed a monthly

fee for each system controller, as determined by the Director of Physical Plant. The fee will cover preventive maintenance for the user's system, and central station operating costs. This monthly fee does not cover the user's equipment failure, theft, damage, or department requested modifications or expansion. The cost of those items not covered by the monthly fee will be the responsibility of the department and will be billed accordingly.

### 3. Multiple Controller Fee Cap

A multiple controller fee cap is imposed in cases where the alarm system subscriber is charged with the responsibility for providing a unique service which is available campus-wide, and requires that the subscriber maintain approved multiple security alarm systems throughout campus. These qualifying subscribers will be assessed the standard annual fee on the first four (4) system controllers only.

The Director of Physical Plant will review requests from subscribers to determine their eligibility to receive the fee cap. Subscribers wishing to be considered for the multiple controller fee cap must submit a written request to the Director of Physical Plant for approval.

The Director of Physical Plant reserves the right to review the continued eligibility of subscribers who receive the multiple controller fee cap and withdraw the fee cap if it is determined that the subscriber is no longer eligible.

### B. Building Fire Alarms

1. All requests for expansion and additional system capabilities shall be sent to the Director of Physical Plant for action and approval.
2. All projects for new or upgraded fire alarm systems shall be designed by a registered Florida engineer, reviewed by the Director of Facilities Planning and the Director of Physical Plant and submitted to the State Fire Marshall for approval.

### C. Fire/Security Alarm Preventive Maintenance

It shall be the responsibility of the Director of Physical Plant to arrange for necessary preventive maintenance contracts. The determination of actual preventive maintenance requirements shall be the responsibility of the Director of Physical Plant.

### D. Fire/Security Alarm Malfunctions

1. In the event of a malfunction when the University Police Department alarm panel cannot be reset or other maintenance problems occur, University Police personnel shall contact the Physical Plant.
2. The University Police Department shall maintain records by assigning a case number to each false alarm caused by system malfunctions and by user error. Each

security alarm station is allowed three user error false alarms within a six-month period. A charge as determined by the Director of Physical Plant for the fourth and each subsequent user error alarm will be levied against the user with said funds being used to maintain the alarm system. Once six months has passed without a user error alarm, the user is allowed three more false alarm responses without a charge until a fourth response is accrued within a six-month period.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Fireworks Policy</b>	<b>4-27-02</b>	<b>6-013</b>

**I. INTRODUCTION (Purpose and Intent)**

The following policy and procedures are promulgated regarding the authorized use, storage, or handling of fireworks and explosive pyrotechnics as defined below on all College property, to minimize the hazard potential for accidents, injuries and legal liabilities to students, employees, and visitors.

**Definition of Fireworks and Explosive Pyrotechnics:** The term fireworks and other explosive pyrotechnics, as defined by Section 791.01, Florida Statutes, shall mean and include a combustible or explosive mixture or any substance or combination of substances except sparklers or toy pistol caps, prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges (except those under University Police control). Devices used for signaling at sporting events (i.e., 22 or 32 caliber revolver starting pistols) are exempt.

**II. STATEMENT OF POLICY**

All campus organizations or individuals considering contractual agreements requesting the use and/or storage of fireworks or other explosive pyrotechnics, as defined above, on any College campus, shall have the request approval in writing by the Vice President for Finance and Administration or his or her designee, University Police and the local fire authority prior to entering into said contractual arrangement. Fireworks displays shall be conducted only by pyrotechnics companies licensed by the State Fire Marshall. Notice shall be given at least thirty (30) days prior to any planned pyrotechnics display.

All contracts with firms/individuals must state that displays will meet the requirements of any and all applicable state, county, and city laws or safety standards pertaining to licensure and permits, certificates of competency, and display methods.

The Vice President for Finance and Administration or his or her designee or the University Police are authorized to suspend or terminate a pyrotechnics display at any time at their discretion or at the advice of the event sponsor or local fire safety officials.

Sponsors of pyrotechnic events or contractors shall furnish a certificate of liability insurance in the amount of \$1,000,000, naming the College and the Board of Education as additional insureds.

The maximum number of serial displays shall be 800 shells. Free floating devices or shells less than four inches in diameter are not permitted unless specifically approved by the Vice President for Finance and Administration.

### **III. PROCEDURES**

In order for a fireworks display or pyrotechnics event to be approved, the requesting organization or individual must complete an application for fireworks display. The application must be submitted to the local fire department for review and approval at least thirty (30) days in advance of the event.

Copies of Fire Department approved applications shall be delivered to the Vice President for Finance and Administration and University Police no later than fifteen (15) days in advance of the event. Rescheduling of the event must be approved by the Vice President for Finance and Administration, University Police and the local fire authority.

The display contractor is required to conduct an on-site safety assessment prior to and at the termination or the end of the display. Criteria will be utilized to ensure the safety of spectators.

Handling and launching of pyrotechnics shall only be done by the contractor. The contractor and/or sponsor shall provide adequate personnel to monitor perimeters of discharge and landing sites before exhibits begin, and continue monitoring until sites have been inspected after displays and an "all clear" signal has been given.

Use of remote ignition systems which are not under direct control of on-site operators shall not be permitted.

Discharge sites shall be positioned at distances meeting current National Fire Protection Association criteria. All displays shall be set up using methods for interrupting firing in the event any unforeseen safety problem arises.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>ENVIRONMENTAL REGULATORY COMPLIANCE PROCEDURES</b>	<b>4-27-02</b>	<b>6-014</b>

**I. INTRODUCTION (Purpose)**

To provide procedures for compliance and corrective action of environmental health and safety reviews.

**II. STATEMENT OF POLICY**

A. The Vice President of Finance and Administration is responsible for regulating environmental compliance and corrective action activities at the College. He or she may delegate that responsibility to the Director of Environmental Health and Safety.

B. The Vice President of Finance and Administration or his or her designee is responsible for conducting environmental health and safety reviews to ensure compliance with federal, state and local rules as they pertain to College activities.

C. The Vice President of Finance and Administration or his or her designee shall report to the President any activities or areas of non-compliance related to environmental health and safety compliance reviews.

D. Departments and Divisions shall comply with all Federal, State and Municipal health and safety regulations.

**III. PROCEDURES**

A. The Vice President for Finance and Administration or his or her designee will conduct environmental health and safety reviews on a scheduled basis or as needed at all colleges and departments within the College community.

B. The environmental health and safety reviews will focus on the following areas:

- Laboratory Safety
- Fire Safety
- Accident Prevention
- Waste Management (e.g. chemical & biomedical)
- Ergonomics
- Industrial Hygiene (e.g. air quality, noise)

- Occupational Health
- Environmental Sanitation (e.g. water, food service)
- Risk analysis and Risk assessments

C. The environmental review process will begin with a pre-review meeting with the identified college or department area to outline the purpose and scope of the review.

D. The second phase of the environmental review process will consist of a written report of findings and recommendations. The report will be delivered to the college or department for discussion, comment and corrective action.

E. The third phase of the review process includes a written response to the Vice President for Finance and Administration or his or her designee by the department or division that was reviewed outlining the corrective action taken for each item listed in the review. Note: The corrective action report is due within sixty calendar days of receipt of the written report from Vice President for Finance and Administration. (The exception would be if a situation is immediately dangerous to life and health, immediate correction would be taken).

F. At any point in the review process, the college or department can appeal the findings or decision of the Vice President for Finance and Administration reviewer to the Director of Environmental Health and Safety. Final appellate action should be addressed to the Office of the Vice President, Administrative Services.

G. The written report should include the action taken for each item listed in the review. If an item is unable to be corrected within the sixty day period include a projected date of corrective action in the written report.

H. The final phase of the review process is concluded when all items listed in the review report have been corrected.

I. If the corrective action is not completed within sixty days, the Director of Environmental Health and Safety will notify the following people for further action:

- Vice President for Finance and Administration
- Dean or Chairperson of the appropriate division
- Department Head or Director

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>LIFEGUARDS AND POOL SAFETY</b>	<b>4-27-02</b>	<b>6-015</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy provides guidelines for the use of lifeguards and general safety for pools on all campuses of the College. The intent is to establish proper safety procedures and practices, as well as to promote and provide for a safe environment for students, faculty and staff.

**II. STATEMENT OF POLICY**

**A.** All members of the College community are governed by this policy (students, staff, faculty and their guests). All pools under the jurisdiction of the College shall adhere to this policy without exception. Lifeguards are a key component to this policy. They are to fulfill all duties of their position as trained by their respective national organization (i.e. American Red Cross, YMCA). Lifeguards will guard all normal recreational swim activities as well as guard in the following circumstances.

1. Credit and/or non-credit swim classes (exception: Scuba and lifesaving classes)
2. Swim meets
3. Special events
4. Hydro-therapy
5. Camps

**B.** Pools with a capacity of 35,000 gallons or less may be operated without a guard if proper signage is present warning users to "swim at your own risk". All other pools will be enclosed by a barrier with proper signage and closed unless a guard is on duty.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>CART/UTILITY VEHICLE OPERATION</b>	<b>4-27-02</b>	<b>6-016</b>

**I. INTRODUCTION (Purpose and Intent)**

This policy provides guidelines for the use of electric or gas-powered carts and/or similar utility type vehicles (carts) on all campuses of the College. The intent is to establish proper safety procedures and practices, as well as to promote and provide for a safer environment for students, faculty and staff.

**II. STATEMENT OF POLICY**

A. All members of the College community are governed by this policy (students, staff, faculty and contractors/vendors). All operators of carts must meet the following criteria before operating a cart on property under the jurisdiction of the College:

- 1) Possess a valid Florida driver's license.
- 2) Know and adhere to the State of Florida motor vehicle laws.
- 3) Successfully complete Cart Safety Training Program (operator's training will include a signing of a statement of understanding).

Note: College employees who will be operating carts are required to obtain a Florida driver's license within thirty (30) days after: commencement of such employment or notice that they will be operating a cart as part of their job duties. Full-time out-of-state students who have a valid driver's license from their state of residence are exempted from the requirement of obtaining a Florida driver's license for only that period of time allowed by Florida law.

B. The safe operation of carts is paramount. Failure to follow this policy, render common practices or courtesies, or follow rules of the road for the State of Florida, could result in citation, appropriate disciplinary action, and/or suspension of operator's cart driving privileges.

C. All new cart acquisitions must meet the minimum safety features found in National Highway Safety and Traffic Administration (NHSTA), Standard 500 (49 CFR Part 571.500), hereafter "Standard 500." As of the effective date of this policy, the purchase of used, remanufactured, or transferred (from another University department) carts not meeting Standard 500 is prohibited. Contractors and other non-affiliated departments/companies, corporations, etc. carts must meet Standard 500.

D. Standard 500 carts must be maintained so that all original equipment safety features are kept in good working order.

E. Minimum Safety features for carts not Standard 500 (acquired by Department prior to effective date of this policy) are to include:

1) Carts must be four-wheeled vehicles - **No Three-wheeled vehicles.**

2) All original equipment safety features must be kept in good working order.

3) All carts and trailers (pulled by carts) must have clearly displayed on the exterior of the cart and trailer the slow moving vehicle reflective triangle.

F. The following outlines procedures for the safe operation of carts:

a. Supervisors must monitor and ensure that all persons operating carts have been instructed in the safe operation of carts and have attended the Cart Safety Training Program.

b. The speed limit for carts off standard roadways is 15 mph.

c. Carts meeting Standard 500 criteria may operate on College roadways, but must adhere to posted speed limits on College roadways. All other carts are prohibited from operating on the roadways of the campus **except** when crossing from one side of the street to another or utilizing a roadway where no sidewalk exists. In most cases, sidewalks are to be used while right-of-way is to be rendered to all pedestrians. Note: Operators are to use due caution in crosswalks. Carts using pedestrian crosswalks do **not** have the right-of-way.

d. Modification or tampering with a cart's governor is prohibited and is a violation of Federal Law.

- e. The operator must report any accidents to the University Police and to the operator's supervisor. The University Police will forward cart accident information to the Vice President for Finance and Administration for processing.
- f. Cart operators are to use extreme caution at all times.
- g. Operators may not wear headsets while operating carts.
- h. Operators are prohibited from operating carts on roadways outside the boundaries of the College.
- i. Operators are prohibited from operating carts inside, under, or through the confines of College buildings.
- j. Pedestrians have the right-of-way on campus. Carts must yield to pedestrians on sidewalks. **SPEED IS TO BE REDUCED TO A MINIMUM WHEN DRIVING ALONG OR CROSSING SIDEWALKS SO AS TO AVOID ACCIDENTS WITH PEDESTRIANS.**
- k. Cart operators are to be diligent and pay particular attention to the needs of disabled persons, as limitations in vision, hearing or mobility may impair their ability to see, hear, or move out of the way of carts.
- l. Carts are not to be overloaded, i.e. carrying more passengers than seating provided or overloading the cart's recommended carrying or load capacity.
- m. The name and telephone number of the College department, and College identification number (provided by Physical Plant at the Department's expense) must be displayed prominently on College-owned carts. Contractors and other non-affiliated departments/companies, corporations, etc. must display company name and vehicle identification number (VIN) on their carts at the owner's expense.
- n. Cart operators are responsible for ignition keys for the period of time in which they are using the vehicle. Keys shall not be left in carts.
- o. Operators must park carts away from heavily traveled pedestrian areas or in designated cart parking areas.

p. Cart operators are not to block the path nor limit pedestrian access on walkways.

q. College-owned carts are to be used for College business only.

G. All cart operators must attend the Cart Safety Training Program prior to operating a cart. This provision will go into effect Spring Semester, 2000. The Center for Urban Transportation Research (CUTR) will commence training in the Fall Semester, 1999.

H. College-owned carts are to be maintained in accordance with manufacturer and Physical Plant's recommended service schedule.

a. Repairs and regular maintenance are the responsibility of the Department owning the cart. The Departments are financially responsible for all repair and maintenance costs (labor, parts, and supplies). The Department is required to keep all preventative maintenance and repair records related to the cart; however, for those services provided by Vehicle Maintenance, Vehicle Maintenance will keep such records.

b. Departments are responsible for keeping all original equipment and safety features in good working order.

I. Personally-owned carts are prohibited from operating on College property. However, special consideration will be given to ADA accommodations.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Possession of Firearms and Weapons on College Property</b>	<b>4-27-02</b>	<b>6-017</b>

**I. INTRODUCTION (Purpose and Intent)**

In order to maintain the peace and protect public safety at New College of Florida, it is necessary to establish the College’s policy with regard to possession of firearms and weapons on College property.

**II. STATEMENT OF POLICY**

**Possession of Firearms and Weapons on College Property**

(1) Scope: This rule applies to all students, faculty, staff, invitees and guests of New College of Florida.

(2) Possession of Firearms on College Property:

(a) The possession of firearms, fireworks of any description, explosives, chemical Weapons, or any lethal weapon other than a common pocket knife with a blade length of no more than three (3) inches, is prohibited on College property or property under the control of the College. Personal chemical protection devices with 10% or less active ingredients are exempt from this rule.

(b) Sworn peace officers who are required by their employment to be armed, and are in uniform, are exempt from this rule.

(c) Persons possessing concealed weapon permits are not exempt from this rule and may not possess a firearm or other weapon on College property except as permitted by section 790.06(12), Florida Statutes.

(3) Any student or employee found to be in violation of this policy shall be subject to discipline under College policies and/or prosecution under section 790.06(12), Florida Statutes. Any other person found to be in violation of this policy shall be subject to arrest and prosecution under section 790.06(12), Florida Statutes.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>University Police Department</b>	<b>4-27-02</b>	<b>6-018</b>

### I. INTRODUCTION (Purpose and Intent)

### II. STATEMENT OF POLICY

#### **University Police Department.**

(1) Pursuant to s. 1012.97, Florida Statutes, the New College of Florida's Police Department has been established to provide general police services to New College of Florida and, by agreement, to the University of South Florida's Sarasota/Manatee Regional Branch Campus, including protection of their population, buildings, grounds and equipment, and the maintenance of peace and order within the college/university community, and at their functions. The New College of Florida Police Department is authorized to enforce the laws of the State of Florida, the ordinances of the City of Sarasota and Sarasota County, and the rules and policies of New College of Florida and the University of South Florida, as appropriate, including all traffic and parking rules.

(2) University police are law enforcement officers of the State of Florida and police shall meet the minimum standards established by the Criminal Justice Standards and Training Commission, Chapter 943, Florida Statutes., and the rules and regulations promulgated thereunder, and any other criteria established by state law or rule or by the terms of any applicable collective bargaining agreements.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Appointment, Employment, and Removal of University Police</b>	<b>4-27-02</b>	<b>6-019</b>

### **6C11-8.002 Appointment, Employment, and Removal of University Police**

(1) General. This chapter implements section 1012.97, Florida Statutes and shall apply to the appointment, employment and removal of New College of Florida University Police officers. These rules are supplemented by College rules found in Chapter 6C11-8, Florida Administrative Code, Chapter 6C-5, Systemwide Personnel Matters, and applicable collective bargaining agreements. Any person employed or appointed as a university police officer shall meet the minimum standards established by the State of Florida Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes.

(2) Appointment of University Police Officer. New College of Florida shall appoint university police in accordance with the following standards and procedures:

(a) In order to qualify for consideration for appointment or employment by the College as a university police officer, an applicant must:

1. have graduated high school or passed the General Education Development Test in accordance with Florida Department of Education Rule 6A-6.021, Florida Administrative Code and attained, at minimum, an Associates degree or transcript verification of successful completion of one (1) year of college work from an accredited institution as defined in s. 943.22(1), Florida Statutes, or licensed by the Florida Board of Independent Colleges and Universities, or shall have attained a certificate issued by the United States Armed Forces Institute prior to December 31, 1974, showing successful completion of high school equivalency.

2. demonstrate, based on psychological testing administered by the College, that he or she is psychologically fit to discharge the duties and responsibilities of a university police officer; and

3. meet the minimum requirements of Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes.

(b) Prior to appointment of any university police officer, the College shall conduct a thorough background investigation in accordance with the procedures and standards established in Rules 11B-27.0011, 11B-27.0021, 11B-27.0022, and 11B-27.0025, Florida Administrative Code, to determine whether an applicant meets the minimum standards established by the Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes.

(c) If an applicant qualifies under paragraph (2)(a)(1.)-(2.) and meets the minimum standards established by the Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes, he or she shall be eligible for consideration for appointment and employment. If appointed, and before entering into the performance of his or her duties, an applicant shall:

1. take and subscribe in writing to the oath of office as set forth in New College of Florida University Police Department General Order I-102, dated September 30, 2001, which shall be administered by the Chief of University Police; and

2. subscribe in writing to the Law Enforcement Code of Ethics as set forth in New College of Florida University Police Department General Order I-102, dated September 30, 2001.

(c) The College shall obtain and approve a bond on each university police officer in the amount of Five Thousand Dollars (\$5,000.00) or such other amount as may be determined by the College based on the amount of money or property likely to be in the custody of the officer at any one time. The bond shall be payable to the Governor of the State of Florida or his or her successor in office, and shall be conditioned upon the faithful performance of the duties of such officer.

(d) Appointment or Employment of Uncertified Applicants. Applicants who are not currently certified by the Criminal Justice Standards and Training Commission and who are otherwise eligible for consideration for appointment or employment may be temporarily appointed or employed in accordance with section 943.131, Florida Statutes and Rule 11B-27.002(h)(1)-(4), Florida Administrative Code provided that:

1. the Chief of University Police first certifies in writing that:
  - a. a critical need to appoint or employ the applicant exists
  - b. the critical need is documented; and
  - c. the applicant is or will be enrolled in the next approved basic recruit training program available in Sarasota or Manatee County; and

2. the requirements of section 943.131, Florida Statutes are complied with.

(3) Pursuant to s. 943,133(1), Florida Statutes, the Chief of University Police shall be responsible for the collection, verification, and maintenance of documentation establishing that applicants appointed or employed comply with the requirements of ss. 943.13 and 943.131, Florida Statutes, and rules adopted pursuant thereto. Prior to the employment or appointment of any university police officer, the Chief shall execute and maintain a Criminal Justice Standards and Training Commission registration affidavit of compliance form as required by section 943.133, Florida Statutes attesting to compliance with s. 943.133(1).

(3) Requirements for Continued Employment of University Police Officer. In addition to any other conditions of employment established by rule or policy of the State of Florida Board of Education or the College and applicable to University Support Personnel, or by collective bargaining agreement, each university police officer as a condition of continued employment or appointment as university police officers, shall continue to meet the minimum standards established by the Criminal Justice Standards and Training Commission and chapter 943, Florida Statutes; shall maintain in good standing his or her certification pursuant to chapter 943, Florida Statutes and Rule 11B-27.0023, Florida Administrative Code, and shall receive periodic Criminal Justice Standards and Training Commission-approved continuing training or education pursuant to chapter 943, Florida Statutes.

(4) Notification of Employment, Appointment and Separation. The Chief of University Police shall be responsible for notifying Criminal Justice Standards and Training Commission of the appointment, employment and separation of university police officers in accordance with Rules 11B-27.002(1)(c)1., 11B-27.002(1)(c)3., 11B-27.002(1) and 11B-27.002(4), Florida Administrative Code, and for submitting affidavits of separation as required by Rule 11B-27.002(5), Florida Administrative Code.

(5) Requirements for Certification. The Chief of Police shall be responsible for annually filing with the Criminal Justice Standards and Training Commission, in accordance with Rule 11B-27.002(2), Florida Administrative Code, documentation verifying that all officers employed or appointed by the College as of June 30<sup>th</sup> of the year have satisfied the requirements of s. 943.13, Florida Statutes

(6) Duty to Report, Investigations and Procedures. When the allegation is made or the College has cause to suspect that a university police officer it employs does not comply with s. 943.13(4) or (7), Florida Statutes, or subsection 11B-27.0011(4), Florida Administrative Code, or if an act of conduct of the officer has resulted in the officer's arrest, the President or his designee, or the Chief of Police, as appropriate, shall:

(a) conduct and conclude an internal investigation, including an official disposition, pursuant to New College of Florida University Police Department General Order I-109, dated September 30, 2001;

(b) take, in connection with the conduct and disposition of such investigation, such other action, including, but not limited to, the reassignment, suspension, or removal of the officer as is consistent with General Order I-109, College rules found in Chapter 6C11-8, Florida Administrative Code, Board of Education Rule, Systemwide Personnel Matters, Chapter 6C-5, Florida Administrative Code, and applicable collective bargaining agreements; and

(b) satisfy the investigative reporting requirements and procedures of Rules 11B-27.003 and 11B-27.0011(5), Florida Administrative Code.

*Specific Authority ss 1001.74(4), 1012.97(6), F.S. Law Implemented 1012.97, F.S.*

*History—New\_\_\_\_\_*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>New College of Florida Vehicle Registration, Parking and Traffic Regulations</b>	<b>4-27-02</b>	<b>6-020</b>

**I. INTRODUCTION (Purpose and Intent)**

**II. STATEMENT OF POLICY**

**New College of Florida Vehicle Registration, Parking and Traffic Regulations**

**(1) Driving and Parking on Campus.**

(a) AUTHORIZATION: New College of Florida and the University of South Florida Sarasota/Manatee both utilize the New College of Florida campus and share parking for their respective students, employees and visitors. By agreement, the New College of Florida University Police are responsible for enforcing parking and traffic regulations on the shared campus and USF Sarasota/Manatee is responsible for vehicle registration and administration of traffic and parking citation, payment, and appeals. New College of Florida strives to provide adequate parking for its employees, students and visitors. The College, in its attempt to provide a sufficient number of parking spaces for the campus community, must charge fees for use of parking spaces in order to pay for the operation and maintenance of campus parking facilities. Due to the size of the staff and student bodies, the College does not guarantee parking to all students and staff paying for spaces. For those community members parking on campus, the College provides for, but does not guarantee, the safety and security of vehicles, property and persons within the College parking facilities. All persons of the College community holding a valid operators license are privileged to use properly registered motor vehicles, motor scooters, bicycles and other mechanical conveyances on the campus of the New College of Florida in accordance with the terms of these regulations.

**(b) ENFORCEMENT:**

1. University Police are authorized to directly and immediately enforce these regulations on the College campus and to make arrests and issue moving traffic citations on campus and off campus in cases where the offenses occur on campus.

2. University Police, Parking Patrol Officers, Security Officers, or specially designated personnel are authorized to issue parking citations for parking and registration violations in accordance with these regulations 24 hours a day.

(c) **BROCHURE:** Parking and Transportation Services' brochure "2000-2001 Parking at the New College of Florida/USF Sarasota/Manatee" ("Parking Brochure") is incorporated into this policy by reference, and may be obtained at the USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

(2) **Definitions**

(a) **DISABLED PARKING:** Specifically designated parking for anyone legally qualified to use disabled parking.

(b) **HOLIDAYS:** Official State of Florida holidays only. Academic breaks and weekends are not holidays.

(c) **LICENSEE:** A person or entity that is present on the grounds of the New College of Florida because they have entered into an agreement with the College for use of the College's facilities.

(d) **LOADING/UNLOADING ZONES:** Zones specifically designated for vehicles making deliveries and pick-ups.

(e) **PARKING:** Stopping a vehicle on the side of the road, on the road, or off the road when not required to do so by law or regulation. The parked condition is not altered by occupancy of the vehicle, leaving the vehicle's motor running, or engaging the vehicle's flashing hazard light.

(f) **PATS:** University of South Florida Parking and Transportation Services.

(g) **PERMIT:** A distinctive adhesive decal or hangtag issued by PATS.

(h) **REGISTERED VEHICLE:** Any vehicle that is registered with PATS by filing an application that provides the necessary vehicle/owner driver identification information and paying the appropriate fee. These applications listed below and incorporated by reference herein, are available at USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

1. Parking & Transportation Services Student Vehicle Information (Rev. 6/00).

2. Parking & Transportation Services Staff Vehicle Information (Rev. 6/2000).

3. Parking & Transportation Services Disabled Vehicle Information (Rev. 6/2000).

4. Parking & Transportation Services Reserved Parking Request (Rev. 7/99).

5. Parking & Transportation Services Vendor/Contractor Information (Rev. 7/99).

(i) **RESERVED SPACE:** Individually marked space reserved for the specified user.

(j) **SERVICE DRIVE:** Those areas of campus that provide access for delivery service and emergency vehicles only.

(k) **STAFF:** The term STAFF includes faculty, adjuncts, administrative and professional, USPS employees, full-time, part-time and OPS employees (non- student), those students who work for the College thirty hours or more a week during a complete semester or complete term and licensees of the College.

(l) **STUDENT:** For the purpose of these regulations, the term STUDENT includes all persons, other than Staff, as defined above, enrolled with the College regardless of the whether they are attending classes.

(m) **TEMPORARY PERMIT:** A permit issued by PATS or other authorized person for visitors, persons temporarily incapacitated, non-enrolled students, persons on special College assignment and persons temporarily using another vehicle.

(n) **TIMED SPACES:** Parking spaces specifically designated for vehicles making short term stops of no greater than the time posted for the space.

(o) **VENDOR/CONTRACTOR:** Any person/company that has entered into a contract with the College to provide a service, regardless of the length of the contract, to the College.

(p) **VISITOR:** Any person who is not a member of the College community (student, staff, faculty, vendor/contractor or licensee) on the New College of Florida campus.

(q) **VOLUNTEER:** Any person who provides volunteer services and receives no compensation from the College for those services.

(r) **RETIRED:** Faculty and staff who have retired from the College and are not currently employed by the College.

**(3) Registration Regulations.**

(a) **VEHICLES USED ON CAMPUS BY STAFF AND ENROLLED STUDENTS, REGARDLESS OF NUMBER OF HOURS OR DAYS, NIGHT OR DAY, FULL TIME OR PART TIME, MUST BE REGISTERED AND MUST BEAR A VALID COLLEGE PERMIT.**

(b) Vehicles may be registered during business hours Monday through Friday, at PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

(c) Upon requests by PATS, the person registering a vehicle must present a valid College faculty, staff, or student ID card, or a letter from employer, which justifies the type of permit requested. Resident students must present a copy of their housing contract or check-in sheet. Disabled registrants must present a copy of their disabled registration. All registrants are responsible for providing PATS with a current address and keeping all information about vehicle ownership updated.

(d) All vehicles used on campus must be registered prior to parking in any non-visitor spaces on campus.

(e) There is no grace period for registration of vehicles and acquisition of College permits. New and returning employees may obtain a temporary permit for fourteen (14) calendar days from the start date of their employment. Proof of employment status is required.

(f) Upon establishment by PATS, reserved spaces may be purchased for a yearly fee. Requests for spaces must bear the concurrence of the President of New College and attest to the fact that the space is needed based upon the registrant's work requirements. These spaces are not transferable and cannot be sold to another individual in the event the registrant of the reserved space leaves the College. Reserved parking locations may be established by PATS to allow improved parking efficiencies.

(g) Commercial representatives in commercial vehicles using marked delivery trucks, telephone and power service vehicles, limousine service automobiles, taxis and buses making brief stops in the appropriate spaces or zones at one or more points on campus are not required to pay a parking fee or display a permit unless the vehicles will be parked in which case the vehicles shall utilize designated loading/unloading zones for a period of no more than thirty (30) minutes.

(h) Permit regulations:

1. When the vehicle is parked, hangtags must be hung from the rearview mirror bracket with the registration number plainly visible through the front window of the vehicle. Note: Having tinted windows, or using a sunscreen or a car cover does not preclude the necessity of ensuring the hangtag is plainly visible.

2. Hangtags may not be transferred from registrant to another vehicle operator who would otherwise be required to register their vehicle.

3. Hangtags are transferable to any vehicle owned by the registrant.

4. Adhesive decals are only issued to those registrants with convertibles or other open vehicles. The decal must be permanently affixed to the left rear bumper and/or the left side rear windshield of the vehicle (outside only). Improper display of decal may result in a citation being issued and a fine being charged.

5. Adhesive decals for all two-wheeled vehicles must be displayed on the rear fender of the vehicle unless otherwise approved by PATS.

6. College permits may not be reproduced, altered, or transferred by anyone other than PATS.

7. The person who owns or registers a vehicle is responsible for assuring that the vehicle, regardless of who drives it, is parked in conformance with the rules and regulations and for knowing when the issued permit expires.

8. All citations issued to a permit will be that registrant's responsibility regardless of which vehicle the permit is on at the time of the infraction, unless a lost/stolen affidavit form regarding that permit has previously been submitted to PATS. The USF Parking & Transportation Services Request for Replacement or Exchange of Parking Permit form (Rev. 10/99), incorporated by reference herein, may be obtained by writing to PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

9. Any vehicle parked on campus is parked at the risk of the operator. Permits declared lost or stolen will immediately become invalid. An affidavit must be completed for lost or stolen permits or in the event that the permit was sold with the car. If recovered, the permit will be reclaimed by the PATS and destroyed. Any vehicle bearing a lost/stolen permit is subject to immediate tow, even if the person who has reported the permit as lost/stolen owns the vehicle bearing the permit.

10. All College staff, students and visitors who own, register, and have more than one vehicle on campus at the same time are required to have a valid permit displayed on each vehicle.

#### **(4) Vehicle Registration Fees.**

(a) Payroll Deduction: Those persons employed as faculty, A&P, or USPS may pay for their permits through payroll deduction. Those employees not considered permanent employees, i.e., OPS, teaching assistants, visiting and adjunct professors, etc. are not eligible to use payroll deduction. Payroll deduction cannot be used between March 31 and July 31.

(b) Refunds: No full refunds are issued for permits, including replacement permits, unless the refund is requested within 14 calendar days of the initial date of validity of the permit. To receive the refund, the permit must be requested to PATS with the receipt. Refund request received after 14 calendar days of the initial date of validity of the permit are pro-rated.

(c) Permits for change of status, non-resident to resident, resident to non-resident, student to staff, or hangtag to adhesive, are issued free of charge upon presentation of the old permit and proof of status change.

(d) Coins are not accepted for payment of registration or citations unless the coins are properly rolled in bank wrappers and identified with payee's name, and student ID number or Driver's License number.

**(5) Parking Regulations**

(a) The absence of "No Parking" signs or curb markings does not mean that parking is allowed. Parking is permitted only within marked spaces.

(b) Parking on or over a marker line is prohibited. Vehicles parked parallel to a curb shall be within one foot of the curb and inside parking markers.

(c) Vehicles shall not be parked facing traffic in those lots with angled parking. For those lots with straight in parking (90 degree), a vehicle may also be parked with the rear of the vehicle towards the closed end of the parking space.

(d) Where parallel parking is permitted, vehicles must be parked facing with the flow of traffic.

(e) Vehicles shall not be parked in such a manner as to obstruct vehicular/pedestrian traffic, wheelchair ramps, to interfere with normal College operational activities or to create a hazard.

(f) Double parking is prohibited at all times.

(g) Parking on grass, sidewalks, crosswalks, service drives, loading zones, truck spaces, or on streets, except where specifically marked for parking, is prohibited.

(h) Major repairs to non-College owned vehicles shall not be performed on campus.

(i) Unauthorized parking in RESERVED spaces is prohibited.

(j) A vehicle parked and remaining at the same unloading zone or timed space will not receive more than two tickets for overtime violations in the same calendar day.

(k) Campus map and parking lot signs indicate where staff, resident, and non-resident students shall park according to the type of permit displayed on the vehicle. Vehicles may only be parked in the appropriate lots and spaces.

(l) The College reserves the right to establish some lots as joint-use lots to accommodate two or more categories of registered vehicles, i.e., commuter, staff. This will be accomplished with proper signage and announcement of the designation.

(m) All loading/unloading zones have a 30-minute time limit.

(n) Only authorized vehicles may be parked in disabled spaces.

(o) Oversized vehicles such as trucks, trailers, motor homes, or any vehicle that occupies more than one standard car space or extends beyond the space shall be parked in an area designated by PATS. The maximum allowance time for parking in this manner is seven (7) calendar days.

(p) Vehicles may not be used as overnight domiciles, except under emergency conditions and only with the prior approval of PATS.

(q) SPECIAL EVENTS AND MAINTENANCE: PATS has authority to close streets, lots and parking spaces to facilitate College special events, and to perform necessary maintenance. Contact PATS when planning a special event at the College to receive proper parking permits and assignments. No department has the authority to close any lots prior to 5:00 p.m. without first seeking permission from PATS.

**(6) Visitor/Temporary Parking Permits.**

(a) A person who is currently registered with PATS and temporarily not in possession of his/her permit must obtain a temporary parking permit before parking on campus.

(b) On request to PATS, permits may be issued to park out of assigned areas for extraordinary reasons (such as, temporary incapacitation or for security reasons).

(c) Students, faculty, or staff sponsoring or co-sponsoring an event on campus shall request temporary parking permits at least two weeks in advance from PATS for the event participants.

(d) Visitors must obtain daily permits from the PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

**(7) Disabled Parking.**

(a) Any staff member or student with a physical disability (temporary or permanent) which impedes walking may apply with authorized documentation, to PATS for a special disabled parking permit.

(b) Wheelchair-bound registrants are entitled to a special disabled parking space.

(c) All spaces designated for the disabled are reserved twenty-four (24) hours a day.

(d) Holders of special disabled spaces are required to advise PATS when assigned special disabled spaces are no longer required.

**(8) Traffic Regulations.**

(a) Traffic rules, regulations and directive signs governing the use of motor vehicles are in effect 24 hours a day, all year long. Inclement weather does not bar their enforcement.

(b) Motorists shall yield the right-of-way to pedestrians within a crosswalk.

(c) The campus speed limit is 10 m.p.h. unless otherwise posted. Speed limit in parking lots is 10 m.p.h.

(d) It is unlawful to drive in the opposite direction of the normal flow of traffic.

(e) It is unlawful to remove, alter, or change any traffic control device, sign, barricade, or traffic cone. It is also unlawful to drive around barricades, traffic cones in the roadway, or parking lots that are closed by PATS.

(f) ALL FLORIDA TRAFFIC LAWS ARE ENFORCEABLE ON CAMPUS.

**(9) Regulations Governing Scooters, Motorcycles, Bicycles and Mopeds**

(a) Drivers of scooters, motorcycles, bicycles and mopeds are responsible for observing the same traffic regulations as those governing vehicles.

(b) Drivers may not drive, ride or park scooters, mopeds, or motorcycles on grass, sidewalks or in the confines of a building.

(c) It is unlawful for more than one person to ride on a vehicle at the same time, unless the vehicle is designed for and equipped with a seat for each person.

(d) Drivers may not park two-wheeled motorized vehicles in an automobile space. Drivers shall use designated motorcycle spaces.

(e) Holders of motorcycle or bicycle permits are entitled to a maximum of five (5) days, annually, of temporary parking permits for four-wheeled vehicles.

(f) All two-wheeled motor vehicles must be registered with PATS.

(g) Motorcycles cannot display automobile permits at any time; therefore, registered owners of four-wheeled vehicles who have motorcycles, are required to register and purchase permits for each vehicle or motorcycle they wish to park on campus.

(h) University Police will ticket bicyclists for MOVING VIOLATIONS on streets or sidewalks. Bicycle Regulations are outlined in Section 316.2065, Florida Statutes.

(i) A person propelling a bicycle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances, but the cyclist shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

**(10) Towing/Immobilizing of Vehicles.**

(a) Vehicles are subject to being immobilized by a mechanical boot or towed away at the operator's expense under any of the following conditions:

1. Those listed in the Parking Brochure incorporated herein.
2. Unauthorized parking in reserved or disabled spaces.
3. Parking without a valid permit.
4. Abandoning a vehicle (disabled or otherwise) for three (3) consecutive days or more (disabled or abandoned vehicles must be attended to promptly with immediate notification made to PATS between 8:00 a.m. and 5:00 p.m. and to the University Police after 5:00 p.m. on weekdays and on weekends and holidays).
5. Parking in such a way as to interfere with College operational activities.

(b) Vehicles that have been immobilized by a mechanical boot are towed at the owner's expense. The owner is required to pay for the outstanding citations, and the immobilization fee and applicable towing charges prior to claiming their vehicle. The fact that a previously immobilized vehicle has been removed from the area without authorization from PATS shall be prima facie evidence that the registered owner has tampered with the immobilized vehicle. Owners of immobilized vehicles may make restitution during PATS' office hours at PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

Such payments will not be accepted after hours or through the weekend/holidays, so vehicles will remain immobilized until restitution is made on one of the next business days.

(c) A signed release slip must be obtained from PATS before owner's towed vehicle may be reclaimed from the towing company. The release slip will be issued after vehicle registration fees and outstanding citation fees are paid at PATS. In addition, the owner or operator of the towed vehicle must provide proper identification to the towing company and pay the towing charges in cash to the towing company before reclaiming the vehicle from the towing company.

**(11) Violations, Penalties and Fines.**

(a) Moving violations will be referred to the City of Sarasota by PATS.

(b) Operators of vehicles are subject to be fined in accordance with the schedule of violation charges as provided in the Parking Brochure incorporated herein.

(c) In addition, permission to operate a vehicle on campus may be revoked for a period up to twelve (12) months and the operator so notified by PATS whenever:

1. The person falsifies or misrepresents information on any PATS' documents.
2. The person lends his/her vehicle to another person when the latter is not entitled to driving privileges.
3. The person required to register a vehicle does not respond to citations.
4. The person demonstrates actions that show a willful disregard for public safety or property, or engages in other types of disruptive behavior with another member of the College community.
5. The person owes a delinquent debt to the College.

(d) Any violation not cleared at the end of twenty-one (21) days shall be referred to the Division of Purchasing and Financial Services for collection. Outstanding student accounts may also result in student records and registration being placed on hold until the debt is settled.

**(12) Citation -- Payment and Appeal Process.**

#### VIOLATION PAYMENT PROCEDURE:

(a) Unless otherwise specified in these rules, all persons or who are cited for non-moving violations may make payment to the PATS in person, mail payment in the envelope provided, or place payment in envelope and deposit in the drop box at the PATS. If payment is mailed or deposited in the drop box, payment shall not be made using cash.

#### (b) APPEAL PROCESS:

1. Only those persons or departments responsible for incurring the citation or the registrant of the vehicle cited may appeal to PATS or the Parking Citation Appeal Committee.

2. Any person or department who wishes to appeal a citation shall do so within fourteen (14) calendar days from the date of issuance on the citation. (Note: Warning citations may not be appealed.) Appeals may be submitted in writing, in person, or via the Internet at the Website published in the Parking Brochure. The USF Parking & Transportation Services Parking Citation Appeal form (Rev. 10/99), incorporated by reference herein, is available at PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243. A copy may also be obtained by calling (941) 359-4204. The person appealing the decision must explain the circumstances existing at the time of the citation in the appeal for review of the citation.

3. If an appeal is not submitted within fourteen (14) calendar days from the date the citation was issued, the right to appeal is forfeited.

4. The written appeal will be reviewed by the Appeals Mediator/Staff, adjudicated based on the current PATS Regulations and a letter of decision will be issued.

5. If the person or department is dissatisfied with the decision of the Appeals Mediator/Staff, they may appeal the Appeals Mediator/Staff's decision to the Parking Citation Appeal Committee. Such appeals must be requested in one of the following ways: in writing, by appearing in person or by having the original appeal forwarded to the Committee. Such appeal requests must be made within fourteen (14) calendar days from the date of the Appeals Mediator/Staff's letter of decision. The Parking Citation Appeal Committee will review the matter and may excuse or uphold the citation, but the Committee may not contradict the prevailing parking and registration regulations. The Parking Citation Appeal Committee is the final appeal authority.

## **6C11-4.001, F.A.C. - New College of Florida Vehicle Registration, Parking and Traffic Regulations**

### **(1) Driving and Parking on Campus.**

(a) **AUTHORIZATION:** New College of Florida and the University of South Florida Sarasota/Manatee both utilize the New College of Florida campus and share parking for their respective students, employees and visitors. By agreement, the New College of Florida University Police are responsible for enforcing parking and traffic regulations on the shared campus and USF Sarasota/Manatee is responsible for vehicle registration and administration of traffic and parking citation, payment, and appeals. New College of Florida strives to provide adequate parking for its employees, students and visitors. The College, in its attempt to provide a sufficient number of parking spaces for the campus community, must charge fees for use of parking spaces in order to pay for the operation and maintenance of campus parking facilities. Due to the size of the staff and student bodies, the College does not guarantee parking to all students and staff paying for spaces. For those community members parking on campus, the College provides for, but does not guarantee, the safety and security of vehicles, property and persons within the College parking facilities. All persons of the College community holding a valid operators license are privileged to use properly registered motor vehicles, motor scooters, bicycles and other mechanical conveyances on the campus of the New College of Florida in accordance with the terms of these regulations.

#### **(b) ENFORCEMENT:**

1. University Police are authorized to directly and immediately enforce these regulations on the College campus and to make arrests and issue moving traffic citations on campus and off campus in cases where the offenses occur on campus.

2. University Police, Parking Patrol Officers, Security Officers, or specially designated personnel are authorized to issue parking citations for parking and registration violations in accordance with these regulations 24 hours a day.

(c) **BROCHURE:** Parking and Transportation Services' brochure "2000-2001 Parking at the New College of Florida/USF Sarasota/Manatee" ("Parking Brochure") is incorporated into this rule by reference, and may be obtained at the USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2), FS. History--New \_\_\_\_\_.*

### **(2) Definitions**

(a) **DISABLED PARKING:** Specifically designated parking for anyone legally qualified to use disabled parking.

(b) **HOLIDAYS:** Official State of Florida holidays only. Academic breaks and weekends are not holidays.

(c) **LICENSEE:** A person or entity that is present on the grounds of the New College of Florida because they have entered into an agreement with the College for use of the College's facilities.

(d) **LOADING/UNLOADING ZONES:** Zones specifically designated for vehicles making deliveries and pick-ups.

(e) **PARKING:** Stopping a vehicle on the side of the road, on the road, or off the road when not required to do so by law or regulation. The parked condition is not altered by occupancy of the vehicle, leaving the vehicle's motor running, or engaging the vehicle's flashing hazard light.

(f) **PATS:** University of South Florida Parking and Transportation Services.

(g) **PERMIT:** A distinctive adhesive decal or hangtag issued by PATS.

(h) **REGISTERED VEHICLE:** Any vehicle that is registered with PATS by filing an application that provides the necessary vehicle/owner driver identification information and paying the appropriate fee. These applications listed below and incorporated by reference herein, are available at

USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

1. USF Parking & Transportation Services Student Vehicle Information (Rev. 6/00).
2. USF Parking & Transportation Services Staff Vehicle Information (Rev. 6/2000).
- 3 USF Parking & Transportation Services Disabled Vehicle Information (Rev. 6/2000).
- 4 USF Parking & Transportation Services Reserved Parking Request (Rev. 7/99).
- 5 USF Parking & Transportation Services Vendor/Contractor Information (Rev. 7/99).

(i) RESERVED SPACE: Individually marked space reserved for the specified user.

(j) SERVICE DRIVE: Those areas of campus that provide access for delivery service and emergency vehicles only.

(k) STAFF: The term STAFF includes faculty, adjuncts, administrative and professional, USPS employees, full-time, part-time and OPS employees (non- student), those students who work for the College thirty hours or more a week during a complete semester or complete term and licensees of the College.

(l) STUDENT: For the purpose of these regulations, the term STUDENT includes all persons, other than Staff, as defined above, enrolled with the College regardless of the whether they are attending classes.

(m) TEMPORARY PERMIT: A permit issued by PATS or other authorized person for visitors, persons temporarily incapacitated, non-enrolled students, persons on special College assignment and persons temporarily using another vehicle.

(n) TIMED SPACES: Parking spaces specifically designated for vehicles making short term stops of no greater than the time posted for the space.

(o) VENDOR/CONTRACTOR: Any person/company that has entered into a contract with the College to provide a service, regardless of the length of the contract, to the College.

(p) VISITOR: Any person who is not a member of the College community (student, staff, faculty, vendor/contractor or licensee) on the New College of Florida campus.

(q) VOLUNTEER: Any person who provides volunteer services and receives no compensation from the College for those services.

(r) RETIRED: Faculty and staff who have retired from the College and are not currently employed by the College.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History—New \_\_\_\_\_.*

**(3) Registration Regulations.**

(a) VEHICLES USED ON CAMPUS BY STAFF AND ENROLLED STUDENTS, REGARDLESS OF NUMBER OF HOURS OR DAYS, NIGHT OR DAY, FULL TIME OR PART TIME, MUST BE REGISTERED AND MUST BEAR A VALID COLLEGE PERMIT.

(b) Vehicles may be registered during business hours Monday through Friday, at PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

(c) Upon requests by PATS, the person registering a vehicle must present a valid College faculty, staff, or student ID card, or a letter from employer, which justifies the type of permit requested. Resident students must present a copy of their housing contract or check-in sheet. Disabled registrants must present a copy of their disabled registration. All registrants are responsible for providing PATS with a current address and keeping all information about vehicle ownership updated.

(d) All vehicles used on campus must be registered prior to parking in any non-visitor spaces on campus.

(e) There is no grace period for registration of vehicles and acquisition of College permits. New and returning employees may obtain a temporary permit for fourteen (14) calendar days from the start date of their employment. Proof of employment status is required.

(f) Upon establishment by PATS, reserved spaces may be purchased for a yearly fee. Requests for spaces must bear the concurrence of the President of New College and attest to the fact

that the space is needed based upon the registrant's work requirements. These spaces are not transferable and cannot be sold to another individual in the event the registrant of the reserved space leaves the College. Reserved parking locations may be established by PATS to allow improved parking efficiencies.

(g) Commercial representatives in commercial vehicles using marked delivery trucks, telephone and power service vehicles, limousine service automobiles, taxis and buses making brief stops in the appropriate spaces or zones at one or more points on campus are not required to pay a parking fee or display a permit unless the vehicles will be parked in which case the vehicles shall utilize designated loading/unloading zones for a period of no more than thirty (30) minutes.

(h) Permit regulations:

1. When the vehicle is parked, hangtags must be hung from the rearview mirror bracket with the registration number plainly visible through the front window of the vehicle. Note: Having tinted windows, or using a sunscreen or a car cover does not preclude the necessity of ensuring the hangtag is plainly visible.

2. Hangtags may not be transferred from registrant to another vehicle operator who would otherwise be required to register their vehicle.

3. Hangtags are transferable to any vehicle owned by the registrant.

4. Adhesive decals are only issued to those registrants with convertibles or other open vehicles. The decal must be permanently affixed to the left rear bumper and/or the left side rear windshield of the vehicle (outside only). Improper display of decal may result in a citation being issued and a fine being charged.

5. Adhesive decals for all two-wheeled vehicles must be displayed on the rear fender of the vehicle unless otherwise approved by PATS.

6. College permits may not be reproduced, altered, or transferred by anyone other than PATS.

7. The person who owns or registers a vehicle is responsible for assuring that the vehicle, regardless of who drives it, is parked in conformance with the rules and regulations and for knowing when the issued permit expires.

8. All citations issued to a permit will be that registrant's responsibility regardless of which vehicle the permit is on at the time of the infraction, unless a lost/stolen affidavit form regarding that permit has previously been submitted to PATS. The USF Parking & Transportation Services Request for Replacement or Exchange of Parking Permit form (Rev. 10/99), incorporated by reference herein, may be obtained by writing to PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

9. Any vehicle parked on campus is parked at the risk of the operator. Permits declared lost or stolen will immediately become invalid. An affidavit must be completed for lost or stolen permits or in the event that the permit was sold with the car. If recovered, the permit will be reclaimed by the PATS and destroyed. Any vehicle bearing a lost/stolen permit is subject to immediate tow, even if the person who has reported the permit as lost/stolen owns the vehicle bearing the permit.

10. All College staff, students and visitors who own, register, and have more than one vehicle on campus at the same time are required to have a valid permit displayed on each vehicle.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_.*

#### **(4) Vehicle Registration Fees.**

(a) Payroll Deduction: Those persons employed as faculty, A&P, or USPS may pay for their permits through payroll deduction. Those employees not considered permanent employees, i.e., OPS, teaching assistants, visiting and adjunct professors, etc. are not eligible to use payroll deduction. Payroll deduction cannot be used between March 31 and July 31.

(b) Refunds: No full refunds are issued for permits, including replacement permits, unless the refund is requested within 14 calendar days of the initial date of validity of the permit. To receive the refund, the permit must be requested to PATS with the receipt. Refund request received after 14 calendar days of the initial date of validity of the permit are pro-rated.

(c) Permits for change of status, non-resident to resident, resident to non-resident, student to staff, or hangtag to adhesive, are issued free of charge upon presentation of the old permit and proof of status change.

(d) Coins are not accepted for payment of registration or citations unless the coins are properly rolled in bank wrappers and identified with payee's name, and student ID number or Driver's License number.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_.*

**(5) Parking Regulations**

(a) The absence of "No Parking" signs or curb markings does not mean that parking is allowed. Parking is permitted only within marked spaces.

(b) Parking on or over a marker line is prohibited. Vehicles parked parallel to a curb shall be within one foot of the curb and inside parking markers.

(c) Vehicles shall not be parked facing traffic in those lots with angled parking. For those lots with straight in parking (90 degree), a vehicle may also be parked with the rear of the vehicle towards the closed end of the parking space.

(d) Where parallel parking is permitted, vehicles must be parked facing with the flow of traffic.

(e) Vehicles shall not be parked in such a manner as to obstruct vehicular/pedestrian traffic, wheelchair ramps, to interfere with normal College operational activities or to create a hazard.

(f) Double parking is prohibited at all times.

(g) Parking on grass, sidewalks, crosswalks, service drives, loading zones, truck spaces, or on streets, except where specifically marked for parking, is prohibited.

(h) Major repairs to non-College owned vehicles shall not be performed on campus.

(i) Unauthorized parking in RESERVED spaces is prohibited.

(j) A vehicle parked and remaining at the same unloading zone or timed space will not receive more than two tickets for overtime violations in the same calendar day.

(k) Campus map and parking lot signs indicate where staff, resident, and non-resident students shall park according to the type of permit displayed on the vehicle. Vehicles may only be parked in the appropriate lots and spaces.

(l) The College reserves the right to establish some lots as joint-use lots to accommodate two or more categories of registered vehicles, i.e., commuter, staff. This will be accomplished with proper signage and announcement of the designation.

(m) All loading/unloading zones have a 30-minute time limit.

(n) Only authorized vehicles may be parked in disabled spaces.

(o) Oversized vehicles such as trucks, trailers, motor homes, or any vehicle that occupies more than one standard car space or extends beyond the space shall be parked in an area designated by PATS. The maximum allowance time for parking in this manner is seven (7) calendar days.

(p) Vehicles may not be used as overnight domiciles, except under emergency conditions and only with the prior approval of PATS.

(q) SPECIAL EVENTS AND MAINTENANCE: PATS has authority to close streets, lots and parking spaces to facilitate College special events, and to perform necessary maintenance. Contact PATS when planning a special event at the College to receive proper parking permits and assignments. No department has the authority to close any lots prior to 5:00 p.m. without first seeking permission from PATS.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History—New \_\_\_\_\_.*

**(6) Visitor/Temporary Parking Permits.**

(a) A person who is currently registered with PATS and temporarily not in possession of his/her permit must obtain a temporary parking permit before parking on campus.

(b) On request to PATS, permits may be issued to park out of assigned areas for extraordinary reasons (such as, temporary incapacitation or for security reasons).

(c) Students, faculty, or staff sponsoring or co-sponsoring an event on campus shall request temporary parking permits at least two weeks in advance from PATS for the event participants.

(d) Visitors must obtain daily permits from the PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_.*

**(7) Disabled Parking.**

(a) Any staff member or student with a physical disability (temporary or permanent) which impedes walking may apply with authorized documentation, to PATS for a special disabled parking permit.

(b) Wheelchair-bound registrants are entitled to a special disabled parking space.

(c) All spaces designated for the disabled are reserved twenty-four (24) hours a day.

(d) Holders of special disabled spaces are required to advise PATS when assigned special disabled spaces are no longer required.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_.*

**(8) Traffic Regulations.**

(a) Traffic rules, regulations and directive signs governing the use of motor vehicles are in effect 24 hours a day, all year long. Inclement weather does not bar their enforcement.

(b) Motorists shall yield the right-of-way to pedestrians within a crosswalk.

(c) The campus speed limit is 10 m.p.h. unless otherwise posted. Speed limit in parking lots is 10 m.p.h.

(d) It is unlawful to drive in the opposite direction of the normal flow of traffic.

(e) It is unlawful to remove, alter, or change any traffic control device, sign, barricade, or traffic cone. It is also unlawful to drive around barricades, traffic cones in the roadway, or parking lots that are closed by PATS.

(f) ALL FLORIDA TRAFFIC LAWS ARE ENFORCEABLE ON CAMPUS.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_.*

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(a) Drivers of scooters, motorcycles, bicycles and mopeds are responsible for observing the same traffic regulations as those governing vehicles.

(b) Drivers may not drive, ride or park scooters, mopeds, or motorcycles on grass, sidewalks or in the confines of a building.

(c) It is unlawful for more than one person to ride on a vehicle at the same time, unless the vehicle is designed for and equipped with a seat for each person.

(d) Drivers may not park two-wheeled motorized vehicles in an automobile space. Drivers shall use designated motorcycle spaces.

(e) Holders of motorcycle or bicycle permits are entitled to a maximum of five (5) days, annually, of temporary parking permits for four-wheeled vehicles.

(f) All two-wheeled motor vehicles must be registered with PATS.

(g) Motorcycles cannot display automobile permits at any time; therefore, registered owners of four-wheeled vehicles who have motorcycles, are required to register and purchase permits for each vehicle or motorcycle they wish to park on campus.

(h) University Police will ticket bicyclists for MOVING VIOLATIONS on streets or sidewalks. Bicycle Regulations are outlined in Section 316.2065, Florida Statutes.

(i) A person propelling a bicycle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances, but the cyclist shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_.*

**(10) Towing/Immobilizing of Vehicles.**

(a) Vehicles are subject to being immobilized by a mechanical boot or towed away at the operator's expense under any of the following conditions:

1. Those listed in the Parking Brochure incorporated herein in Rule 6C11-4.001(1)(c).
2. Unauthorized parking in reserved or disabled spaces.
3. Parking without a valid permit.
4. Abandoning a vehicle (disabled or otherwise) for three (3) consecutive days or more (disabled or abandoned vehicles must be attended to promptly with immediate notification made to PATS between 8:00 a.m. and 5:00 p.m. and to the University Police after 5:00 p.m. on weekdays and on weekends and holidays).
5. Parking in such a way as to interfere with College operational activities.

(b) Vehicles that have been immobilized by a mechanical boot are towed at the owner's expense. The owner is required to pay for the outstanding citations, and the immobilization fee and applicable towing charges prior to claiming their vehicle. The fact that a previously immobilized vehicle has been removed from the area without authorization from PATS shall be prima facie evidence that the registered owner has tampered with the immobilized vehicle. Owners of immobilized vehicles may make restitution during PATS' office hours at PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243.

Such payments will not be accepted after hours or through the weekend/holidays, so vehicles will remain immobilized until restitution is made on one of the next business days.

(c) A signed release slip must be obtained from PATS before owner's towed vehicle may be reclaimed from the towing company. The release slip will be issued after vehicle registration fees and outstanding citation fees are paid at PATS. In addition, the owner or operator of the towed vehicle must provide proper identification to the towing company and pay the towing charges in cash to the towing company before reclaiming the vehicle from the towing company.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History—New\_\_\_\_\_.*

**(11) Violations, Penalties and Fines.**

(a) Moving violations will be referred to the City of Sarasota by PATS.

(b) Operators of vehicles are subject to be fined in accordance with the schedule of violation charges as provided in the Parking Brochure incorporated herein in Rule 6C11-4.001(1)(c).

(c) In addition, permission to operate a vehicle on campus may be revoked for a period up to twelve (12) months and the operator so notified by PATS whenever:

1. The person falsifies or misrepresents information on any PATS' documents.
2. The person lends his/her vehicle to another person when the latter is not entitled to driving privileges.
3. The person required to register a vehicle does not respond to citations.
4. The person demonstrates actions that show a willful disregard for public safety or property, or engages in other types of disruptive behavior with another member of the College community.
5. The person owes a delinquent debt to the College.

(d) Any violation not cleared at the end of twenty-one (21) days shall be referred to the Division of Purchasing and Financial Services for collection. Outstanding student accounts may also result in student records and registration being placed on hold until the debt is settled.

*Specific Authority 1006.66, FS. Law Implemented 1006.66(2) FS. History—New\_\_\_\_\_.*

**(12) Citation -- Payment and Appeal Process.**

**VIOLATION PAYMENT PROCEDURE:**

(a) Unless otherwise specified in these rules, all persons or who are cited for non-moving violations may make payment to the PATS in person, mail payment in the envelope provided, or place payment in envelope and deposit in the drop box at the PATS. If payment is mailed or deposited in the drop box, payment shall not be made using cash.

**(b) APPEAL PROCESS:**

1. Only those persons or departments responsible for incurring the citation or the registrant of the vehicle cited may appeal to PATS or the Parking Citation Appeal Committee.

2. Any person or department who wishes to appeal a citation shall do so within fourteen (14) calendar days from the date of issuance on the citation. (Note: Warning citations may not be appealed.) Appeals may be submitted in writing, in person, or via the Internet at the Website published in the Parking Brochure. The USF Parking & Transportation Services Parking Citation Appeal form (Rev. 10/99), incorporated by reference herein, is available at PATS, USF Sarasota/Manatee Business Office, First Floor, "D" Building, 5700 North Tamiami Trail, Sarasota, Florida 34243. A copy may also be obtained by calling (941) 359-\_\_\_\_. The person appealing the decision must explain the circumstances existing at the time of the citation in the appeal for review of the citation.

3. If an appeal is not submitted within fourteen (14) calendar days from the date the citation was issued, the right to appeal is forfeited.

4. The written appeal will be reviewed by the Appeals Mediator/Staff, adjudicated based on the current PATS Regulations and a letter of decision will be issued.

5. If the person or department is dissatisfied with the decision of the Appeals Mediator/Staff, they may appeal the Appeals Mediator/Staff's decision to the Parking Citation Appeal Committee. Such appeals must be requested in one of the following ways: in writing, by appearing in person or by having the original appeal forwarded to the Committee. Such appeal requests must be made within fourteen (14) calendar days from the date of the Appeals Mediator/Staff's letter of decision. The Parking Citation Appeal Committee will review the matter and may excuse or uphold the citation, but the Committee may not contradict the prevailing parking and registration regulations. The Parking Citation Appeal Committee is the final appeal authority.

*Specific Authority 1006.66 FS. Law Implemented 1006.66(2) FS. History--New \_\_\_\_\_*

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>CLEP General and Subject Examinations</b>	<b>4-27-02</b>	<b>10-001</b>

**I. INTRODUCTION (Purpose and Intent)**

To systematize and regulate the taking of the CLEP General Examinations and to establish a policy for the awarding of academic credit for CLEP Subject Examinations

**II. STATEMENT OF POLICY**

A. CLEP General Exams. In order to receive credit for CLEP general exams, students at the College must take (or retake) these exams no later than nine weeks after their first enrollment in college level courses. Exceptions to this rule should be petitioned to the President.

Although there are no courses at the College judged to be equivalent to the CLEP general examination areas, there is enough duplication of content that there are some courses which will be considered duplication of credit on a case by case basis.

Students who transfer to the College from a Florida public community college or an SUS institution fall under the articulation agreement or the Florida Administrative Code. For all other institutions, the Admissions Office will record on the Transcript Evaluation all CLEP scores and credits awarded by other institutions; the receiving college will determine, based on established guidelines, the applicability of these courses to the student's (baccalaureate) degree requirements.

B. CLEP Subject Exams. In regard to the CLEP subject exams, the awarding of such credit where a student achieves a passing score shall be constrained only by:

1. New College of Florida's recognition of the particular examination (department offering the course and department and college of student's major)
2. duplication of course credit
3. a nine week limit for College Composition and Freshman English (as for General Examinations).

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Mandatory Orientation for New Students</b>	<b>4-27-02</b>	<b>10-002</b>

**I. INTRODUCTION (Purpose and Intent)**

Orientation for new undergraduate students is mandatory, since new undergraduate students need to know College policies and major program information.

**II. STATEMENT OF POLICY**

New undergraduate students (freshman and transfer) will be required to attend an orientation session conducted by advisors prior to registration. A series of orientation sessions will be established prior to and during each term registration to accommodate these students.

New undergraduate students (freshman and transfer) will have an opportunity to register prior to regular registration for continuing students.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>CLAST Policy</b>	<b>4-27-02</b>	<b>10-003</b>

**I. INTRODUCTION (Purpose and Intent)**

The purpose of this policy is to implement the College Level Academic Skills (CLAST) requirement as outlined in the Florida Statutes and in Board of Education Rules 6A-10.0312, 6A-10.0314, and 6C-6.17. CLAST is an achievement test used to measure the communication and mathematics skills that community college and state university faculty members expect of students completing the sophomore year in college. It is used as one criterion for the awarding of an Associate of Arts degree and for the awarding of a baccalaureate degree in a Florida public university.

**II. STATEMENT OF POLICY**

A. Degree-seeking students are permitted to take CLAST at the College when they have completed a minimum of 18 semester hours or the equivalent.

B. Degree-seeking students are required to take CLAST:

1. the semester they have reached 55 semester hours, or
2. the first semester they are enrolled as degree-seeking if they have transferred from another institution with more than 54 hours.

C. Students exempt from CLAST are those who:

1. have a baccalaureate degree from a regionally accredited institution.

D. Students who are registered for CLAST for the first time and fail to take the examination will be placed on administrative hold (TM). They will be permitted to register for classes after registering for CLAST and signing a contract stating that another absence from CLAST will result in a retroactive withdrawal of courses for the current term without fee adjustment.

E. Students who fail to take the CLAST by the time they reach 55 semester hours will be placed on administrative hold (TC) that restricts registration for classes

until the students apply to take CLAST. Only one release for registration will be allowed for the term the student plans to take the test.

F. Students who have failed one or more subtest(s) of CLAST and have completed 70 semester hours will be placed on administrative hold (TS). Prior to registering for classes, those students must contract to register for a course to remediate the deficiency in at least one of the subtests(s) failed and must register for CLAST. If students do not register for the remediate course or attend the remediation course for which they registered they will not be allowed to take CLAST until they have completed the remediation.

G. Students who have reached 96 semester hours and have not passed all four subtests of CLAST will be placed on administrative hold (TL) and will be permitted to register only for classes to remediate their CLAST deficiency.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>New College of Florida Admissions</b>	<b>4-27-02</b>	<b>10-004</b>

### **6C11-3.001 New College of Florida Admissions**

(1) General. New College of Florida is highly selective in admitting students. The College actively seeks individuals who, in addition to meeting the requirements of s. 1007.261, Florida Statutes and State of Florida Board of Education rules 6C-6.002, 6C-6.004, and 6C-6.009, Florida Administrative Code, and the requirements of this rule, and consistent with the mission of the College:

- (a) demonstrate above average ability, academic motivation and self-discipline;
- (b) will benefit most from the demanding academic program and flexible curriculum;
- (c) demonstrate evidence of intellectual potential, strong academic preparation, self-motivation and initiative, tenacity, curiosity, and concern for others; and
- (d) are eager to take responsibility for their own educations.

(2) Admissions Decisions. The New College of Florida Admissions Committee makes initial admissions decisions. The Committee reviews each applicant as objectively as possible and renders its admission decision based upon the extent to which the applicant demonstrates the academic ability, creativity, or talent to perform the required work within the College’s academic program and the potential to succeed within and contribute to the College community. Admission of new students at all levels is on a selective basis within curricular, space and fiscal limitations. Satisfaction of minimum admission requirements does not guarantee acceptance. The selection process takes into consideration such factors as grades, test scores, pattern of courses completed, class rank, educational objectives, past conduct, school letters of recommendation, personal letters of recommendations and personal records. Preference for admission in any term will be given to those applicants whose credentials indicate the greatest promise of academic success.

(3) Non-Discrimination in Admissions. The College encourages applications from qualified applicants without regard to, and, as provided by law, does not discriminate in admissions based on race, color, religion, age, disability, sex, marital status, national origin or veteran status. The College’s admissions criteria shall not be applied so as to discriminate against community college transfers with Associate in Arts (“AA”) degrees from Florida public community colleges in favor of State University students who are applying for admission or plan to continue enrollment after the completion of sixty (60) semester credits at the lower division level.

(4) Substitution, Modification or Waiver of Admission Requirements.

1. In the case of applicants with disabilities, the College will grant reasonable substitution or modification of any admission requirement pursuant to Board of Education Rule 6C-6.018, Florida Administrative Code, where the Admissions Committee determines, based on evidence submitted by the applicant, that the failure of the applicant to meet the requirement is due to his or her disability, and does not constitute a fundamental alteration of the College's academic program. An applicant may appeal the Committee's decision regarding substitution or modification to the President of New College of Florida within ten (10) days of receipt of notification of the decision. The President's decision on appeal shall constitute the College's final decision.

2. The College's Faculty Committee on Student Admissions will consider for admission an applicant who does not fully meet minimum admission requirements but who has special attributes, special talents or unique circumstances that may contribute to a representative and diverse student body. If the Faculty Committee on Student Admission determines that the applicant can reasonably be expected to do satisfactory work at New College of Florida and has important attributes, special talents or unique circumstances that may contribute to a representative and diverse student body, the Committee may admit the applicant.

(5) Status as Limited Access Program and Enrollment Limitations. The College's academic program has been established as a limited access program by the Board of Education. It is subject to enrollment limitations established by the Board of Education and the Florida Legislature. The enrollment plan of the College establishes the following priority of admission:

(a) entering freshman students;

(b) transfer students with AA degrees from Florida community/junior colleges or from other SUS institutions who have not attended another institution after earning the AA degree;

(c) other transfer students with 60 or more semester hours; and

(d) transfer students with fewer than 60 hours.

Within the categories set forth in (5)(a)-(d) above, the following priorities shall be followed:

(a) Florida residents;

(b) Non-Florida residents; and

(c) International students living outside the United States

(6) Previously Degreed and Non-Degree Seeking Students. The College does not enroll students who have previously attained graduate or four year undergraduate degrees or non-degree seeking students and they will not be permitted to register for courses.

(7) Prior Misconduct of Applicant for Admission. The College may refuse admission to a student whose record shows previous misconduct not in the best interest of the College community.

(8) Appeals of Admissions Decisions. Applicants who have been denied admission may petition the Faculty Committee on Student Admissions in writing within 30 days after being denied admission for reconsideration of the admissions decision. The request must contain reasons why this reconsideration is warranted based on extenuating circumstances and/or appropriate alternative evidence of academic achievement, ability, motivation and responsibility that indicates potential for success at NCF. Student-

initiated petitions that are denied by the Faculty Committee on Student Admissions may be further appealed to the Provost.

(9) Early Admission. New College of Florida provides an early admission program for mature high school students to enter the College prior to graduation from high school. Applicants for early admission are evaluated on an individual basis and must demonstrate strong capability for academic work based on the high school record and admission test scores.

(10) Application and Admission Procedures, Forms and Additional Information. The New College of Florida Application for Admission may be obtained by contacting the New College of Florida Office of Admissions, 5700 North Tamiami Trail, Sarasota, Florida, 34242-2197 or online via <http://www.embarc.com> or <http://www.collegeboard.com>, both of which are accessible online at the official New College of Florida's website at <http://www.ncf.edu/Admissions>. For further information relating to admissions criteria and procedures, applicants are encouraged to visit <http://www.ncf.edu/Admissions>, and to review the New College of Florida Admissions Handbook rev. 2001, and the New College of Florida General Catalog, copies of which may be obtained by contacting the New College of Florida Office of Admissions, 5700 North Tamiami Trail, Sarasota, Florida, 34242-2197. The catalog is also available on-line at <http://www.ncf.edu/Catalog>.

*Specific Authority 1001.74, FS; 1007.261, FS; Rule 6C-6.001, F.A.C. Law Implemented 1001.74(4) FS.. History—New \_\_\_\_\_*

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Admission, Readmission and Transfer Credit Evaluation</b>	<b>4-27-02</b>	<b>10-005</b>

### I. INTRODUCTION (Purpose and Intent)

The admission and readmission of students to the New College of Florida is the responsibility of the Office of Admissions. The Office of Admission also has responsibility for the evaluation and acceptance of transfer credit for undergraduate students.

### II. STATEMENT OF POLICY

The admission of students to the New College of Florida is governed by Board of Education Rule 6C-Chapter 6 and College policies and is subject to the minimum standards set forth therein. Admission to the College requires evidence of ability to handle academic work, capacity to think creatively, and strong motivation. Satisfaction of minimum admissions requirements does not guarantee acceptance. Preference for admission in any term will be given to those applicants whose credentials show the greatest promise of academic success.

A former student returning (FSR) is any degree-seeking student who has not earned his/her degree, who has not been enrolled at the College in any of the last three terms, and who wishes to re-enroll in the College. Former students returning must be readmitted to the College. In order to be considered for readmission, a former student should apply for readmission by the published deadline for the term of requested readmission.

The College will accept credits only from those institutions accredited by one of the six regional accrediting agencies at the time the credits are earned. The Office of Admissions will evaluate the acceptability of total credits transferable to the College. The college of the student's major will assign equivalent courses in determining which courses are applicable toward a specific degree at the College. The College reserves the right to deny credit for specific courses, and does not accept from two year institutions transfer credit for courses that are determined to be occupational or vocational in nature.

Policies, procedures and practices governing admission and readmission to the College are published each year in the New College of Florida Catalog. These policies,

procedures and practices are established by the Board of Trustees and by the Office of Admissions in consultation with other appropriate College officials.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Student Exchange Programs</b>	<b>4-27-02</b>	<b>10-006</b>

### I. INTRODUCTION (Purpose and Intent)

The purpose of this policy is to set forth the policies governing the student exchange programs as outlined in Florida Statutes § 240.227(24).

### II. STATEMENT OF POLICY

There are two exchange programs for students.

#### A. Plan A

The out-going College student pays to the College a fee which covers the cost of his/her full time registration while on exchange. Full time registration is calculated as 2 credits minus health fees plus 10 credits minus bond and trust fees. The former is used to pay for actual course registration, while the latter goes to the College miscellaneous account. The student is also charged an amount sufficient to cover the cost of a double room and a 20 meal plan for the incoming exchange student as well as for administrative costs involved in running the overall international student exchange program.

In this plan, the College student does not pay for registration, room, or meal plan to the other institution while on exchange. Likewise, visiting students will pay fees to his/her home institution but will not pay for registration, room, or meal plan to the College. Registration fees for those students are waived, and the College pays the Division of Housing and Food Services for the room and meal plan from the funds paid by the outgoing students.

#### B. Plan B

The out-going student pays the same registration and administrative costs as outlined above but pays for housing and meal plan at the exchange school. The visiting student does not pay for registration fees here since they are waived but does pay for his/her room and meal plan.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Academic Records from Other Institutions</b>	<b>4-27-02</b>	<b>10-007</b>

### I. INTRODUCTION (Purpose and Intent)

In order for the College to evaluate the academic performance of degree-seeking students in an equitable manner, the College must have complete post-secondary academic records for each student.

### II. STATEMENT OF POLICY

Undergraduate and graduate degree-seeking students are responsible for ensuring that the College receives complete official transcripts of all academic work they have taken at other post-secondary institutions. This policy applies to all post-secondary academic work taken prior to New College of Florida entry/re-entry as a degree-seeking student; likewise, it applies to all post-secondary academic work taken between the time of entry/re-entry as a degree-seeking student and the time of application for a New College of Florida degree. The policy includes academic work taken by a continuing degree-seeking students as cross-enrollees or transients at other institutions, whether or not the students have filed cross-enrollment or transient student forms with New College of Florida. Continuing degree-seeking students who register for academic work at another institution must ensure that New College of Florida receives official transcripts of this work within 60 days of the end of the term in which it was taken.

Failure to comply with this policy may result in the retroactive denial of admission to the College and/or the invalidation of credits or degrees earned.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Observance of Religious Holy Days by Students</b>	<b>4-27-02</b>	<b>10-008</b>

**I. INTRODUCTION (Purpose and Intent)**

In accordance with § 1006.53 Florida Statutes and BOE Rule 6C-6.0115, the College has established the following policy regarding religious observances.

**II. STATEMENT OF POLICY**

All students, faculty, and staff at the College have a right to expect that the College will reasonably accommodate their religious observances, practices and beliefs.

Students are expected to attend classes and take examinations as determined by the College. The College will, at the beginning of each academic term, provide written notice of the class schedule and formal examination periods. The College, through its faculty, will make every attempt to schedule required classes and examinations in view of customarily observed religious holidays of those religious groups or communities comprising the College's constituency. No student shall be compelled to attend class or sit for an examination at a day or time prohibited by his or her religious belief. Students are expected to notify their instructors if they intend to be absent for a class or announced examination, in accordance with this policy, prior to the scheduled meeting. Students absent for religious reasons will be given reasonable opportunities to make up any work missed. In the event that a student is absent for religious reasons on a day when the instructor collects work for purposes of grading (homework, pop quiz, etc.), the student shall be given a reasonable opportunity to make up such work or shall not have that work averaged into the student's grade at the discretion of the instructor.

Any student who believes that he or she has been treated unfairly with regard to the above may seek review of a complaint through established College grievance procedures.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Student Registration and Tuition Payment and Refund</b>	<b>4-27-02</b>	<b>10-009</b>

### I. INTRODUCTION (Purpose and Intent)

### II. STATEMENT OF POLICY

Student Registration.

(1) **Assessment of Tuition and Fees.** Tuition and fees shall be assessed in accordance with State of Florida Board of Education rule Chapter 6C-7, Florida Administrative Code.

(a) Registration Procedures-- In order to register:

1. The student must supply all information and satisfy all conditions of eligibility required by New College of Florida.

2. The student must pay all assessed tuition and fees or arrange payment agreement to include satisfaction of all amounts due and delinquent to the College.

(b) Registration Periods -- These periods are defined in the New College of Florida Catalog and other College publications. A student who initiates registration after an applicable registration period shall incur a \$100.00 late registration fee. Registration may be initiated, on an exceptional basis, after the end of a late registration period if:

1. Requested by the student;

2. Justified by extraordinary circumstances including, but not limited to, administrative error; and

3. Approved by the President or President's designee.

(c) Educational Contract Submission Period -- The Educational Contract Submission Period shall begin on the first day of classes for the term and end as specified in the College catalog, but not later than the tenth day of classes. An educational contract may be accepted on an exceptional basis after the end of the Educational Contract Submission Period if:

1. Requested by the student;

2. Justified by extraordinary circumstances including, but not limited to, administrative error; and

3. Approved by the President or President's designee.

(d) Tuition and Fee Liability --

1. Tuition and fees for the term shall be based on the educational contract and independent study projects remaining on the record at the close of the Educational Contract Submission Period.

2. No tuition and fees shall be assessed, and no credit shall be awarded, for an educational contract or independent study project dropped during the Educational Contract Submission Period.

3. If a student adds an independent study project on an exceptional basis, tuition and fees for the added independent study project shall be assessed.

(2) **Payment of Tuition and Fees.**

(a) Tuition and fees must be paid by the close of the late registration period to avoid assessment of a \$50.00 late payment fee unless appropriate arrangements for payment of tuition and fees have been made in accordance with sections (3) and (4) of this policy, i.e., installment payment and deferment, respectively. Failure to satisfy this requirement will result in cancellation of the educational contract and independent study project. Payment of tuition and fees may be made in person during scheduled office hours published in the New College of Florida Catalog and other College publications for each term. Payments that are made by mail must be postmarked by a U.S. Post Office by the respective tuition payment deadline listed in the Academic Calendar in order to be considered timely paid.

(3) **Payment of Tuition and Fees in Installments.** When a student experiences an unexpected financial hardship that makes it impossible to make full payment of assessed tuition and fees by the payment deadline, the student may request approval to pay in installments. Approval of this request will require the payment of at least 50% of the tuition and fee liability and the execution of a promissory note by the end of the late registration period. The remaining amount shall be paid no later than the beginning of the second half of the academic term.

(4) **Deferred Payment of Tuition and Fees.**

(a) Recipients of VA Benefits -- Upon application by the student, the President or President's designee may award to eligible VA benefit recipients one 60-day payment deferment each academic year.

(b) Delay of Financial Aid -- Students who have completed and submitted the required documents for financial aid by the last day of the late registration period for the term and who appear to be eligible for financial aid, may request a tuition and fees deferment contract.

(c) Third Party Agreements -- Tuition and fees will be deferred for any student when a third party has agreed in writing to pay them. The written agreement must identify the student, the third party and billing address and amount(s) to be paid.

(5) **Reinstatement of a Student's Cancelled Educational Contract or Independent Study Project.** A student whose educational contract or independent study project has been cancelled for financial reasons may request reinstatement through the fourth week of classes. Upon approval for reinstatement, tuition and fees, the late registration fee, if applicable, the late payment fee and other debts owed the College must be paid in full by cash, money order or cashier's check before reinstatement will be effected. After the fourth week of classes, a request for reinstatement must be made to the

Registrar. Approval will be granted only when extraordinary circumstances warrant such approval.

(6) **Refund of Tuition and Fee Payment.** The College authorizes certain refunds of tuition and fees, less deductions for unpaid debts to the College. The late registration fee and late payment fee are non-refundable fees. To initiate the refund process, a written refund request must be completed and presented to the Registrar.

(a) 100% of the applicable tuition and fees will be refunded if the student cancels an educational contract or drops an independent study project or causes his/her enrollment at the College to be terminated by the Registrar's Office prior to the end of the late registration period and submits a completed Refund Request Form.

(b) 25% of tuition and fees, less building and capital improvement fees, will be refunded if the student cancels an educational contract or drops an independent study project or causes his/her enrollment at the College to be terminated by the Registrar's Office prior to the end of the fourth week of classes, or at an appropriate time as designated by the College for summer sessions, and submits a completed refund request.

(c) 100% of tuition and fees will be refunded when a student withdraws or cancels an educational contract or drops an independent study project due to circumstances determined by the Registrar's Office to be exceptional and beyond the control of the student. Determination will be based on review of a completed written refund request submitted by the student to the Registrar's Office. These circumstances include but are not limited to:

1. Illness of a student of such severity or duration, as confirmed in writing by a physician, to preclude completion of the course(s),
2. Death of the student or death in the immediate family (parent, spouse, child, or sibling),
3. Involuntary call to active military duty, or
4. A situation in which the College is in error.

(d) written request for refund must be presented to the Registrar within six (6) months of the close of the term to which the refund is applicable.

(e) Pursuant to Public Law 102-325, the Higher Education Amendments of 1992, students attending the College for the first time who withdraw are entitled to a pro rata refund of tuition, fees, room and board.

(f) A student, who receives financial aid and subsequently changes the enrollment status that results in a refund in accordance with this section, will have the appropriate share of the refund returned to the College's financial aid programs in accordance with the Financial Aid Policy on Refunds and Repayments.

(7) **Cancellation of Registration for Nonpayment of Tuition and Fees and Returned Checks in Payment of Tuition and Fees.**

(1) Reasons for Cancellation.

(a) Current Term -- A student's current term registration may be cancelled for nonpayment of tuition and fees and for returned checks in payment of tuition and fees, if financial aid or VA benefits were not received for the term.

(2) The Registrar will attempt to notify students by certified mail of possible registration cancellation for nonpayment of tuition and fees and for returned checks in payment of tuition and fees. This notification must include the specific reason for proposed cancellation and the deadline for payment before cancellation will be made. In

addition, the notice of possible cancellation must inform the student that cancellation of registration will result in his/her record appearing as if he/she had never attended the College during that term and that he/she will receive no credit for the educational activities engaged in during that term. Notice should be sent to the student's last known address. Students will also be placed on pending for future registrations, transcripts, diplomas, etc. until the Registrar's office has completed the cancellation.

DEPARTMENT OF EDUCATION  
NEW COLLEGE OF FLORIDA  
RULE 6C11-4.003  
ESTABLISHING TUITION, FEE SCHEDULE AND PERCENTAGE OF COST

**6C11-4.003 Tuition, Fee Schedule and Percentage of Cost**

(1) Purpose. The purpose of this rule is to establish tuition, fees and the percentage of costs to be assessed at New College of Florida for the 2002-2003 Academic Year pursuant to section 1009.24, Florida Statutes (2003).

(2) Definition of Tuition. Tuition shall be defined as fees assessed to students for enrollment in credit courses at the College. Tuition consists of the following fees, depending on whether a student is a resident or a non-resident:

(a) Resident tuition, comprised of the following, shall be defined as the fees charged an enrolled student who qualifies as a Florida resident as defined in Rule 6C-7.005, F.A.C.:

1. Matriculation Fee;
2. Student Financial Aid Fee;
3. Capital Improvement Trust Fund Fee;
4. Building Fee;
5. Health Fee;
6. Athletic Fee;
7. Activity Fee;
8. Activity and Service Fee; and,
9. University Matriculation Fee.

(b) Non-Resident tuition, comprised of the following, shall be defined as the fees charged an enrolled student who does not qualify as a Florida resident as defined in Rule 6C-7.005, F.A.C.:

1. Matriculation Fee;
2. Non-Resident Fee;
3. Student Financial Aid Fee;
4. Non-Resident Student Financial Aid Fee;
5. Capital Improvement Trust Fund Fee;
6. Building Fee;
7. Health Fee;
8. Athletic Fee;
9. Activity and Service Fee;
10. University Matriculation Fee; and,
11. University Non-Resident Fee.

(3) Tuition for 2002-2003 Academic Year. The following tuition shall be levied and collected effective the fall semester 2002 for each student regularly enrolled, unless otherwise provided herein:

<u>Fee per Student Credit Hour (SCH)</u>	<u>Resident</u>	<u>Non-Resident</u>
<b>Matriculation</b>	<u>\$58.45</u>	<u>\$58.45</u>
<u>Non-Resident Fee</u>		<u>\$285.46</u>
<u>Student Financial Aid Fee</u>	<u>\$2.92</u>	<u>\$2.92</u>
<u>Non-Resident Student Financial Aid Fee</u>		<u>\$14.27</u>
<u>Capital Improvement Fee</u>	<u>\$2.44</u>	<u>\$2.44</u>
<u>Building Fee</u>	<u>\$2.32</u>	<u>\$2.32</u>
<u>Activities and Service Fee</u>	<u>\$13.25</u>	<u>\$13.25</u>
<u>Health Fee</u>	<u>\$2.59</u>	<u>\$2.59</u>
<u>Athletic Fee</u>	<u>\$1.66</u>	<u>\$1.66</u>
<b>Total Per SCH</b>	<u>\$83.63</u>	<u>\$383.36</u>

<u>Athletic Block Fee (per semester)</u>	<u>\$5.00</u>	<u>\$5.00</u>
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<b>Fall Semester – 20 SCH</b>	<u>\$1,677.60</u>	<u>\$7,672.20</u>
<u>Spring Semester – 16 SCH</u>	<u>\$1,343.08</u>	<u>\$6,138.76</u>
<u>Total Annual Tuition</u>	<u>\$3,020.68</u>	<u>\$13,810.96</u>

(a) Pursuant to Section 240.124, F.S., each student enrolled in the same undergraduate college-credit course more than twice, shall be assessed an additional \$177.42 per credit hour charge in addition to the matriculation fees outlined above for each such course.

(4) Special Fees, Fines and Penalties. The following special fees, fines and penalties shall be levied and collected as provided hereafter:

(a) Application Fee – Individuals who make application for admission to the College shall pay a non-refundable Application Fee of \$20.00.

(b) Late Registration Fee – Students who fail to initiate registration in the regular registration period shall be assessed a late Registration Fee of \$100.00.

(c) Late Payment Fee – Students who fail to pay, or make appropriate arrangements for payment (installment payment, deferment, or third-party billing), of tuition by the deadline set by the College, which shall be no later than the end of the first week of classes, shall be assessed a Late Payment Fee of \$50.00.

(d) Late Contract Fee	\$100.00
(e) Returned Check Fee	\$15.00
(f) Library Fines – per book or unit, per day	\$.25
(g) Overdue Reserve Library Books – per item, per day	\$5.00
(h) Security/Access/Identification Card	
1. Initial	\$10.00
2. All duplicates – free if original damaged and returned, otherwise	\$10.00
(i) Copy Center Photocopying (each page)	\$.03 B&W, \$.05 color

- (j) All breakage and lost library materials Replacement Cost + overdue fine
- (k) Lost key – (includes cylinder charge) \$124.00
- (l) Equipment Damage or Loss \$50.00/hr labor + repair/replacement cost
- (m) Interlibrary Loans (overdue out-of-state materials) \$10.00 + cost of item
- (n) Orientation Fee \$35.00
- (o) Transcript Fee (per transcript after first two fee) \$5.00
- (p) Diploma Replacement Fee \$10.00
- (q) Material and Supply Fees – Lab Fees (per student per course)
1. Organic Chemistry \$35.00
  2. Biochemistry \$50.00
  3. Field Ecology \$12.00
  4. All Other Labs \$25.00
- (r) Housing Rental Rates (per person) – Contracts are inclusive of Fall and Spring

Terms

Room Type	Fall	Spring	Total
Palmer B	\$1,790.00	\$1,438.00	\$3,228.00
Palmer B Preferred	\$1,903.00	\$1,551.00	\$3,454.00
Viking Single	\$2,347.00	\$1,878.00	\$4,225.00
Viking Double*	\$1,819.00	\$1,467.00	\$3,286.00
Dort/Goldstein	\$2,438.00	\$1,950.00	\$4,388.00
Pei Single*	\$2,553.00	\$2,042.00	\$4,595.00
Pei Double	\$1,863.00	\$1,502.00	\$3,365.00

\*This type of room is assigned on a space available basis only.

(s) Housing Room Damage Fees

1. Occupant Induced Fumigation \$25.00 to \$50.00 for each treatment
2. Lost Key (during the academic year) \$24.00

3. Change Lock
  - Pei/Viking/Palmer B (includes 2 replacement keys) \$148.00
  - Dort/Goldstein (includes 4 replacement keys) \$196.00
4. Paint Room
  - Whole room, prorated otherwise \$500.00
  - Extra treatment required Materials plus labor
5. Slats for Blinds (each) \$5.00
6. Damaged/Missing Furniture Repair/Replacement Cost
7. Damages Carpet Repair/Replacement Cost
8. Items on Doors/Windows/Mirrors (per item removed) \$5.00
9. Extra Cleaning (per hour) \$10.00
10. Trash Removal (per hour) \$10.00
11. Carpet Cleaning \$75.00
12. Broken/Cracked Window or Door Glass Materials plus labor
13. Damaged Bathroom Fixtures Materials plus labor
14. Room Door Damage Materials plus labor
15. Graffiti/Art Removal – Cement/Brick Surfaces Materials plus labor
16. Heavy Furniture Removal \$10.00/hour with a \$50.00 minimum

(t) Meal Plan Rates – Contracts are inclusive of Fall and Spring Terms

Meal Plan	Fall	Spring	Total
Standard	\$1107.30	\$921.12	\$2028.42
Minimum	\$986.39	\$800.21	\$1786.60
B Dorm	\$805.56	\$679.30	\$1484.86
Apartment	\$237.93	\$196.20	\$434.13
Commuter	\$145.91	\$145.91	\$291.82
Fees include buying power in the dining hall, 7% sales tax and the following auxiliary charges: \$25 for Commuter and Apartment plans; \$48 for Standard, Minimum and B Dorm plans.			

Specific Authority: 1001.74(2), (4), (41), 1009.24 F.S.; Law Implemented: 1009.24, F.S.; General Appropriations Act, 2002-03, conference Committee Report on General Appropriations Act, 2002. History, New-

Rev. 2-7-2003

DEPARTMENT OF EDUCATION  
DIVISION OF COLLEGES AND UNIVERSITIES  
NEW COLLEGE OF FLORIDA  
PROPOSED RULE 6C11-4.004  
WAIVER OF TUITION AND FEES

**6C11-4.004 Waiver of Tuition and Fees**

(1) General. The President or the President's designee shall waive tuition and fees as provided by law or rule. Tuition and fee waivers may be mandatory or discretionary. Discretionary tuition and fee waivers are awarded as a form of merit-based student financial aid pursuant to Rule 6C11-6.002.

(2) Sponsored Programs.

(a) The President or the President's designee shall waive tuition and materials and supply fees for participants in sponsored programs where:

1. All direct costs of the sponsored program are paid by the external sponsoring agency or entity;

2. no legislatively appropriated Educational and General Funds are expended on the sponsoring program; and

3. no fees or other assessments are collected by the sponsoring agency, the College, or any other entity

(b) "Direct costs" shall mean the costs of providing the instruction or training that a participant receives by participating in the sponsored program. In determining whether direct costs are paid by the sponsoring agency or entity, funds paid directly to program participants, including, but not necessarily limited to, stipends, travel or book allowances shall not be taken into account.

(3) Tuition Waivers. In addition to the mandatory tuition and fee waivers provided for by law or rule, the President or the President's designee may waive a student's non-resident tuition or matriculation fees, in whole or in part, as a form of merit-based student financial aid pursuant to Rule 6C11-6.002.

(4) Fee Waivers. The President or the President's designee shall waive the activity and service, health, athletic and material and supply fees for the fees, assessed on a per credit hour equivalency basis, for the educational contract or independent study period for which the tuition is waived. The President or the President's designee shall waive the the activity and service, health, athletic and material and supply fees assessed on a per student basis only if the student's tuition is waived for all credit hours. If a student pays any portion of the assessed tuition, that student shall pay in full the activity and service, health, athletic and materials and supply fees assessed on a per student basis.

*Specific Authority: 1001.74(2), (4), (41), F.S.; Law Implemented: 1001.74(2), (4), (41),*

*F.S History: New \_\_\_\_\_*

*Rev. 02-04-03*

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>College Library</b>	<b>4-27-02</b>	<b>12-001</b>

### I. INTRODUCTION (Purpose and Intent)

The New College of Florida’s library is the Jane Bancroft Cook Library. The Library provides access to information resources to fulfill the instructional, research, and artistic needs of students, faculty, and staff of the College. In addition, the Library also has a responsibility to serve the educational, cultural, scientific and economic information needs of the citizens of the College’s service area and the national academic community. The Library upholds the philosophy stated in the Library Bill of Rights and strives for consistency with the ARL/ACRL Standards for University Libraries.

### II. STATEMENT OF POLICY

#### **TYPE OF MATERIALS COLLECTED**

The Library promotes and facilitates effective use of information through instruction and reference functions. The Library is responsible for collecting books, microforms, media, and archival material. Information in some formats may be more suitably housed in related facilities.

The Library acts as a clearinghouse to direct users to the appropriate service point. The Library also provides access to materials through intra and interlibrary loan to appropriate user groups.

The Library pursues a policy of cooperative collection development among the libraries to maximize the use of library material funds and to reduce unnecessary duplication. The Libraries will supplement access via cooperative use of centrally located, electronically available databases.

#### **DEVELOPMENT OF COLLECTIONS**

Collections are developed in recognition of the overall commonality of goals and of specialized needs of the College campus. Materials selection is done by librarians in partnership with faculty and other user groups. Library policies and practices shall govern

the collection scope of each program area based on factors such as availability of funds, size of the program, level of degree offered, faculty research, etc.. In accordance with existing procedure, proposals for new courses will include a plan for library support. Proposals for new programs will include a statement indicating library resources available and those needed for support.

### **LIBRARY ACQUISITION**

The procedures for the acquisition of materials, as well as provisions for their use are under the supervision of directors of the respective libraries. Expenditure of special funding sources, e.g. foundation dollars will be at the discretion of each library.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Alcoholic Beverages</b>	<b>4-27-02</b>	<b>30-001</b>

### I. INTRODUCTION (Purpose and Intent)

This policy provides guidelines for the consumption of alcoholic beverages on campus. The intent of this policy is to encourage use and non-use of alcohol in a manner that promotes health, safety, and responsibility, while discouraging alcohol abuse. Thus, the serving and consumption of alcoholic beverages in approved events and permissible individual activities is to be an amenity to well-planned and structured programs; it is not to be the indispensable and essential program element.

The use of alcoholic beverages by members of the College community is at all times subject to the alcoholic beverages laws of the State of Florida, Sarasota County and the City of Sarasota. Such laws include Florida Statutes, Sections 322.141, 561.422, 562.11 (1)(a),(2), 562.111, and 565.12, and appropriate municipal and county ordinances.

### II. STATEMENT OF POLICY

A. All College-related participants (student, faculty, and staff) at a College event where alcohol is being served must be able to provide a valid College identification card upon request to gain entrance into the event. Non-College guests who wish to attend an event (except ticketed events, athletic contests, or lectures) sponsored by a College group or person must be accompanied by a College representative (student, faculty or staff member) with a valid College identification card. Non-College guests must show a valid form of picture identification. Guests may be requested to sign a guest sheet when entering the event. (See II. D. 2.)

B. Consumption of alcohol on the College campus is limited to approved events and areas designated for sale and consumption of alcohol. Any individual failing to comply may be found in violation of College policy, city or county ordinance, and applicable state laws and may be subject to prosecution.

C. Organizers of student sponsored events where alcoholic beverages will be served must submit an event approval request to the Dean of Student Affairs.

D. Organizers of non-student sponsored events such as professional, faculty, staff, University-related groups and organizations, and non-College groups should request approval for the event from the appropriate Vice President, Dean or Director. The appropriate University Police representative must be notified of all approved events.

1. The administrator approving such events shall have on record as part of the approval process a memo stating the university representative who will be present at the event and be responsible for the enforcement of the College's Alcohol Policy.

2. The serving of alcoholic beverages must adhere to Florida Alcoholic Beverages Laws. Proper identification must be presented by participants to consume alcoholic beverages at the event. The following are the only acceptable forms of identification, according to Florida law:

- \* Florida Driver's License
- \* State of Florida Personal Identification Card
- \* Passport
- \* Active Military Identification Card (green)
- \* Out of State Driver's License

3. Each individual is liable for all of his/her actions regardless of his/her mental or physical state, even if altered by alcoholic beverages. Additionally, each organized group at the College is responsible for the behavior of its members and guests whenever sponsoring an event.

4. Neither state funds nor state accounts can be used to purchase alcoholic beverages.

5. If alcoholic beverages are served at College events free of charge, non-alcoholic beverages must also be free of charge.

6. Any sponsor of an event where alcohol is to be served must submit an event approval request form to the Dean of Student Affairs or the appropriate Vice President, Dean or Director.

a) The sponsoring organization must adhere to any program stipulations required during the approval process. For student sponsored events, the events approval request must be submitted no less than eight (8) working days prior to the proposed event.

b) The Dean of Student Affairs may limit the length of the event, the amount of alcohol to be served, the nature of the event, and the number and age of the anticipated participants as follows:

1) Student organizations may be expected by the Dean of Student Affairs to have their advisor or faculty/staff representative present at events where alcoholic beverages will be served.

This policy provides guidelines for the consumption of alcoholic beverages on campus. The intent of this policy is to encourage use and non-use of alcohol in a manner that promotes health, safety, and responsibility, while discouraging alcohol abuse. Thus, the serving and consumption of alcoholic beverages in approved events and permissible individual activities is to be an amenity to well-planned and structured programs; it is not to be the indispensable and essential program element.

The use of alcoholic beverages by members of the College community is at all times subject to the alcoholic beverages laws of the State of Florida and city and county ordinances.

13. Exceptions to this policy can be made at the discretion of the Dean of Student Affairs for student events and/or the appropriate Vice President, Dean or Director for faculty/staff events.

### **III. DESIGNATED AREAS**

The same area restrictions in Section III of this policy apply to all faculty, staff, students, University-related groups and organizations (e.g. Alumni Association) and non-College groups serving alcoholic beverages at approved programs.

A. The Dean of Student Affairs for student events or the appropriate Vice president, Dean or Director may designate the areas of the campus where alcoholic beverages may be served in conjunction with an approved event.

### **IV. PENALTY FOR VIOLATION**

Those individuals or groups (faculty, staff or student) found to be in violation of this policy may be subject to criminal prosecution and/or de-certification, de-activation, or disciplinary procedures as recommended by the President.

**NEW COLLEGE OF FLORIDA  
Policies and Procedures Manual**

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Policy on Foreign Students</b>	<b>4-27-02</b>	<b>30-002</b>

**I. INTRODUCTION (Purpose and Intent)**

To provide for a statement establishing policy and intentions regarding students from other countries, to recognize the universality of knowledge and the interdependence of peoples, and to promote and maintain the World outlook required of the effectively educated person, the following policy is adopted.

**II. STATEMENT OF POLICY**

It is the intention of the College to:

- a.** foster a learning climate that is open, diverse and oriented to the World;
- b.** foster intellectual development, research and understanding through international exchange;
- c.** expose students, faculty and staff to cultural and national differences in outlook, experience and ideas.

It shall be the College's policy to:

- a.** welcome to the campus qualified students from other countries;
- b.** enrich the quality of life of its students, by integrating foreign students into the on-going stream of the College community;
- c.** encourage the colleges, departments, and faculty to provide needed programs to help these foreign students adapt to the College community.

It shall also be the policy of the College to urge the faculty and student body to accentuate their efforts to develop further their international outlook and to highlight the role of foreign students in the College life as follows:

1. Departments should actively seek qualified foreign students to enhance their programs. This should be implemented by direct search, invitation, and publicity with recognized public and private placement agencies for foreign students.
2. Departments and faculty are encouraged to stress the international aspects of their course material and to involve College foreign students as special resources in their classrooms.
3. The appropriate departments should provide, where possible, programs designed to assist foreign students with improving reading, conversational, and written communication skills.

4. A foreign student advisory committee reporting to the foreign student advisor be established to assist the advisor in the development and implementation of policy.
5. The College should explore the possibility and feasibility of the establishment of an international activity center.
6. The College will, subject to available resources, provide financial, administrative, and moral support for a program involving foreign students at the College.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Recreational Facilities License</b>	<b>4-27-02</b>	<b>30-003</b>

### I. INTRODUCTION (Purpose And Intent)

This Policy and Procedure is designed to implement a program for the licensing of College recreational facilities upon payment of a dedicated use fee and/or reimbursement of direct costs incurred by the College.

### II. STATEMENT OF POLICY

A. Definitions - For the purposes of this Policy and Procedure, all groups applying to use College recreational facilities will be categorized as follows:

1. College Units - Established units of the College with no distinct status as a separate legal entity. Examples include College Departments, Student Government, and the student newspaper.
2. College-Related Organizations - Groups not operating as an established unit of the College, but whose activities are closely related to and further the mission of the College. Included are:
  - a. recognized student organizations
  - b. honor societies
  - c. fraternities and sororities
  - d. faculty/staff councils and committees
  - e. alumni associations
  - f. collective bargaining organizations which have a contractual relationship with the Board of Education or the State of Florida.

3. Non-College Related Groups - Groups operating primarily for private gain or organizational benefit and not operating on behalf of the College. All groups not categorized in definition (1) or (2) above will be defined as Non-College Related.

#### B. Recreational Facilities

Licensing of the following College Facilities will be governed by this Policy and Procedure:

1. Student Fitness Center
2. Marion Hopping Swimming Pool
3. College Athletic Fields
4. College Tennis Courts

C. Events sponsored by student organizations are also subject to College Policy and Procedure No.30-005, Student Events Management Policy.

D. Events at which alcohol will be served are also subject to College Policy and Procedure No. 30-001, Alcoholic Beverages.

### **III. PROCEDURE**

#### A. Applications

1. Requests for use of recreational facilities are initiated by the submission of a Recreational Facilities Application Form. These forms are available at the Campus Recreation Office, REC 111.
2. Applications must be completed and received by the Campus Recreation Office at least twenty (20) days prior to the date of the scheduled event
3. Submission of an application form does not guarantee that a license will be granted. Requests will be approved or denied based upon a determination of availability and scheduling priorities.
4. Any group which believes it has been unjustly denied a license may file an appeal with the Vice President for Finance and Administration. Appeals should be typed or legibly written and should detail the reasons why a denial was unjust.

## B. License Agreements

1. Upon receiving approval of the event, Non-University Related Groups will be required to enter into a License Agreement. College-Related Groups may be required to enter into a License Agreement. The License Agreement contains the terms and conditions governing the group's use of the recreational facility.
2. License Agreements may be obtained from the Director, Campus Recreation, and must be returned, fully executed, to the Director's Office at least seven (7) days prior to the event.

## C. Deposits

1. College-Related and Non-College Related Groups may be required to remit a deposit with the executed License Agreement. This deposit will be commensurate with an approximation of the direct costs that will be incurred by the College in providing the facility.
2. College Units will be required to post a deposit when, in the discretion of the Director of Campus Recreation, the nature of the event warrants such a deposit.

## D. Direct Costs

1. College-Related and Non-College Related Groups are required to make payment to the College for direct costs (employee overtime, etc.) incurred in providing the recreational facility to the group.
2. Direct costs are approximated prior to the event, with a final accounting made within ten (10) days after the event is held. Charges for direct costs are deducted from the deposit. In the event that direct costs are less than the deposit, the balance will be forwarded to the group. In the event that direct costs exceed the deposit, the group will be sent a letter of notification. Payment for direct costs exceeding the deposit are due within ten (10) days of the group's receipt of the letter of notification.
3. Additional charges for damage to the facilities, etc. will also be deducted from the deposit prior to deductions for direct costs.

E. Dedicated Use Fees

1. Non-College Related Groups will be assessed a Dedicated Use Fee for the privilege of using College recreational facilities. This fee is due upon return of the executed License Agreement. These fees are determined according to the recreational facility requested, and are listed in the Dedicated Use Fee Schedule, available at the Director's Office, Campus Recreation.

F. Waiver of Fees/Conditions

1. Any group which, because of special circumstances, wishes to request a waiver of any deposit, fee, or condition contained in the License Agreement, must file a Request for Waiver with the Director, Campus Recreation.
2. Waiver Requests will be evaluated by the Director in conjunction with the Vice President for Finance and Administration.
3. Waiver Requests should be typed or legibly written, and should contain a detailed explanation of the circumstances that require such a waiver.
4. All Waiver Requests must be submitted in a timely manner, as all such requests must be evaluated prior to the execution of the License Agreement. As noted in section III. B. above, all License Agreements must be executed and returned at least seven (7) days prior to the event.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Policy on Refunds and Repayments</b>	<b>4-27-02</b>	<b>30-004</b>

Federal regulations require each educational institution to have a written policy for the refund and repayment of Federal aid received by students who withdraw during a term for which repayment has been received. These policies are effective only if the student completely terminates enrollment, (i.e., cancels his/her registration, withdraws, or is dismissed) or stops attending classes before completing more than 60 percent of the enrollment period (the enrollment period is defined as an academic term).

### **REFUND POLICY :**

The amount of a refund of fees for students who withdraw will be calculated as outlined in the New College of Florida Catalog under "Refund of Registration Fee Payment." The refund of institutional housing charges will be calculated as specified in the university housing contract. The refund of other institutional charges will be calculated in accordance with published College policies related to these charges.

### **REPAYMENT POLICY :**

The amount of Federal Title IV aid (which includes Federal Pell Grant, Federal Supplemental Educational Opportunity Grant (SEOG), Federal Perkins Loan, Federal Stafford Loan, Federal Parent Loan (PLUS), etc.) that a student must repay is determined via the Federal Formula for Return Title IV funds as specified in Section 484B of the Higher Education Act. This law also specified the order of return of the Federal Title IV funds to the programs from which they were awarded.

A repayment may be required when cash has been disbursed to a student from Federal financial aid funds in excess of the amount of aid the student earned during the term. The amount of Federal Title IV aid earned is determined by multiplying the total Title IV aid (other than Federal Work Student (FWS)) for which the student qualified by the percentage of time during the term that the student was enrolled.

If less aid was disbursed than was earned, the student may be eligible to receive a late disbursement for the difference. If more aid was disbursed than was earned, the amount

of Federal Title IV aid that must be returned (i.e., that was unearned) is determined by subtracting the earned amount from the amount actually disbursed.

The responsibility for returning unearned aid is allocated between the College and the student according to the portion of disbursed aid that could have been used to cover College charges and the portion that could have been disbursed directly to the student once College charges were covered. The College will distribute the unearned aid back to the Federal Title IV programs as specified by law.

The student will be placed in overpayment status with the U.S. Department of Education for the amount the student owes to the Federal Title IV programs.

The College will also bill the student for any amount due to the College resulting from the return of Federal Title IV funds.

DEPARTMENT OF EDUCATION  
DIVISION OF COLLEGES AND UNIVERSITIES  
NEW COLLEGE OF FLORIDA  
PROPOSED RULE 6C11-6.002  
STUDENT FINANCIAL AID

6C11-6.002 Student Financial Aid

(1) Purpose. The purpose of this rule is to establish policies, procedures and practices at New College of Florida relating to the administration, distribution, and use of student financial aid that are consistent with Federal and State laws and regulations relating to the award of student financial aid.

(2) Definitions. In administering, enforcing, interpreting or construing this rule, the following definition of terms shall apply:

(a) “financial aid” and “financial assistance” shall mean programs relating to internal and external scholarships, grants, loans, student employment, and fee waivers.

(3) Administration of Student Financial Aid.

(a) General. New College of Florida administers all aid programs according to federal, state and institutional laws, rules, regulations, policies, and guidelines, including the current New College of Florida Student Financial Aid Packaging Policy, dated February 19, 2002, which is incorporated by reference herein and copies of which may be obtained by contacting the New College of Florida Office of Financial Aid, 5700 North Taimiami Trail, Sarasota, Florida , telephone, (941)-359-4472. To the extent of available funds, the College makes every effort to maximize financial assistance to all students who are eligible for financial aid without regard to race, sex, religion, creed, national origin, age or physical handicap. Primary consideration shall be given to academic merit and financial need, as appropriate. The President of New College of Florida, based on

recommendations from the Financial Aid Policy and Advisory Committee, determines New College of Florida institutional loans, grants, scholarships, and student employment program eligibility requirements. All financial aid or assistance awards are contingent upon funding availability.

(b) The Office of Financial Aid. The office charged with administering student financial aid at New College of Florida is the Office of Financial Aid. The Chief Financial Aid Officer at New College of Florida is the Dean of Admissions and Financial Aid. The Office of Financial Aid is responsible for administration and coordination of all Federal, State, institutional and private grants, scholarships, loans, work-study programs, and tuition and fee waivers. In connection therewith, the Office of Admissions shall disseminate financial aid information to parents and students, including information on available financial aid programs, available academic merit, talent, performance and other no-need awards and scholarships and any application requirements and deadlines; provide necessary financial aid applications beginning January 1 each year for the upcoming fall term; notify parents and students of their award eligibility; and keep records and statistical financial aid data for the College.

(c) Eligibility to Receive Need-Based and No-Need Based Financial Aid. In order to receive financial aid or assistance, a student must:

1. be admitted to New College of Florida
2. qualify for financial aid or assistance based on need under Title IV Federal Financial Aid Regulations, 34 CFR Parts 600 et al (need-based financial aid applicants only);

3. timely submit a complete application for financial aid pursuant to Rules 6C11-6.002(3)(d) and 6C11-6.002(3)(e);

4. satisfy all criteria for eligibility of the particular financial aid program under which the student seeks aid or assistance; and

5. be awarded financial aid or assistance.

(d) Applications for Need-Based and No Need Based Financial Aid. Applications for financial aid and the supporting parent/student financial information documents must be received by certain dates established by the Office of Financial Aid. The Office of Financial Aid, through appropriate news media and other mass communications means shall announce such dates in sufficient time to allow applicants to meet established deadlines. Acceptance of applications and financial documents after an established deadline is contingent upon state, federal, and institutional appropriations and the availability of student aid funds. All undergraduate need-based financial aid applicants must apply for the Pell Grant, and all Florida resident undergraduate applicants must apply for the Florida Student Assistance Grant. The College shall give priority consideration to students who submit applications for financial aid by March 1<sup>st</sup> of each year for the next academic year.

(e) Processing of Application for Need-Based and No-Need Based Financial Aid.

1. A complete application for financial aid shall consist of the following:

a. parent/student financial statement known as the Free Application for Federal Financial Aid (FAFSA)(need-based financial aid applications only)

b. all documentation required by the particular financial aid program under which the student is seeking financial aid

2. Determination of Award of Financial Aid. Upon receipt of application for financial aid, the Office of Financial Aid shall review the application, determine its completeness, and if incomplete, notify the student of what additional information and/or documentation is necessary to complete the application. Upon its receipt of the additional information and/or documentation, the Office of Financial Aid shall determine the eligibility of the student for the particular financial aid sought, and shall render a decision either awarding or refusing to award financial aid based on the criteria set forth in Rules 6C11-6.002(3)(e)3 and 6C11-6.002(3)(e)4.

3. Criteria for Awarding Need-Based Financial Aid. In reviewing applications for need-based financial aid or assistance, the College shall evaluate the financial need of each student who has applied for financial aid, based on accepted needs analysis, to determine which students can best benefit from available sources of financial aid. The amount and type of financial aid awarded and distributed may vary due to the student's classification, his or her family financial status, the availability of funds and application date. It is the objective of the Office of Financial Aid to provide needy students with an equitable distribution of gift aid and self-help. In awarding need-based financial aid, the College shall consider the following factors:

- a. financial need
- b. equalization of educational opportunity

4. Criteria for Awarding Academic Merit and No-Need Based Awards. In awarding academic merit, or no-need financial assistance, the College shall consider the following factors:

- a. academic rating and record of achievement;

- b. test scores; or
- c. ability to contribute to the College community
- d. equalization of educational opportunity

(f) Talent and Performance Awards. The College recognizes special student talents and qualities in artistic, athletic, technical and other areas, and awards scholarships, grants, and tuition and/or fee waivers for such contributions.

(g) Notification and Acceptance of Financial Aid Awards. Upon awarding a student financial aid, the Office of Financial Aid will promptly notify the student in writing of the award and the time period within which the student must notify the College of his or her acceptance or rejection of the award. The student must accept or reject the award by signing the notification letter in the space provided and returning the letter to the Office of Financial Aid within the time period specified in the notification letter. The student's failure to return the letter in a timely manner will be deemed a rejection of the award provided that the Office of Financial Aid may extend the time for acceptance upon a showing of good cause or excusable neglect. Acceptance of an award that includes Work-Study constitutes an agreement by the student to work during the semesters in which Work-Study is awarded.

(h) Distribution of Student Financial Aid. The Financial Aid Office is responsible for distributing financial aid awards. It distributes all financial aid according to federal, state and institutional laws, rules, regulations, policies, and guidelines, including the current New College of Florida Student Financial Aid Packaging Policy.

1. Need-Based Financial Aid. Need-based financial aid funds are distributed until exhausted on a priority basis to students who:

- a. apply after January 1 each year for the next academic year;
- b. satisfy the applicable eligibility requirements and award criteria set forth in Rules 6C11-6.002(3)(c) and 6C11-6.002(3)(e)3

2. Distribution of Academic or No-Need Based Financial Aid. Academic or No-Need Based Financial Aid funds are distributed until exhausted on a priority basis to students who:

a. file a complete application by the deadline for the particular financial aid program under which the student is seeking financial aid

b. satisfy the applicable eligibility requirements and award criteria set forth in Rules 6C11-6.002(3)(c) and 6C11-6.002(3)(e)4

Except where the particular program under which the student is seeking financial aid provides otherwise, students who meet the requirements of Rule 6C11-6.002(3)(h)2. a.-b. after February 1 will be considered but are not guaranteed financial aid. Awards after February 1 are made on a rolling basis.

(4) Disbursement of Financial Aid Awards. The New College of Florida Business Office is responsible for disbursing financial aid. The Business Office only disburses financial aid to enrolled students.

(4) Use of Financial Aid. Student receiving financial aid shall use the funds received solely for educational purposes consistent with the specific use requirements of the particular financial aid program under which the student has been awarded financial aid.

(5) Establishment of Student Financial Aid Committee. The New College Financial Aid Policy and Advisory Committee has been established. The Committee is responsible for recommending College policy on matters relating to financial aid, recommending specific financial aid program objectives in support of the College's master plan, periodically reviewing and evaluating the financial aid program, including the administrative capability of the Office of Financial Aid, facilitating the conduct of financial aid activities, and deciding appeals from decisions of the Office of Financial Aid. The Committee shall be composed of the College's Chief Financial Aid Officer, two

members of the New College of Florida Board of Trustees to be appointed annually by the Chair of the Board of Trustees, and faculty, administrative staff, including the President or his designee, and at least two (2) students, all to be appointed by the President. The College's Chief Financial Aid Officer shall chair the Committee. The Committee shall convene twice per semester, or on an ad hoc basis, depending on caseload, to review, evaluate and formulate recommendations with respect to the financial aid program and to conduct hearings on and decide any appeals.

(6) Notification to College by Student of Changes in Academic or Financial Circumstances. A student's continued eligibility to receive certain types of financial aid may depend upon the student's maintenance of satisfactory academic progress and/or the student or parent's available personal financial resources. Students must notify the Office of Financial Aid of any change in their academic status or available personal financial resources or those of their parents' that might have a bearing on their continued eligibility for financial aid.

(7) Appeals from Decisions of the Office of Financial Aid. A student or parent of a student, where permissible, who disagrees with a decision of the Office of Financial Aid or wishes to provide supplemental information for purposes of amending an application for financial aid may do so by filing a written petition with the Dean of Admissions and Financial Aid. In the case of appeals of decisions of the Office of Financial Aid, the student or parent may request a hearing before New College Financial Aid Policy and Advisory Committee. In such cases, the Dean of Admissions and Financial Aid shall promptly schedule an expeditious hearing, notify the student or parent of the time, date and place of the hearing, and gather together and distribute available

information that is relevant to the appeal to the Committee members and the student or parent. At the hearing, the student or parent shall have an opportunity to present testimony, evidence and argument as to why the Office of Financial Aid's decision is in error. After the close of the hearing, the Committee shall decide the appeal and render its decision in writing. The Committee's decision shall be the final decision. If a hearing is not requested, the Dean shall decide the appeal and render his or her decision in writing. In such cases, the Dean's decision shall be the final decision.

(9) Available Student Financial Aid Resources. The following student financial aid and assistance is available to eligible persons in accordance with applicable program terms and conditions:

(a) The Florida Bright Futures Scholarship Program (Florida high school graduates of high academic achievement who enroll in Florida state college or university, see s.1009.53, F.S.)

(b) Florida Public Student Assistance Grant Program (students with demonstrated unmet needs for costs of education at Florida state college of university, see, s.1009.50, F.S.

(c) Jose Marti Scholarship Challenge Grant

(d) Rosewood Family Scholarship Program

(e) Seminole and Miccosukee Indian Scholarships

(f) Latin American and Caribbean Basin Scholarship Program

(g) African and Afro-Caribbean Scholarship Program

(h) Nicaraguan and Hatian Scholarship Program

(i) Guaranteed Student Loan Program (see, Higher Education Act of 1965 (20 U.S.C. ss. 1071 et seq.)

**Specific Authority: 1001.74(2), (4), (41), F.S.; Laws Implemented: 1001.74(2), (4), (41), 1009.42(2), F.S History: New \_\_\_\_\_**

*Rev. 02-04-03*

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Student Events Management Policy</b>	<b>4-27-02</b>	<b>30-005</b>

### I. INTRODUCTION (Purpose and Intent)

### II. STATEMENT OF POLICY

#### A. Review Of Student Organization Events

Student organization use of space at the New College of Florida is subject to review by the Dean of Student Affairs to ensure that all College rules and policies are followed by the event sponsor(s).

The Dean of Student Affairs will collaborate with the University Police, Student Government, and Coordinator of Public Functions pertinent to the event being reviewed.

The Coordinator of Public Functions reserves the right to request alterations and/or elimination of any element of a student sponsored campus event especially if it is determined that the event may present significant health/safety risks or liabilities. Additionally, the Coordinator of Public Functions has the right to deny access to College space or relocate an event if the event being planned is deemed inappropriate for the requested space. Student organizations are solely responsible for all costs resulting from their use of space at the College.

#### Representation:

Student organizations that reserve space must be doing so for their own meetings and events and are not permitted to reserve space for other entities (i.e.: other student organizations, College departments, or non-College entities). At minimum, for an event to be considered a student organization event, the student organization must make all reservations, pay all bills, serve as the primary event coordinator prior to, during, and following the event. In addition, the purpose of the event must be primarily to serve the particular student organization that has made the reservation and/or the legitimate patrons of the organization. Student

organizations will be sanctioned and possibly deactivated for reserving space for another entity in the organization's name.

Appeals of decisions made by the Coordinator of Public Functions and related to this policy must be made to the Dean of Student Affairs.

Exception:

a) Residence Hall groups having events in the residence hall facilities must receive prior approval from the appropriate Residence Life Coordinator. The sponsoring residence hall group must notify the University Police of the event at least eight (8) calendar days prior to the day of the event to ensure that adequate security is maintained at the time of the event.

b) Any non-residence hall group wishing to have an event (that includes non-residents) in the residence hall facilities must first receive approval for the event from the appropriate Residence Life Coordinator and then the Coordinator of Public Functions.

## B. POLICIES

### 1) Guest Policy

a) All College policies are applicable to visitors and guests unless they are clearly inapplicable (e.g., academic dishonesty). Each individual is liable for all of his/her actions at all times regardless of his/her mental or physical state. Additionally, each person or organized group sponsoring an event at the College is responsible for the behavior of itself and its guests and will be accountable at the organization level for the behavior of members and guests.

b) Non-College guests who wish to attend an event sponsored by a student group or person (except for ticketed events, lectures, sporting events, or movies) may be required to be accompanied by a College representative (student, faculty or staff member) with a valid College identification card. Non-College guests must show a valid driver's license or another form of picture ID upon request. Adequate procedures for enforcing this policy should be in place for the duration of the event. Student Affairs staff in coordination with University Police will be responsible for enforcing the guest policy for the duration of the event. When the guest policy is in effect, each College student with a valid ID may be accompanied by only one (1) guest to the event. Guests may be required to be registered for some events.

### 2) Advertising

Off-campus advertising of on-campus events is not permitted without the prior written permission of the Coordinator of Public Functions. The only other exceptions to this requirement are approved lectures and ticketed events.

### 3) Supervision and Security of Events

- a) All faculty, staff, students, College-related and non-College related groups are expected to provide a safe environment for their events, and may be required to utilize the University Police services and/or Marshall Center Security Staff at events.
- b) The University Police Department is responsible for making a final determination of adequate security needs at events. The security-related costs will be incurred by the event sponsor(s).
- c) If deemed necessary by the Coordinator of Public Functions, the student sponsoring group(s) may be required to have an advisor and/or faculty/staff representative present at the event to ensure adherence to College policies.

### 4) Amplification of Sound and Music in Outside Areas

The use of amplified sound on Campus by College related and Non-College related groups is intended to enhance the ability to communicate thoughts and ideas to those who choose to attend such programs. It must be recognized, however, that groups or individuals have a duty and obligation to control the amplification of sound so that their programs do not disturb classes or unduly hinder other members of the College community from engaging in their tasks or activities or from enjoying their right to privacy within their living or working spaces. Sound levels which exceed limits set forth by the county authority for receiving land when measured at or within the College property line of the receiving land uses are declared to be noise pollution as defined by Section 3 (28) of Chapter 84-446, Laws of Florida. Sound limits are between 55 dba and 60 dba. All organizations or individuals must abide by and conform to the following conditions for amplification:

- a) Amplified sound, may be utilized determined appropriate by an authorized College official after following proper reservation procedures:
- b) Student-sponsored events using amplified sound must be approved by the Dean of Student Affairs in consultation with the Coordinator of Public Functions. All other events shall be reviewed by the reserving entity for compliance with this policy.

c) Requests for amplification in the Residence Halls must first be approved by the Residence Life Area Coordinator.

d) Before activities that are adjacent to buildings or nearby areas are considered, possible conflicts should be explored and cleared with other event-sponsoring agencies. If it is determined that the event will interrupt or decrease the effectiveness of another event, the event should be scheduled in another location.

5) Food

The College has agreements with food service providers. Permission to bring food on campus for events must be approved by the current vendor for food services and by the Coordinator of Public Functions.

6) Alcohol

Use of alcohol at student events is subject to all applicable state, county and municipal laws, rules, regulations and ordinances, and College rules and policies including Policies 30-001, 30-006 and 30-010, New College of Florida Policies and Procedures Manual.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Illegal Use of Alcohol and Other Controlled Substances</b>	<b>4-27-02</b>	<b>30-006</b>

### I. INTRODUCTION (Purpose and Intent)

### II. STATEMENT OF POLICY

#### **Policy Regarding Alcohol and Narcotics**

(1) **Prohibitions.** The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or the unlawful possession and use of alcohol by an individual under 21 years of age is wrong, harmful and prohibited in and on New College of Florida owned or controlled property or as part of any of its activities. The sale, use or possession of a controlled substance will not be tolerated, with the exception of prescribed medication when taken in accordance with the prescription. Furthermore, providing alcohol to an individual younger than 21 years of age will not be tolerated. Any New College employee or student determined to have violated this policy shall be subject to disciplinary action for misconduct, which may include termination/expulsion and referral for prosecution. No employee/student is to report to work/class or any College activity while under the influence of illegal drugs or alcohol. Violation of these policies by an employee/student will be reason for evaluation/treatment for a drug/alcohol use disorder or for disciplinary action up to and including termination/expulsion in accordance with applicable collective bargaining agreements, policies and procedures or referral for prosecution consistent with local, State and Federal law.

(2) **Local, State and Federal Law and Penalties.** Federal, State and local law outlaw possession, use and distribution of illicit drugs, including cocaine, heroin, LSD, PCP, marijuana and other narcotic drugs. Additionally, the law prohibits possession and use of alcohol by underage persons, distribution of alcohol to underage persons, sale of alcohol without a license and driving under the influence of alcohol. Penalties for violation of drug laws include fines of hundreds of thousands of dollars or more, imprisonment for up to 30 years and more, and other restrictions of civil liberties. If any unlawful distribution of drugs gives rise to the unlawful killing of a human being, it is punishable as a capital felony. Penalties for violation of alcohol laws include revocation of driving privileges, fines of thousands of dollars and imprisonment for terms of years.

### **(3) Health Risks Associated with Alcohol and Drug**

(a) Abuse Physiological Effects Associated with Alcohol Abuse--- There are many physiological effects associated with alcohol abuse. Among these are: slowed reaction time; a decrease in fine motor coordination; impairment of judgment and memory; drowsiness and dizziness. All of these effects dramatically increase the likelihood of being involved in an accident and incurring serious injury. This occurs more frequently when taken with other drugs due to its synergistic effect. Alcohol is a carcinogen with tobacco. It is associated with immunological suppression, elevations in blood pressure, and increased risk of stroke and respiratory tract infection.

(b) Physiological Effects Associated with Drug Abuse--- The physiological effects of drug use depend upon its pharmacological makeup, but they range from slight mood alteration to death. Some common reactions between these extremes are: irritability, headache, dilated pupils, increased blood pressure, development of tolerance to the drug, appetite suppression, constipation, insomnia and physical addiction. There is also an increased risk of contracting a communicable disease (AIDS and hepatitis from intravenous drug use), or developing a noncommunicable disease (such as myocardial infarction via cocaine use, cancer via prolonged smoking of marijuana, etc.). Other physical effects that affect the drug user and society are: an increase in sexually transmitted disease prevalence, increased violence and higher risk of accidents.

(c) Psychological Risks--- Psychological risk factors from the use of illicit drugs and abuse of alcohol include behavioral, emotional and cognitive difficulties. Some of the behavioral consequences are: criminal activity (sometimes as a result of the need to support a habit), poor judgment, impaired school and job performance, recklessness, impulsiveness, irresponsible behaviors, increased aggression, impaired sexual functioning and difficulties in relationships with others. Mental states which can result from drug and alcohol abuse include: feelings of helplessness, apathy, suicidal thoughts, depression, agitation, irritability and confusion. Alcohol and drug abuse often lead to thought disorders such as: impaired attention and concentration, delusions, hallucinations, impaired judgment and reasoning, loss of interest in activities and memory impairment. In addition, substance abuse can lead to problems such as date/acquaintance rape, separation and divorce, financial problems and legal difficulties.

Prevention and Intervention Measures

### **(4) Prevention and Intervention Measures.**

(a) Counseling and Wellness Center---The New College of Florida Counseling and Wellness Center receives referrals from Student Affairs and self-referrals for alcohol and drug related problems. A description of drug and alcohol counseling, treatment or rehabilitative programs offered in the Counseling and Wellness Center is as follows: psychological assessment and screening; brief individual and group treatment of appropriate cases; educational presentations on related topics (e.g., adult children of alcoholics); and referral to community alcohol and drug treatment agencies; or other drug issues.

### **(5) Student Conduct Code Violations**

Any of the following actions or the abetting or inciting of any of the following actions constitutes a violation of the Student Conduct Code for which students may be subject to disciplinary action up to and including suspension from the College. Students are responsible for compliance with all public laws as well as College rules, policies and regulations. Any act that will constitute a violation of public law at the College will establish cause for additional action including but not limited to:

1. Illegal use or possession of drugs -- possession, use, sale or attempt to obtain any illegal drug. The term drugs includes any narcotic drug, central nervous system stimulant, hallucinogenic drug, barbiturate or any other substance treated as such and defined by law.
2. Illegal use or possession of alcohol -- the serving, possession and/or consumption of alcohol must adhere to Florida Alcoholic Beverage laws. Additionally, students must adhere to the College's Alcoholic Beverages Policy when planning, hosting, and attending events.
3. Sexual assault and/or battery -- taking sexual advantage of a person who is mentally or physically incapable of giving consent is rape. A violation may occur even if the victim purportedly consents or even if the offender is drunk or drugged.
4. Violation of any other law, ordinance, or rule of the College or the Board of Education.

**Violation of the Student Conduct Code may result in one or more of the following sanctions:**

- (a) Suspension -- Termination of a student's privilege to attend the College for an indefinite or a specific period of time.
- (b) Probation -- An official warning that the student's conduct is in violation of the standard conduct code and that continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation. The College will not furnish a favorable recommendation for employment or admission to another institution during a period of probation.
- (c) Restrictions - The withdrawal of specific privileges for a definite period of time. The restrictions involved will be clearly identified and may include such conditions as a requirement to remain on campus or in rooms during specified periods of time. Restrictions may also apply to the privilege of operating a motor vehicle on campus.
- (d) Restitution -- A payment for injury to an innocent party in cases involving theft, destruction of property, or deception.

(e) Alcohol Education program -- Attendance in an educational program which reviews attitudes about and effects of alcohol and other drugs.

(f) Reprimand -- A letter which makes a matter of record an incident which reflects unfavorably on a student's file.

(g) Other appropriate penalties as determined through the Student Disciplinary Process.

(6) Where To Go For Help

**On Campus:**

Counseling and Wellness Center	359-4254 or 351-4641
Student Affairs	359-4250
Campus Ministries	359-7506

**Local:**

Alcoholics Anonymous (AA)	951-6810
Al-Anon	739-1829
Narcotics Anonymous	957-7910
Crisis Center (Coastal Recovery)	364-9355

**National:**

Cocaine	1-800-767-5433
Drug Abuse	1-800-333-4444
Alcohol	1-800-992-9239
National Institute of Mental Health (NIMH)	1-301-443-4513
National Council on Alcoholism	1-800-NCA-CALL
National Institute on Drug Abuse Hotline	1-800-662-HELP
Drug Information and Treatment Hotline	1-800-662-4357
(in Spanish)	1-800-66-AYUDA
Al-Anon	1-800-356-9996
American Council on Alcoholism Hotline	1-800-527-5344

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Admission of Students with Prior Conduct Problems</b>	<b>4-27-02</b>	<b>30-007</b>

### **I. INTRODUCTION (Purpose and Intent)**

Board of Education Rule 6C-6.001 authorizes universities to refuse admission to applicants because of past misconduct. The Dean of Student Affairs or his or her designee is responsible for reviewing all applications in which a student discloses past misconduct and to make a decision as to whether the admission of this applicant will be in the best interest of the College. This policy describes the procedure and assigns responsibility for the review of these applications for admission.

### **II. STATEMENT OF POLICY**

The New College of Florida Application for Admission includes questions concerning prior misconduct.

Applicants who fail to give complete and accurate responses to the conduct section of the admission application may be subject to denial of admission, disciplinary action and invalidation of credits or degrees earned. In cases of those applicants who respond affirmatively to conduct questions, the Admissions Office contacts the applicants and, where appropriate, appraises them of their responsibility to provide the College with copies of the disposition records of the court(s). Applicants who respond affirmatively to conduct questions will not be considered for admission to the College unless and until cleared by the Dean of Student Affairs.

The files of those applicants who respond affirmatively to any of the conduct questions are identified by the Admissions Office. A photocopy of the applicant file is then forwarded to the Dean of Student Affairs with a request for review. The Dean of Student Affairs has the responsibility to determine whether or not the admission of the applicant will be in the best interest of the College. In making this determination, the Dean of Student Affairs may consult with other appropriate individuals, offices and agencies including but not limited to the General Counsel, the Counseling and Wellness Center, the University Police, other educational institutions and other law enforcement agencies.

If cleared for admission consideration, the Dean of Student Affairs advises the Admissions Office in writing. The Admissions staff then determines academic eligibility for admission and notifies the applicant in writing of the admission decision. Admission

clearances may be granted with the imposition of restrictions such as, but not limited to, restrictions from residing or working on campus. These restrictions would be communicated to the applicant in writing by the Dean of Student Affairs.

If refused admission on the basis of past criminal or conduct problems, the Dean of Student Affairs advises the applicant and the Admission Office of the decision in writing. Applicants denied admission under this policy may appeal to the President within ten (10) working days after receiving written notification of denial of admission.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Career Resource Center Senior/Alumni Placement</b>	<b>4-27-02</b>	<b>30-008</b>

### I. INTRODUCTION (Purpose and Intent)

The purpose of Placement Services within the Career Resource Center is to provide a centralized service for students/alumni and employers where their respective career/recruitment objectives may be realized. Services to students shall include career planning, advising, referral services, and other information on: types of occupations; skills needed for success in those occupations; current and future supply and demand employment factors; salary information; effective methods of seeking appropriate career employment; interviewing techniques; resume preparation skills; and information on prospective employers. Services to employers shall include scheduling on-campus visits for the purpose of interviewing students, referral of resumes, career fairs/expos, dissemination of employer printed materials and/or videos and other services as needed for their success in employing New College of Florida students/alumni.

### II. STATEMENT OF POLICY

The Career Resource Center shall be responsible for administering on-campus interviews conducted between employers and College students for the purpose of full-time employment. Career Expos and Job Fairs will be sponsored by the Career Resource Center.

Disclosure of student resumes or other career related information outside of the College either verbal or written will be made only for students who have a Consent to Disclosure Form on file in the Career Resource Center.

Employers must be properly registered with the Career Resource Center certifying that they will comply with all Equal Employment Opportunity regulations as required by law. All recruitment activities shall be conducted to assure that all students may participate regardless of race, color, religion, sex, national origin, handicap, age or Vietnam veteran status as provided by law and in accordance with the College's respect for personal dignity.

Interview rooms in the Career Resource Center will be assigned to employers on a space available basis during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Meeting rooms for orientations or other career-related meetings shall be arranged by the Center as employers request them. Likewise, tables/space in other areas of the College for the purpose of providing career/employment information shall be coordinated through the Career Resource Center.

### **III. RESPONSIBILITY FOR ADMINISTRATION**

The Director, Career Development Services, through the Dean, Undergraduate Studies, who reports to the College Provost, is responsible for the direction and administration of the Career Resource Center.

### **IV. REGISTRATION AND ORIENTATION**

To be officially registered with the Career Resource Center students must attend an Orientation Session and complete and submit a registration packet. All properly registered students are eligible for services. Alumni shall be provided a list of services available upon registration and payment of a user's fee as established by the Career Resource Center. Services are available to graduates of other Universities upon payment of a fee, but priority is given to New College of Florida students.

### **V. INTERVIEWING**

All appointments for interviews will be made personally by each student requesting that appointment. No interview appointments will be made over the telephone. Students who sign up improperly for an interview with an employer as determined by the Career Resource Center may be removed from that interview schedule without notification to that student.

### **VI. CANCELLATIONS**

Students who fail to meet a scheduled interview appointment with individual company representatives will not be allowed to interview further through the Career Resource Center without the consent of the Center Director. Students are required to notify the Career Resource Center 48 hours in advance to cancel a scheduled interview appointment. Failure to do so will be considered a "no-show."

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Student Ombudsmen</b>	<b>4-27-02</b>	<b>30-009</b>

### I. INTRODUCTION (Purpose and Intent)

### II. STATEMENT OF POLICY

#### **Student Ombudsmen**

The Student Ombudsman. New College of Florida has established the Student Ombudsman Office with the Office of Student Affairs. The Dean of Student Affairs serves as the Student Ombudsman, and is accountable to the President of New College of Florida. The Student Ombudsman's role is to serve as a neutral or impartial dispute resolution practitioner whose major function is to provide confidential and informal assistance to students with respect to decisions related to a student's access to educational activities and credit granted toward a degree.

Assistance and Appeal Procedures. A student aggrieved by a decision relating to that student's access to educational activities at the College, or to credit granted toward a College degree may seek the assistance of the Student Ombudsman, and has a right to appeal that decision to the President or his designee. Upon a student's request for assistance, the Student Ombudsman shall assess the facts and circumstances surrounding the complained of decision, and shall seek to informally mediate the dispute. The Student Ombudsman shall provide information and work to resolve the dispute before it reaches a stage where it can only be resolved by a formal appeal.

If mediation is unsuccessful, the Student Ombudsmen shall notify the student in writing at the student's last known address of his/her right to appeal the decision to the President or his designee. The student shall have seven (7) days from receipt of the written notice to request an appeal of the complained of decision. Such appeal shall be in writing, must state the nature of the student's grievance with the complained of decision, and must be delivered to the Student Ombudsmen. Upon receipt of the notice of appeal, the Student Ombudsman shall notify the President or his designee, who shall promptly schedule an informal hearing. The hearing shall be conducted by the President or his designee within thirty (30) days of receipt of the notice of appeal.

The Student Ombudsman shall assist and shall serve as the student's advocate at the hearing.

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Student Code of Conduct</b>	<b>4-27-02</b>	<b>30-010</b>

### **6C11-6.001 Student Code of Conduct.**

(1) **Rights and Responsibilities of Students**-- Students are responsible for compliance with all federal and state laws, applicable county and municipal ordinances, and all rules, regulations, and written policies of the State of Florida Board of Education and New College of Florida. Students accused of a crime can be prosecuted under Florida criminal laws and also disciplined under the Student Code of Conduct. The College may pursue disciplinary action even if criminal justice authorities choose not to prosecute.

(2) Upon accepting a student for admission, the College shall provide the student with of copies of the Student Code of Conduct, the New College of Florida student government constitution, and any other statement of student rights and obligations that the College recognizes or expects a student to live up to.

(3) Without limiting or affecting the scope of the legal rights and obligations a student has under federal, state, and local constitutions, laws, rules, regulations, ordinances, and judicial decisions interpreting same, students shall have the following rights and responsibilities:

(a) to express, individually and collectively, their views on issues of College policy;

(b) to participate in the formulation of all policy changes that affect students ;

(c)- to be informed by the President of New College of Florida or his designee, through the student government, and to become involved, individually or through student government, in the formulation of any proposed change in policy that directly affects students prior to its implementation;

(d) to receive within ten (10) days, through the student government, from the President or his designee, detailed and specific written responses to recommendations made in writing, through the student government, to the President or his designee, accepting, accepting with conditions or rejecting such recommendations, and giving detailed reasons for any condition or rejection;

(e) to appeal within ten (10) days to the New College of Florida Board of Trustees, through the student government, any decision of the President or his designee conditioning acceptance or rejecting a recommendation made pursuant to paragraph (d);

(f) to freedom of statement, association, or assembly in social, political, or personal matters;

(g) to equal availability of and access to the facilities necessary for the exercise of the rights set forth in paragraphs (a) through (f) without regard to race, sex, gender, religion, beliefs, nationality, ethnic origin, sexual orientation, disability, or any other reason, except as provided by law;

(h) to publish student publications free from prior censorship;

(i) to develop student publication editorial policy free from academic penalty or removal because of student, faculty, staff, or public disapproval of editorial policy or content;

(j) to have information about a student, acquired by College employees, kept confidential, to the extent required by law, except upon specific request by that student to release such information;

(k) to take reasoned and responsible exception to the data, views, assignments and methods offered in any course of study, to reserve judgment about matters of opinion, and to bring such grievances before the Council of Academic Affairs;

(l) to conduct research freely, and publish, discuss, and exchange findings or recommendations, whether individually or in association with local, state, national, or international groups;

(m) to judicial due process as set forth in the Student Code of Conduct;

(n) to the security and privacy of their dormitory rooms, persons, and personal possessions, and to be free from unreasonable restrictions upon the use of their rooms, personal possessions or their personal liberty, provided that this does not infringe upon the reasonable exercise of the privacy or property rights of others.

(4) **Standards of Conduct**—The College seeks to promote a stimulating and demanding educational environment in which a diverse student body with wide-ranging individual interests, values and abilities can live, interact, learn and grow based upon mutual understanding, trust, respect and concern for the well-being and dignity of self and others, upon responsible exercise of personal and academic freedoms and upon individual accountability for words and actions. To this end, the College expects students to:

(a) comply with all public laws, rules, regulations and ordinances as well as College rules and policies;

(b) exercise personal and academic freedom in a responsible manner;

(c) foster collective concern for and protect and maintain personal and academic integrity and College community standards;

(d) examine their behavior in light of its potential effect on the College community and the community at large;

(e) attempt to reach common understandings of values and College community standards by means of respectful communication and process;

(f) utilize dialogue as a means of confronting uncomfortable situations or violations of College community standards;

(g) promote respectful expression of values; not unproductive censorship; and

(h) avoid self-righteousness or the appearance of moral superiority.

(5) **Jurisdiction of the College** -- College jurisdiction and discipline extends to conduct which occurs on College premises or which adversely affects the College community and/or the pursuit of its mission. A student, registered organization or a person who has submitted an application for admission, housing, or any other service

provided by the College which requires student status will be subject to the Student Code of Conduct for any action found in violation of the Code which occurs on College property, at College-sponsored events, or off campus if the action adversely affects the College community and/or the pursuit of the College's mission.

(6) **Offenses** -- Any of the following actions, or the aiding, abetting, or inciting of any of the following actions, constitutes an offense for which a student, a group of students, or a student organization will be subject to the student judicial process:

(a) Misuse of Keys -- Unauthorized possession or use of any key or key type device to any College facility or property.

(b) Misuse of Identification -- The use of falsified identification documents or of another's identification card/document, including the use of another's computer account/password.

(c) False Information -- Knowingly making a false oral or written statement to any College board, committee, office, or member of the College faculty, administration, staff or student body.

(d) Misuse of Materials -- Unauthorized reading, removing, duplicating, photographing, and/or forging, counterfeiting, altering or misusing of any College material, file, document or record, computer records, software, data files and similar entities owned or maintained by any member of the faculty, administration, staff, or student body.

(e) Response to Notice -- Failure to make a timely response to any official request from a member of the faculty, administration, or staff. The College requires that each student maintain on file with the College a current address. Official College correspondence mailed to that address is deemed sufficient as notice to the student. It is a student's responsibility to notify the College immediately of any change of address.

(f) Response to Instructions -- Failure to comply with authorized oral instructions from or agreements with College officials, including student employees, acting in accordance with their assigned duties.

(g) Misuse of Property -- Destruction, damage, misuse, or defacing of, or unauthorized entry into College buildings or property, private property and personal property, on the campus of the College, including but not limited to files, documents, records, research apparatus, or library materials, including computer systems, networks, and peripherals, owned or maintained by members of the faculty, administration, staff, or student body-, or. Intentional misuse of any College fire alarm or fire fighting or safety equipment.

(h) Aiding and abetting -- Any student who knowingly acts in concert to violate a Student Code of Conduct policy, who knowingly acts to conceal, or who knowingly obstructs an investigation will be subject to the student judicial process.

(i) Theft -- The unauthorized taking, misappropriation or possession of any real, personal, or intellectual property owned or maintained by the College or any person on campus.

(j) Gambling -- Conducting or organizing any form of gambling which harms or exploits any member of the College community.

(k) Hazing -- Hazing means any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into an affiliation with an organization. Such actions

shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual, or subjects the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity

which could adversely affect the mental health or dignity of the individual.

(l) Weapons, Firearms, or Explosive Devices -- The unauthorized possession, use or sale of any weapon, firearm, or any incendiary, explosive or destructive device, including fireworks. The College Police Department maintains facilities for the storage of students' weapons or firearms.

(m) Bomb Threat -- Reporting false presence of an explosive or incendiary device.

(n) Illegal Use or Possession of Drugs -- Illegal possession, use, sale or attempt to obtain any drug. The term "drugs" includes any narcotic drug, central nervous system stimulant, hallucinogenic drug, barbiturate, or any other substance treated as such and defined by the law.

(o) Privacy -- Failure to respect the right to privacy of any member of the College community, including accessing another's computer files and/or e-mail, prying observation, or voyeurism.

(p) Student Expression -- The College recognizes that students must be free to utilize their constitutional rights to freedom of speech and freedom to assemble. While students are encouraged to express those rights, any demonstrations or protests must be non-violent in nature, and must be conducted without endangering the safety, health, or life of themselves, other students, faculty, staff, or visitors. Students shall not knowingly damage any College or personal property. No student or group of students shall obstruct the free movement of other persons, including police and other emergency service personnel about the campus, interfere with the use of College facilities, or prevent the normal operation of the College, both inside and outside the classroom setting.

(q) Harassment -- Conduct which creates an intimidating, hostile, offensive working or educational environment.

(r) Retaliation -- Harassment of complainant or other person alleging misconduct, including, but not limited to intimidation and threats.

(s) Stalking -- To repeatedly follow or encounter another person so as to harass that person.

(t) Sexual misconduct, including sexual harassment and public indecency and voyeurism -- Sexual harassment is conduct of a sexual nature or with sexual implications, which interferes with a student's or an employee's status or performance by creating an intimidating, hostile or offensive educational or working environment. This conduct may include, but is not limited to the following: inappropriate and unwanted touching; the display of sexually explicit or suggestive materials; use of sexually explicit or suggestive language or gestures; and subtle pressure for sexual activity, as well as demands for sexual favors or physical assault. Public indecency is open and notorious actions which are offensive to common propriety, e.g., public sexual intercourse.

(u) Domestic/Relationship Violence -- Assault or battery to a person who is a relative, spouse, boyfriend, girlfriend, or other intimates of the student. This can occur without regard to the gender of the victim or the student in question.

(v) Disorderly Conduct -- Breach of peace, such as causing a disturbance or being unruly.

(w) Disruptive Conduct -- Actions that impair, interfere with or obstruct the orderly conduct, processes and functions of the College. Disruptive conduct shall include, but not be limited to the following:

1. Interference with freedom of movement of any member or guest of the College;

2. Impeding or interference with the rights of others to enter, use or leave any College facility, service or scheduled activity, or carry out their normal functions or duties; or

3. Interference with academic freedom and freedom of speech of any member or guest at the College.

(x) Threats of Violence -- An intentional threat by word or act to do violence to another person, and doing some act which creates a well-founded fear that such violence is imminent.

(y) Violent Misconduct -- When one person actually and intentionally touches or strikes another person against his/her will, or intentionally causes bodily harm.

(z) Sexual battery/rape -- According to s. 794.011(1)(h), Florida Statutes, sexual battery is the "Oral, anal or vaginal penetration by union with a sexual organ of another or anal/vaginal penetration by another object." The act is performed against the victim's will or without her/his consent. An individual who is mentally incapacitated, asleep or physically helpless or unconscious due to alcohol or other drug consumption is considered unable to give consent. The same definition applies regardless of whether the assailant is a stranger or an acquaintance or a group of individuals. The type of force employed may involve physical violence, coercion or threat of harm to the victim. Date or acquaintance rape is the sexual battery of an individual by someone the victim knows. Group or gang rape is the sexual battery of an individual by multiple perpetrators.

(aa) Underage Zero Tolerance -- As referenced in s322.2616, Florida Statutes, the State of Florida prohibits persons under the age of 21 from having a breath-alcohol level of 0.02 percent or higher and to drive or be in actual physical control of a motor vehicle. Such violations shall result in the State suspending your license and referral to the student judicial process.

(bb) Disorderly Intoxication -- No student shall be publicly intoxicated to the point of being unruly, causing a disturbance, or endangering the safety of himself/herself or another person or property.

(cc) Violation of New College Of Florida Alcohol and Narcotics Policy (2001).

(dd) Inappropriate Conduct at College-sponsored Events -- Students are expected to govern their behavior at College-sponsored events and conduct themselves within the guidelines of the Student Code of Conduct.

(ee) Violation of Residence Hall Policy (\_\_\_\_\_).

(ff) Bikes/Skateboards/Rollerblading -- Riding a bicycle, skateboard, or rollerblades within an area on campus where there are signs posted that such actions are strictly prohibited is cause for referral to Office of Student Affairs.

(gg) Violation of New College of Florida traffic rules and regulations.

(hh) Violation of any federal, state, or local law, ordinance, rule or regulation, including but not limited to the rules, regulations, and written policies of the Board of Education and New College of Florida.

(ii) Violation of probation -- Failure to abide by conditions of probation.

(jj) Off Campus Misconduct -- The College generally does not regulate the off-campus conduct of its students. However, misconduct occurring off-campus will be disciplined where the conduct directly impedes the effective operation of the College, as for example, where the off-campus conduct constitutes a danger to the health, safety or welfare of College students, faculty or staff.

(kk) Obstruction of Student Judicial Process -- Acts that disrupt the College judicial process, including attempting to coerce or influence a person in order to discourage their participation in any judicial proceeding. Such acts shall include, but may not be limited to:

1. Failure to appear at an official College hearing when proper notification has been provided;

2. Knowingly falsifying, distorting or misrepresenting information before a judicial proceeding;

3. Deliberate disruption or interference with the orderly conduct of a judicial proceeding;

4. Knowingly initiating a complaint/referral without cause;

5. Use of threats, coercion, or intimidation to discourage proper participation or use of the judicial process;

6. Attempting to influence the impartiality of a member of the judicial process prior to or during the course of the judicial proceeding;

7. Harassment or intimidation of any participant in the judicial process.

(7) **Sanctions** -- Sanctions shall be commensurate with an offense with consideration given to any aggravating or mitigating circumstances. Any of the following sanctions will be imposed on a student, a group of students, or a student organization:

(a) Expulsion -- Permanent termination of a student's privilege to attend the College, including trespass from campus. In cases where the student resides on campus, the student will be given reasonable time to vacate the residence halls (e.g., 24 to 48 hours). During the period of the expulsion, all of the student's contact with College departments/services must be through the Office of Student Affairs.

(b) Suspension -- Termination of a student's privilege to attend the College for an indefinite or a specified period of time, including trespass from campus. In cases where the student resides on campus, the student will be given reasonable time to vacate the residence halls (e.g., 24 to 48 hours). During the period of the suspension, all of the student's contact with College departments/services must be through the Office of Student Affairs.

(c) Probation -- An official warning that the student's continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation. A favorable recommendation normally will not be furnished by the College during a period of probation. When probation is imposed as a sanction, the student should be advised of the consequences of violation of probation, e.g., suspension. In the event

probation terms or conditions are violated, the President or the Student Judicial Officer will immediately impose the consequence of the probation violation.

(d) Restrictions -- Conditions imposed on a student that would specifically dictate and limit future presence on campus and participation in College- related activities. The restrictions involved will be clearly identified and include but are not limited to a requirement to remain on campus or in rooms during specified periods of time or a College restraining order forbidding the offender from all contact with the victim. Restrictions also include denial of the privilege to operate a motor vehicle on campus, participation in certain activities/events/organizations, access and use of College services, and presence in certain buildings or locations on campus.

(e) Restitution -- A payment for injury to an innocent party in cases involving theft, destruction of property, or deception.

(f) Trespass -- A restriction from the campus or specific area on the campus.

(g) Reprimand -- A letter which makes a matter of record an incident which reflects unfavorably on a student's file as long as he or she is a student of the College.

(h) Warning -- An oral reprimand.

(i) Restrictions on or revocation of financial aid where appropriate pursuant to law or NCAA policy.

(j) Involuntary withdrawal -- College withdrawal of student from enrollment and student status.

(k) Other appropriate sanctions, such as community service hours, educational programs, written assignments, counseling, and evaluation.

#### **(8) Student Judicial Process and Proceedings**

(a) Filing of Complaint. Any member of the College community may file a complaint against a student for violation of the Student Code of Conduct. Such complaint must be filed in writing with the Office of Student Affairs within a reasonable time following the discovery of the violation and in no event, later than six (6) months after the discovery, except in extraordinary cases (e.g., hospitalization of the student, etc.). The Office of Student Affairs reserves the right to initiate or follow-up any investigative leads where there is reasonable belief of possible violations of the Code.

##### **(b) Prehearing Procedure**

1. The Dean of Student Affairs acts as the Student Judicial Officer, and all charges of violation must be originated by the Dean of Student Affairs.

2. The President of New College of Florida shall appoint faculty/staff members from outside the Office of Student Affairs to serve as alternate judicial officers in appropriate cases (e.g., when the Dean of Student Affairs is unavailable or has a conflict of interest). The President shall prepare and maintain a list of individuals for this purpose.

3. Interim Suspension -- The President or Student Judicial Officer is authorized to suspend a student from the College or from participating in official College functions, programs, intercollegiate competitions, and other student activities if in their judgment, the student's continued presence or use of privilege at the College pending outcome of the proceedings, is likely to cause harm to members of the College community. Any interim sanction judgment will be based on evidence gathered in the initial stage of the investigation of student misconduct. Students issued an interim suspension will be provided an expedited emergency hearing as outlined in the section (7)(b)3.

4. The Student Judicial Officer will inform the University Police of possible serious criminal activity in cases where it is not clear that the University Police already possess the information. The Student Judicial Officer will request information concerning prior misconduct of the student from the University Police and other appropriate persons or offices.

5. The Student Judicial Officer shall investigate complaints of violation of the Student Code of Conduct and shall meet with the student alleged to have violated the Code to determine if there is probable cause to believe that the Code was violated by the student. The student can choose to have an advisor of his/her choice present at the meeting; however, College employees who have a potential conflict of interest may not serve as an advisor. The advisor can speak with the student but cannot speak for the student, act as attorney, nor otherwise participate in the meeting.

6. If the Student Judicial Officer determines that there is probable cause to believe that the Code was violated by the student, he/she may charge the student with such offense by hand delivering or mailing to the student's last known address a written notice of charges.

7. The written notice of charges:

a. shall allege the essential facts constituting the offense charged, including the date, time and place of the alleged offense, and shall recite the specific citation of the statute, rule, written policy or other law that the student is alleged to have violated;

b. shall be accompanied by a statement that the charged student is entitled to a prompt disciplinary hearing before the New College of Florida Student Disciplinary Board composed of one-half students, with allowances for delays due to the unavailability of student members serving on the Board; that the charged student has the options of waiving the notice requirements set forth in section (6)(a)10, requesting formal adjudication by the Board, requesting informal disposition by the Student Judicial Officer or the New College of Florida Student Alliance Student Court, or, in cases of disputes between individuals, requesting mediation; and

c. shall be accompanied by a form advising the charged student that by accepting the informal disposition or agreeing to a satisfactory resolution of the dispute through mediation and signing the form, the charged student waives his right to a formal adjudication by a board composed of one-half students.

8. In cases involving misdemeanors or non-criminal violations of this Code, the Student Judicial Officer may refer the matter to the New College of Florida Student Alliance Student Court for informal disposition. Proceedings before the Student Court shall adhere to the General Principals Applicable to Hearings set forth in section     .

(9) In cases involving disputes between individuals, the Student Judicial Officer may offer to mediate the parties' dispute in lieu of formal judicial action. If the parties agree to such mediation, the Student Judicial Officer shall attempt to facilitate a resolution of the dispute that is satisfactory to both parties. If satisfactory resolution is reached, it shall be reduced to writing and signed by the parties and the Student Judicial Officer. The signed written resolution shall be binding upon the parties. If the dispute is successfully mediated, judicial action will not be pursued.

9. If a victim of alleged violent misconduct declines to make a formal complaint or serve as a witness, the Student Judicial Officer shall meet with the alleged perpetrator for the purpose of documenting the alleged incident of misconduct. In such cases, the

victim reserves the right to decline pursuit of judicial action. The record of such a meeting will be considered in any future judicial proceedings.

10. If the Student Judicial Officer charges a student with violation of the Student Code of Conduct, he/she shall also offer the student in writing an informal disposition adjudicating whether a violation of the Code has occurred and, if so, imposing appropriate sanctions. The charged student will have the option to admit responsibility for the charge and agree to the imposition of sanctions. The charged student can choose to decline the informal disposition and request a formal hearing before the New College of Florida Student Judicial Board. The charged student will have seven (7) days from the date of receipt of the written notice of charges to request a hearing. If the charged student fails to timely request a formal hearing, the charged student waives his/her right to such hearing, and the offered informal disposition becomes effective.

11. The prehearing or informal disposition process shall be completed within twenty-one (21) days of the Office of Student Affairs' receipt of the complaint of misconduct, except in extraordinary cases (e.g., witness in coma or hospital, etc.) as determined by the Student Judicial Officer.

(c) Hearings -- Except in cases of emergency, if the charged student timely requests a formal hearing, such hearing shall be conducted before the New College of Florida Student Disciplinary Board who, after conducting such hearing, shall adjudicate, based ~~solely~~ solely on the information presented at the hearing, whether the charged student is responsible or not responsible on the charges of violating the Student Code of Conduct.

1. New College of Florida Student Disciplinary Board -- The Student Disciplinary Board is composed of three (3) faculty/staff members, one of whom shall be appointed chairperson, and three (3) students. The panel members will be selected at random from a bank of faculty/staff and student volunteers who have received training from the Office of Student Affairs. The charged student shall be informed of the panel members selected to hear his/her case and shall have the right to challenge the impartiality of any panel member within three (3) working days of notification. A panel member challenged for impartiality will be excused; however, indiscriminate impartiality challenges shall entitle the panel to proceed without regard to the challenge. Any board member not present for the taking of testimony at the hearing may not further participate. A quorum for hearing shall consist of a simple majority of the panel. However, the charged student has the right to choose to proceed or to request that the hearing be rescheduled if the judicial board present does not consist of 50% faculty/staff and 50% students. After the hearing, the board will reach its decision in executive session. A simple majority of the quorum is required for decision.

2. The hearing must be set for a date not later than six (6) weeks following the Office of Student Affairs' receipt of the complaint of misconduct, except in extraordinary cases (e.g., witness called for military duty or to mother's funeral) as determined by the Student Judicial Officer.

3. Emergency Hearings---An expedited emergency hearing will be held before the Student Judicial Officer in cases which involve the safety, health or welfare of any student or staff member, as for example in cases involving complaints of violent misconduct. The President or the Student Judicial Officer as the President's designee will immediately suspend or withdraw a student pending a hearing in emergency cases.

4. Appeals of Decisions of the College Judicial Board---The charged student may appeal in writing the decision of the College Judicial Board to the President or his designee within five (5) days of the Board's decision. The President or his designee may impose the sanction imposed by the Board. The record of the initial hearing will be considered on appeal as well as any new information that comes to the attention of the President. The President is authorized to contact any participants in the initial hearing for clarification and the charged student is entitled access to the record when appealing. The decision of the President will be rendered within two (2) weeks of receipt of the appeal except in extraordinary cases (e.g., witness is abducted or student disciplinary records destroyed in fire) as determined by the President and is the final decision of the New College of Florida. No person may hear or decide an appeal if he/she participated in the decision to charge the charged student with violation of the Student Code of Conduct or if he/she conducted or participated in the student disciplinary proceedings.

**(9) General Principles Applicable to Hearings**

(a) All hearings will be closed to spectators. No irrelevant information, especially irrelevant sexual history, will be discussed or considered at the hearing.

(b) Due Process Rights of Charged Student

1. Burden of Proof -- The burden of proof shall be on the complainant. The standard of proof for decision shall be "substantial evidence", that is, whether it is reasonable to conclude from the evidence submitted that the charged student did commit the offense for which he or she has been charged, and shall not be the strict criminal law standard of proof beyond a reasonable doubt.

2. Record -- The proceedings of all hearings shall be recorded.

3. Inspection of Evidence -- The charged student and his or advisor may inspect all of the information that will be presented against the charged student at least three (3) regular business days (excluding legal holidays) before the hearing. The College may inspect all of the information that will be presented by the charged student at least three (3) regular business days (excluding legal holidays) before the hearing.

4. Present Evidence -- The charged student may present information on his/her own behalf.

5. Question Witnesses -- The charged student may hear and question adverse witnesses, except in cases of violent misconduct where the charged student may submit questions to the Board for use in questioning adverse witnesses.

6. Self-Incrimination -- The charged student shall not be forced to present testimony which would be self-incriminating.

7. Advisor -- The charged student may have an advisor of his/her choice present, which advisor may also be a legal counsel; however, College employees who have a potential conflict of interest are not to serve. The advisor may speak with the charged student but may not speak for the charged student, act as attorney, nor otherwise participate.

8. Decision Based on Evidence -- The decision of the College Judicial Board or Administrative Officer shall be based solely on the evidence presented at the hearing, including any file referencing prior misconduct or meetings with the charged student in the custody of Office of Student Affairs.

9. Decision in Writing -- The decision of the College Judicial Board or Administrative Officer, including findings of fact and a determination of sanction, if any,

shall be presented to the charged student in writing within two (2) weeks following the hearing.

10. Enrollment Status -- The charged student's enrollment status will remain unchanged pending final decision, except in cases emergency, as considered above.

11. Failure to Appear -- If a charged student fails to appear, the College Judicial Board or Student Judicial Officer may proceed in his/her absence.

(c) Rights of the Complainant/Victim

1. The complainant shall have the right to submit a list of questions related to the alleged incident for consideration prior to the hearing, that he/she feels the accused should be asked during the hearing process.

2. In cases of violent misconduct, as defined by Section 16 Title 18 United States Code, the following additional rights pertain:

a. The complainant shall be entitled to the assistance and advice of a person designated by the College with substantial knowledge of the New College Of Florida student judicial process.

b. The complainant shall have the right to submit an impact statement to the Student Judicial Officer for use during the sanctioning portion of the judicial process.

c. The complainant shall have the right to be present during the entire hearing, notwithstanding the fact that the complainant is to be called as a witness. In extraordinary cases (e.g., complainant suffers from panic disorder or contagious disease), alternate arrangements may be made for the complainant to participate in the hearing without being present in the same room.

d. The complainant may have an advisor of his/her choice present, which advisor may also be a legal counsel; however, College employees who have a potential conflict of interest are not to serve. The advisor may speak with the complainant, but may not speak for the complainant, act as attorney nor otherwise participate.

e. The Student Judicial Officer will inform the complainant, whenever possible, of the outcome of the judicial proceeding.

*Specific Authority 1001.74(10)(e), 1001.74(41), 1006.63, 1006.60, 240.262(2) FS. Law Implemented ss. 1006.61, 1006.62, 1004,26, 1006.63(2), F.S. History- New\_\_\_\_\_*

## NEW COLLEGE OF FLORIDA Policies and Procedures Manual

	Subject of Policy Statement	Effective Date	Policy Number
	<b>Immunization Policy</b>	<b>4-27-02</b>	<b>33-001</b>

As a prerequisite to matriculation or registration, the State University System of Florida requires all students born after 1956 to present documented proof of immunity to **MEASLES** (rubeola). All students less than 40 years of age shall present documented proof of immunity to **RUBELLA** (German measles). Consistent with Department of Health and Rehabilitative Services guidelines, acceptable proof of immunity is as follows:

**MEASLES:** Students can be considered immune to measles (rubeola) only if they have documentation of at least one of the following:

1. Medical documentation of immunization with **TWO (2) DOSES** of live measles virus vaccine on or after the first birthday [and administered no less than 30 days apart]. Persons vaccinated with killed, or an unknown vaccine, prior to 1968 must be revaccinated. Persons born before 1957 may be considered to have had a natural infection, and therefore do not need measles vaccine **OR,**
2. Copy of laboratory (serologic) evidence of measles immunity (IgG rubeola titer) **OR,**
3. A written, dated statement signed by a physician on his/her stationery that specifies the date seen and stating that the person has had an illness characterized by a generalized rash lasting three (3) or more days, a fever of 101° Fahrenheit or greater, a cough, and conjunctivitis, and, in the physician's opinion, is diagnosed to have had the 10 day measles (rubeola).

**RUBELLA:** Students can be considered immune to rubella only if they have documentation as follows:

1. Medical documentation of immunization with live rubella virus vaccine on, or after, the first birthday **OR,**
2. Copy of laboratory (serologic) evidence of rubella immunity (IgG rubella titer).

**ADDITIONAL INFORMATION :**

- If a student has no documentation of any doses of measles vaccine, vaccine should be given at the time of entry and the second dose no less than thirty (30) days and no more than three (3) months, later. It is recommended that both doses of measles vaccine be given as a combined measles-mumps-rubella (MMR) vaccine.
- The documented date of immunization for both measles and rubella should indicate the day, month, and year. However, only month and year will suffice if the month and year indicate that the immunization was given at least 13 months after the month of birth.
- Temporary medical exemptions - must be submitted by the attending physician, must include reason for exemption and duration of exemption.
- Religious exemptions - contact Counseling and Wellness Center, (941) 359-4254, for an application.
- Off-campus term and transient student exemptions - contact the Office of the Registrar, (941) 359-4230.
- Immunizations and blood tests are available at the Counseling and Wellness Center. Call (941) 359-4254 for information.

**PLEASE NOTE: ALL FEMALES SHOULD BE AWARE THAT THEY SHOULD NOT BE VACCINATED IF THERE IS ANY POSSIBILITY OF PREGNANCY.**

Counseling and Wellness Center  
NEW COLLEGE OF FLORIDA  
5700 North Tamiami Trail  
Sarasota, FL 34243  
(941) 359-4254  
FAX (941) 359-4256