AMENDED AGENDA

FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Tuesday, May 10, 2016       8:30 a.m. – Noon / 11 a.m.

COHEN CENTER BALLROOM, ROOM # 203-B
FLORIDA GULF COAST UNIVERSITY

Indicated times within the agenda are approximate and are subject to change. Agenda items may be taken out of order at the call of the Chair and with the concurrence of the Board.

A slot for an Executive Session will appear on each Agenda with an estimated allocation of 45 minutes. If no Executive Session is necessary or if the time allocated is not used in its entirety, the public meeting may continue or be reconvened immediately thereafter. The agenda’s below indicated times appear in RED when an Executive Session is held, and in BLUE when not.

8:30 a.m. | 8:30 a.m.    Call to Order, Roll Call, and Opening Remarks – Chair Dudley Goodlette

8:35 a.m. | 8:35 a.m.    Consent Agenda – Chair Dudley Goodlette
• Minutes of April 19, 2016 Regular Meeting (TAB #1)
• Resolution of Appreciation for Outgoing Trustee Tom Grady (TAB #2)

8:40 a.m. | 8:40 a.m.    Presentation of Resolution of Appreciation for Outgoing Trustee Tom Grady – Chair Dudley Goodlette and President Wilson Bradshaw

8:45 a.m. | n/a        Call for Executive Session on Matters of Litigation, Pursuant to 286.011(8), F.S. – Vice President and General Counsel Vee Leonard
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<th>Time</th>
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<tr>
<td>8:50 a.m.</td>
<td>Executive Session (30 minutes)</td>
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<td>9:20 a.m.</td>
<td>Break (5 minutes)</td>
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<td>9:25 a.m.</td>
<td>Regular Meeting Resumes – Chair Dudley Goodlette</td>
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<td>9:30 a.m.</td>
<td>Chair’s and President’s Report on Senator Negron’s Bus Tour Visit to FGCU – Chair Dudley Goodlette and President Wilson Bradshaw (TAB #3)</td>
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<td>9:45 a.m.</td>
<td>Report from Special Committee on Delegations of Authority to University President (Includes Public Comment) – Committee Chair Christian Spilker</td>
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<td>• Minutes of April 29, 2016 Committee Meeting (TAB #4)</td>
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<td>• Committee Recommendation(s) on Delegations of Authority to University President:</td>
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<td>• Resolutions on Presidential Authorizations (TAB #5)</td>
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<td>10:05 a.m.</td>
<td>Report from Special Committee on FGCU Strategic Plan 2016-2021 (Includes Public Comment) – Committee Chair Shawn Felton</td>
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<td>• Minutes of April 29, 2016 Committee Meeting (TAB #6)</td>
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<td>• Draft FGCU Strategic Plan 2016-2021 (TAB #7)</td>
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<td>• Draft FGCU 2016 Work Plan for Board of Governors (TAB #8)</td>
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11:05 a.m. | 10:05 a.m.  **Report from Presidential Search Advisory Committee** –  
**Committee Chair Ken Smith**

**Information Only:**
- Board Discussion Regarding Desired Presidential Leadership Qualities

11:50 a.m. | 10:50 a.m.  **Old Business** – **Chair Dudley Goodlette**

11:55 a.m. | 10:55 a.m.  **New Business** – **Chair Dudley Goodlette**

**Board Action:**
- **FGCU Building Naming Request** - Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau (TAB #9)

Noon | 11 am.  **Chair’s Closing Remarks, & Meeting Adjournment** –  
**Chair Dudley Goodlette**

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<th>Item</th>
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<tbody>
<tr>
<td>1</td>
<td>Minutes of April 19, 2016 Regular Meeting</td>
<td>Board Action (Consent Agenda)</td>
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<td>2</td>
<td>Resolution of Appreciation for Outgoing Trustee Tom Grady</td>
<td>Board Action (Consent Agenda)</td>
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<td>3</td>
<td>Chair’s and President’s Report on Senator Negron’s Bus Tour Visit to FGCU</td>
<td>Information Only</td>
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<td>Committee Action</td>
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<td>5</td>
<td>Committee Recommendations on Delegations of Authority to University President: Resolutions on Presidential Authorizations</td>
<td>Board Action</td>
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<tr>
<td>6</td>
<td>Minutes of April 29, 2016 Committee Meeting</td>
<td>Committee Action</td>
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<td>7</td>
<td>Draft FGCU Strategic Plan 2016-2021</td>
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<tr>
<td>8</td>
<td>Draft FGCU 2016 Work Plan for Board of Governors</td>
<td>Information Only</td>
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<td>9</td>
<td>Florida Gulf Coast University Building Naming Request</td>
<td>Board Action</td>
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ITEM: __1__

Florida Gulf Coast University Board of Trustees
May 10, 2016

SUBJECT: Minutes of April 19, 2016 Special Meeting

PROPOSED BOARD ACTION

Approve minutes

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees met on April 19, 2016. Minutes of the meeting were kept as statutorily required.

Supporting Documentation Included: Minutes of April 19, 2016 Meeting

Prepared by: Tiffany Reynolds, Executive Assistant to the Vice President and Chief of Staff

Legal Review: N/A

Submitted by: Vice President and Chief of Staff Susan Evans
FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Tuesday, April 19, 2016

COHEN CENTER BALLROOM, ROOM # 203-B

Regular Meeting Minutes

Members:
Present: Trustee Dudley Goodlette – Chair; Trustee Shawn Felton – Vice Chair; Trustee Darleen Cors; Trustee Theldens Elneus; Trustee Joe Fogg (until 2:00 p.m.); Trustee Blake Gable (until 1:48 p.m.); Trustee Carol Moore; Trustee Kevin Price (arrived at 8:34 a.m.); Trustee Russell Priddy; Trustee Robbie Roepstorff; and Trustee Ken Smith.

Not Present: Trustee Joe Catti; and Trustee Christian Spilker.

Others:
Staff: President Wilson Bradshaw; Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder; Vice President for Administrative Services and Finance Steve Magiera; Vice President for Student Affairs Mike Rollo; Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau; Vice President and Chief of Staff Susan Evans; Vice President and General Counsel Vee Leonard; Director of Internal Audit Carol Slade; Director of Board Operations, and Special Projects Amber Pacheco; Director of Media Relations Lillian Pagan; and Executive Assistant to the Vice President and Chief of Staff Tiffany Reynolds.

Item 1: Call to Order, and Roll Call
Chair Dudley Goodlette called the meeting to order at 8:30 a.m. Roll call was taken with 10 of 13 Trustees present, thus meeting quorum requirements. Chair Goodlette stated that the agenda had been amended to move some items to a future meeting, and indicated one additional item to remove. He said that Mr. Syd Kitson of Babcock Ranch would make his presentation to the Board at either the May 10, 2016 or the June 7, 2016 meeting. He also noted that Senior Associate Provost Paul Snyder was present to represent Provost and Vice President for Academic Affairs Ron Toll, who was unable to attend due to a family medical matter.

Item 2: Welcome to New Trustees Darleen Cors, Joseph Fogg III, and Carol Moore
Chair Goodlette stated that the Board was delighted to welcome three new members including Trustees Darleen Cors, appointed by Governor Scott; Joe Fogg, appointed by the Board of Governors (BOG); and Carol Moore, appointed
by Governor Scott. He also acknowledged the reappointment of Trustee Russell Priddy by Governor Scott. He asked each new Trustee to briefly introduce themselves.

Trustee Cors stated that she was honored to join the Board. She said that through the upcoming strategic planning process, we have the ability to define FGCU’s uniqueness as an institution in Southwest Florida and propel it into one of the finest universities it can be. She said that there is an equally exciting opportunity to find just the right leader to achieve the vision and goals derived from the Strategic Plan. She stated that she is committed to contribute to an affordable education for all students through programs and degrees that lead to higher paying jobs in the global economy.

Trustee Fogg stated that after attending Yale and Harvard Business School, he spent a full career on Wall Street at Morgan Stanley. He said that he was excited to be on the Board, and to be involved in higher education in Southwest Florida. He stated that he was looking forward to working with the Board.

Trustee Moore stated that she was pleased the Governor considered her for the position and admires what he has done for the State in making education so available and affordable. She said that she would do whatever she can to help make FGCU a school that students can afford without accumulating a lot of debt, and who will be able to get jobs to be great contributors to society.

Item 3: Consent Agenda (See Tabs #1-4)
Chair Goodlette listed the four items on the Consent Agenda as: (1) the minutes of the Board’s meeting on February 23, 2016; (2) a Resolution of Appreciation for former Board Chair Robbie Roepstorff; (3) a Resolution of Appreciation for former Trustee Dick Klaas; and (4) a Resolution of Appreciation for former Trustee Rob Wells.

Trustee Smith made a motion to approve the Consent Agenda. Trustee Priddy seconded the motion. There was no public comment. The motion carried with Trustee Fog indicating he could not vote on the previous meeting’s minutes since he was not present, but that he was supportive of the resolutions of appreciation.

Item 4: Presentation of Resolutions of Appreciation for Outgoing Chair Robbie Roepstorff, and Outgoing Trustees Dick Klaas and Rob Wells
Vice President and Chief of Staff Susan Evans read for the record the Resolutions of Appreciation for Outgoing Chair Robbie Roepstorff; and Outgoing Trustees Dick Klaas and Rob Wells.

Chair Goodlette and President Bradshaw presented the Resolutions of Appreciation to Outgoing Chair Robbie Roepstorff; and Outgoing Trustees Klaas and Wells. Outgoing Chair Roepstorff; and Outgoing Trustees Klaas and Wells made remarks of thanks and appreciation for their time served on the Board.
Item 5: Standing Report from FGCU Financing Corporation Board of Directors

Chair Goodlette called on Chair of the FGCU Financing Corporation Board of Directors (BOD) Dick Ackert.

Mr. Ackert stated the plan for the next five years does not include any new beds being built on campus. He said that since things are slow right now, they are attending to housekeeping matters. He indicated that he had talked with Dr. Bradshaw regarding University Housing Director Brian Fisher’s plans to ask the FGCU Financing Corporation BOD for its authorization to enhance North Lake Village. He indicated that he would ask Dr. Fisher to present his plans to the Board at the June 7, 2016 meeting. He indicated that over the next five years, the FGCU Financing Corporation plans to retool some properties as they are getting close to being 20 years old, which will enhance the students’ enjoyment of campus. He indicated that the sale of the Naples property, which was approved by the Board at the January 12, 2016 meeting, is moving forward with a scheduled closing date of May 25, 2016. He indicated that a couple of variable rate bonds have been paid off, thereby enhancing the variable rate exposure, which is viewed favorably by rating agencies. He stated that the letters of credit for the 2008 Housing Bond and the 2009 Parking Garage Bond have been extended to 2019.

Chair Goodlette indicated that he was pleased to announce that Trustee Fogg had agreed to serve as the FGCU BOT representative on the FGCU Financing Corporation Board of Directors.

Item 6: Standing Report from FGCU Foundation Board of Directors

Chair Goodlette called on Chair of the FGCU Foundation Board of Directors David Call.

Mr. Call stated that fundraising for the Foundation remains strong. He indicated that the fiscal year goal was established at $18 million, and the Foundation has secured over $26.8 million in cash and pledges through April 15, 2016, which means the progress toward the overall $100 million campaign has reached $92.7 million with almost 15 months remaining. He said they are confident in securing over $30 million in this fiscal year. He said that there is growth across all sectors of giving in areas of the University, and noted that this quarter was particularly strong for WGCU as they secured three major gifts including an estate gift that is the largest in WGCU history. He indicated that the Foundation is coordinating FGCU Give Day on April 26, 2016 in an attempt to secure more donors in one day than any day in the past, and he encouraged everyone to participate. He stated that the Board of Directors will likely name three to four additional members in June 2016. He said the Foundation is evaluating external opportunities that will advance the University and Foundation, and that he will have more to report on this at the June 2016 meeting. He indicated that the Alumni Relations program continues to grow, and noted that chapter events were...
held throughout the country during the men’s and women’s basketball
tournament runs. He stated that the FGCU Effect brand campaign is in full swing,
and we have invested in radio, television, billboard, and airport advertising. He
said that the great stories of the University are being told in an effort to reach
students who will enroll, prosper, and graduate in four years. He thanked Chair
Goodlette for allowing him to serve as the Foundation Chair on the Presidential
Search Advisory Committee.

Chair Goodlette stated that Trustee Smith had agreed to continue to serve as the
representative from the FGCU BOT on the Foundation Board.

Item 7: Call for Executive Session on Matters of Litigation,
Pursuant to 286.011(8), F.S.

Vice President and General Counsel Vee Leonard asked for an Executive
Session on matters of litigation, pursuant to 286.011(8), specifically (1) Natalie
Wilson versus FGCU Board of Trustees and Collin Ramdeen; and (2) Cody
Childers versus FGCU Board of Trustees, Dr. Ron Toll, Dr. Mitchell Cordova, Dr.
Joan Glacken, Dr. Arie van Duijn, and Dr. Eric Shamus.

At 8:58 a.m. Chair Goodlette temporarily adjourned the regular BOT meeting for
the purpose of convening the Executive Session in the Cohen Center, room 213.

Item 8: Regular Meeting Resumes

Having concluded the Executive Session, Chair Goodlette reconvened the open
meeting of the FGCU Board of Trustees at 10:01 a.m. in the Cohen Center
Ballroom.

Item 9: Student Success Showcase

Chair Goodlette called on President Bradshaw to introduce the student
presenters. President Bradshaw invited students to speak on their successes at
FGCU. Student presenters were Mr. James Till, and Ms. Lori Boegershausen.

Item 10: Chair’s Report

Chair Goodlette stated that in accordance with the Bylaws, as Board Chair he is
responsible for appointing Chairs of the Board’s various committees – as well as
representatives to serve on the University’s two Direct Support Organizations
(DSOs). He appointed the following to these positions:

• Chair of the Academic/Student/Faculty Affairs Committee: Trustee Christian
  Spilker, who already is serving in this position.

• Chair of the Finance, Facilities and Administration Committee: Trustee Blake
  Gable.
• Trustee Representative on the FGCU Foundation Board of Directors: Trustee Ken Smith, who already is serving in this position.

• Trustee Representative on the FGCU Financing Corporation Board of Directors: Trustee Joe Fogg.

He stated that the Board Chair serves as Chair of the Audit Committee.

He noted that in addition to these appointments, there are a couple of other current special Committees of the Board:

• Special Committee on Delegations of Authority to University President – Chaired by Trustee Christian Spilker.

• Presidential Search Advisory Committee – Chaired by Trustee Ken Smith.

Chair Goodlette thanked the Trustees for accepting these positions for the Board.

He stated that President Bradshaw and his team have been working on the University’s strategic plan for the next 5 years (2016 – 2021). He indicated that the Board has reviewed drafts of the Plan and provided input and feedback.

He stated that he was appointing a Special Committee on FGCU Strategic Plan 2016 – 2021. He charged the Committee to work with the Administration on the draft strategic plan – and also to coordinate its content with what will be included in the upcoming FGCU 2016 Work Plan for the Board of Governors. Chair Goodlette indicated that Vice President and Chief of Staff Susan Evans had developed a critical path for this process, which culminates in Board action on both documents at the June 7, 2016 meeting – in advance of the Board of Governors’ deadline for the Work Plan. He asked her to share a copy of this critical path indicating specific dates and deadlines with the Special Committee as its work begins.

He appointed the following Trustees to the Special Committee on FGCU Strategic Plan 2016-2021: Trustee and Board Vice Chair Shawn Felton as Committee Chair; Trustee Ken Smith; Trustee Robbie Roepstorff; Trustee Russell Priddy; Trustee Christian Spilker; and Trustee Cors. He thanked them for their willingness to serve in this important capacity for the Board.

Chair Goodlette indicated that there was not an Audit Committee meeting today, but that Internal Audit Director Carol Slade will be bringing some items to the June 7, 2016 Board meeting. He stated that the Auditor General recently filed its “Report of State of Florida Compliance and Internal Controls over Financing Reporting and Federal Grants” for the fiscal year ended June 30, 2015. He said that he was pleased to report that Florida Gulf Coast University does not appear in the Report as there were no findings or recommendations issued to the University. He indicated that the Auditor General files a companion report called the “Summary Schedule of Prior Audit Findings,” which addresses the
deficiencies of agencies from the prior year – and whether the deficiencies have been addressed. He reported that FGCU had no findings for the previous year either. He commended everyone at FGCU who regularly contributes to these exceptional outcomes with the finances, and financial controls and procedures.

He stated that the Board of Governors (BOG) will hold a joint meeting of its Facilities Committee, and its Innovation and Online Committee on the FGCU campus on Thursday, May 12, 2016. He noted the meeting will be held in the Cohen Center Ballroom from 9 a.m. to 4 p.m.

He noted that Ms. Evans and her staff will send to the Board the meeting agenda when the BOG publishes it closer to the meeting date. He said that he hoped as many Trustees as possible can be there for a part or all of the meeting to welcome BOG guests to FGCU.

Chair Goodlette stated that FGCU will welcome Florida Senate President-Designate Joe Negron on Thursday, April 21, 2016 as part of his university bus tour. He said that Senator Negron has announced his wish to allocate an additional $1 billion in funding for higher education over the next two years. He indicated that Senator Negron will be joined by Senator Lizbeth Benacquisto and Senator Anitere Flores.

**Item 11: President's Report**

Chair Goodlette called on President Wilson Bradshaw.

President Bradshaw welcomed new Trustees Darlene Cors, Joe Fogg and Carol Moore. He stated that he looked forward to working with them to advance the mission of FGCU. He congratulated Trustee Theldens Elneus, and Trustee and Vice Chair Shawn Felton on their re-elections as Student Government President, and Faculty Senate President, respectively. He indicated that their re-elections also mean that they will remain as members of the FGCU Board of Trustees for another year.

President Bradshaw announced that Lori Boegershausen, and Emilio Feijoo were recognized as the first students in FGCU’s history to be selected for prestigious Fulbright grants to study or teach abroad.

He indicated that FGCU is one of five schools selected for a new program by Veterans Florida, a non-profit created by the Florida Legislature to support veterans through the Veterans Florida Entrepreneurship Program. He said the program assists veterans in the state seeking to start their own businesses. He indicated that the program is implemented in three phases, as follow:

- Phase 1: Consists of 7 weeks of online development training covering the basics.
Phase 2: Takes place on campus in seven sessions spread over three weekends. Veterans receive face-time instruction from experts as they refine their business plans.

Phase 3: Involves ongoing mentorship and follow-up support from Florida Small Business Development Center consultants to help the new businesses get up and running successfully.

He said that participation in the program is open to anyone who is either active duty or served for at least three years and was honorably discharged – and who lives in or plans to relocate to Florida. He indicated that veterans do not need to be enrolled at FGCU to participate. He stated his plan to bring more information about the program after it’s been up and running for a while.

Item 12: Special Committee on Delegations of Authority to University President (Includes Public Comment) (See Tabs #5-6)

On behalf of Committee Chair Spilker, Chair Goodlette gave the report for the Special Committee on Delegations of Authority to University President.

He stated that Chair Spilker had convened a meeting of the Committee on March 29, 2016. He said that Chair Spilker and the Committee members felt that another meeting was needed before bringing recommended action to the full Board. He indicated the next meeting will be held on Friday, April 29, 2016 at 9 a.m. He indicated that Chair Spilker will bring recommendations to the Board at the May 10, 2016 meeting.

Item 13: Report from Presidential Search Advisory Committee (Includes Public Comment) (Tab #7)

Chair Goodlette called on Chair of the Presidential Search Advisory Committee Trustee Ken Smith.

Chair Smith stated that there was one recommended Action Item for the Board’s consideration, which is the Search Timeline. He indicated that Committee members would be invited to attend an upcoming Board meeting so they can be introduced to the Board. He listed the members of the Committee and the groups they represent as follow:

- Trustee Robbie Roepstorff – President of Edison National Bank. Represents the FGCU Board of Trustees. Serves as the Committee’s Vice Chair.
- Mr. Ed Morton – Principal of Wasmer Schroeder & Co., and former member of the FGCU Board of Trustees and the FGCU Foundation Board of Directors. Represents the Board of Governors.
- Mr. Dick Ackert – Retired President and CEO of SouthTrust Bank of Southwest Florida. Chairs and represents the FGCU Financing Corporation Board of Directors.
Dr. Tim Allen – Alico Chair and Eminent Scholar of Finance in the Lutgert College of Business. Represents the Faculty.

Mr. David Call – Regional President of Fifth Third Bank, South Florida. Chairs and represents the FGCU Foundation Board of Directors.

Mr. Harry Casimir – Chief Technology Officer and Co-founder of Atilus web design and marketing firm. Chairs and represents the FGCU Alumni Association Board of Directors.

Ms. Nicole Catalfamo – Coordinator of Loans and Employment Programs in the Office of Financial Aid and Scholarships. Vice Chairs and represents the FGCU Staff Advisory Council.

Trustee and Student Government President Thieldens Elneus – Student with a Computer Information Systems major. Represents the students, and the FGCU Board of Trustees.

Dr. Bob Gregerson – Dean of the College of Arts and Sciences. Represents the Academic Deans.

Mr. Lindsay Harrington – Community Commercial Realtor with Coldwell Banker Residential in Punta Gorda, and former Speaker Pro Tempore of the Florida House of Representatives. Represents the Community.

Dr. Madelyn Isaacs – Professor and Chair in the Department of Counseling in the College of Health Professions and Social Work. Represents the Faculty.

Dr. Sharon Isern – Professor in the Department of Biological Sciences in the College of Arts & Sciences. Represents the Faculty.

Ms. Pamela Noland – Attorney and former Executive Vice President and CEO of Lee County Electric Cooperative. Represents the Community.

Mr. Charles Winton – President of Estero Bay Chevrolet, and Chairman Emeritus of the FGCU Foundation Board of Directors. Represents the Community.

He thanked Board Chair Goodlette for these fine appointments to the Committee.

He indicated that there were two sub-committees, and that all Committee members serve on one. He noted the sub-committees as (1) the Executive Search Firm Sub-Committee, chaired by Trustee Roepstorff; and (2) the Position Announcement Sub-Committee, chaired by Dean Gregerson.

He stated that the full Committee followed by the Executive Search Firm Sub-Committee met in organizational sessions on April 5, 2016. He said they received information on a wide range of topics related to the search, including Human Resources best practices and support; the Sunshine Law for open meetings and public records; and the procurement process with the Request for Quotation (RFQ). He said the Position Announcement Sub-Committee will hold its first meeting on April 28, 2016.

He said that Board Chair Goodlette’s charge to the Committee outlines its duties and responsibilities, and emphasizes the Committee’s nature as advisory to the
FGCU Board of Trustees. He stated that the ultimate charge given to the Committee is to provide to the Board a minimum of three qualified unranked candidates for the Board’s selection consideration. He noted that Chair Goodlette’s charge to the Committee can be viewed on the presidential search website. He said that the website also provides complete information about the presidential search, including meeting dates; agendas; minutes; information on the Committee members; and next meetings. He said the website includes the “Chair’s Updates” that he will be providing throughout the process, and encouraged Trustees to regularly check the site for new updates and information.

He indicated that the next meetings were as follow:
- April 28: Presidential Search Advisory Committee starting at 8:30 a.m., followed by Position Announcement Sub-Committee in Cohen Center Room 213.
- May 5: Presidential Search Advisory Committee starting at 8:30 a.m., followed by Executive Search Firm Sub-Committee in Cohen Center Room 213.

Search Timeline (Tab #7)
Chair Smith stated that on behalf of the Presidential Search Advisory Committee, he brings a recommendation to approve the Search Timeline. He stated that the timeline is subject to change as the Committee moves through the process, but stated that he felt it important to have the Board approve the framework for the search. He indicated there was one item that he would like to move up on the Timeline. He stated that the original plan was to lead the Board in a discussion of desired leadership qualities at its June 7, 2016 meeting. He indicated that this item will be moved to the May 10, 2016 Board meeting in order to more timely share with the Position Announcement Sub-Committee the Board’s feedback. He highlighted two dates, which have been added to the Board’s meeting schedule for 2016-2017. He listed them as follow:
- February 28, 2017 Board meeting as a placeholder if needed; and
- March 14, 2017 Board meeting as the day the Board will interview the candidates advanced by the Search Advisory Committee, and select the new President during the meeting.

Trustee Felton made a motion to approve the recommended Search Timeline. Trustee Gable seconded the motion.

Trustee Gable asked how closely the Committee is communicating with the Board of Governors (BOG). Chair Smith indicated that he has had several conversations with the Chancellor and their General Counsel, to discuss the Timeline, and to inform them of milestones in the search process. He said that Mr. Morton is on the Committee as a representative of the BOG, so he also is communicating with them. He indicated that the BOG has been very helpful in the process so far including on the Timeline, and the makeup of the Committee. He noted that the BOG currently is working on a best management practice regulation concerning presidential selections and stated that the Committee is
following those guidelines very closely. He indicated that it is in the Board’s best interest to keep the BOG informed since ultimately, the candidate selected will need to be confirmed by the BOG.

Board Chair Goodlette agreed and stated that the regulation that the BOG will release is a mirror image of the FGCU search process as outlined by Committee Chair Smith, in terms of committee composition and representation of constituent groups.

There was no public comment. The vote was unanimous in favor of the motion.

Item 14: Academic/Student/Faculty Affairs Committee (Includes Public Comment) (See Tabs #8-18)

Chair Goodlette called on Trustee Felton to provide the report for Academic/Student/Faculty Affairs Committee Chair Trustee Spilker.

Trustee Felton called on Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder.

Draft Accountability Report: Improvement Action Plans for FGCU’s Performance Based Funding Metrics (Tab #8) [Note: Dr. Snyder’s presentation is provided as an attachment to these minutes.]

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented each metric.

Metric 2: Median Wages of Bachelor’s Graduates Employed Full-time in Florida

The Board discussed the advantages and disadvantages of a centralized organizational structure in regards to student advising, student services, and internships and cooperative programs; the need for more integrated efforts across the Colleges; and the ability to hold someone accountable for these efforts.

Trustee Smith recommended including Performance Based Funding (PBF) in University processes as a way to drive change.

Trustee Fogg requested comparable statistics on the State and national level. President Bradshaw stated that the information would be provided to him.

Metric 3: Cost per Bachelor’s Degree

The Board discussed space utilization, course schedules, and offering more sections as a means to get students to graduate sooner thereby reducing the cost for a degree. The Board also discussed monitoring and tracking students’ time to graduation.
The Board discussed centralized versus decentralized academic advising, and the need to track and monitor students from the beginning. Trustees discussed making a cultural change from a six-year graduation rate to a four-year graduation rate.

Trustee Price suggested a cohesive plan that focuses on what FGCU is, which will consequently provide what FGCU is not and will set those expectations up front, as a way to get students who will align with the centers of distinction.

The Board had no discussion regarding Metric 6.

The Board had no discussion regarding Metric 7.

Trustee Smith suggested a dashboard for each enrolled class to be able to see data in real-time and he said that he would like to see the information now.

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented New Degree Program: Bachelor of Science in Forensic Science.

Trustee Priddy made a motion for approval. Trustee Gable seconded the motion.

Trustee Price suggested having employers write about their interest in, providing mentorship, and hiring students after graduation.
There was no public comment. The vote was unanimous in favor of the motion.

**New Degree Program: Bachelor of Science in Public Health (Tab #12)**

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented New Degree Program: Bachelor of Science in Public Health.

Chair Goodlette made a motion for approval. Trustee Cors seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**New Degree Program: Master of Physician Assistant Studies (Tab #13)**

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented New Degree Program: Master of Physician Assistant Studies.

He indicated the proposal includes a tuition cost differential to offset costs.

Trustee Roepstorff made a motion for approval. Trustee Priddy seconded the motion.

Trustee Roepstorff asked if the tuition rate will be lower in comparison to other universities. Dr. Snyder said that it would be comparable. Trustee Roepstorff asked for clarification. President Bradshaw assured that clarification will be provided regarding the tuition rate.

There was no public comment. The vote was unanimous in favor of the motion.

**New Degree Program: Master of Science in Engineering (Tab #14)**

Trustee Felton indicated that this item had been tabled at this time.

**CIP Change from 24.0101 to 30.0000 (Tab #15)**

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented CIP Change from 24.0101 to 30.0000

Trustee Smith made a motion for approval. Trustee Gable seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**CIP Change from 09.0102 to 09.0101 (Tab #16)**

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented CIP Change from 09.0102 to 09.0101.

Trustee Smith made a motion for approval. Trustee Gable seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**Reactivation of M.A. Environmental Studies, CIP 03.0103 (Tab #17)**

Senior Associate Provost and Associate Vice President for Academic Affairs Paul Snyder presented Reactivation of M.A. Environmental Studies, CIP 03.0103.
Trustee Smith made a motion for approval. Trustee Price seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

**Regulation: FGCU-PR4.004 Student Grievance (Tab #18)**

Vice President for Student Affairs Mike Rollo presented Regulation: FGCU-PR4.004 Student Grievance.

Trustee Priddy made a motion for approval. Trustee Smith seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

At 12:37 p.m. the FGCU Board of Trustees recessed for a lunch break.

**Item 15: Regular Meeting Resumes**

Having concluded the recess for lunch, Chair Goodlette reconvened the open meeting of the FGCU Board of Trustees at 1:03 p.m. in the Cohen Center Ballroom

**Item 16: Finance, Facilities and Administration Committee Meeting (Includes Public Comment) (See Tabs #19-25)**

Chair Goodlette stated there are two Information Items, and five Action Items. He reiterated that Mr. Kitson’s presentation is postponed to a later meeting.

**2016 Legislative Session Report (Tab #19)**

Chair Goodlette called on Director of Government Relations Jennifer Goen to present the 2016 Legislative Session Report.

Ms. Goen highlighted a few sections from her report. She said that on March 17, Governor Scott signed an $82 billion budget. She highlighted the reversion of funds allocated for FGCU’s South Road project, as well as a slight reduction in funding which also affected other institutions. She said the reversion mirrors the agreement that President Bradshaw sent to Governor Scott dated June 19, 2015. She said that also listed in the report are the FGCU BOT approved legislative priorities and their funding outcomes. She mentioned that FGCU had two priorities that were requested from the legislature; the first one was Target Existing Talent Gaps and $1 million of non-recurring funding was received for that; and the other was Student Success Initiative which was not funded. She stated that this year in the budget FGCU received capital funding for the following: $3.8 million for planning and design for Academic Building 9, and approximately $1.5 million in capital improvement trust fund, which is an increase over the 2015 year. She highlighted the following bills from the Policy Report which have all been approved by Governor Scott.
SB 7076-Legislature
She said that this bill requires the 2018 Regular Session of the Legislature to convene on Tuesday, January 9, 2018.

HB 7029- School Choice
She said this bill made changes to the preeminent university criteria; it creates emerging preeminent university criteria; it made changes to university BOT membership and notice requirements; and it made changes to university state performance based funding by adding a new metric which reflects the added value of a baccalaureate degree. She stated that it also established a minimum performance funding eligibility for both the state and institutional investments. She indicated that it also renames the National Merit Scholarship program to the Benacquisto Scholarship Program.

HB 7019- Postsecondary Access and Affordability
She stated that this bill makes several changes to Florida statute which include but is not limited to: requiring the BOG to annually identify strategies and initiatives to promote college affordability; it requires the BOT to examine each semester the cost of textbooks and instructional materials by course, and it also requires the Board to send the Chair of the respective department a list of courses for review with a wide variance. She noted that it is only in effect until July 1, 2018 unless otherwise enacted by the legislature. She said that it also authorizes Boards of Trustees to adopt policies for the use of innovative pricing techniques and payment options for textbooks and instructional materials. She said that it requires universities to prominently post on their websites a list of recommended and required textbooks at least 45 days prior to the first day of class. She stated that it requires the BOG to regularly conduct a cost benefit analysis for textbooks and instructional materials, and it removes the BOG’s ability to appoint a designee to establish tuition for graduate and professional programs and out-of-state fees for all programs. She stated that finally, it requires universities to publicly notice and notify all enrolled students of any possible tuition and fee increases 28 days prior to the BOT meeting. She indicated that FGCU Day at the Capital had an overwhelming response to help spread the FGCU Effect, and SB1750 and HB9013 were the resolutions commemorating January 26, 2016 as FGCU Day. She mentioned that March 27-28, 2017 is the next FGCU Day at the Capital, and the Eagle Advocacy Appreciation Reception for legislators will be on June 2, 2016 starting at 4 p.m.

Finance/Budget Update (Tab #20)
Chair Goodlette called on Vice President for Administrative Services and Finance Steve Magiera to present the Finance/Budget Update.

Mr. Magiera indicated that we are up about 4.93% on tuition due to an increase in out-of-state students which make up about 6.5% of the student population. He indicated that the concessions line is at 48% variance, because it was budgeted in the auxiliary fund but it’s being accounted for correctly in the concessions fund. He indicated that overall revenue is about $600,000 above what was budgeted
and the expenditures are about $5 million below, which is expected to change by June 30. Revenues should be up about $2 million over budget and expenditures should still be about $3 million below what was projected. He said he will be presenting the operating budget in June, and will be bringing carry-forward spending to the Board for approval.

Trustee Smith requested a detailed list of capital projects, and asked for information regarding how Performance Based Funding was being spent. Mr. Magiera indicated that he would provide this at the June meeting.

Trustee Priddy asked when to expect the permits for the South Access Road. Mr. Magiera indicated that it could take 6-9 months.

**Regulation: FGCU-PR TBD First Year Tuition Rebate Program (Tab #21)**

Vice President for Administrative Services and Finance Steve Magiera asked the Board to consider changing this name to the Governor’s Challenge Rebate Program, as used by President Bradshaw when presenting it to the Governor and the Cabinet.

Trustee Priddy made a motion for approval including the name change of Governor’s Challenge Rebate Program. Trustee Price seconded the motion.

The Board discussed the amount of detail included in some regulations as compared to others.

Trustee Moore asked if courses could be offered online to help students have access to the courses they need. Dr. Snyder stated that Florida Virtual Campus offers Florida Shines which has been used to provide course substitutes.

Trustee Felton requested that the Governor’s Challenge Rebate Program be expanded in the future to include an option for students to attend graduate school.

There was no public comment. The vote was unanimous in favor of the motion.

**Regulation: FGCU-PR9.007 Smoking and Consumption of Food in University Buildings (Tab #22)**

Vice President for Student Affairs Mike Rollo presented Regulation: FGCU-PR9.007 Smoking and Consumption of Food in University Buildings.

Trustee Smith made a motion for approval. Trustee Felton seconded the motion.

Trustee Moore asked if there had been any large objections to this. Dr. Rollo indicated there had been some but not much. Trustee Moore disagreed with taking away personal choice.
Trustee Roepstorff asked how long the Consumption of Food in University Buildings policy had been in effect for. Dr. Rollo responded that it has been in place a very long time, and the only update here was to include the smoke free policy.

Trustee Price asked about the technicalities of the policy regarding smoking in personal vehicles and current areas on campus. Dr. Rollo stated that people can continue to smoke in designated areas until May 9, 2016, when this new policy goes into effect. Dr. Rollo also indicated that smoking in personal vehicles has been debated and will be addressed as needed.

There was no public comment. The motion carried with one “no” vote from Trustee Moore.

Regulation: FGCU-PR TBD Export Controls (Tab #23)

Vice President and General Counsel Vee Leonard presented Regulation: FGCU-PR TBD Export Controls.

Trustee Smith made a motion for approval. Trustee Elneus seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.

Regulation: FGCU-PR5.001 Employee Compensation and Classification Plans (Tab #24)

Vice President and General Counsel Vee Leonard presented Regulation: FGCU-PR5.001 Employee Compensation and Classification Plans.

Ms. Leonard stated that language indicating that employees could dismissed without cause had been included, which is consistent with Florida law.

Trustee Smith made a motion for approval. Trustee Cors seconded the motion. The Board discussed including a reference to Regulation FGCU-PR5.023 Separation from Employment, and using language that refers to Florida as an at-will state.

Chair Goodlette asked Trustee Smith to amend his motion to table this matter until a future meeting. Trustee Smith accepted the amendment. Trustee Cors accepted her second to the amended motion. There was no public comment. The vote was unanimous in favor of the motion to table the item at this time.

Regulation: FGCU-PR5.023 Separation from Employment (Tab #25)

Vice President and General Counsel Vee Leonard presented Regulation: FGCU-PR5.023 Separation from Employment.

Trustee Smith made a motion for approval. Trustee Cors seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.
Item 17: Standing Report from FGCU Staff Advisory Council (SAC)

President Nicholas Gallo thanked the Board for including SAC at the Board table. He said that he was pleased to report a successful year for SAC and for staff at FGCU. He indicated that this year, SAC collected 334 lbs. of food and $569 for the FGCU Food Pantry. He said that SAC raised $1,729 for the SAC Scholarship fund. He noted that SAC provided training for over 300 employees during spring break in topics such as leadership and diversity. He indicated that SAC provided training funding for eleven employees, which averaged about $364 per person. He stated that the annual SAC Assembly will be held April 27, 2016, and it will include the election process for new members. He discussed retaining the best staff possible and ensuring that all staff can be successful within their positions as a key issue of concern. He indicated an outmoded classification system as the driving force behind this issue. He said that staff will hit a cap in their career as there is no stratification system in place. He recognized and appreciated the Administration’s long running pilot project for reclassification of IT staff with other staff groups to follow, as well as other efforts made through the years. He noted that SAC is not asking for a wave of raises, or for everyone to be promoted. He indicated that SAC is asking for a reclassification system to be more in line with peer institutions; to be competitive to retain the best staff; to allow managers the flexibility to provide merit based promotions of their staff; and for the reclassification project to be given a higher priority.

Ms. Leonard stated that there is a plan to initiate a University-wide Classification and Compensation Study within the next fiscal year.

Item 18: Standing Report from FGCU Student Government

Trustee Elneus stated that it was his honor to serve the students and to represent them on the Board for a second term. He indicated that Student Senate passed more than seven resolutions, allocated over $100,000 for student organizations, and allocated over $70,000 in travel funds for student organizations. He said that over 14 University departments were funded as well as over 120 student organizations. He said that events supporting the men’s and women’s athletic programs, the Farmer’s Market, and FGCU Day at the Capital all were supported. He thanked Trustees Smith, Felton, and Price for attending Senate meetings and encouraged other Trustees to attend. He stated that within the next year, Student Government will focus on areas of student success, University advancement, and community engagement. He indicated that they also will build and foster their relationships with Administration, and with their peers within the State University System (SUS). He indicated that he was looking forward to working with the Board for another year to make FGCU the best university within the SUS.

Item 19: Standing Report from FGCU Faculty Senate

Trustee Felton stated that faculty are busy with end-of-semester tasks. He noted that the Celebration of Excellence will be held on April 22, 2016, which will
celebrate faculty accomplishments. He highlighted some events including Community Engagement Day, spring 2016 Exhibition of art projects, and the annual Research Day in which Congressman Curt Clawson was a guest and keynote speaker. He welcomed the new Trustees; congratulated Trustees Priddy and Elneus on their reappointments; and stated that he was looking forward to working with the Board to continue the successes of FGCU. He recognized outgoing Trustees Klaas and Wells, and acknowledged SAC for being able to give its report from the table. He said that he welcomed many opportunities to assist in Tallahassee, and was recently appointed to the Professional Development Workgroup assisting the implementation of the BOG Online Strategic Plan. He said that he was also recently appointed to the Florida Online Faculty Development Advisory Board assisting with the goal to provide feedback on the design and development of an online toolkit, and annual workshop that will be held virtually. He stated that the last Faculty Senate meeting of the academic year was on April 15, 2016. He indicated that he had been re-elected as Faculty Senate President and is honored to represent the faculty. He noted that Sandra Pavelka was re-elected as Vice President and Patrick Niner was elected as Parliamentarian. He stated that Faculty Senate provided recommendations on expanding faculty appointments related to the role of the instructor and how the definition is not consistent throughout the five Colleges. He said that they provided several recommendations which included adding a Clinical Faculty Appointment, and that any changes would need to be bargained between the United Faculty of Florida/FGCU Chapter and the Administration. He stated that they passed an updated faculty performance evaluation document. He mentioned that Dr. Sean Kelly had provided a presentation on how to improve the Six-Year Graduation Rate and suggested soliciting his wisdom during the Strategic Planning process. He thanked Chair Goodlette for meeting with Faculty Senate and invited Trustees to attend. He also thanked Chair Goodlette for his appointment of faculty on the Presidential Search Advisory Committee. He congratulated Dr. Melodie Eichbauer on her fellowship award. He mentioned the Aquila Journal which publishes student scholarship from across all academic disciplines, and thanked his colleagues for their hard work.

**Item 20: Old Business**

There was no old business.

**Item 21: New Business**

Trustee Price congratulated the Athletics Department on their achievements this season as well as the recognition it brought to the University.

**Item 22: Chair’s Closing Remarks, & Meeting Adjournment**

Chair Goodlette noted the following upcoming meetings:
• Presidential Search Advisory Committee, and its Position Announcement Subcommittee: Thursday, April 28, 2016 starting at 8:30 a.m. in Cohen Center Room #213.

• Special Committee on Delegations of Authority to University President: Friday, April 29, 2016 starting at 9 a.m. in Edwards Hall Conference Room #309.

• Special Committee on FGCU Strategic Plan for 2016-2021: TBD

• Full FGCU Board of Trustees: Tuesday, May 10, 2016 starting at 8:30 a.m.

He encouraged Trustees to attend Commencement on May 1, 2016.

The meeting was adjourned at 2:12 p.m.

Minutes submitted by Tiffany Reynolds, Executive Assistant to the Vice President and Chief of Staff

Agenda Items:

A. See Tabs # 1 – 25

B. Handouts
Accountability Report:

Improvement Action Plans for Florida Gulf Coast University’s Performance Based Funding Metrics
Metric 2

<table>
<thead>
<tr>
<th>Metric 2</th>
<th>2012-13</th>
<th>2013-14</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Median Wages of Bachelor's Graduates Employed Full-time in Florida</strong></td>
<td>$35,300</td>
<td>$35,200</td>
<td>-0.3%</td>
</tr>
</tbody>
</table>

Current Actions

1. Expanded internships and Co-op 6 experiences through centralized coordination
2. Career counseling on majors and salaries
3. Collaboration with regional business community to identify desired traits of graduates and job projections
4. Career readiness programming for humanities and social sciences students
5. Workforce Development Grants
6. Year-1 QEP initiatives
## Metric 2

<table>
<thead>
<tr>
<th>Median Wages of Bachelor's Graduates Employed Full-time in Florida</th>
<th>2012-13</th>
<th>2013-14</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$35,300</td>
<td>$35,200</td>
<td>-0.3%</td>
</tr>
</tbody>
</table>

## Future Actions

1. GCRP
2. Years 2-5 QEP efforts to strengthen critical thinking, writing, and information literacy of graduates
3. Enhance Career Management System
4. Pursue addition of Workforce Development grant-eligible programs

## Benchmarks of Progress

1. Provide 4,800 potentially eligible students with applications to participate by December 2016
2. Annual QEP update of results to the BOT in July
3. Review and selection of a vendor by December 2016
4. Add 3-5 new programs by August 2016
### Metric 3

<table>
<thead>
<tr>
<th>Metric 3</th>
<th>2010-14</th>
<th>2011-15</th>
<th>CHANGE</th>
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<tbody>
<tr>
<td>Cost per Bachelor’s Degree</td>
<td>$29,390</td>
<td>$30,080</td>
<td>2.3%</td>
</tr>
</tbody>
</table>

**Current Actions**

1. Increased course section size
2. Increased use of instructors and adjunct faculty
Future Actions

1. Negotiating new metric with the BOG
2. Implement Interdisciplinary Studies (IDS) degree option
3. GCRP
4. Extended course schedule

Benchmarks of Progress

1. Measure success under new metric methodology according to BOG schedule
2. Promote degree completion through IDS degree; target annual graduation of 100 students to start by May 2017
3. See Metric 2
4. Implement 7:30 a.m. class start times August 2016
Current Actions

1. Improved advising through Degree Works program
2. Additional first year and faculty advisors
3. Classes held in residence hall
4. Residence hall Living-learning communities
5. Recruitment of better academically prepared students
6. Expansion of Honors Program
7. Workforce Development Grants up to $10K support seniors in their last year of study in eligible fields
8. Student Support Services Grant
9. University Transitions and Effective Learning courses
10. Increased peer mentoring and Student Ambassador programs
11. Partial tuition waivers for high-achieving, out-of-state students
Metric 4

<table>
<thead>
<tr>
<th>Metric 4</th>
<th>Six-Year Graduation Rate for First-time-in-College (FTIC) Students</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2008-14</td>
</tr>
<tr>
<td></td>
<td>48.78%</td>
</tr>
</tbody>
</table>

Future Actions

1. Implement aggressive graduation policy
2. GCRP to reduce transfer-out rate and incentivize students to finish within 4 years
3. Continued analysis of data to inform future efforts
4. Student tracking
5. Intrusive advising
6. Explore the establishment of Enrollment Management Division
7. Pursue creation of an Honors College

Benchmarks of Progress

1. Policy will be in place by Aug 2016
2. See Metric 2
3. Have dashboard in place by June 2016
4. Implement Degree Works Student Planner module by June 2016
5. Advising initiatives in place by August 2016
6. Recommendations to BOT by August 2016
7. Feasibility study by January 2017
Current Actions

1. New academic programs for implementation 2016:
   a) Public Health
   b) Forensic Science
2. Workforce development grants
3. SSS STEM
4. WiSTEM living and learning community
5. Career counseling across divisions
### Metric 6

<table>
<thead>
<tr>
<th>Bachelor’s Degrees Awarded within Programs of Strategic Emphasis</th>
<th>2013-14</th>
<th>2014-15</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45.15%</td>
<td>44.73%</td>
<td>-0.4%pts</td>
</tr>
</tbody>
</table>

### Future Actions

1. Address GAP program categories
2. New academic programs for implementation between 2017-2020:
   a) Real Estate
   b) Construction Management
   c) Supply Chain Management
   d) Business Analytics and Health Informatics
   e) Entrepreneurship
3. Globalization Initiative
4. GCRP

### Benchmarks of Progress

1. Propose CIP code amendments to BOG by June 2016
2. Award 25 additional degrees annually in areas of strategic emphasis (expect initial impact of new degrees in 2020-2021)
3. Initial program proposal by February 2017
4. See Metric 2
<table>
<thead>
<tr>
<th>Metric 7</th>
<th>FALL 2013</th>
<th>FALL 2014</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Access Rate</td>
<td>35.01%</td>
<td>33.80%</td>
<td>-1.2%pts</td>
</tr>
</tbody>
</table>

**Current Actions**

1. Pre-college programs to attract low socio-economic students (CROP, GEMS, Scholars Program, Summer STEM, and SRO)
2. Need-based scholarships to supplement Pell Grant awards
3. Step Ahead- summer program enrolls students early and helps prepare them for first fall term
4. Student Support Services (SSS) programs- provides academic and social support
5. Early Alert program
6. CAA programming
Future Actions

1. Expand targeted recruitment efforts to high achieving students
2. Additional scholarship support
3. Student tracking and support for at-risk students
4. Intrusive advising systems
5. Increase CAA academic support and online resources

Benchmarks of Progress

1. Additional targeting of top 30-40% of Florida seniors, juniors and sophomores in designated areas.
2. Increase of 5% in 2016-2017
3. See Metric 4
4. See Metric 4
5. Online resources developed and available by December 2016
Metric 8

<table>
<thead>
<tr>
<th>Graduate Degrees Awarded within Programs of Strategic Emphasis</th>
<th>2013-14</th>
<th>2014-15</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63.59%</td>
<td>60.18%</td>
<td>-3.4%pts</td>
</tr>
</tbody>
</table>

Current Actions

1. Implementation of Doctor of Nursing Practice Fall 2016
2. Master’s in Engineering planned to begin Fall 2017
3. Master’s in Physician Assistant Studies to begin Summer 2017
4. Improved graduate admissions processes
**Metric 8**

<table>
<thead>
<tr>
<th>Graduate Degrees Awarded within Programs of Strategic Emphasis</th>
<th>2013-14</th>
<th>2014-15</th>
<th>CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>63.59%</td>
<td>60.18%</td>
<td>-3.4%pts</td>
</tr>
</tbody>
</table>

**Future Actions**

1. New Academic Programs:
   a) M.S. Biology (2020)
   b) M.S. Healthcare Administration (2020)
   c) M.Ed. Technology (2019)
   d) Doctorate in Occupational Therapy (2020)
2. Tuition waiver programs for out-of-state students (2016)

**Benchmarks of Progress**

1. Align Work Plan target dates with program implementation
   Seek appropriate level change and complete other SACSCOC processes required to implement new programs
Florida Gulf Coast University Board of Trustees  
May 10, 2016

SUBJECT: Resolution of Appreciation for Outgoing Trustee Tom Grady

__________________________________________________________

PROPOSED BOARD ACTION

Approve resolution

__________________________________________________________

BACKGROUND INFORMATION

Trustee Tom Grady was appointed as a member of the Florida Gulf Coast University Board of Trustees in July 2014 and served to October 2015. The resolution is in appreciation for his leadership and service to Florida Gulf Coast University and the Florida Gulf Coast University Board of Trustees.

__________________________________________________________

Supporting Documentation Included: Resolution of Appreciation

Prepared by: Vice President and Chief of Staff Susan Evans

Legal Review: N/A

Submitted by: President Wilson G. Bradshaw
A Resolution of the
Florida Gulf Coast University Board of Trustees

WHEREAS, in 2001 there was created a new system of K-20 seamless education for the State of Florida, which included installation of the Florida Gulf Coast University Board of Trustees; and

WHEREAS, in 2014 Trustee Thomas Grady was named to the Florida Gulf Coast University Board of Trustees, and held the position of Chair of the Ad Hoc Committee on FGCU Strategic Plan 2015-2020; and

WHEREAS, in 2015 Trustee Thomas Grady received a gubernatorial appointment to the State Board of Education; and

WHEREAS, Trustee Thomas Grady served with great distinction on the Florida Gulf Coast University Board of Trustees during a period of time signified by Florida Gulf Coast University’s tremendous development and advancement, including with student enrollment; campus development for buildings and facilities; faculty and staff; academic degree programs; intercollegiate athletics; student organizations and activities; residential housing for students, and community outreach to the Southwest Florida region and the State of Florida;

NOW, THEREFORE BE IT RESOLVED that the Florida Gulf Coast University Board of Trustees wishes to express appreciation for Trustee Thomas Grady’s outstanding service, and wishes to recognize his commitment to Florida Gulf Coast University’s students of today and for generations to come.

DULY ADOPTED THIS 10th DAY OF MAY IN THE YEAR 2016.
SIGNED:

______________________________________________
J. Dudley Goodlette
Chair, Florida Gulf Coast University Board of Trustees
Florida Gulf Coast University Board of Trustees
May 10, 2016

SUBJECT: Chair’s and President’s Report on Senator Negron’s Bus Tour Visit to FGCU

PROPOSED BOARD ACTION

Information Only

BACKGROUND INFORMATION

Florida Senate President-Designate Joe Negron recently conducted a bus tour to visit the campuses of the state universities. Senator Negron was joined by Senators Lizbeth Benacquisto and Anitere Flores for a visit to Florida Gulf Coast University (FGCU) on April 21. FGCU Board of Trustees Chair Dudley Goodlette and President Wilson Bradshaw will discuss the visit, and materials provided to the senators.

Supporting Documentation Included: Materials provided to Visiting Senators

Prepared by: Vice President and Chief of Staff Susan Evans

Legal Review: N/A

Submitted by: President Wilson Bradshaw
Executive Summary - FGCU Emerging Pre-eminent Initiative:
School of Dental Medicine & School of Pharmacy

Florida Gulf Coast University is in a unique position to establish a School of Dental Medicine and a School of Pharmacy in an inter-professional education manner that can integrate with high quality clinically-focused practitioner programs that currently exist within the College of Health Professions and Social Work (CHPSW) at FGCU. Capitalizing on FGCU’s current strengths in delivering clinically-oriented health professions programs, establishing creative and innovative programs in dental medicine and pharmacy will allow for a medical complex to be established with the following benefits:

- Address Southwest Florida’s continuously emerging needs for citizens across their lifespan (pediatric to geriatric) to receive comprehensive oral health care which has a large positive effect in reducing chronic disease risk factors;
- Due to limited opportunities at State University System schools for students seeking dental and pharmacy degrees, it is a challenge for the state to prepare enough dentists and pharmacists to meet state and national demands. The U.S. Department of Labor Bureau of Labor Statistics projects through 2022 an increased need for dentists of 16.3% nationally, and 20.9% in Florida; for pharmacists the increased need is 14.5% nationally, and 18.9% in Florida;
- Develop innovative technologies focused on oral health and pharmacological interventions with FGCU and Southwest Florida recognized as a medical tourism destination for integrated clinical delivery that provides more accessible and comprehensive care that will improve health and decrease treatment costs for individuals, families, and employers;
- Create access to new technologies and biomedical enterprises in genomics, precision manufacturing, and biotechnology, as well as opportunities for research, high-wage jobs, and business development for FGCU’s students, graduates, and faculty;
- Serve as a catalyst to diversify the region’s current economic sectors, and establish an entrepreneurial biomedical corridor that is greatly needed to bridge the gap between biomedical centers in Tampa and Miami;
- Resources and capital needs over a five-year startup period for the School of Dental Medicine and School of Pharmacy include: a 60,000 ft² academic center, and a 30,000 ft² community clinic with state-of-the-art classrooms and laboratory/clinical equipment for a pre-eminent educational, treatment, and research complex.

*Additional details are available in the attached proposal for the School of Dental Medicine and School of Pharmacy at Florida Gulf Coast University.*
Florida Gulf Coast University
Emerging Pre-eminent Initiative:

School of Dental Medicine and School of Pharmacy

Integrated Healthcare through Inter-Professional Education and Practice in Southwest Florida
I. Overview & Background

In its quest to establish pre-eminent status in the State University System (SUS) of Florida, Florida Gulf Coast University (FGCU) presents a concept to develop new advanced graduate programs in dental medicine and a pharmacy that would establish a School of Dental Medicine and a School of Pharmacy that would integrate with the existing, highly successful College of Health Professions and Social Work (CHPSW).

- FGCU is uniquely positioned to deliver programs in dental medicine and pharmacy in addition to its current extensive offerings in Nursing and Health Professions that includes 16 undergraduate and graduate degree programs in health-related disciplines.

- Educational programs and experiences of students will be focused in an integrated care model:
  - Focused in primary care
  - Service-based and centered on community practice that is collaborative with other health care disciplines.

- The School of Dental Medicine and the School of Pharmacy at Florida Gulf Coast University will provide a collaborative educational experience whereby student, patient and faculty learning occurs.

- FGCU maintains a strong tradition in offering many high quality health professions programs and participates in essential clinical partnerships, which continue to forge with all of the major health care systems in our region.

- Currently existing programs (and degrees) would collaborate with current areas of academic excellence that exist in the CHPSW:
  - Nursing (BSN, MSN, DNP), and Rehabilitation Sciences (Physical Therapy – DPT, Occupational Therapy - MS, Athletic Training – BSAT)
  - FGCU’s newly established Physician Assistant Studies (MPAS) and Public Health (BSPH)

- The CHPSW currently contains the following academic units:
  1) School of Nursing
  2) Department of Rehabilitation Sciences
  3) Department of Health Sciences
  4) Department of Social Work
  5) Department of Counseling

- These academic areas have demonstrated excellence by:
  - FGCU’s BSN Nursing Program ranks second among the SUS of Florida institutions in first-time pass rate on the NCLEX national licensure exam
  - FGCU’s programs in Physical Therapy, Athletic Training, Occupational Therapy, Clinical Mental Health Counseling, and Primary Care Nurse Practitioner perform at a national level with 100% first-time pass rates on their national board certification and licensure exams

- A new integrated medical and health complex at FGCU in close proximity to a thriving economic center between Lee County and Collier County can address Southwest Florida’s continuously emerging needs for citizens across their lifespan (pediatric to geriatric) to receive comprehensive oral health care and pharmaceutical treatment.
• Similar to the economic impact created by the establishment of FGCU, this biomedical corridor will serve as another economic catalyst which will diversify the current economic sectors within Southwest Florida.

II. Justification

**Dental Medicine**

• Research continues to support that oral health is a critical component in to overall health and well-being for children and adults.
• Currently, there is a great disparity with respect to oral health issues among the Hispanic and geriatric demographics, both of which comprise large populations in the five-county area served by FGCU.
• Specifically, according to the U.S. Department of Labor Bureau of Labor Statistics (BLS) data, the long-term projected need for general dentists in the United States through 2022 will increase 16.3%.
• Through the year 2022, the projected need for dentists in the State of Florida is expected to increase 20.9% where the average number of annual openings (dentists needed) is ~400.
• According to the U.S. Department of Labor Bureau of Labor Statistics (BLS) data, the average starting salary in Florida for dentists is $232,260.
• Currently, the only University in the SUS of Florida that offers a program in dental medicine is the University of Florida.
• According to UF’s 2015 admission data, 1500 total individuals (600 in-state, 900 out-of-state) applied for admission into the DMD program.
  - Of the 1500 applicants, 93 were enrolled (85 in-state, 8 out-of-state) - yielding an acceptance rate of ~6.2%, leaving a substantial need for increased access.
• In 2014 the Southeast region of the United States demonstrated the largest number of applicants (2817) and enrollees (1326) in all dental schools (public and private). These data indicate that 47% of all applicants to dental schools in the Southeast are accepted into a program.
• An emerging field has developed from the integration of dentistry with other health professions including: Nursing, Physician Assistant and Physical Therapy to improve health outcomes and reduce the cost of care.
• This integrated healthcare model helps address the correlates of good oral health and the mitigation of chronic disease risk factors.
• It is estimated that there is a 40% reduction in costs for patients with diabetes and congestive heart failure when receiving regular oral health care.
• There is a more than $3,000 cost of care difference between patients with diabetes who receive routine dental care in comparison to those who do not.
• In just this one area, proper oral health could effectively provide a $4.2 billion annual cost saving nationally.

**Pharmacy**

• Nationally, there is an increasing shortage of pharmacists.
• This trend is expected to continue to worsen with the rapid growth and aging of the population.
• This demand is fueled by the fact that traditional pharmaceutical care services have grown faster than predicted in the last decade.
• This growth also is projected to overtake the entry of pharmacists into the workforce.
• Due to their expanding role in direct patient care, along with the demand for pharmacists to play a larger role in healthcare management, the present capacity for pharmacy education programs to meet workforce demands is not sufficient.

• Specifically, according to the U.S. Department of Labor BLS data, the long-term projected need for pharmacists in the United States through 2022 will increase 14.5%.

• Through the year 2022, the projected need for pharmacists in the State of Florida is expected to increase 18.9% where the average number of annual openings (pharmacists needed) is ~830.

• According to the U.S. Department of Labor Bureau of Labor Statistics (BLS) data, the average starting salary in Florida for pharmacists is $116,110.

III. Entrepreneurial & Clinical Innovation

• FGCU is considering the following programs and residencies in Dental Medicine: 1) Doctor of Medicine in Dentistry (DMD), 2) DMD / Masters in Healthcare Administration (MHA) dual degree program, and 3) post-doctoral residencies in Pediatric Dentistry and Advanced General Dentistry, as well as the following programs in Pharmacy: 1) PharmD, 2) PharmD / MHA dual degree program, and 3) MS in Pharmaceutical Sciences. Collectively, all 3 dental programs would form the School of Dental Medicine and all 3 pharmacy programs would form the School of Pharmacy.
  o FGCU would be well-positioned to provide its students a unique opportunity to engage in medical innovation and clinical entrepreneurship that will in turn strengthen the economic climate and workforce development in Southwest Florida with these programs

• Under FGCU’s leadership, Southwest Florida can begin to establish a biomedical corridor that is greatly needed to bridge the gap between biomedical corridors that currently exist in Tampa and Miami.
  o Students and faculty would then have access to our region’s leading health care and biomedical enterprises in genomics, precision manufacturing, and biotechnology where new technologies can be created and new businesses developed that will create new high-wage private sector jobs

• Programs in dental medicine and pharmacy, when combined with existing programs in nursing, primary healthcare nurse practitioner, physical therapy, occupational therapy, and the new physician assistant program, would emerge FGCU as a leader in the region with the necessary resources to offer high-quality continuing health care to permanent and seasonal residents.

• Establishment of a Community Oral Health Clinic with an integrative primary care approach would meet large growing demands in the community. This clinic would benefit with partnering with existing and future programs in the CHPSW (nursing, nurse practitioner, physician assistant), with the dental and pharmacy programs conceptualized herein.

• Oral health is a critical component in an overall healthy lifestyle and healthy aging – a component where access is dependent upon socioeconomic level. Thus, individuals in poverty often lack attainable access to oral healthcare.
  o FGCU’s Community Oral Health Clinic will provide much needed services to those individuals currently lacking access by collaborating with the region’s local non-profits and regional healthcare systems

• Clinically-driven alternative revenue streams can be developed to support a newly created College of Dental Medicine and Health that would be paramount to facilitating student learning, and providing the community with integrated dental and oral health services.
IV. Resources & Capital Needs

- FGCU anticipates a startup period of five years (2017 – 2021), where the first three years of this initiative (2017-2019) will be front loaded with the capital funding necessary to create the Schools of Dental Medicine and Pharmacy.

- During this time, resources will be invested in a number of areas. The creation of a new medical and health complex which would be foundationally-rooted within two buildings – a 60,000-square-foot academic center housing the School of Dental Medicine and the School of Pharmacy, and a 30,000-square-foot clinical home for community-patient outreach and interaction.
  - Capital investment required will be approximately $73 million, including state-of-the-art classrooms, and clinical and laboratory equipment that will contribute to a first class educational, treatment, and research environment

- These programs will require new investment in faculty, clinical and professional staff, and administrators for student services, advising, and admissions. After a three year startup period, revenues from student tuition, philanthropy and research grants will offset the consequent ramp-up in academic, clinical and research staff.

- Over the first five years the non-capital costs are approximately $11 million. State support beyond the first five years would be estimated at approximately $2 million annually. It is anticipated that significant clinical revenues could be generated in the long term to make the College financially stable and enable growth into new academic degree programs, additional research, and expanded community outreach.
  - The Southwest Florida donor community would embrace this academic medical center and support it philanthropically

- The projections provided are predicated on certain assumptions, including growth of both the Dental Medicine and Pharmacy programs with student cohorts of 50 each year; tuition set at below-market rates in line with other Florida SUS institutions ($37,000 annually for Dental Medicine, $28,000 for Pharmacy); faculty to student ratios that are guided by external accreditation standards; and faculty salaries comparable to other national institutions. These projections do not include extensive research activities or post-doctoral residency and specialty programs, and clinical programs only ramping up in the later years.

V. Summary

- FGCU is strategically located within the State of Florida and the State University System of Florida to integrate, develop and deliver high quality academic programs, clinical care, and innovative research in dental medicine and pharmacy.

- Successful and sustainable careers for our graduates with high paying jobs, while establishing national models for more accessible care and improved health with decreased treatment costs for individuals, families, and employers can be achieved.
TARGET EXISTING TALENT GAPS - $2,868,500 RECURRING

- Funding is critical to the development of three degree programs to target regionally identified employment gaps:
  - Construction Management (CM)
    - Projected demand for positions - 78,000 though 2027
    - Bureau of Labor and Statistics Annual Median Salary - $85,630
    - Partnership between U.A. Whitaker College of Engineering and Lutgert College of Business
  - Supply Chain Management (SCM)
    - Positions are expected to continue to be in high demand due to the variety of organizations and employers utilizing SCM to effectively and efficiently deliver their products to market
    - Bureau of Labor and Statistics Annual Median Salary - $72,780
    - Local business partners that will utilize SCM:
      - Hertz
      - Target
      - Chico’s FAS
      - R&L Truckload
      - LeeSar
      - Scotlynn
  - Business Analytics & Informatics (BAI)
    - BAI is one of the fastest emerging job specializations due to the growing use of electronic databases for record keeping and electronic commerce in the digital economy
    - Bureau of Labor and Statistics Annual Median Salary - $72,100
    - BAI trained employees extract meaningful information from the flood of digital data collected by businesses, government, and scientific agencies and are projected to remain in high demand, having become strategically important for every organization to keep a competitive advantage.

- Specifically, the recurring funding will provide:
  - Focused degree program development in response to employer needs
  - Rapid implementation of the degree programs producing graduates with an immediate pathway to employment of high wage jobs
  - FGCU with the ability to graduate Florida’s next generation of talent to attract new and emerging industries to our state which will add to the diversification of the state’s economy

STUDENT SUCCESS INITIATIVE - $622,640

- Funding will allow FGCU to better manage student goals and career development by providing:
  - Early mentoring and tailored counseling to help students with academic choices during all stages of their academic career
  - Increased program support to target early career identification
  - Industry specific job summits that identify the state’s current and future employment needs
Florida Gulf Coast University – School of Water Quality and Resource Management (Academic Building 9) $36.3 M (Construction)

REQUEST
Total project budget: $44.7 M

- Appropriated 2013-14: 0 M
- Appropriated 2014-15: 0 M
- Appropriated 2015-16: 3.8 M
  Planning and Design
- Requested 2016-17: 36.3 M
- Final Phase 2017-18: 4.5 M
ROI

✓ The STEM building is essential because it will house “bench” courses and research in the lab sciences which demand hands-on components for learning and scholarly attainment.

✓ Over the last several years, we have increased our percentage of baccalaureate degrees in programs of strategic emphasis from 31% to 44% as compared to all baccalaureate degrees to provide an educated workforce that drives economic development.

✓ Academic Building 9 will address the current deficit of laboratory space on campus. Contained in the Educational Plant Survey approved by the State University System on January 2014, are recommendations that detail the recorded deficit and necessity for laboratories.

✓ Academic Building 9 is integral to FGCU maintaining its high ranking in the state for employment and/or continuing education of our graduates.

✓ 200/year STEM degree production within 3 years of building occupancy

✓ Job Creation – 253 Permanent jobs
ITEM: __4__

Florida Gulf Coast University Board of Trustees
Special Committee on Delegations of Authority to University President
May 10, 2016

SUBJECT: Minutes of April 29, 2016 Committee Meeting

PROPOSED COMMITTEE ACTION

Approve minutes

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees’ Special Committee on Delegations of Authority to University President met on April 29, 2016. Minutes of the meeting were kept as statutorily required.

Supporting Documentation Included: Minutes of April 29, 2016 Committee Meeting

Prepared by: Tiffany Reynolds, Executive Assistant to the Vice President and Chief of Staff

Legal Review by: N/A

Submitted by: Vice President and Chief of Staff Susan Evans
FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Special Committee on Delegations of Authority to University President

Friday, April 29, 2016
Cohen Center, Room #213
Florida Gulf Coast University

Minutes

Members:
Present: Trustee Christian Spilker – Chair; Trustee Shawn Felton; Trustee Dudley Goodlette; Trustee Kevin Price; Trustee Ken Smith.

Not Present: None

Others:
Trustees: Trustee Robbie Roepstorff.
Staff: President Wilson Bradshaw; Provost and Vice President for Academic Affairs Ron Toll; Associate Vice President for Administrative Services and Finance Joe McDonald; Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau; Vice President and General Counsel Vee Leonard; Vice President and Chief of Staff Susan Evans; Director of Board Operations, and Special Projects Amber Pacheco; Director of Media Relations Lillian Pagan; and Executive Assistant to the Vice President and Chief of Staff Tiffany Reynolds.

Item 1: Call to Order, Roll Call, and Opening Remarks
Special Committee on Delegations of Authority to University President Chair Christian Spilker called the meeting to order at 9:01 a.m. Roll call was taken with five Trustees present, thus meeting quorum requirements.

Item 2: Consent Agenda (Tab #1)
Chair Spilker noted the one item on the Consent Agenda as Minutes of March 29, 2016 Committee Meeting.

Trustee Goodlette made a motion to approve the Consent Agenda. Trustee Smith seconded the motion. There was no public comment. The vote was unanimous in favor of the motion.
Item 3: Presentation on Delegations of Authority to University President  
(Tab #2)
Chair Spilker called on Vice President and General Counsel Vee Leonard to present Presentation on Delegations of Authority to University President. He indicated that he worked with Ms. Leonard on the Resolutions based on the University of Florida (UF) model, and the input from Committee members given during the last meeting on March 29, 2016. He stated that he and Ms. Leonard had extracted information from the UF model that was not applicable to FGCU, and inserted existing FGCU Resolutions. He requested the Committee to review each delegation to be sure that they are right for FGCU.

Ms. Leonard stated that this is an annotated version that incorporates references to previous actions of the Board, and all University Regulations. She stated that the Resolutions are indicated by item number and date the Board action occurred. She noted that the Regulations are referenced by number.

Item 4: Committee Discussion on Delegations of Authority to University President
Ms. Leonard said that these Resolutions start with general requirements, general limitations, and general authority of the President; and then go through the specifics by subject of the President’s authority. She stated that it starts with “Part I – Authorization of the President,” which states the authority that the Board delegates to the University President; she noted, however, that the Board does not delegate all of its power. She said that “Part II – Retained Authorities of the Board” are authorities reserved by the Board. She indicated that when it states under Part I, “Recommend to the Board,” there is a corresponding provision under Part II that indicates what action the Board should take.

The Committee discussed each resolution separately as follows:

I. Authorization of the President.

A. General Requirement
Trustee Smith asked if there should be a stipulation added to indicate that the Resolutions should be reviewed by a sub-committee of the Board every two to three years. He stated that it would be a good practice as some things change year to year.

Trustee Roepstorff agreed with Trustee Smith’s suggestion and added that as the Board of Governors (BOG) changes, their expectations of university boards also change.

Ms. Leonard stated that an update is required and asked how often it should occur.

Trustees Smith and Roepstorff suggested a three-year review.
Chair Spilker agreed and stated that it should be a living document.

**B. General Limitation**

Ms. Leonard presented Section (B) General Limitation. The Committee made no suggested revisions.

**C. General Authority of the President**

Trustee Felton requested that the previous Resolutions as referenced in this section should be provided in full text within the document.

Chair Spilker agreed and stated that it should be an all-encompassing document.

Trustee Smith asked if the previous Resolutions could be hyperlinked to prevent the final document from being too large.

Trustee Goodlette suggested using footnotes.

The Committee discussed the use of footnotes when referencing previous Resolutions and Regulations.

**D. Academic and Research Authorities of the President**

Ms. Leonard noted that the word “shared” was used to replace the word “joint” when referring to Shared Governance in Item (1) since that language is consistent with FGCU’s structure.

Trustee Smith suggested using the word “vet” instead of “approve” in Item (2). He stated that he felt it would put the President in an awkward position if the Board were to deny a program that has been approved by the President.

Trustee Roepstorff agreed and asked if any program would come before the Board without the President’s approval.

President Bradshaw stated that all programs require approval from the President before going before the Board for final approval.

Trustee Felton suggested the word “endorse.”

Chair Spilker stated that the language came from the Board of Governors (BOG).

The Committee agreed to keep the word “approve.”

Chair Spilker stated that non-degree programs do not come before the Board for approval. Ms. Leonard added that neither do student exchange programs.

Trustee Roepstorff asked for an example of a non-degree program.

Ms. Leonard stated that it could be a certificate program or a continuing education program, which do not offer degrees.
Trustee Felton added that it could be a program offered by the Renaissance Academy.

Ms. Leonard stated that Item (6) was added due to a previous Board request for the Administration to approve faculty promotions. She said that there is an exclusion for the President's direct reports, which will still come to the Board for approval.

Trustee Price asked if the Board had approved the framework for determining faculty promotions.

Ms. Leonard stated that the criteria for faculty promotions is covered by the Collective Bargaining Agreement (CBA), which is approved by the Board.

Chair Spilker indicated that he had asked Ms. Leonard to include language about honorary degrees under Item (7) as there have been controversies at other institutions regarding the recipients of honorary degrees.

The Committee agreed that the Board should have final approval as to the recipients of honorary degrees.

Trustee Roepstorff asked if Item (8) was referring to the minimum requirements for admitting students as prescribed by the BOG. She stated that it sends the wrong signal to potential applicants when the University is not accepting students based solely on the minimum requirements.

President Bradshaw stated that it was referring to the minimum requirements as set by the BOG and that all institutions include this. He also noted that the typical profile of an entering freshman class is almost always higher than the minimum requirements.

Chair Spilker asked if Trustee Roepstorff was suggesting that the Board should review academic criteria.

Trustee Roepstorff asked if the Board reviews academic criteria through the Work Plan, which must be approved by the Board.

President Bradshaw stated that academic criteria is not included within the Work Plan, but rather the goals of raising the test scores and GPAs of the entering class. He said also there is language on the University website that states admittance is not guaranteed based on meeting the minimum requirements. He noted that the language used would be reviewed to address Trustee Roepstorff's concerns.

Chair Spilker suggested approving this resolution as to give the authority to the President and respective positions to evaluate academic criteria for admissions.
Ms. Leonard noted that where it states “Report to the Board,” there is corresponding language on page 18, under Section (Q,) which stipulates that the Chair of the Board and the President will determine the appropriate vehicle for reporting to the Board. She stated that the Committee would need to indicate more specifically if it wishes for an item to be brought to the full Board.

Trustee Smith agreed and stated it was important, as the Board Chair will change every two years. He asked who is responsible for keeping track of reporting.

Ms. Leonard suggested removing Section (Q) to clarify that reporting will always be to the full Board or to the Chair of the Board.

Chair Spilker agreed with Trustee Smith’s thoughts, and suggested keeping Section (Q). He stated that instead, the Committee should be explicit about which items should go before the full Board.

Ms. Leonard recommended that she and Vice President and Chief of Staff Susan Evans keep a record of reports.

Chair Spilker suggested an appendix to the document that keeps a record of reports.

Trustee Smith suggested there may be a strategic reason to have certain reports come to the full Board during specific meetings.

Ms. Leonard stated that enrollment goals, programs, and implementation strategies, as stated in Item (9a), comes to the full Board through the Strategic Plan.

Trustee Smith stated that he thought the enrollment report was more a part of the Work Plan than the Strategic Plan.

President Bradshaw agreed and stated that a four- to five-year enrollment projection is reported through the Work Plan as required by the BOG.

Trustee Smith recommended removing “Board’s approval” from Item (13b) as he stated that the President and staff are better suited to determine how to collect tuition and fees.

Chair Goodlette suggested removing just the word “Board’s” and replacing it with “prior.” The Committee agreed.

E. Research, Intellectual Property and Technology Authorities of the President

Chair Spilker noted that this item deals with the President’s authority to govern or make decisions related to intellectual property without Board approval. He stated, however, that there is a reporting requirement which stipulates that the President
must report at least annually to the Board. The Committee made no suggested revisions.

F. Student Affairs Authorities of the President
Ms. Leonard presented Section (F) Student Affairs Authorities of the President.
The Committee made no suggested revisions.

G. Human Resources Authorities of the President
Trustee Smith asked if the President’s decision to change his Cabinet would come before the Board.
Ms. Leonard stated that it would be ratified by the Board.
Trustee Smith suggested including language that refers to the Board’s approval under Item (2) to be more consistent with the language used in the “Masters and Undergraduate Programs” section.
Chair Spilker suggested including the language “subject to final approval from the Board” to Item (2).
Chair Spilker suggested that a compensation list of Direct Reports as stated in Item (4) should be left up to the discretion of the Chair of the Board as to whether or not it should be brought before the full Board.
Chair Spilker suggested that the organizational structure as stated in Item (1) under Sub-Section (G-1) should come before the Board for approval.

H. Financial and Asset Management and Debt Authorities of the President
Vice President and Chief of Staff Susan Evans stated that the use of the terms “regular” v. “special” when referring to Board meetings has become somewhat blurred, and suggested specifying that reports as stated in Item (1) of Section (H) be made quarterly.
Chair Spilker agreed and stated that it sets a minimum standard.
The Committee revisited the discussion regarding the inclusion of regulations to the final document and decided to incorporate footnotes with appendices.
Ms. Leonard asked if there should be a dollar amount included in Item (2d).
Chair Spilker indicated that Ms. Leonard had consulted with other general counsels from other institutions regarding whether or not to include a dollar amount. He clarified that this Item is referring to the President’s operating with a budget that has already been approved by the Board, and cautioned that putting in an amount may place an unnecessary burden on the President. He suggested removing the language “In an amount not to exceed…”
Trustee Smith agreed with Chair Spilker’s suggestion.

Chair Spilker stated that he would like the Board to have the final approval of the naming of buildings. He asked Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau to clarify his concerns with this resolution.

Mr. Simoneau explained that there is a historical precedent wherein the Board’s approval for gift-related building namings has never been required. He indicated that there are processes in place that identify the dollar amount given to each building in terms of naming them, which takes into consideration the precedent set, and the market value, as well as the potential donors. He stated that gift conversations are done confidentially, and there is a potential negative consequence to the donor who now must have their conversation held publicly. He also mentioned that there is a lot of negotiating regarding the naming of a building.

Chair Spilker stated that the resolution is clarifying that the Board has the final approval of the naming of a building, and it should not affect the confidential conversations or negotiations that occur prior to the Board’s approval. Mr. Simoneau expressed concern on the timeliness of the conversation with the donor when an agreement has been met and final approval must wait until the next Board meeting. He also expressed concern if there was a negative action by the Board on a recommendation. He stated that if the Board rejects a naming opportunity based on either an insufficient dollar amount or that the donor is not someone the Board would like the University associated with, there could be negative consequences to the fundraising operation of the University.

Chair Spilker said that is the reason he would like the Board to have final approval.

Trustee Felton stated that he agrees with both sides but that due to controversy experienced by a sister institution in the naming of a football stadium, he agrees more with the Board’s having final approval.

Trustee Goodlette asked Mr. Simoneau if at some point during conversations with a donor he can discuss the potential of the gift’s becoming public, as well as being subject to final approval of the Board.

Mr. Simoneau stated that the potential for it to become public is discussed. He said that how the announcement will become public, and how their philanthropy will be celebrated is often part of the negotiating process. He mentioned that having their gift announced publicly when the Board approves it during a public meeting takes some of the luster off, as it would take away from an event that would celebrate and announce their gift. He said that there are donors who wouldn’t mind their gifts to be revealed publicly during a Board meeting, but that
there are others who would prefer to keep it confidential as long as possible and to have their gift revealed publicly during an event.

Trustee Smith asked what the current process is for approving the naming of a building.

Mr. Simoneau stated that it occurs in two ways: (1) the naming of a facility for a gift or recognition of philanthropy; and (2) honorary naming. He said that his main concern is regarding the first way. He stated that internally there is a set of processes which determine the naming rights and dollar amounts of buildings on campus, which are then shared across the development spectrum with Athletics, WGCU, Academic Affairs, etc., so that they are all comparable. He said that the President has the authority to name a building or space on campus based on the recommendation of the Executive Director of the Foundation. He indicated that the second way for honorary naming of buildings or spaces could come from the recommendation of the Board of Trustees or from somewhere else to the President. These namings are approved by the Board.

Trustee Smith expressed his concern that the Foundation Board of Directors and the FGCU Financing Corporation are not included in the process of naming buildings. He suggested that a meeting could be called as needed for the Board’s approval of the naming of buildings. He recommended contacting University of Florida (UF) or Florida State University (FSU) to see how they handle the naming of buildings or spaces.

Ms. Leonard stated that she had discussed the matter with other institutions and was told that a telephonic meeting is held the day that the press release occurs. She clarified that a telephonic meeting would occur first, followed by a press release and then a public event.

Chair Spilker stated that the Committee needs to decide whether or not to keep this language within the resolution. He indicated that he does not want to overly burden someone, but that there is precedent for including this resolution as demonstrated by other institutions.

Trustee Price asked if the Board Chair could make the decision as to whether or not a meeting of the full Board would be necessary to approve the naming of a building or space.

Ms. Leonard stated that the Board of Governors (BOG) requires the Board of Trustees to approve the naming of buildings.

Trustee Roepstorff asked if this is only for an honorary naming.

Ms. Leonard stated that the BOG regulation does not make the distinction.

President Bradshaw stated that the University will find a way procedurally to incorporate the approval of the Board.
Ms. Leonard clarified that the BOG regulation does not require Board approval if the building is not named for an individual, corporation, or entity.

Chair Spilker stated that this resolution will be presented to the full Board as is.

I. Insurance and Indemnification Authorities of the President

Chair Spilker stated that some renewals on policies occur bi-annually so it doesn’t need to be revisited every year, but the reporting mechanism is to ensure that they are adequate.

Trustee Price requested that the Committee revisit Section (H) to finalize a dollar amount on carry-forward money.

The Committee concluded that a dollar amount was not necessary as the concern regarding carry-forward money was regarding the list of items to be purchased using carry-forward money, and that this list would be brought before the Board.

Trustee Smith suggested including the President’s 5% spending discretion.

The Committee discussed that it was not necessary as it is included in the annual budget presentation to the Board.

J. Compliance Responsibilities of the President

Ms. Leonard presented Section (J) Compliance Responsibilities of the President. The Committee made no suggested revisions.

K. Contracting for Commodities, Goods and Services, and Travel and Purchasing Authorities of the President

Ms. Leonard stated that the spending of carry-forward money could be included within Item (1).

Chair Spilker stated that since the President will bring to the Board the list of items to be purchased with carry-forward money, it does not need to be included here.

Trustee Smith asked if Item (2) was going to be included.

Chair Spilker indicated that it would not.

L. Information Systems and Dissemination, and Recordkeeping Authorities of the President

Chair Spilker stated that this does have to be in line with the Strategic Plan.

Trustee Smith recommended that every two to three years, a third party should be utilized to review the adequacy of the systems or Strategic Plan.
M. President’s Authority for Research Centers for Child Development

Ms. Leonard presented Section (M) President’s Authority for Research Centers for Child Development. The Committee made no suggested revisions.

N. Athletics Program Authority of the President

Trustee Roepstorff asked if this resolution gives the President the authority to develop a football program without Board approval.

President Bradshaw discussed the Football Feasibility study that was conducted, and that he recommended to the Board to not proceed with a football program. He stated that new sports, such as beach volleyball, have been added without Board approval.

Chair Spilker asked if this was a Board of Governors (BOG) requirement.

Ms. Leonard stated that it only stipulates that Athletics reports to the President.

Trustee Goodlette pointed out that the resolution does not preclude the President from bringing a new sports program to the Board for approval.

Chair Spilker asked if a dollar threshold should be included.

Trustee Price suggested that the Board should have approval of new sports programs as they do with new degree programs.

The Committee discussed and agreed that NCAA sports should be brought to the Board for approval.

O. Authorities of the President Concerning Affiliated Organizations

Chair Spilker read Items (1-4) and stated that they do not come before the Board for approval.

President Bradshaw noted that there are only two Direct Support Organizations, and that the Board appoints a member of the FGCU BOT to each of those boards.

Trustee Felton asked why “Faculty Practice Plans” had been struck from the language.

Ms. Leonard stated that it had been struck because FGCU does not currently have Faculty Practice Plans.

P. Authorities of the President Regarding Regulatory Development

Chair Spilker clarified that this resolution gives authorization to University President or designee to recommend a regulation for approval.
Q. Reporting
Chair Spilker clarified that the word “Board” as used in this section is referring to the full Board.

II. Retained Authorities of the Board
Ms. Leonard stated that the language added to this section came from the language added by the Committee at the March 29, 2016 meeting.

A. Strategic Oversight
Chair Spilker indicated that the language “within six (6) months prior to submission to the BOG” was added.

B. Masters and Undergraduate Programs
Chair Spilker indicated that this section already had been reviewed.

C. Doctoral and Professional Graduate Programs
Chair Spilker stated that the language “methodology and” was added.

D. Graduation Criteria and Awarding Honorary Degrees
Ms. Leonard presented Items (1-2) The Committee made no suggested revisions.

E. Non-academic Admissions Criteria
Ms. Leonard presented Section (E) Non-academic Admissions Criteria. The Committee made no suggested revisions.

F. Tuition and Student Fees
Ms. Leonard presented Section (F) Tuition and Student Fees. The Committee made no suggested revisions.

G. Hiring and Evaluating the President
Ms. Leonard presented Section (G) Hiring and Evaluating the President. She said this states the Board will establish a search committee to hire the President. She asked if it should be the Chair that establishes the committee instead as demonstrated by the Chair’s appointments to the Presidential Search Advisory Committee.

Trustee Smith indicated that there will be a new BOG regulation on presidential searches that will clarify this, but suggested that the Chair should establish the committee.

H. Vice President Organization, Tenure, and Collective Bargaining
Ms. Leonard presented Section (H) Vice President Organization, Tenure, and Collective Bargaining.
I. Operating and Capital Budgets and Plan, Campus Master Plan, and Investment Policy

Ms. Leonard presented Section (I) Operating and Capital Budgets and Plan, Campus Master Plan, and Investment Policy.

Trustee Smith suggested including the Board’s approval of carry-forward money.

Sections (J-Q)

Chair Spilker read Sections (J-Q) including: Naming Buildings; Real Estate Transactions, Other Than Non-financing Leases, Easements, and Licenses, and Power Of Eminent Domain; Serving As Trustee of Trusts of Real and Personal Property; Construction of Facilities Needing State Operations and Maintenance Funding; Depository Accounts; Debt; Affiliated Organizations; and Regulation Development. He stated that the Committee had already discussed these earlier related to authority delegated to the President.

III. Delegation Authority

Ms. Leonard presented Part (III) and read Sections (A-C).

Ms. Leonard clarified that under Item (1c) of Section (A) the President or the Director of Human Resources (HR) will determine the equivalency of seniority.

President Bradshaw suggested to include language in Item (1c) that specifies that the equivalency of seniority will be determined by the President in consultation with the Director of HR.

Ms. Leonard stated Section (B) stipulates that a specific timeframe must established.

Chair Spilker noted that an important subset of this is “Attachment A,” which reflects more specific policy and control relative to those delegations.

Trustee Smith asked if this was consistent with the University of Florida (UF) model.

Chair Spilker replied that it was consistent with the UF model but that it has been amended to reflect FGCU’s structure.

IV. Authorization and Incumbency Certificates Issued by the President and Certain Other Officers

Ms. Leonard presented Part (IV) and stated that it is a document that is attached to an agreement or contract where someone within the University has to verify that the person signing a particular document has the authority to do so.
V. Authorization and Incumbency Certificates Issued by the Vice President and Chief of Staff
Ms. Leonard presented Part (V) Authorization and Incumbency Certificates Issued by the Vice President and Chief of Staff. The Committee made no suggested revisions.

VI. Effective Date
Chair Spilker presented Part (VI) and stated that language discussing ratifying prior actions of the Board had been eliminated, and that instead an Effective Date was included.

Item 5: ACTION ITEM: Adoption of Any Recommendation(s) to Full Board on May 10, 2016
Trustee Smith made a motion to accept the document with today’s changes by the Special Committee, and to recommend its approval to the full Board. Trustee Goodlette seconded the motion.
Trustee Felton asked to review “Attachment A.”
Chair Spilker stated there is one item that warrants discussion and that is regarding a dollar amount limitation on purchasing authority.
Ms. Leonard stated that “Attachment A” is regarding purchasing authority and explained that at the University of Florida (UF) there is a de-centralized system, whereas FGCU has a centralized system. She explained that at FGCU, all expenditures go through Procurement Services. She indicated that the ability to sign contracts and spend money is not at the unit level but is held by Procurement Services. She stated that the Director of Procurement Services has a $500,000 limitation on purchasing authority while the Assistant Director and other purchasing agents have a $250,000 limitation.
Chair Spilker asked who has the authority to purchase above the $500,000 limit.
Ms. Leonard responded that it is the Vice President for Administrative Services and Finance.
There was no public comment. The vote was unanimous in favor of the motion.

Item 6: Old Business
There was no old business for discussion.

Item 7: New Business
There was no new business for discussion.
Item 8: Closing Remarks, and Adjournment

Chair Spilker thanked the Committee members for their time and consideration.

The meeting was adjourned at 11:16 a.m.

Minutes submitted by Tiffany Reynolds, Executive Assistant to the Vice President and Chief of Staff.

Agenda Items:
B. http://www.fgcu.edu/Trustees/AgendaFile/2016/04-29-2016(Delegations%20Cmt.)/DELEGATIONSOFAUTHORITYCMT_4-29-2016.PDF
C. http://www.fgcu.edu/Trustees/AgendaFile/2016/04-29-2016(Delegations%20Cmt.)/DELEGATIONSOFAUTHORITYCMT-HANDOUT_4-29-2016.PDF
ITEM:  5

Florida Gulf Coast University Board of Trustees
May 10, 2016

SUBJECT: Resolutions on Presidential Authorizations

PROPOSED BOARD ACTION

Approve the recommendation of the Special Committee on Delegations of Authority to University President, Resolutions on Presidential Authorizations, subsuming any duplicated delegations currently in place, and encompassing the perimeter of the President’s authority.

BACKGROUND INFORMATION

On April 29, 2016, the Special Committee on Delegations of Authority to University President, reviewed and revised the draft Resolutions on Presidential Authorization, modeled after the University of Florida’s Resolution on the same subject.

The document presented today is submitted with yellow highlights which represent the Committee’s changes to the draft document with which they were presented at the April 29th Committee meeting. If approved, a clean version of the Resolutions on Presidential Authorizations will be provided to the Board Chair for execution.

Supporting Documentation Included: DRAFT Resolutions on Presidential Authorizations

Prepared by: Vice President and General Counsel Vee Leonard

Legal Review by: N/A

Submitted by: Vice President and General Counsel Vee Leonard
The Florida Gulf Coast University Board of Trustees hereby adopts the following resolutions at a duly called meeting on May 10, 2016:

I. **Authorization of the President**

RESOLVED: That, effective as of May 10, 2016, any individual while holding the office of President of Florida Gulf Coast University ("University") is hereby authorized, in the name and on behalf of the Florida Gulf Coast University Board of Trustees ("Board") and the University, to exercise the following authorities and to take the following actions, all as the President deems appropriate, advisable and in the interests of the University:

A. **General Requirement**

To exercise any and all authorities granted to the President by the Board subject to, and with accountability to the Board as required by, any applicable resolutions, regulations, operating memoranda and policies of the Board and the Florida Board of Governors ("BOG") (which Board and BOG documents may provide additional authority as well as imposing additional restrictions), and in accordance with applicable law; and

The Vice President and General Counsel of the University from time to time as necessary, shall prepare, update (every three years), and provide to the Board, the President, his/her delegees and their delegees on file in the Office of the Vice President and General Counsel, a schedule listing the principal Board and BOG resolutions, regulations, operating memoranda, and policies that govern the authorities granted by the Board’s resolutions;

B. **General Limitation**

To exercise any and all of the authorities granted by the Board to the President within the overall, total spending limitations imposed by the University’s Board and BOG-approved capital and operating budgets;
C. General Authority of the President

To manage and administer the University and to exercise all of the powers, duties, and authorities of the University, except to the extent that such powers, duties, and authorities are required to be exercised by the Board or the BOG according to their respective resolutions, regulations, operating memoranda, and policies, and/or applicable law; and the fact that some actions are specifically authorized shall not derogate from this general authorization;

D. Academic and Research Authorities of the President

1. Shared Governance

In the exercise of authorities related to relevant academic affairs, to effect and determine appropriate shared governance with the faculty;

2. Masters and Undergraduate Programs

   a) To develop, approve, and recommend to the Board for its final approval (and, if and as required by law in connection with limited access programs and undergraduate programs requiring more than 120 credits for graduation, for the Board’s recommendation to the BOG for its final approval), the creation and termination of masters and undergraduate degree-granting programs of the University;

   b) To implement and govern or terminate such programs as approved by the Board and, as applicable, the BOG; and

   c) To develop, approve, implement, and govern the curriculum and academic and administrative terms, policies, procedures, and systems for any such approved programs consistently with their approvals;

1 Reauthorized the President or designee, after receiving the advice of the General Counsel, as well as providing advance notification by the President to the Board, to approve the commencement of legal proceedings or the appeal of an adverse ruling against the University when so doing is in the best interest of the University or is necessary to avoid application of a legal time bar such as a statute of limitations. The President or designee shall report the commencement or appeal of legal proceedings to the Board of Trustees as soon as practicable following such action. (Item 3 – 2/23/2016)

2 Reauthorized the President to execute the Memorandum of Agreement between the Florida Gulf Coast University Board of Trustees and the South Florida Water Management District and in so doing, to designate additional conservation areas on all University properties, if necessary. (Item 15 – 2/23/2016)

3 Reauthorized the President to develop and implement university institutes and centers and to annually present to the Board, as an information item, the annual report required by the Board of Governors. (Item 7 – 2/23/2016)

4 Reauthorized the President to settle litigation up to $100,000. (From the Floor, as part of Item 24 – 1/15/2008)

5 See Appendix B for Regulation Annotations

6 See Appendix B for Regulation Annotations
3. Doctoral and Graduate Professional Programs

   a) To develop, approve, and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its final approval), the creation and termination of doctoral and professional graduate degree-granting programs of the University;

   b) To develop, approve, and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its approval and recommendation to the Legislature for its final approval), the creation of any new college, school, or functional equivalent offering a program leading to a degree that is a credential for a specific license issued under a state statute or the state constitution;

   c) To implement and govern or terminate such programs, schools, and colleges as approved by the Board and, as applicable, the BOG and/or the Legislature; and

   d) To develop, approve, implement, and govern the curriculum and academic and administrative terms, policies, procedures, and systems for any such approved programs, schools, and colleges consistently with the Board’s and, as applicable, the BOG’s and/or the Legislature’s approvals;

4. Other Programs

   a) To develop, approve, implement, and govern non-degree granting educational programs of the University; and

   b) To develop, approve, implement, and govern student exchange programs, including without limitation those that are ancillary to the degree and non-degree granting programs of the University;

5. Student Evaluations

   To develop, approve, implement, and govern grading, other academic performance criteria, and student evaluation criteria, policies, procedures, and systems for all relevant programs of the University;

6. Faculty Evaluations and Promotions

   To develop, approve, implement, and govern evaluation and promotion criteria, policies, procedures, and systems for all employees carrying faculty rank, excluding those employees with faculty rank who are also Direct Reports of the President.
7. Awarding Degrees

To award degrees and certificates or other evidence of satisfying the graduation criteria approved by the Board for degree-granting programs or of satisfying the completion criteria approved by the President for non-degree granting programs; to initially approve and recommend to the Board for its final approval all honorary degrees; and to develop, approve, implement, and govern the administrative and academic terms, policies, procedures, and systems for awarding such degrees and certificates consistently with the Board’s approval as applicable;

8. Admissions

a) To develop, approve, implement, and govern the academic criteria for admitting students to degree-granting programs of the University;

b) To develop, approve, and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation of related regulations to the BOG for its final approval), the non-academic criteria for admitting students to such degree-granting programs;

c) To implement and govern such Board and BOG-approved non-academic criteria for admitting students to such degree-granting programs, and to develop, approve, implement, and govern the related administrative terms, policies, procedures and systems;

d) To consider an applicant’s misconduct in the admissions process and/or prior to applying to the University, in determining whether to admit the applicant;

e) To develop, approve, implement, and govern the admissions process; and

f) To develop, approve, implement, and govern all of the criteria for admitting students to non-degree granting programs;

9. Enrollment

a) To develop, approve, implement, and govern student enrollment goals, programs, and implementation strategies for the University consistently with the Board-approved strategic goals of the University, provided that the President shall report to the Board concerning any decision of the President to change enrollment goals, programs, or strategies that will significantly affect the strategic goals of the University; and

b) The President shall report annually to the full Board concerning the status of enrollment as it relates to the University’s strategic goals;
10. Articulation

To provide for and recommend to the Board for its approval of related regulations (subject to the BOG’s final approval of such regulations, if and as required by law), the University’s participation in state-wide programs that advance articulation, access, financial assistance, and accountability in and concerning the State of Florida’s higher education system; and to develop, approve, implement, and govern the associated terms, policies, procedures, and systems consistently with such regulations and the University’s strategic goals;

11. Academic Calendar

To establish the academic calendar for the University;

12. Financial Aid

a) To develop, approve, implement, and govern financial aid goals, programs, and strategies for students of the University consistently with the Board-approved strategic goals of the University, provided that the President shall report to the Board concerning any decision of the President to create a new, or make any substantial change in any existing, financial aid goal or program that will significantly affect the University’s strategic goals; and

b) The President shall report to the Board annually concerning the adequacy of financial aid to meet the University’s strategic goals;

13. Tuition and Student Fees

a) To develop, approve, and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its final approval) the determination of tuition charges and the types and amounts of student fees, subject to appropriation by the Legislature if and as required by law;

b) To develop, approve, implement, and govern the administrative terms, policies, procedures, and systems for assessing and collecting tuition and fees consistent with prior approval, including without limitation by accepting credit card payments for tuition and fees; and

c) To develop, approve, implement, and govern the application of tuition and fees to the needs of the University within the approved budgets and any required Legislative appropriations;
E. Research, Intellectual Property, and Technology Authorities of the President

1. To develop, approve, implement, and govern the University’s research programs and agreements, terms, policies, procedures, and systems, including without limitation, the solicitation, negotiation, and administration of contracts, grants, and other awards by, to, with, and from the University, the federal and state governments, foreign governments, and/or private individuals and entities, and the fixing, collection, and use of associated direct and indirect cost recovery terms and fees;

2. a) To develop, approve, implement, and govern the programs and agreements, terms, policies, procedures, and systems for the acquisition, development, sale, disposition, transfer, management, accounting, use, access to, and administration of work products, technology, and intellectual property interests by or of the University, including without limitation, licenses, leases, assignments, and other agreements relating to such work products, technology, and intellectual property; and

   b) To impose fees and other charges, collect, expend, dispose of, manage, administer, and utilize funding and any revenues associated with such work products, technology, and intellectual property interests; and

3. The President shall report to the Board periodically, at least annually, concerning the status and adequacy of the University’s research program and intellectual property programs, and their funding and associated costs and cost recovery, in relation to the University’s strategic goals and funding needs;

F. Student Affairs Authorities of the President

1. To develop, approve, implement, and govern programs, terms, policies, procedures, and systems for student curricular and co-curricular affairs of the University, including without limitation:

   a) Establishing a committee with at least half of the members being students appointed by the student body president to periodically review and evaluate the student judicial system;

   b) Approving the internal purchasing, contracting, budgetary and other procedures for student government;

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7 Reauthorized the President to approve the submission of Research Commercialization Assistance Grant Program proposals. (Item 6 – 1/15/2008)
8 See Appendix B for Regulation Annotations
9 See Appendix B for Regulation Annotations
c) Prohibiting hazing;

d) Creating a code of conduct and academic honesty for students and student organizations;

e) Providing for reasonable accommodation of religious observance and belief in connection with admissions, class attendance, and scheduling examinations and work;

f) Protecting the privacy of student education records, and

g) Concerning other student affairs such as student services, activities, organizations, housing, discipline, and government;

2. The Board shall have final approval of the code of conduct through its adoption of University regulations; and

3. The President shall report periodically, at least annually, to the Board concerning the status of student affairs at the University as they relate to the University’s strategic goals;

G. Human Resources Authorities of the President\textsuperscript{10}

1. To develop, approve, implement, and govern human resources and employment programs of the University, and the related terms, policies, procedures, and systems, including without limitation those relating to the administrative and academic structure and organization of the University (subject to ratification by the Board of the organization of the Vice Presidents as provided below), the creation of positions, recruiting, hiring, appointment, and promotion, terms and conditions of employment, and discipline, demotion, termination of employment, compensation (subject to the requirements set forth below for compensation of Direct Reports to the President);

2. To negotiate, develop, approve, and recommend to the Board related contracts and related collective bargaining agreements and relations with employee unions, subject to the Board’s approval of retained authority to ratify collective bargaining agreements if and as required by applicable law and to resolve impasses in collective bargaining;

3. The President shall report to the Board concerning his or her decisions on those human resources matters that will significantly affect the strategic goals of the University, and the President shall report annually to the Board concerning the status of any human resources matters that significantly affect the strategic goals of

\textsuperscript{10} See Appendix B for Regulation Annotations
the University; and

4. As changes are approved by the Chair of the Board, and no less than once annually, the President shall provide a list setting forth the compensation of Direct Reports to the President and any changes thereto; and

G-1. Certain Human Resources Authorities of the President Concerning Senior Executives\textsuperscript{11} \textsuperscript{12}

In addition to the authorities under Part I.G relating to all employees of the University:

1. To approve, and forward to \textbf{the full Board} for final ratification, the organizational structure of the \textit{Vice Presidents} of the University regarding their reporting relationship to the President;

2. To determine and adjust compensation of \textit{Direct Reports} to the President, provided that:

   a) The President shall have market justification for any such compensation determination or adjustment (based on all relevant factors for each such determination including, without limitation, market data on comparable positions (if any), unique skills and contributions, marketability of the individual, relevant discipline, experience of the individual, and other relevant factors); \textit{and}

   b) The President shall discuss with and obtain the approval of the Chair of the Board (or his or her designee) regarding any such compensation determination or adjustment before implementing it;

\textsuperscript{11} The President is to obtain approval of the Chair of the Board prior to entering into an employment agreement, or the renewal or extension of any employment agreement, with any individual whose position is one that reports directly to the President. Moreover, the President’s employment contracting authority shall not be re-delegated. (Item 10 – 2/23/2016)

\textsuperscript{12} See Appendix B for Regulation Annotations
H. Financial and Asset Management and Debt Authorities of the President\textsuperscript{13} 14 15 16

1. Accountability to the Board

The President shall report to the Board, \textit{on a quarterly basis}, the status, performance, and adequacy of the operating and capital budgets, investments, debts, finances, assets, and facilities construction activities of the University;

2. Operating Budget, Capital Budget and Plan, Campus Master Plan, and Investment Policy

a) To develop, approve, and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its final approval and for the BOG’s recommendation to the Legislature for appropriation) the University’s annual operating budget and capital plan and budget (including without limitation, facilities capital plan);

b) To develop, approve, and recommend to the Board for its final approval the University’s campus master plan, development agreement, and investment policy;

c) To develop, approve, implement, govern, and make investments, and to take actions under the budgets, capital and campus master plans, and development agreement, for the University consistently with their Board approvals (and any additional authority and requirements imposed in related Board operating memoranda or University regulations) and, as applicable, consistently with their BOG approvals; and

d) To develop, approve, implement, and govern the associated administrative programs, terms, policies, procedures and systems for, to impose fees and other charges for, and to expend funds under, such budgets, plans, agreement, and policy, consistently with their Board approvals and, if applicable for the operating and capital budgets, consistently with their BOG approval;

3. Administration of Real and Personal Property and Other Assets

a) To develop, approve, implement, and govern the programs, terms, policies,
procedures, and systems for, and to manage, account for, administer, impose charges for, determine and restrict the use of and access to, and govern all of the real, personal, tangible, and intangible property, intellectual property, trademarks, and other assets of the University;

b) To serve as the custodian of all property and assets of the University;

c) To develop, approve, implement, and govern appropriate accounting and operational controls and systems for such assets and property of the University;

d) To approve and recommend to the Board for its final approval (and, if and as required by law, for the Board’s recommendation to the BOG and/or Legislature for its final approval in connection with living individuals), the name of any building, college, school, department, institute, center, park, bridge, recreational complex, or road of the University when named for any individual, corporation, or other entity; and

e) To approve

1) The name of any building, college, school, department, institute, center, park, bridge, recreational complex, or road of the University when not named for an individual, corporation, or other entity;

2) The names of any space within a building or other facility; and

3) Any name of any other area or program of the University and the names of endowed chairs, which shall not require Board approval;

4. Land, Facilities, and Equipment Construction, and Operations

To develop, approve, implement, and govern the programs, terms, policies, procedures, and systems for the operation, use, maintenance, and construction of land, facilities, furnishings, and equipment to meet the needs of the University, subject to any parameters established in the Board-approved campus master plan, budgets, and development agreement; and To impose fees and other charges and collect, expend, dispose of, manage, administer, and utilize funding and any revenues associated with such property;

5. Real Property Acquisitions and Dispositions

a) To approve and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the Board of Trustees of the Internal Improvement Trust Fund (“Trust Fund”) for its final approval), all acquisitions, dispositions, and other transactions involving real property interests, including without limitation interests held in trust (other than
donations of real property interests to the University, non-financing leases, easements, and licenses which shall not require Board or Trust Fund approval, and leases of any kind which shall not require Trust Fund approval, unless Trust Fund approval is required under any applicable master lease between the University and the Trust Fund); and To implement and govern such transactions consistently with their Board and/or Trust Fund approvals, as applicable, and to develop, approve, implement, and govern all associated programs, terms, policies, procedures, and systems consistently with such approvals;

b) To approve and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its final approval) all real estate lease purchases; and To implement and govern such transactions consistently with their Board and, as applicable, BOG approvals, and to develop, approve, implement, and govern all associated programs, terms, policies, procedures, and systems consistently with such approvals;

c) To develop, approve, implement, and govern all non-financing leases, easements, licenses, and donations of real property interests (unless Trust Fund approval is required under any applicable master lease between the University and the Trust Fund), and all associated programs, terms, policies, procedures, and systems; and

d) To collect, expend, dispose of, manage, administer, and utilize funding and any revenues associated with such property;

6. Personal Property Acquisitions and Dispositions

a) To develop, approve, implement, and govern all personal property acquisitions and dispositions for the University and all associated programs, terms, policies, procedures, and systems; and

b) To collect, expend, dispose of, manage, administer, and utilize funding and any revenues associated with such property;

7. Depository Accounts and Disbursements

To take the following actions, and to develop, approve, implement, and govern all related programs, policies, procedures, terms, systems, and dealings:

a) Establish, manage, control, amend, and terminate all University depository accounts at State of Florida-qualified depository institutions, subject to ratification by the Board if and as required by law,

b) Deposit, transfer, withdraw, and control funds and other assets to, from, and among any University depository accounts, and
c) Sign checks and authorize and control disbursements and electronic and other forms of transfers, provided that there shall be no further delegation of the authority to withdraw funds or other assets from a University account at a depository institution given to any position other than the Controller or a Vice President of the University, except to transfer funds or other assets among University accounts or as permitted by the delegation criteria in Attachment A to these resolutions, by operating memoranda of the Board, by University regulations or by resolutions of the Board;

8. Debt

a) To approve and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its final approval), all debt proposed to be incurred by the University or its Direct Support Organizations, other than debt for which neither Board nor BOG approval is required (i.e., equipment and software leases and debt secured solely by gifts and donations that satisfy any applicable term limitations, refunding to reduce debt service without extending debt terms, and fully collateralized lines of credit for temporary cash flow which do not require Board or BOG approval and shall be authorized by the President);

b) In connection with revenue bonds and other specialized debt if and as required by law, the President’s recommendation and the Board’s approval are for the BOG’s recommendation to the Legislature for its final approval;

c) To implement and govern all authorized debt consistently with the relevant Board and, as applicable, BOG and/or Legislative approvals; and

d) To develop, approve, implement, and govern all associated programs, terms, policies, procedures, and systems;

I. Insurance and Indemnification Authorities of the President

1. To develop, approve, implement, and govern insurance programs, terms, policies, procedures, systems, and coverages, including without limitation the procurement of insurance contracts and the establishment of self-insurance programs, for the property, exposures, and liabilities of the University, its affiliates and contractors, and their respective trustees, directors, officers, employees, students, and agents, as deemed appropriate by the President; and

2. To develop, approve, implement, and govern programs, terms, policies, procedures, and systems providing for the civil indemnification of the University’s trustees, directors, officers, employees, students, agents, and contractors in connection with their scope of activities for, or in furtherance of the interests of, the University and
its affiliates, as deemed appropriate by the President; and

3. The President shall report annually to the Board concerning the status and adequacy of such insurance programs and coverages, and on any uninsured indemnification provided by the University to any such trustees, directors, officers, employees, students, agents, or contractors;

J. Compliance Responsibilities of the President

To develop, approve, implement, and govern the programs, terms, policies, procedures, and systems to support the University's compliance with applicable federal, state, and local laws and regulations;

K. Contracting for Commodities, Good and Services, and Travel and Purchasing Authorities of the President17

1. To negotiate, enter into, implement, amend, terminate, and govern all programs, terms, policies, procedures, systems, and contracts for procuring commodities, goods and services for the University, including without limitation outside professional and attorneys services and services of collection agencies; and To develop, approve, implement, and govern the University’s travel and purchasing programs, terms, policies, procedures, and systems;

2. To develop, approve, and recommend to the Board for its final approval, a list of projects to be addressed through the spending of surplus revenue (i.e. carry-forward).

L. Information Systems and Dissemination, and Recordkeeping Authorities of the President

1. To develop, approve, implement, and govern the programs, systems, terms, policies, procedures, and strategies for obtaining, managing, maintaining, and disseminating information for, about and of the University to support its undertakings and the University’s Board-approved strategic goals;

2. To develop, approve, implement, and govern the recordkeeping systems, terms, policies, and procedures for the University;

3. The President shall report periodically, at least annually, to the Board on the status and adequacy of the University’s information systems and on the strategies for disseminating information about the University in furtherance of its strategic goals; and

17 See Appendix B for Regulation Annotations
4. The President shall provide, every three years, a report from an independent third party regarding the University’s information systems.

M. President’s Authority for Research Centers for Child Development

To establish, and to develop, approve, implement, and govern the programs, terms, policies, procedures, and systems for the establishment of, educational research centers for child development for the purpose of providing child care services for members of the University community as well as providing research and internship opportunities;

N. Athletics Program Authority of the President

1. To develop, approve, implement, and govern the intra-collegiate athletics programs, policies, and procedures of the University; and

2. To develop, approve and recommend to the Board for its final approval, the creation of new NCAA sanctioned, D-1 sports program;

O. Authorities of the President Concerning Affiliated Organizations

1. To approve and recommend to the Board for its final approval, the creation and certification, as well as the decertification and dissolution, of Direct Support Organizations (and any other affiliated organization of the University whose authorizing legislation, bylaws, or agreement with the University permits University approval) in order to serve the needs or in furtherance of the interests of the University;

2. To develop, approve, implement, and govern the programs, terms, policies, procedures, and systems for the University’s interactions with and oversight of such affiliates, consistently with the Board’s approvals;

3. To serve, or to appoint one or more appointees to serve, on the governing boards and executive committees of such affiliates;

4. To review the budgets, audit reports, and mission of all such affiliates, to approve the budgets, review the audit reports and approve the mission of Direct Support Organizations (and any other affiliates whose authorizing legislation, bylaws, or agreement with the University permits University approval of budgets and mission), and to review the performance of all affiliates;

5. To ratify or approve the appointment of the members of the governing boards, of members of the board committees, and of the chief executive officers of Direct Support Organizations.

18 See Appendix B for Regulation Annotations

19 See Appendix B for Regulation Annotations
Support Organizations (and any other affiliate whose authorizing legislation, bylaws, or agreement with the University permits University approval of such appointments) based on the recommendations of their governing boards, to ratify or approve the charters of such affiliates’ audit committees, and to remove any such affiliate’s board members, committee members, and/or chief executive officer for cause and its chief executive officer for unacceptable performance;

6. To require the chief executive officers of Direct Support Organizations (and any other affiliate whose authorizing legislation, bylaws, or agreements with the University permits such University oversight or supervision) to report to the University’s President or his or her delegee, as well as to the affiliates’ governing boards;

7. To monitor Direct Support Organizations’ compliance with applicable laws, and to monitor and control such affiliates’ use of the University’s resources, name and trademarks;

8. To accomplish any of the programs or undertakings of the University through agreements with its affiliates, provided that the President shall develop, approve, implement, and govern appropriate oversight and controls to support achievement of the University’s objectives for programs or undertakings operated by its affiliates; and

9. The President shall report to the Board periodically, at least annually, concerning the purpose, budget, financial performance, and material audit results of each affiliate, and shall make the audit report and budget available to the Board;

P. Authorities of the President Regarding Regulatory Development

To develop, approve, and recommend to the Board for its final approval all regulations of the University; and To implement and govern such Board-approved regulations, and to develop, approve, implement, and govern the academic and administrative programs, terms, policies, procedures, and systems for the implementation, application, and administration of such regulations, consistently with the Board’s approval;

Q. Reporting

Wherever reporting to the Board is required by the foregoing resolutions, reporting may be made to the Board, to a relevant Committee of the Board, to the Chair of the Board, or to the relevant Committee Chair, as determined appropriate for the matter by the Chair of the Board and the President.

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20 Reauthorized the President or designee to act on behalf of the FGCU Board of Trustees with respect to the development of regulations, except that the Board of Trustees reserves the authority to approve, modify, or reject the proposed adoption, amendment, or repeal of a regulation. (Item 4 – 2/23/2016)
II. **Retained Authorities of the Board**

RESOLVED: That the Board hereby confirms that it has retained the following authorities, which the Board shall exercise as a full Board, through a Board appointed designee, or through any Board committees it may authorize and in accordance with applicable laws and Board and BOG resolutions, regulations, operating memoranda, and policies, as well as any expenditures in excess of those amounts authorized to the President in this Resolution; and the President shall exercise his or her authorities granted under resolutions of the Board consistently with the Board’s retention of these authorities:

A. **Strategic Oversight**

The responsibility to establish (subject to BOG approval as applicable, and with the benefit of the President’s advice as hereby deemed appropriate by the Board), and to oversee and govern the strategic goals of the University and to review the performance of the University against such goals, which the Board will exercise by requiring periodic reporting on strategic matters delegated to the President and/or by direct resolution or operating memoranda within six (6) months prior to submission to the BOG;

B. **Masters and Undergraduate Programs**

After considering the recommendation of the President as hereby deemed appropriate by the Board, to approve the creation and termination of masters and undergraduate degree-granting programs of the University, subject to BOG final approval of limited access programs and undergraduate programs requiring more than 120 credits for graduation if and as required by law;

C. **Doctoral and Professional Graduate Programs**

After considering the recommendation of the President as hereby deemed appropriate by the Board and, if and as required by law, subject to BOG methodology and final approval:

1. To approve the creation and termination of doctoral and professional graduate degree-granting programs of the University; and

2. If and as required by law, to recommend and seek final Legislative approval for the creation of new colleges, schools, and functional equivalents offering a program leading to a degree that is a credential for a specific license issued under a state statute or the state constitution;
D. Graduation Criteria and Awarding Honorary Degrees

After considering the recommendation of the President as hereby deemed appropriate by the Board:

1. To establish the criteria that must be satisfied to earn an undergraduate or graduate degree from the University; and

2. To finally approve the awarding of honorary degrees by the University;

E. Non-academic Admissions Criteria

After considering the recommendation of the President as hereby deemed appropriate by the Board, to determine and adopt a regulation establishing the non-academic criteria for admission to degree-granting programs of the University and, if BOG approval is required by law, which regulation shall not become effective until the BOG approves the regulation (expressly or by the passage of time without action, as provided in the BOG’s regulation development procedure);

F. Tuition and Student Fees

After considering the recommendation of the President as hereby deemed appropriate by the Board to approve the creation of tuition and fees by the University; To recommend to the BOG that it grant final approval of such tuition and student fees if and as required by law; and To approve the imposition of such approved tuition and student fees upon appropriation by the Legislature if and as required by law;

G. Hiring and Evaluating the President

1. Through the Chair of the Board, to establish a search committee to make recommendations to the Board of candidates for the University’s presidency;

2. To hire an individual to serve as the University’s President after, if and as required by law, recommending such individual as President to the BOG and receiving the BOG’s ratification; and

3. To evaluate the President’s performance annually against the strategic goals of the University, to approve compensation of the President, and, if and as required by law, to provide a copy of such evaluation to the BOG;

H. Vice President Organization and Collective Bargaining

1. Through the Chair of the Board, to ratify the organizational structure of the Vice Presidents of the University regarding their reporting relationship to the President as
initially approved by the President; and

2. To resolve impasses in collective bargaining and, if and as required by law, to ratify collective bargaining agreements;

I. Operating and Capital Budgets and Plan, Campus Master Plan, and Investment Policy

After considering the recommendation of the President as the Board hereby deems appropriate:

1. To approve the University’s operating budget and capital budget and plan;
2. To recommend to the BOG that it grant final approval of such operating budget and capital budget and plan if and as required by law;
3. To approve the University’s campus master plan and development agreement;
4. To approve the University’s investment policy; and
5. To approve the University’s fiscal year’s carry forward spending plan;

J. Naming Buildings

After considering the recommendation of the President as the Board hereby deems appropriate:

1. To approve the name of any building, college, school, department, institute, center, park, bridge, recreational complex, or road of the University for any individual, corporation, or other entity; and
2. If and as required by law in connection with living individuals, to recommend such name to the BOG and/or Legislature for its final approval;

K. Real Estate Transactions, Other Than Non-financing Leases, Easements, and Licenses, And Power Of Eminent Domain

After considering the recommendation of the President as the Board hereby deems appropriate:

1. To approve all acquisitions, dispositions, and other transactions involving real property interests and, if and as required by law, to seek final approval of such transactions from the Trust Fund:
   a) Except that donations of real property interests to the University, non-financing leases, easements, and licenses shall not require Board or Trust Fund approval;
and

b) *Except that* leases of any kind shall not require Trust Fund approval; and

c) *Except that* an applicable master lease between the University and the Trust Fund may require Trust Fund approval for transactions that otherwise do not require such approval;

2. To seek final approval of the BOG of all lease purchases by the University if and as required by law; and

3. To acquire real property interests for the University through the exercise of the power of eminent domain;

L. Serving As Trustee of Trusts of Real and Personal Property

To serve as the trustee of any trust of real and/or personal property; and if and as required by law, to recommend and seek BOG approval of any contracts respecting trust property for terms of more than 10 years (including all contracts conveying full title, permanent easements, and other interests that last more than 10 years);

M. Construction of Facilities Needing State Operations and Maintenance Funding

After considering the recommendation of the President as the Board hereby deems appropriate, to approve the commencement of construction of any facility that requires and has not yet received state funding by the Legislature for facility operating and maintenance costs;

N. Depository Accounts

After considering the recommendation of the President as the Board hereby deems appropriate, and if and as required by law, to approve the University’s depository accounts with depository institutions;

O. Debt

After considering the recommendation of the President as the Board hereby deems appropriate:

1. To approve and, if and as required by law, to recommend to the BOG for its final approval, the issuance or incurrence of debt by the University or its Direct Support Organizations, except for equipment and software leases and debt secured solely by gifts and donations that satisfy any applicable term limitations, refunding to reduce debt service without extending debt terms, and fully collateralized lines of credit for temporary cash flow, which do not require Board or BOG approval; and
2. If and as required by law, to recommend the issuance of any revenue bonds and other specialized debt to the Legislature for its final approval;

P. Affiliated Organizations

1. After considering the recommendation of the President as the Board hereby deems appropriate:
   
   a) To approve the creation and certification, decertification, and dissolution of Direct Support Organizations (and other affiliated organizations of the University whose authorizing legislation or agreement with the University permits University approval); and

   b) To approve the construction of any such affiliate’s off-campus facilities that will require state operating funding;

2. To appoint a representative to the governing boards of each affiliate if desired by the University’s Board; and

3. To receive and review reports of the President on the budgets and audits of each affiliate;

Q. Regulation Development

After considering the recommendation of the President as the Board deems appropriate, to adopt the regulations of the University including, without limitation, those relating to participation in state-wide programs for articulation, access, and accountability, the non-academic criteria for admissions (which, if and as required by law, shall not become effective until receiving BOG approval), the code of student conduct, and those relating to human resources.

III. Delegation Authority

RESOLVED: That any individual while holding the office of President of the University is hereby authorized, in the name and on behalf of the Board and the University, as he or she deems appropriate, advisable, and in the interests of the University:

A. 1. To delegate electronically or in writing to any employee of the University who:

   a) Is a Vice President with responsibility in an area relating to the subject matter of the resolution; or

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21 The President’s employment contracting authority shall not be re-delegated. (Item 10 – 2/23/2016)
b) Is a manager with responsibility in an area relating to the subject matter of the resolution who reports directly to a position at or above the level of Vice President; or

c) Holds a position at the University that is equivalent in seniority or responsibility to a Vice President or such manager, as determined by the President or the Assistant Vice President and Director, Human Resources (“HR Director”) of the University; and

d) Is deemed to have appropriate capabilities by the President, the authority (but not further delegation authority except as provided in the next resolution) granted to the President under that resolution; and

2. Provided that the delegation shall:

   a) Specify the date of the delegation, the name and title of the delegee, the particular resolution, and the authority or portion of authority thereunder being delegated, as permitted by this resolution on delegations as well as the particular resolution relating to the delegated authority; and

   b) A copy of such delegation shall be filed with the delegee, in the records of the Board and with the Vice President and General Counsel of the University;

and

B. To terminate electronically or in writing any such delegation of authority, provided that such termination shall specify the effective date of the termination and shall be filed with the delegee, in the records of the Board and with the Vice President and General Counsel;

and

C. The delegation and termination of delegation filing requirements shall also apply to any further delegation authorized under the next resolution.

RESOLVED: That any such delegee of the President under the immediately preceding resolution may further delegate electronically or in writing the authority delegated by the President, or a portion thereof, to any employee of the University whom the President’s direct delegee deems appropriate, provided that such employee and the authority being delegated satisfy the criteria set forth in any relevant Board resolution or operating memorandum, in any relevant University regulation or in Attachment A, as applicable, and also satisfy the filing requirements in the immediately preceding resolution.
IV. **Authorization and Incumbency Certificates Issued by the President and Certain Other Officers**

RESOLVED: That any individuals while holding the offices of the President, and the Vice President and General Counsel of the University are, and each of them acting singly is, hereby authorized to certify as to the substance, date and continuing effectiveness of any Board authorization and any permitted related delegation (whether that authorization and/or delegation are given before, simultaneously with, or after this resolution) under which the President or any other individual or position is authorized, as to the incumbent of the office of President or other position, as to the individual authorized, and that a true copy of the authorization and any permitted related delegation are attached to the certification; and such certification shall be conclusive for any person receiving and relying on it as to the authority of the President or other position and individual.

RESOLVED: That, in making such a certification, the President, and the Vice President and General Counsel are, and any one of them acting singly is, hereby authorized to certify as to his or her own authority under any Board authorization and any permitted related delegation.

V. **Authorization and Incumbency Certificates Issued by the Vice President and Chief of Staff**

RESOLVED: Without derogating from the authority of the Vice President and Chief of Staff under law in the absence of a specific authorization by the Board, it is hereby confirmed:

That any individual while holding the position of Vice President and Chief of Staff is authorized, in connection with any authorization given by the Board and any permitted related delegation (whether that authorization and/or delegation are given before, simultaneously with or after this resolution) under which an individual or position is authorized, as to the authorization’s and any permitted related delegation’s substance, date and continuing effectiveness, as to the incumbent of the position authorized, as to the individual authorized, and that a true copy of the authorization and any permitted related delegation are attached to the certification; and such certification shall be conclusive for any person receiving and relying on it as to the authority of the position and individual; and

VI. **Effective Date**
RESOLVED: That the foregoing resolutions will become effective upon adoption by the Board with the following exceptions. The authority to make those particular further delegations of authority that are subject to parameters to be specified in Attachment A, shall become effective upon the Board of Trustees’ adoption of Attachment A at a subsequent meeting. Any delegation authority provided in other existing resolutions and operating memoranda shall continue to be effective unless and until the Board takes separate action to rescind such authority. Any delegations of authority that have been previously made to Vice Presidents or employees of the University, and any delegations of authority that are later made, under any delegation authority conferred by other resolutions or operating memoranda of the Board, under University regulations, or under applicable law, shall remain in effect unless and until further action to rescind such other delegation authority is taken by the Board or the President.

FLORIDA GULF COAST UNIVERSITY
BOARD OF TRUSTEES

Dudley Goodlette, Chair

Date

FLORIDA GULF COAST UNIVERSITY
BOARD OF TRUSTEES

Wilson G. Bradshaw, Ph.D.,
Corporate Secretary

Date
ATTACHMENT A

Delegation Authority by Vice Presidents, Deans or their Direct Reports to Other Employees

Pursuant to Part III of the above-referenced resolution, the President is authorized singly to delegate authority to Vice Presidents and their direct reports in the areas of their responsibility and capability, subject to the additional controls in Part III of the resolution and to the limitations on delegation of authority for disbursements and transfers of assets under Part I.H.7.

I. Sub-Delegations – Generally Applicable Controls

In addition, (i) the President may singly delegate to Deans and their direct reports authority that is properly delegated to Vice Presidents and their direct reports under the same terms and conditions as apply in Part III of the resolution; and (ii) Vice Presidents, Deans, and their direct reports to whom authority is properly delegated under this Part I of Attachment A or Part III of the resolution (“direct delegee”) may further delegate limited authority to any individual who is an employee of the University (“sub-delegee”), subject to the following additional limitations:

A. The direct delegee must determine that the sub-delegee has responsibility in the relevant area and appropriate capabilities and the direct delegee shall retain responsibility for appropriate oversight of the sub-delegee’s activities;

B. The delegation to the sub-delegee must also satisfy:

1. The filing requirements of Part III of the resolution;

2. All requirements of any applicable laws, University regulations, and Board resolutions and operating memoranda; and

3. Any limitations established in the delegation made to the direct delegee;

C. The President may directly delegate or give any approval that a direct delegee may delegate or give, under any part of this Attachment; and

D. If relating to making purchases of goods and services or imposing on the University financial obligations to third parties, then, unless the authority of (or delegation of authority to) an employee is authorized by any other Board resolution or operating memorandum or by any applicable University regulation or law, any delegation to a sub-delegee must satisfy all of the criteria set forth in Part II of this Attachment A and, as applicable, all of the criteria set forth in Part III.
II. Sub-delegations for All Not Otherwise Authorized Purchases and Financial Obligations

If relating to making a purchase of goods or services from a third party or imposing on the University financial obligations to a third party, unless otherwise authorized in a relevant Board resolution or operating memorandum, University regulation or applicable law, a direct delegee may authorize a sub-delegee to make purchases of goods and services on behalf of the University or otherwise to incur or contractually bind the University to financial obligations only subject to the following limitations:

A. Such delegation to a sub-delegee shall be made to a named individual while s/he holds a particular position at the University and shall automatically lapse upon the individual’s ceasing to be employed by the University or ceasing to hold the relevant position at the University;

B. In addition, such delegation to a sub-delegee may be effective for up to one year, and may be renewed for successive periods of up to one-year each. Renewals must satisfy all requirements applicable to the initial delegation;

C. To the extent applicable, the sub-delegee of purchasing authority shall have acknowledged the University’s and the state’s conflict of interest regulations, policies, and laws and signed the University’s and the state’s outside activities and financial interests disclosure forms, or certified that s/he has no outside activities or financial interests required to be disclosed, prior to the delegation taking effect and prior to each renewal (and shall have the obligation to update the forms as appropriate and to comply with the underlying policies and laws);

D. In addition, any sub-delegee who authorizes University expenditures internally (under University purchase orders or other obligation documents) shall be a different person than the person who signs any related contract or obligation document with third parties; and

E. In addition, the sub-delegee’s purchase from third parties or imposition on the University of financial obligations to third parties on any particular occasion must:

1. Be subject to review and approval of an authorized employee of a University unit that is different than the sub-delegee’s unit (such as, without limitation, Procurement Services’ approval of purchase orders or Human Resources approval of hiring); or

2. Be subject to the direct delegee’s approval; or

3. Satisfy the requirements and limitations in Part III below.
III. Sub-delegations to University Purchasing Agents

A. If Part II.E.3. applies, a sub-deleege holding the title, authority, and responsibility of Director of Procurement Services in the University’s procurement services unit (or a position of equivalent responsibility and authority as determined by the President or the HR Director) may be authorized by a direct deleege with management or other oversight responsibility for the University’s purchasing function to make purchases and incur other financial obligations on behalf of the University, subject to the following limitation. Any single purchase or contract may not require an expenditure in excess of $500,000.00.

B. If Part II.E.3. applies, a sub-deleege holding the title, authority, and responsibility of Associate Director of Procurement Services, Assistant Director of Procurement Services, Purchasing Specialist, or Purchasing Coordinator in the University’s procurement services purchasing unit (or a position of equivalent responsibility and authority as determined by the President or the HR Director) may be authorized by a direct deleege with management or other oversight responsibility for the University’s purchasing function to make purchases and incur other financial obligations on behalf of the University, subject to the following limitation. Any single purchase or contract may not require an expenditure in excess of $250,000.00.

This Appendix A shall become effective upon adoption by the Board.
Appendix A

Reporting - Presidential Authorizations

I. Authorization of the President

D. Academic and Research Authorities of the President

9. Enrollment

a) The President shall report to the Board concerning any decision of the President to change enrollment goals, programs, or strategies that will significantly affect the strategic goals of the University.

b) The President shall report annually to the full Board concerning the status of enrollment as it relates to the University’s strategic goals.

12. Financial Aid

a) The President shall report to the Board concerning any decision of the President to create a new, or make any substantial change in any existing, financial aid goal or program that will significantly affect the University’s strategic goals.

b) The President shall report to the Board annually concerning the adequacy of financial aid to meet the University’s strategic goals.

E. Research, Intellectual Property, and Technology Authorities of the President

3. The President shall report to the Board periodically, at least annually, concerning the status and adequacy of the University’s research program and intellectual property programs, and their funding and associated costs and cost recovery, in relation to the University’s strategic goals and funding needs.

F. Student Affairs Authorities of the President

3. The President shall report periodically, at least annually, to the Board concerning the status of student affairs at the University as they relate to the University’s strategic goals.

G. Human Resources Authorities of the President

3. The President shall report to the Board concerning his or her decisions on those human resources matters that will significantly affect the strategic goals of the University, and the President shall report annually to the Board concerning the status
of any human resources matters that significantly affect the strategic goals of the University.

H. Financial and Asset Management and Debt Authorities of the President

1. Accountability to the Board

The President shall report to the Board, on a quarterly basis, the status, performance, and adequacy of the operating and capital budgets, investments, debts, finances, assets, and facilities construction activities of the University.

I. Insurance and Indemnification Authorities of the President

3. The President shall report annually to the Board concerning the status and adequacy of such insurance programs and coverages, and on any uninsured indemnification provided by the University to any such trustees, directors, officers, employees, students, agents, or contractors.

L. Information Systems and Dissemination, and Recordkeeping Authorities of the President

3. The President shall report periodically, at least annually, to the Board on the status and adequacy of the University’s information systems and on the strategies for disseminating information about the University in furtherance of its strategic goals.

4. The President shall provide, every three years, a report from a third party regarding the University’s information systems.

O. Authorities of the President Concerning Affiliated Organizations

6. To require the chief executive officers of Direct Support Organizations (and any other affiliate whose authorizing legislation, bylaws, or agreements with the University permits such University oversight or supervision) to report to the University’s President or his or her delegee, as well as to the affiliates’ governing boards.

9. The President shall report to the Board periodically, at least annually, concerning the purpose, budget, financial performance, and material audit results of each affiliate, and shall make the audit report and budget available to the Board.

II. Retained Authorities of the Board

A. Strategic Oversight

Periodic reporting on strategic matters delegated to the President and/or by direct
resolution or operating memoranda within six (6) months prior to submission to the BOG.

P. Affiliated Organizations

3. To receive and review reports of the President on the budgets and audits of each affiliate.
Appendix B
Annotations - Presidential Authorizations

I. Authorization of the President

A. General Requirement

B. General Limitation

C. General Authority of the President

- FGCU-PR1.001, Statement of Agency Organization and Operation
- FGCU-PR3.001, Accreditation

D. Academic and Research Authorities of the President

- FGCU-PR2.001, Undergraduate Admissions
- FGCU-PR3.002, Honorary Degrees
- FGCU-PR3.005, Graduate Admissions
- FGCU-PR3.006, Post-Baccalaureate Non-Degree Students
- FGCU-PR7.001, Tuition and Fees
- FGCU-PR7.003, Special Fees
- FGCU-PR7.005, Student Financial Aid
- FGCU-PR7.006, Waivers of Tuition and Fees
- FGCU-PR7.010, Governor’s Challenge Rebate Program

E. Research, Intellectual Property and Technology Authorities of the President

- FGCU-PR3.008, Export Controls

F. Student Affairs Authorities of the President

- FGCU-PR4.001, Student Rights and Responsibilities
- FGCU-PR4.002, Student Code of Conduct and Student Conduct Review Process
• FGCU-PR4.004, Student Disputes Resolution
• FGCU-PR4.005, Student Activity Eligibility
• FGCU-PR4.006, Student Government
• FGCU-PR4.007, Administrative Withdrawal
• FGCU-PR4.008, International Student Insurance
• FGCU-PR4.009, Social Fraternities and Sororities

G. Human Resources Authorities of the President

• FGCU-PR1.003, Non-Discrimination, Anti-Harassment, and Sexual Misconduct
• FGCU-PR5.001, Employee Compensation & Classification Plans
• FGCU-PR5.003, Employee Debt Collection
• FGCU-PR5.006, Employee Criminal & Background Checks
• FGCU-PR5.007, Employee Recognition Program
• FGCU-PR5.010, Nepotism
• FGCU-PR5.012, Outside Employment/Activities
• FGCU-PR5.014, Political Activity
• FGCU-PR5.016, Disciplinary Actions
• FGCU-PR5.018, Sick Leave Pool
• FGCU-PR5.019, Personnel Records: Limited Access
• FGCU-PR5.020, Grievance
• FGCU-PR5.023, Separations

G-1. Certain Human Resources Authorities of the President Concerning Senior Executives

• FGCU-PR1.001 Statement of Agency Organization and Operation
H. Financial and Asset Management and Debt Authorities of the President

- FGCU-PR3.007, Educational Sites
- FGCU-PR6.017, Bonds
- FGCU-PR6.022, Acquisition of Architectural, Engineering, Construction Management, or Design-Build Services
- FGCU-PR6.023, Evaluation of Professionals and Contractors Under Construction Program
- FGCU-PR6.024, Disqualification and Right to Appeal
- FGCU-PR7.002, Delinquent Accounts Receivable
- FGCU-PR7.007, Debt Management Guidelines
- FGCU-PR7.008, Tangible Personal Property
- FGCU-PR7.009, Concession Funds
- FGCU-PR8.000, University Police and Safety Department
- FGCU-PR8.002, Authority of University Police
- FGCU-PR8.003, Registration of Vehicles
- FGCU-PR8.004, Decal and Permit Fees
- FGCU-PR8.005, Parking Guidelines
- FGCU-PR8.006, Parking and Traffic Enforcement
- FGCU-PR9.001, Use of University Facilities
- FGCU-PR9.002, Use of Alcoholic Beverages on University Premises
- FGCU-PR9.003, Animal Control
- FGCU-PR9.004, Public Expression and Assembly
- FGCU-PR9.005, Possession of Firearms and Weapons on University Property
• FGCU-PR9.006, Solicitation on Campus

• FGCU-PR9.007, Use of Tobacco Products and Consumption of Food on University Premises

I. Insurance and Indemnification Authorities of the President

J. Compliance Responsibilities of the President

K. Contracting for Commodities, Good and Services, and Travel and Purchasing Authorities of the President

• FGCU-PR6.008, Protests

• FGCU-PR6.012, Statement of Intent

• FGCU-PR6.013, Definitions

• FGCU-PR6.014, Purchasing Authority of the University

• FGCU-PR6.015, Competitive Solicitations Requirement

• FGCU-PR6.016, Purchase of Commodities/Contractual Services

• FGCU-PR6.018, Contracts

• FGCU-PR6.019, Standard of Conduct

• FGCU-PR6.020, Purchase of Motor Vehicles

• FGCU-PR6.021, Prompt Payment to Vendors

L. Information Systems and Dissemination, and Recordkeeping Authorities of the President

M. President’s Authority for Research Centers for Child Development

• FGCU-PR3.004, Educational Research Center for Child Development

N. Athletics Program Authority of the President

O. Authorities of the President Concerning Affiliated Organizations

• FGCU-PR1.005, Direct Support Organizations (DSO)
P. Authorities of the President Regarding Regulatory Development

Q. Reporting
REGULATION: FGCU-PR1.001

Statement of Agency Organization and Operation

Effective Date of Regulation: 02/23/2016

A. GENERAL INFORMATION

Florida Gulf Coast University is a comprehensive public university located in Fort Myers, Florida, awarding associate degrees, bachelor degrees, master degrees, and doctoral degrees. The University’s functions are to educate students, to perform scholarship and research, and to render service to society. The principal office of the University is located at 10501 FGCU Blvd. South, Fort Myers, Florida, 33965-6565, (239) 590-1000. If you are hearing- or speech-impaired, call the appropriate FGCU office via the Florida Relay at 711 (TTY, VCO, HCO, ASCII, or Speech-to-Speech). The University’s website is located on the Internet at http://www.fgcu.edu. The University’s administrative offices are open from 8:00 AM to 5:00 PM, Monday through Friday, except during University holidays.

B. THE FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

The Florida Gulf Coast University Board of Trustees (“Board of Trustees”) is the governing body of the University and is vested with the authority to administer the University in accordance with Art. IX, § 7, Fla. Const., the Florida Education Code, Sections 1001-1013, Fla. Stat., and delegation of the Florida Board of Governors. The Board of Trustees is a public body corporate with all of the powers of a corporation, including the power to adopt a corporate seal, to contract and be contracted with, to sue and be sued, to plead and be impleaded in all courts of law or equity, and to give and receive donations. Pursuant to Section 768.28(2), Florida Statutes, and for purposes of sovereign immunity, the Board of Trustees acts primarily as an instrumentality of the State of Florida.

The Board of Trustees consists of thirteen members appointed as follows: six members appointed by the Governor subject to confirmation by the Florida Senate; five members appointed by the Board of Governors subject to confirmation by the Florida Senate; the president of the Florida Gulf Coast University Faculty Senate; and the president of the Florida Gulf Coast University Student Government. The corporate officers are the Chair, the Vice-Chair and the University President (“President”) who serves as the Chief Executive Officer of the University and Corporate Secretary of the Board. The Board of Trustees conducts its business in accordance with the Florida Gulf Coast University Board of Trustees Bylaws and Florida Law.

The Board of Trustees has oversight responsibilities for the University’s direct support organizations (“DSO”), which are the Florida Gulf Coast University Foundation, Inc. and the Florida Gulf Coast University Financing Corporation. Florida Law requires that the Board of Directors for each DSO operate the entity in a manner consistent with the goals of the University and in the best interests of the State of Florida, as determined by the Board of Directors.
Trustees and the President. The DSOs are formed as not for profit corporations under the Florida Not For Profit Corporation Act, Chapter 617, Florida Statutes. The Internal Revenue Service has recognized the DSOs as tax-exempt charitable organizations under Section 501(c)(3) of the Internal Revenue Code.

C. THE UNIVERSITY PRESIDENT

The President, as the Chief Executive Officer of the University and Corporate Secretary of the Board, is responsible for the operation and administration of the University and for setting Board meeting agendas, in consultation with the Board Chair. The President is appointed by the Board of Trustees and serves at its pleasure.

In the absence of the President, the order of succession to the administrative authority and responsibility of the President shall be as follows, pending action by the Board of Trustees:

1. Provost and Vice President for Academic Affairs;
2. Vice President for Administrative Services and Finance;
3. Vice President for Student Affairs;
4. Vice President for University Advancement;
5. Vice President and Chief of Staff; and
6. Vice President and General Counsel.

In an exigent, University emergency, the inability to contact an officer within three hours is adequate justification for the exercise of authority by the next designated officer to assume the authority and responsibility of the President until the Board of Trustees takes further action.

The President exercises his ability to delegate executive authority via delegation memoranda and the approval of official University policies.

D. ADMINISTRATIVE ORGANIZATION OF THE UNIVERSITY

1. President’s Cabinet

Chaired by the President, the President’s Cabinet consists of the following senior administrators who are, individually and collectively, responsible to guide a shared vision and lead institutional operations for the advancement of the University: Provost and Vice President for Academic Affairs; Vice President for Administrative Services and Finance; Vice President for Student Affairs; Vice President for University Advancement; Vice President and Chief of Staff; and Vice President and General Counsel.
2. President’s Direct Reports

a) Provost and Vice President for Academic Affairs

The Provost and Vice President for Academic Affairs (VPAA) is the chief academic officer of the University and advises the President on academic matters. The Provost assists the President and exercises the functions of the President in the President's absence. The Provost also serves as the President’s liaison to the Faculty Senate. The Associate Provosts/Associate Vice Presidents all share the duties and responsibilities of the Provost, and may be delegated authority to act as the Provost's designee in his or her absence. The VPAA is assisted in his/her work by two associate provosts: one responsible for faculty affairs and one responsible for planning and institutional performance. In addition, the Director of Budgets and Management Services provides budgeting and accounting experience as well as administrative support concerning operations of the Division of Academic Affairs. The Director of Strategic Initiatives acts as an external liaison for the Provost. Additionally, there is an Associate Vice President for Academic and Curriculum Support. A number of key academic support functions report directly to the Provost and VPAA as well. These include the Deans of the five colleges and their associated offices, the Dean of Library Services, the Associate Vice President for Research and Dean of Graduate Studies, the University Registrar, and the Dean of Undergraduate Studies. The General Manager of the University’s public television and radio stations also reports directly to the Provost. All of these positions and their associated offices (as they appear in the University’s Summary of Organization Chart) assist in the development of policies and ongoing operations in the Vice President’s area of responsibility.

b) Vice President for Administrative Services and Finance

The Vice President for Administrative Services and Finance is the chief fiscal and business officer of the University and is advisor to the President on all fiscal and business matters pertaining to the University. The Vice President is also responsible for the University’s enrollment management program. To assist the Vice President for Administrative Services and Finance in his/her responsibilities are an Associate Vice President for Administrative Services and Finance, an Assistant Vice President for Business Technology Services, a University Controller, a Director of Financial Aid, a Director of Public Safety, a Director of University Budgets, a Director of Physical Plant, a Director of Facilities Planning, a Director of Undergraduate Admissions, and a Director of Operations. These positions and their associated offices (as they appear in the University’s Summary of Organization Chart) assist in the development of policies and ongoing operations in the Vice President’s area of responsibility.

c) Vice President for Student Affairs

The Vice President for Student Affairs is responsible for, and directs the operations and services associated with students, their physical and mental health, student
conduct, campus residences, recreation, career development, student governance, and student clubs and organizations. To assist the Vice President for Student Affairs in his/her responsibilities are a Dean of Students, a Director of Counseling and Health Services, a Director of Housing and Residence Life, a Director of New Student Programs, a Director of Campus Recreation, and a Director of Career Development Services. These positions and their associated offices (as they appear in the University’s Summary of Organization Chart) assist in the development of policies and ongoing operations in the Vice President’s area of responsibility.

d) Vice President for University Advancement and Executive Director of the FGCU Foundation

The Vice President for University Advancement also serves as Executive Director of the FGCU Foundation. He/She is responsible for, as well as directs and coordinates, the operations associated with the raising, receipt, management, investment and administration of gifts and other resources generated for the benefit of the University by the Florida Gulf Coast University Foundation, Inc. The Vice President and Executive Director of the FGCU Foundation is also responsible for increasing the involvement and support of alumni, donors and other interested individuals, corporations and foundations in Florida Gulf Coast University and its programs. In support of the work of University Advancement and the FGCU Foundation, the Vice President for University Advancement’s direct reports include two Senior Directors of Advancement (Development and Stewardship), a Director of Alumni Relations, an Associate Vice President for University Marketing and Communications, a Director of Athletic Advancement, a Director of Special Events, and an Assistant Vice President and Chief Financial Officer for the Foundation. These positions and their associated offices (as they appear in the University’s Summary of Organization Chart) assist in the development of policies and ongoing operations in the Vice President’s area of responsibility.

e) Vice President and Chief of Staff

The Vice President and Chief of Staff serves as the University’s Spokesperson, communicating to the media and others the University’s official position on matters of importance. The person in this position is also the University’s designated responder for public records requests made by the public and media. In addition, the Vice President and Chief of Staff has been delegated the responsibilities of the University Corporate Secretary in matters related to the FGCU Board of Trustees, and provides in the Chief of Staff capacity support to the University President, as directed, in a wide range of duties, including coordination of the President’s Cabinet for meetings, materials, and communications. Reporting to the Vice President and Chief of Staff is a Director of Media Relations and a Director of Board Operations, and Special Projects. This position and his/her associated office (as they appear in the University’s Summary of Organization Chart) assist in the development of policies and ongoing operations in the Vice President’s area of responsibility.
f) Vice President and General Counsel

The Vice President and General Counsel serves as the University’s chief legal officer and provides legal advice, counsel, and representation necessary to the University. As such, s/he reports directly to the President, and also maintains a dotted line to the Board of Trustees. The Vice President and General Counsel manages the promulgation of University policies and regulations and provides advice on governance matters. The Vice President and General Counsel is also responsible for hiring outside legal counsel for all units of the University. The University’s Vice President and General Counsel also serves as General Counsel to the University’s direct support organizations. To assist the Vice President and General Counsel in his/her work is one Assistant General Counsel and one Associate General Counsel within the Office of the General Counsel. Also reporting to the Vice President and General Counsel is a Director for Institutional Equity and Compliance, and the Assistant Vice President and Director of Human Resources. This position and his/her associated offices (as it appears in the University’s Summary of Organization Chart) assist in the development of policies and ongoing operations in the Vice President’s area of responsibility.

g) Director of Intercollegiate Athletics

The Director of Intercollegiate Athletics is responsible for maintaining a quality athletic program that fits within the mission of the University. The Director of Intercollegiate Athletics oversees fifteen (15) NCAA Division I sports and is responsible for a number of areas including, but not limited to: budgeting and business operations, fund raising, academic and athletic compliance, sports medicine, strength and conditioning, personnel, facilities and operations, and sports information/public relations. Florida Gulf Coast University’s intercollegiate athletic programs include: Men’s Baseball, Women’s Softball, Women’s Volleyball, Women’s Swimming & Diving, Women’s Beach Volleyball, Women’s and Men’s Cross Country, Women’s and Men’s Basketball, Women’s and Men’s Golf, Women’s and Men’s Tennis, and Women’s and Men’s Soccer. The Director also oversees the University’s Cheerleading Program.

h) Director of Internal Audit

The Director of Internal Audit serves as the University’s chief audit executive. As such, s/he reports directly to the President, and also maintains a dotted line to the Board of Trustees. The Director of Internal Audit evaluates the adequacy and effectiveness of the University’s system of internal controls over University funds and assets with the purpose of improving operations and accountability.

i) Director of Compliance and Risk Management

The Director of Compliance and Risk Management serves as the University’s chief
compliance officer. As such, s/he reports directly to the President, and also maintains a dotted line to the Board of Trustees. The Director of Compliance and Risk Management oversees the University’s compliance and ethics program and works with all departments across the University to address compliance with federal and state regulations, as well as industry standards.

j) Director of Government Relations

The Director of Government Relations is responsible for advocating the University’s government relations agenda at the local, state, and federal governmental levels, and successfully securing financial and substantive support for the University.

k) Assistant to the President and University Ombuds

The Assistant to the President and University Ombuds provides an avenue for informal, impartial and non-adversarial alternatives for the resolution of problems and conflicts when the parties so request. The Assistant to the President and University Ombuds also handles informal resolution and formal grievances regarding student access to courses and credit toward degree.

l) Executive Director of the FGCU Financing Corporation

The Executive Director of the FGCU Financing Corporation is responsible to the President for the operational management of the Financing Corporation. This includes, but is not limited to, oversight of student housing planning, financing, construction, and managing the University’s general debt service and other payments as they relate to bonds held in the name of the Financing Corporation.

3. University Divisions

The University is divided into the following components:

a) The division of the Office of the President – comprised of the Office of the Vice President and Chief of Staff, Intercollegiate Athletics, Internal Audit, Compliance and Risk Management, Government Relations, Ombuds, and the Financing Corporation.

b) The division of Academic Affairs – comprised of Planning and Institutional Performance, Academic and Curricular Support, Research and Graduate Studies, Undergraduate Studies, Continuing Education and Off-Campus Programs, International Services, WGCU Public Media, University Registrar, Library Services, as well as the five colleges, their constituent departments, schools and various interdisciplinary centers and institutes.

c) The division of Administrative Services and Finance – comprised of Business Operations, Campus Reservations and Records Management, Environmental Health

d) The division of Student Affairs – comprised of the Office of the Dean of Students, Counseling and Health Services, New Student Programs, Office of Housing and Residence Life, Campus Recreation, and Career Development Services.

e) The division of University Advancement – comprised of University Marketing and Communications, Development, Stewardship and Donor Relations, Alumni Relations, Advancement Services, Athletic Gifts, and Special Events.


E. COLLEGIAL GOVERNANCE

The University endorses a collegial system of governance, based on a concept of authority and responsibility shared among colleagues. The University’s representative governance bodies are as follows:

1. The Faculty Senate

   Faculty governance at Florida Gulf Coast University provides a structure and process for the faculty to promote a supportive and quality-oriented learning environment for students, staff, community, faculty, and administration, in furtherance of the mission and guiding principles of the University. The faculty governance structure facilitates faculty input to the complementary administrative units of the organizational structure. The Faculty Senate is an autonomous body representing the collective opinion of the faculty of the University to the administration and to the community. Pursuant to Florida Statute, the president of the Faculty Senate is a member of the Board of Trustees. The Provost and Vice President for Academic Affairs serves as the administrative liaison to the Faculty Senate.

2. The Student Government

   The Student Government fosters an intellectual, social, and cultural environment that maximizes student potential and enhances student success. The purpose of the Student Government is to provide equal representation for all students at Florida Gulf Coast University by maintaining high levels of communication between the student body, faculty, staff, and the community. Pursuant to Florida Statute, the president of the Student Government serves as a member of the Board of Trustees. The Dean of Student Affairs serves as the administrative liaison to Student Government.
3. The Staff Advisory Council

The Staff Advisory Council ("SAC") facilitates effective communication between the staff and University administration. SAC also provides a forum to address the issues and concerns of the staff at Florida Gulf Coast University and to ensure a campus climate that reflects a strong, enthusiastic, and positive quality work life. The SAC consists of twenty-four elected members, twelve SP employees, and twelve A&P employees. The Vice President for Student Affairs serves as the administrative liaison to SAC.

4. Colleges

A College is a unit of the University organized to conduct curricula of study, scholarship/research, and service both public and internal to the university. The faculty and college administration establishes requirements of the college for entrance, graduation, and degrees to be conferred. The faculty determines the arrangement and content of the curricula and recommends to the President, by at least a two-thirds vote, the granting of degrees to those students who have complied with the college’s requirements for degrees.

The dean is the chief administrative officer of a college. A school is a unit subordinate to a college organized for a special program of studies. The administrative officer of a school is the director. The colleges and schools of Florida Gulf Coast University are the following: College of Arts and Sciences and its Bower School of Music and the Arts, Lutgert College of Business and its School of Resort and Hospitality Management, College of Education, U.A. Whitaker College of Engineering, College of Health Professions and Social Work and its School of Nursing. Assistant and/or associate deans share administrative responsibilities for such matters as assessment, faculty affairs, and budgetary management at the direction of their respective dean.

A department is the fundamental unit of collegiate academic and administrative organization. Academic departments may be found in colleges and schools or they may exist independently and report to the VPAA through an associate vice president or administrative dean. The administrative officers of academic departments in a college are chairs. Directors are the administrative officers for units other than academic departments.

Chairs and directors have the authority and responsibility for the administration and supervision of activities of the department or unit. Chairs and directors are responsible to their deans.

5. Planning and Budget Council

The Planning and Budget Council (PBC) is a university-wide group chaired by the Provost and Vice President for Academic Affairs charged with updating of the University Strategic Plan. The PBC serves "as the University’s coordinating body for organized
efforts, including Continuous Improvement teams, to implement the Florida Gulf Coast University’s Strategic Plan.” The Continuous Improvement teams are the six standing committees of the PBC, which includes enrollment and retention management (ERMC); budget; information resources; safety and facilities (SFC); environmental sustainability; and strategic planning and institutional effectiveness (SPIEC). The PBC and its six standing committees are comprised of representatives of all University constituencies including senior administration, faculty, staff, and students.

Action by Florida Gulf Coast University Board of Trustees
Approved: 02/23/2016

Specific Authority:
Article IX of the Florida Constitution, Section 1001.706, Fla. Stat., Board of Governors Regulation 1.001

History of Regulation
New 09/17/13; Amended 04/15/14, 02/23/16

Effective Date of Regulation
02/23/2016
A. General Statement

1. Affirmation. Florida Gulf Coast University (FGCU) affirms its commitment to ensure that each member of the University community shall be permitted to work, study and participate in educational programs including those receiving federal funding, services and activities, or conduct business in an environment free from any form of illegal discrimination, including race, color, religion, age, disability, sex, national origin, marital status, genetic predisposition, sexual orientation, gender identity/gender expression and veteran status, except as otherwise permitted by law. The University strives to foster a community in which diversity and inclusion are valued and opportunity is realized. This Regulation creates a mechanism for applicants, students, employees, volunteers, visitors as well as vendors and contractors of the University community to file a complaint of alleged discrimination or harassment, to include sexual discrimination, which covers sexual harassment, including sexual violence.

2. Violation. It shall be a violation of this Regulation for any officer, university employee, student, visitor, agent, vendor, or contractor to discriminate against or harass, as hereinafter defined, any other officer, university employee, student, visitor, agent, vendor, contractor or applicant. Discrimination and harassment are forms of conduct which, when established shall result in employee and/or student disciplinary action pursuant to University Regulations, and the terms of any applicable collective bargaining agreement. University vendors and contractors found to have violated this Regulation will receive sanctions or other punitive actions consistent with law and/or contract.

B. Coverage

1. Parties. All complaints of discrimination, harassment, or sexual misconduct, including sexual violence, unless otherwise provided herein, shall be adjudicated under this Regulation. Complaints between students, or where one party (the Respondent) is a student and not employed by the University, shall be reported to the Office of the Vice President for Student Affairs and adjudicated under the Student Code of Conduct. Students who are also employees may be subject to University disciplinary action as well as disciplinary action under the Student Code of Conduct.
2. Scope of prohibitions. This Regulation covers all employment practices, as well as educational, athletic, cultural and social programs, services and activities occurring at or sponsored by, FGCU. Additionally, conduct that occurs off-campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this Regulation, e.g. if off-campus harassment has continuing effects that create a hostile environment on-campus or sexual violence or sexual misconduct has occurred.

C. Definitions

1. Discrimination. For the purposes of this Regulation, discrimination is defined as the intentional or unintentional treatment of any member of the University community less favorably than those who are similarly situated based solely upon race, color, religion, age, disability, sex, national origin, marital status, genetic predisposition, sexual orientation, gender identity/gender expression and/or veteran status.

2. Harassment. For the purposes of this Regulation, harassment, a form of discrimination, is defined as unwelcome conduct, including electronic and written communication, that is based upon race, color, religion, age, disability, sex, national origin, marital status, genetic predisposition, sexual orientation, gender identity/gender expression and/or veteran status. Additionally, harassment is further defined as behavior so severe, pervasive or persistent that it limits a student’s ability to participate in or benefit from, an educational program, undermines the responsibilities of the employee, and/or creates a hostile working or learning environment.

3. Sexual Harassment. Sexual harassment is defined as unwelcome conduct of a sexual nature including unwelcome sexual attention, including requests for sexual favors, and other verbal or physical conduct of a sexual nature from any person that is so severe, pervasive or persistent that it limits a student’s ability to participate in or benefit from, an educational program, undermines the responsibilities of the employee, and/or creates a hostile working or learning environment. Sexual violence is a form of sexual harassment.

4. Sexual Misconduct. Sexual misconduct is defined as rape, sexual assault, sexual battery, sexual exploitation and other forms of non-consensual sexual activity.

5. Hostile Environment. Hostile environment, based on a protected class, exists when harassment is sufficiently severe, pervasive, or persistent and objectively offensive so as to deny or limit a person’s ability to participate in or benefit from the University’s programs, services or activities; or when such conduct has the purpose or effect of unreasonably interfering with an individual’s employment.
6. Conflict of Interest. When an individual evaluates or supervises another individual with whom he or she has, or desires to have, an amorous or sexual relationship, a conflict is created. The University discourages such potentially amorous or sexual relations between employees and students or between those employees in which one employee is the supervisor over another. Such relationships, even when consensual, may be exploitive, and jeopardize the integrity of the educational process or work environment and may lead to charges of sexual harassment. The University requires the resolution of any conflict of interest created by these relationships. See Policy 1.007, Consensual Relationship Policy and Procedure.

7. Complainant. A Complainant is a person or persons alleging a violation under this Regulation.

8. Respondent. A Respondent is a person or persons whose conduct is the subject of a complaint under this Regulation.

9. Frivolous Complaint. A frivolous complaint is one that is trivial, superficial, senseless, groundless, or brought in bad faith.

10. Retaliation. Retaliation occurs when action is taken by an accused individual or an action is taken by a third party against any person because that person has opposed any practices forbidden under this Regulation or because that person has filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this Regulation. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual’s complaint or participation.

11. Stalking. Stalking occurs when one is repeatedly following, harassing, threatening, or intimidating another by any action, including but not limited to use of telephone, mail, electronic communication, social media, or any other device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

12. Frivolous or False Complaints and/or False Information. Knowingly making frivolous, false or malicious statements or allegations.

D. Reporting

1. University Response. If the university becomes aware of activity which could be violative of this Regulation, it will take prompt and equitable actions, which may include an investigation, even when a complaint has not been submitted. While all members of the university community are expected to promptly report known activity which could violate this Regulation, only supervisory or managerial
personnel may be subject to disciplinary action pursuant to FGCU PR5.016 should they know of such activity and fail to report. Complaints will be promptly investigated, consistent with the University’s Complaint Policy and Procedure. The Office of Equity and Diversity or, as necessary, the Office of the General Counsel will be responsible for ensuring the investigation of complaints covered under this Regulation.

2. Responsibility of supervisors and managers.

   a) All supervisors and managers are encouraged to take steps necessary to prevent discrimination, harassment, or sexual misconduct, as defined in this Regulation, from occurring. They should clearly communicate to employees that such behavior will not be tolerated and that periodic training on these topics should be attended. Whenever an employee, student, or non-employee makes allegations of discrimination, harassment or sexual misconduct which violate this Regulation, supervisors and managers are required to take prompt and appropriate action. Any University supervisory or managerial employee who receives a report, observes or learns of an alleged violation of this Regulation has an absolute and unqualified duty to immediately report the alleged violation to the Director of the Office of Equity and Diversity/Title IX Coordinator as soon as possible.

   b) All University employees must report information they have about alleged sexual misconduct to the Director of the Office of Equity and Diversity/Title IX Coordinator. This reporting requirement excludes those University employees who are statutorily prohibited from reporting such information, including mental/healthcare professionals.

3. Responsibility of alleged victim. The person deeming any action or conduct as unwelcome is encouraged to so advise the offending party and inform him or her that it must stop. However, the alleged victim is not required to inform an alleged offender of the offensiveness of the behavior in order to make a claim under this Regulation. The University’s Complaint Policy and Procedure should be used to address any concerns or issues.

4. Responsibility of students. The University strongly encourages students to report instances of sex discrimination and sexual misconduct involving students, whether occurring on or off campus, to the Deputy Title IX Coordinator within the Division of Student Affairs. Allegations of off-campus sexual misconduct involving students are of equal concern and should be brought to the University’s attention as soon as possible, regardless of whether or not it occurred at a University sponsored event. Therefore, students who report information about sex discrimination and sexual misconduct involving students will not be disciplined by the University for any violation of the University’s drug or alcohol
possession or consumption policies in which they might have engaged in connection with the reported incident.

5. Responsibility of employees involving conflicts of interest. Employees in a position of authority must resolve any actual or potential conflict of interest by taking necessary steps, including removing himself or herself from evaluative decisions concerning the other individual. If the employee in authority is unable to resolve the conflict of interest, he or she is required to inform his/her immediate supervisor promptly. Failure to resolve potential or actual conflicts of interest as described in this regulation may result in disciplinary action pursuant to University regulations.

Action by Florida Gulf Coast University Board of Trustees:
Approved 04/15/2014

Law Implemented:

History of Rule:
New 03/18/03

History of Regulation:
New 01/15/08, Amended 01/20/09; 01/19/10, 09/17/2013, 04/15/2014

Effective Date of Regulation:
04/15/2014
A. GENERAL STATEMENT

Florida Gulf Coast University (“University” or “FGCU”) encourages application from all qualified individuals regardless of age, race, religion, national origin, color, sex, sexual orientation, disability, marital status, or veteran’s status. The Office of Admissions provides prospective students, parents, and other interested individuals with admission counseling, presentations, tours, and informational workshops. All credentials and documents submitted during the admission (from submission of the application to rendering of an admission decision) and enrollment (from admission decision to registration for course work) processes become the property of FGCU and will not be returned to the applicant or forwarded to another institution, agency or person. Furnishing any false or fraudulent statements or information in connection with the admission or enrollment process may result in disciplinary action, denial of admission, and invalidation of credits or degrees earned.

Admission to the University does not guarantee admission to programs designated as limited access, teacher certification, or other programs that have application criteria beyond the minimum criteria for admission to the University. Program descriptions provide additional admission requirements and application deadlines.

B. APPLICATION

The latest information regarding the application process is found on the University’s website. Admissions’ decisions are made on a rolling basis, which means that as soon as all required documents have been received and the evaluation completed, a decision is made. Admit, deny, or a hold decision notifications are sent to the applicant 2 business days after the decision has been entered on the student’s record. Applicants who have a hold decision are allowed to furnish additional or updated information. The time for evaluating completed admission records will vary from a few days to several weeks depending on the time of year and the volume of applications.

C. APPLICATION FEES

1. Application fees for Undergraduate and Non-Degree Seeking students are required and non-refundable. The application fee is a one-time payment, provided the student is admitted and matriculates within one year (defined as a semester of admission plus the following two semesters) (summer term counts as a semester). If the student fails to complete the application, is denied admission or once admitted does not matriculate within this one year a new application and fee are required.
2. Students returning to FGCU after a period of non-enrollment (at least one year) as either degree seeking or non-degree seeking, alumni returning to FGCU, and non-degree seeking students submitting a degree-seeking application do not have to submit the application fee. Application fees will be waived in the following situations:

   a) When students submit a Request for Waiver of College Application Fee from the SAT or ACT Program Fee-Waiver Service, or a NACAC Application fee waiver form; and

   b) For special programs initiated by the University that are designed to help specific groups of students who would otherwise not be able to attend the University. Request to waive the application fees for students in these programs should be made to the Director of Admissions well in advance of the program start.

D. OFFICIAL TRANSCRIPTS AND TEST SCORES

Official transcripts and test scores, if applicable, are required of applicants seeking formal admission to FGCU. To be official such documents must be sent directly to FGCU from the issuing institution and must be received by the published deadlines. It is the applicant’s responsibility to have the required documentation forwarded to the FGCU Office of Admissions in order for the application to be processed. All materials and fees (except the on-line application) may be mailed to Florida Gulf Coast University, Office of Admissions, 10501 FGCU Boulevard South, Fort Myers, FL 33965-6565. Documents may also be electronically transmitted using recognized services. Official test scores (ACT or SAT), a high school transcript, and transcripts of all previously attended colleges and universities should be sent to the Office of Admissions.

E. APPLICATION DEADLINES FOR U.S. RESIDENTS

1. Applicants are encouraged to apply as early as possible – up to twelve months before the requested entry date. Application deadlines are listed on the Admissions website. Applicants still enrolled in high school at the time of the application should submit a high school transcript showing at least six semesters of course work. A final high school transcript will be required following high school graduation.

2. For transfer students, if courses are still “In Progress” at the time of the initial application, then a final transcript showing grades for all course work and any degree conferred should be submitted as soon as possible after completing the work.

3. Applications received or completed after the posted deadlines may be processed for admission into the requested term based on space or time limitations; however, these factors may result in some applicants being offered admission into the next available term. International (non-US) students should refer to the section on International Admissions for appropriate deadlines.
F. EARLY ADMISSION AND DUAL ENROLLMENT

1. FGCU has full-time early admission and dual enrollment agreements with local school boards and private high schools for academically talented high school students who would like to challenge themselves by enrolling either part-time or full-time at FGCU and taking courses that will count towards high school graduation and University degree completion.

2. Criteria for Early Admission and Dual Enrollment:

An applicant for early admission or dual enrollment must meet the following criteria:

a) Demonstrate exceptional academic ability and college readiness,

b) Be enrolled in a rigorous college preparatory curriculum, and

c) Meet the minimum GPA, test score requirements, and eligibility requirements as established in the dual enrollment agreement and as posted on the Accelerated Collegiate Experience (ACE) website.

3. Required Admission Materials

Students should consult the ACE website for the application procedure including deadlines and required documents.

G. FIRST-TIME-IN-COLLEGE STUDENTS

1. First-Time-In-College Students (FTIC), are defined as students who have earned a high school diploma or its equivalent and who have earned no more than eleven (11) semester hours of transferrable credit after high school graduation. Applicants must submit an application for admission, official transcripts of all secondary work from each post-secondary institution as appropriate, and official ACT or SAT test scores.

2. An FTIC student must be a graduate of a Florida public or regionally accredited high school, or its equivalent, and have completed 18 Carnegie units which are year-long courses and not remedial in nature. At a minimum, the following units must be completed: 4 units of English (at least three with substantial writing); 4 units of mathematics at the level of algebra I or higher (algebra A, B is equivalent to one unit of algebra I); 3 units of natural science (at least two with a laboratory); 3 units of social science (includes anthropology, history, civics, political science, economics, psychology, sociology or geography); 2 units of the same foreign language (American Sign Language can substitute for a foreign language) (see section 4 below regarding foreign language competency); and 2 academic electives. Students who entered high school as a freshman prior to July 1, 2007 are required to complete 3 units of mathematics and 3 academic electives. FGCU will utilize a weighted GPA as determined by the Office of Admissions. Weighted GPAs include one point for credits earned in Advanced Placement (AP), International Baccalaureate (IB), Advanced
International Certificate of Education (AICE) courses, and Dual Enrollment courses for grades of C or higher. One-half point for honors courses, Pre-AICE, and Pre-IB for grades of C or higher. Academic and elective courses are listed in the Counseling for Future Education Handbook published by the Florida Department of Education. Initial application review is based on high school weighted grade point average (GPA) in the academic units and performance on standardized admission tests. Acceptable tests include the SAT, or the ACT. Students who graduate from high school in 2006 or later must submit the new SAT with the writing test or an ACT with the combined English and writing score.

3. Each FTIC student admitted to FGCU is expected to demonstrate competency of foreign language or American Sign Language equivalent to the second high school level or higher (Spanish 2 for example). A limited number of students not meeting the high school foreign language requirement may be admitted; however, these students must fulfill the foreign language requirement prior to completion of the baccalaureate degree.

4. FTIC students applying to FGCU may be considered for admission based on the following criteria. Meeting the minimum requirements does not guarantee admission as factors such as number of qualified applicants and available space may be taken into consideration.

a) A 3.0-weighted GPA on a 4.0 scale paired with one of the standardized admission tests. Subsections of each test must be above minimum/remedial levels, as determined by the Florida Board of Governors and the State Board of Education, or

b) An FTIC student may be admitted if he/she has a high school weighted GPA of 2.5 - 2.99 on a 4.00 scale. Course work from which a student has withdrawn with passing grades will not be included in the calculation. In addition to achieving the minimum GPA, a student must achieve the minimum scores for each SAT Reasoning Test or ACT section as outlined below:

1) SAT: Critical Reading >= 460, or ACT: Reading >= 19,

2) SAT: Mathematics >= 460, or ACT: Mathematics >= 19, and

3) SAT: Writing >= 440, or ACT: English >= 17 and English/Writing >=18.

5. Talented Twenty. Any student ranked in the top 20% of his or her Florida public high school and has passed all required academic units, may be admissible to FGCU and admitted on a space available basis.

6. Non-traditional program of study. Any applicant who completed a non-traditional high school program of study, which is not measured in Carnegie Units, such as home schooling, or a student who presents a General Equivalency Diploma (GED) instead of a standard high school diploma, may not qualify for admission based on the criteria listed above. Instead, the applicant must present a score of at least 1450 on the SAT
(Critical Reading + Math+ Writing) or a 21 composite on the ACT plus writing. Subsections of each test must be above the minimum/remedial levels as described above.

7. Profile Assessment. A student applying for admission who does not meet these requirements may be eligible for admission through a student profile assessment, which considers additional factors, including, but not limited to, the following: a combination of test scores and GPA that indicate a potential for success, improvement in high school record, military service, family educational background, socioeconomic status, graduation from a low-performing high school, graduation from an international baccalaureate program, the length of time since high school graduation, geographic location, creativity, character, and special talents or abilities. These additional factors shall not include preferences in the admissions process for applicants on the basis of race, national origin, or sex. These students may be admitted if, in the judgment of the Admissions Committee, there is sufficient evidence that the student can be expected to succeed at the institution.

   a) The number of FTIC students admitted each year through profile assessment shall not exceed 5% of the total number of admitted FTIC students.

   b) Students admitted through profile assessment shall be monitored and provided a learning plan to help ensure that their retention and graduation rates remain at or near the institution’s average. Each year a report will be provided to the FGCU Board of Trustees reviewing the success of these students.

   c) Any FTIC student with a learning disability shall be eligible for reasonable substitution or modification of any requirement for admission pursuant to Board of Governors Regulation 6.018.

8. FTIC applicants who earn transferable college credit, regardless of the total number, before graduating high school are considered freshman (FTIC).

H. LOWER DIVISION TRANSFER

1. Students who are lower division transfer applicants (those with at least 12 but fewer than 60 semester hours of transferable credit as determined by the Office of Admissions) must meet all requirements of incoming first-time-in-college applicants as described in the above section. These students must also have a minimum cumulative 2.0 GPA (on a 4.0 scale) as calculated by the University and be eligible to return as a degree-seeking student in good standing (with at least a 2.0 GPA) to the last institution attended.

2. A limited number of lower division transfer students not meeting freshman admission criteria may be admitted if the student can reasonably be expected to complete satisfactory academic work. Factors such as the number of post-secondary hours completed, grades obtained, coursework completed, and length of time since high school graduation are some of the factors that will be considered.
3. FGCU has entered into articulation agreements with several public Florida State/Community Colleges for the purpose of facilitating transfer into FGCU degree programs. Applicants who have received an Associate of Science degree immediately prior to transferring to FGCU will be admitted if, and only if, the following requirements are met:

   a) the AS degree is in one of the approved disciplines listed;
   
   b) from an approved public Florida State/Community College; and
   
   c) the applicant has applied for the corresponding FGCU degree program.

However, transfer applicants with an Associate of Science degree who matriculate to an institution of higher learning and fail to maintain at least a 2.0 GPA in additional courses, will not be eligible to transfer to FGCU. Admission is not guaranteed to programs designated as limited access. Some programs have additional program admission criteria.

4. Lower division transfer students who meet minimum requirements are not guaranteed admission into FGCU.

I. UPPER DIVISION TRANSFER (NON FLORIDA ASSOCIATE OF ARTS)

1. Students with at least 60 semester hours of transferable credit (as determined by the Office of Admissions) are not required to submit test scores for admission to the University. Transfer students must submit the application to the University as well as an official transcript from every postsecondary institution attended.

2. A transfer student must also have a minimum cumulative 2.0 GPA (on a 4.0 scale) as calculated by the University and be eligible to return as a degree-seeking student in good standing (with at least a 2.0 GPA) to the last institution attended. A transfer student also must have completed at least two college level Math and English courses with grade of C or higher.

3. Each Transfer student admitted to FGCU is expected to demonstrate competency of foreign language or American Sign Language equivalent to the second high school level or higher (Spanish 2 for example). A limited number of students not meeting the foreign language requirement may be admitted; however, these students must fulfill the foreign language requirement prior to completion of the baccalaureate degree.

4. Individual programs may have additional requirements over and above that which is required to gain University admission including a supplemental application, minimum GPA, pre-requisites courses, and test scores. Students should verify specific program requirements prior to starting the application process.

5. Upper division transfer students who meet minimum requirements are not guaranteed admission into FGCU.
J. TRANSFER WITH FLORIDA ASSOCIATE OF ARTS DEGREE

1. Admission of Associate of Arts (AA) degree graduates from Florida College System institutions, state colleges, and state universities will be governed by the Articulation Agreement between the state universities and Florida College System institutions, as approved by the Board of Governors and State Board of Education. These Florida Associate in Arts graduates shall receive priority for admission over out-of-state transfer students. The agreement states that, except for limited access programs, admission as a junior to the upper division of the University may be granted to any graduate of a state-approved Florida College System institution or State University System institution who transfers to FGCU, who has completed the university parallel program, and who has received the AA degree which included all of the following:

   a) AA degree has been awarded and posted on official college transcript;

   b) Completed at least 60 semester hours of academic work exclusive of occupational, remedial and physical education courses;

   c) Completed an approved general education program of at least 36 semester hours;

   d) Has a minimum cumulative 2.0 GPA (on a 4.0 scale) as calculated by the University and is eligible to return as a degree-seeking student in good standing (with at least a 2.0 GPA) to the last institution attended; and

   e) Completed at least two college level Math and English courses with a grade of C or higher.

2. Each transfer student admitted to FGCU is expected to demonstrate competency of foreign language or American Sign Language equivalent to the second high school level or higher (Spanish 2 for example). A limited number of students not meeting foreign language requirement may be admitted; however, these students must fulfill the foreign language requirement prior to completion of the baccalaureate degree.

3. Florida community college, state college, or state university AA graduates are guaranteed the following rights under the Statewide Articulation Agreement:

   a) Admission to one of the twelve state universities, except to “limited access” programs (limited access means that the program has additional admission requirements and some students who meet minimum admission requirements may not be admitted due to space or other constraints).

   b) Acceptance of at least 60 credit hours by the state universities toward the baccalaureate degree.

   c) Transfer of equivalent courses under the Statewide Course Numbering System.
d) Acceptance by the state universities of credit earned in accelerated programs (e.g., CLEP, AP, Dual Enrollment, Early Admission, AICE, and IB).

e) No additional general education core requirements.

4. Transfer students must submit an application for admission to the University and official transcripts from every post-secondary institution attended.

5. Individual programs may have additional requirements over and above that which is required to gain University admission including a supplemental application, minimum GPA, pre-requisites courses, and test scores. Students should verify specific program requirements prior to commencing the application process.

K. FORMER STUDENT RETURNING

A former student returning is any former FGCU degree-seeking undergraduate student who has not earned a degree, who has not been enrolled at FGCU for at least a year, and who wishes to re-enroll. The former student must submit a new admission application by the appropriate application deadline. A new application fee is not required. To be readmitted, a student must (a) be in good standing and eligible to return to the last institution attended, including FGCU; and (b) have achieved a GPA of at least 2.0 on a 4.0 scale on all college-level academic courses attempted. Students enrolled in an FGCU-Approved study abroad program are exempt from this requirement and will be permitted to re-enroll upon their return to FGCU.

L. INTERNATIONAL STUDENT ADMISSION

FGCU is authorized under Federal law to enroll non-immigrant students. Applicants are classified as international if they are not United States citizens, dual citizens, or permanent residents, and if they are applying for an F-1 student visa or a J-1 Exchange Visitor visa (Exchange visitors are classified as either scholar or student). International students may apply to study in any degree program or major for which the University has been granted authorization by the U.S. Department of Homeland Security, Student Exchange Visitor Program, or U.S. Department of State to enroll international students. Degree majors with program designs and limitations that do not comply with federal regulations or are pending federal approval are not open to international student applicants.

1. International students must meet admission criteria at the level of entrance for the program to which they apply, as well as the following:

   a) International students must have all credentials and admission information submitted to the Office of Admissions prior to the published deadline on the Admissions website for international students. Students whose applications are not completed by these respective dates (all elements of the application process including submission of required documents, transcripts and evaluations, test scores and application fee, etc.) may be deferred to the next fall or spring term for admission.
b) All coursework required for an admissions decision must be evaluated by an international evaluation agency. Agency recommendations are listed on the University’s international admission website. A course-by-course evaluation is required. The applicant pays for this service and contacts the evaluating agency directly.

c) International students currently attending any institution in the United States must submit a visa clearance form issued by FGCU to be completed by their current school designating Florida Gulf Coast University as their transfer institution and confirming their status as an F or J visa holder.

d) Applicants must demonstrate English proficiency in accordance with University policy, and will be required to submit satisfactory evidence to demonstrate English proficiency based on the following options:

1) TOEFL (Test of English as a Foreign Language) scores, unless the country of origin uses English as the official language.
   i) A minimum score of 213 is required on the computerized TOEFL, 79 on the Internet-based TOEFL, and 550 on the paper-based TOEFL.
   ii) Some programs, including the MS in Health Science, require a TOEFL score greater than the minimum (see program requirements).

2) With the approval of the Director of Admissions and the appropriate dean, applicants may furnish satisfactory evidence of English competency in lieu of the TOEFL. Examples of satisfactory evidence include, but are not limited to:
   i) Completion of the IELTS (International English Language Testing System, www.IELTS.org) with a minimum score of 6.5;
   ii) Completion of ENC 1101 and ENC 1102 (or equivalent) with a grade of C or higher;
   iii) Receipt of an AA degree from a Florida public institution; or
   iv) A Bachelor’s Degree from a U.S. regionally accredited institution.

e) The applicant must file a Financial Statement confirming availability of specific funds to finance the first year of study before the University issues the appropriate documents for obtaining a visa.

f) A J-1 student’s Financial Statement must document that the student is directly or indirectly financed by the U.S. government, the government of their home country, an international organization of which the U.S. is a member (by treaty or statute) or
if they are substantially supported by funding from any source other than personal or family funds, including an FGCU tuition waiver.

g) No international student in F or J non-immigrant status shall be permitted to register, or continue enrollment, without demonstrating that the student has adequate medical insurance coverage for illness and accidental injury and which meets the minimum requirements set forth in FGCU-PR4.008 and the Board of Governors Regulation 6.009.

h) International students are subject to the same University policies and procedures that apply to all students, such as admission, enrollment, immunization, etc. Additionally, international students are obligated to follow and comply with the laws and regulations set by the United States Department of State, United States Department of Homeland Security and/or the United States Citizenship and Immigration Services, which may determine the student’s eligibility for enrollment, residency status, limitations on credit hours or semesters of study, limitations on enrollment of distance learning courses and length of presence in the U.S.

M. ACADEMIC AMNESTY

A readmitted undergraduate student who has not been in attendance at FGCU for a period of at least five (5) years may apply to the Academic Standards Committee for academic amnesty. Specific details on the policy for amnesty, how to apply, and the conditions under which amnesty may be granted are published in the University Catalog by the Office of the Registrar.

N. SUBSTITUTION OR MODIFICATION OF ADMISSION REQUIREMENT

A student who is requesting a reasonable substitution or modification for any requirements for admission into an undergraduate program due to a disability must provide appropriate documentation (less than three years old) that supports the ability to succeed at the university level. The Admissions Appeals Committee will review this petition for admission. The admission decision will be made on an individual basis from documentation provided by the student. If an admission test score is required for the specific category of undergraduate admission, the test score will not be waived.

O. PRIOR CONDUCT

1. Florida Board of Governors’ Regulation 6.001(7) authorizes universities to refuse admission to applicants due to past misconduct. The Office of Undergraduate Admissions reviews disclosures by students who disclose criminal traffic violations and minor academic issues in response to the admissions application conduct question. All other responses to the admissions application conduct questions to any programs at FGCU must be cleared through the Dean of Students or designee. The Dean of Students or designee reviews all applications disclosing information regarding any violation of the law including, but not limited to, criminal charges, convictions, criminal traffic violations, a conduct case at another institution, or pending FGCU Student Code of
Conduct charges. Decisions are made in the best interest of the University community consistent with state and federal law. The Admissions Prior Conduct Procedure Manual contains guidelines to review these disclosures and will be used to review of conduct prior to admissions.

2. A misrepresentation in the response to the conduct history questions may result in a rescinding of admission.

P. APPEALING ADMISSIONS DECISIONS

1. Applicants denied admissions may appeal the decision to the Admissions Appeals Committee by sending a written request. The Committee schedules meetings throughout the fall and spring semesters. Notification of the Committee’s decision will be sent in writing within ten days after the Committee has reviewed the appeal. The Committee is chaired by the Associate Director of Admissions Operations and is comprised of Faculty representatives from each of the five Colleges plus non-voting representatives from Adaptive Services.

2. Applicants denied admission should submit letters of recommendation, additional test scores, or personal statements/essays to the Admissions Appeals Committee through the Office of Admissions.

3. If students are admitted to the University yet denied admission to a limited access program, an appeal should be made to the specific program appeals committee.

Q. DEFERRING ADMISSION

A student who does not enroll the semester to which he or she has been admitted may defer admission to a future semester by writing to the Office of Admissions and submitting a "Request for Change of Admission Term" form. Admission in the new term is not automatic, and a student requesting a new entry date must meet the admission requirements in effect for the new term. Entry dates for some programs are limited to specified terms. If a student attends another collegiate institution in the interim, an official transcript of all work attempted is required. A new application and application fee are required when deferring admission to a term beginning more than two semesters after the original admission term.

R. TRANSFER OF COURSEWORK

1. The Office of Admissions is responsible for receiving and evaluating transfer credit. The office evaluates the acceptability of total credits transferable to FGCU and identifies total credits accepted at the lower division (1000 and 2000 level courses). The college of the student’s major assigns equivalent upper division (3000 and 4000 level) courses and graduate (5000 and 6000 level) courses in determining which courses are applicable toward specific degrees.

2. The University reserves the right to evaluate transfer courses on an individual basis. Age and concordance of content to current requirements may be factors in determining
course transfer and acceptance toward degrees; individual colleges and programs have
the authority to establish age standards for acceptance of transfer courses.

3. FGCU evaluates transfer coursework taken at another college or university if that
institution is accredited, or in candidacy for accreditation, by one of the following
regional accrediting associations:

a) New England Association of Schools and Colleges, Inc. /Commission on
   Institutions of Higher Education;

b) Middle States Association of Colleges and Secondary Schools;

c) North Central Association of Colleges and Schools;

d) Northwest Association of Schools and Colleges;

e) Southern Association of Colleges and Schools/Commission on Colleges; or

f) Western Association of Schools and Colleges/Accrediting Commission for Senior
   Colleges and Universities and Accrediting Commission for Community and Junior
   Colleges.

Notwithstanding, transfer credit from all post-secondary education institutions will be
considered on a case-by-case basis.

4. General guidelines for awarding transfer credit:

a) Credit is not given for technical, vocational, physical education, or pre-college
   courses, or for courses completed below a grade of D-.

b) Credit by departmental examination from another institution and credits awarded by
   another institution solely on the basis of SAT or ACT scores will not be accepted by
   FGCU.

c) Courses with a transfer grade of C- or below may not be used toward satisfaction of
   computational and communication requirements.

d) An equivalent FGCU course number will be entered on the student’s official
   academic transcript.

e) Transfer credits will not be computed into a student’s FGCU institutional GPA for
   FGCU coursework, but will be included in the student’s overall GPA.

f) All coursework required for an admissions decision must be evaluated by an
   international evaluation agency. Agency recommendations are listed on the
   international admission website. A course-by-course evaluation is required. The
   applicant pays for this service and contacts the evaluating agency directly.
g) All transfer credit evaluations are completed during the evaluation process to determine admission to the University. Only official transcripts will be evaluated.

h) Transfer students from non-regionally accredited Florida institutions that follow the state common course numbering system may have a limited number of courses credited.

i) Transfer of credit from an institution based on the quarter system will be converted to the semester system by multiplying the credit by a factor of .67.

j) Transfer credit earned through the Statewide Course Numbering System is acceptable, based on the System’s guidelines.

5. College Credit for Military Training and Education Courses:

a) The Office of Transfer Articulation shall review college credit submitted by an applicant which was earned through military training or coursework which is recognized by the American Council on Education (ACE).

b) The Office of Transfer Articulation shall utilize the ACE Guide to the Evaluation of Educational Experiences in the Armed Services (as listed on the Joint Services Transcript (JST) or the Community College of the Air Force Transcript (CCA)) in order to determine equivalency and alignment of military training or coursework with University courses.

c) If the Office of Transfer Articulation determines that the military training or coursework is equivalent to and fulfills a general education or major course or degree program requirement, the training or coursework will be credited towards graduation and meet the identified requirement. Alternative course credit, including free elective course credit, will be granted if the coursework is not equivalent to a general education, major course, or degree program requirement.

d) Articulation credit earned via military training and coursework that was previously evaluated and awarded by a college degree granting institution which is part of the State University System of Florida, and that is appropriate to the transfer student’s major at the University, will be accepted, subject to the University’s limit on the amount and level of transfer credit allowed for a given degree.

e) Credit awarded for military education and training shall be noted on the student’s transcript and documentation of the credit equivalency evaluation shall be maintained in the student’s education record.
6. College Credit for Online Courses Completed Prior to Initial Enrollment

   a) If requested by an applicant prior to the student’s initial term of enrollment in undergraduate education, FGCU shall evaluate online coursework. Credit will be awarded if the academic program determines the online course content and learning outcomes are comparable to FGCU offered courses, the online course meet the quality and accreditation standards intended for transfer courses, and the online course is relevant to the applicant’s intended program of study.

   b) It is the applicant’s responsibility to initiate the request for review of such online coursework. The request should be made to the Office of Undergraduate admission and include an official transcript, course description, and syllabus. Additional documentation may be required as determined by the reviewing academic program.

   c) A student denied transfer of online coursework may submit a written appeal to the appropriate College Dean.

   d) Credit awarded by the University for online coursework will be noted on the student’s transcript.

S. SECOND BACCALAUREATE DEGREE

Graduates from regionally accredited four-year U.S. institutions may apply for admission to work toward a second undergraduate degree. The first baccalaureate degree satisfies the general education requirement and provides exemption from the foreign language requirement for admission. Second baccalaureate degree applicants should submit all transcripts and an undergraduate application for acceptance into the University. Individual programs may have additional requirements over and above that which is required to gain University admission including a supplemental application, minimum GPA, pre-requisites courses, and test scores. Students should verify specific program requirements prior to commencing the application process.

T. LANGUAGE ADMISSION REQUIREMENT

All admitted undergraduate students must satisfy the statewide foreign language admission requirement or meet exemption criteria. Applicants whose native language is not English must also satisfy this requirement, but may do so with appropriate coursework in their native language. The language admission requirement for each type of applicant is described above.

A student may be exempt from the state university foreign language requirement if one of the following criteria is met:

1. Received an AA degree from a Florida College System institution prior to September 1, 1989;
2. Enrolled in an AA program at Florida College System institutions prior to August 1989 and maintained continuous enrollment until admission to and enrollment in FGCU;

3. Has a baccalaureate degree from a regionally accredited college or university; or

4. Can demonstrate equivalent foreign language competence through credit awarded on the basis of scores on the foreign language subject matter examinations in the College Level Examination Program (CLEP), which must be equivalent to 8 semester hours of college-level work. The minimum scores for awarding CLEP credit and the maximum CLEP credit to be awarded are as outlined in the chart below:

<table>
<thead>
<tr>
<th>Examination</th>
<th>Minimum Score</th>
<th>Maximum Credit</th>
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<tbody>
<tr>
<td>French</td>
<td>50</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>59</td>
<td>8</td>
</tr>
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<td>4</td>
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<td></td>
<td>63</td>
<td>8</td>
</tr>
</tbody>
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U. DEGREE ACCELERATION PROGRAMS

College credits earned by high school or college students on the basis of the College Board’s Advanced Placement Program (AP), College Level Examination Program (CLEP), Advanced International Certificate of Education Program (AICE), or the International Baccalaureate Program (IB) will be accepted. Credit received from one exam program may not be duplicated by another, nor duplicated through dual enrollment credit. A maximum of 45 semester hours of AP, CLEP, AICE, and IB credits can be applied toward a degree. For students with more than 45 applicable credits, AP, AICE and IB credits will be transferred before evaluating other credits. AP, IB, and CLEP information regarding courses/areas for which FGCU credit may be assigned is subject to change. The State Articulation Coordinating Committee, a joint committee of the Department of Education and the Board of Governors, establishes the passing scores and course equivalencies for these programs. Current approved scores and equivalent courses are maintained in the University Catalog.

1. Advanced Placement Program (AP). Students must submit an official Advanced Placement transcript from The College Board as evidence of completion of a college-level course taken in high school. If the examination results meet the requirements in the equivalency table listed in the University catalog, the student may be given University credit. The courses listed indicate the FGCU course equivalency that will appear on the student’s FGCU transcript. AP equivalence will count toward communication and computational skills requirements. AP credit will appear on the student’s permanent record.
2. **College Level Examination Program (CLEP)**. Students must submit an official transcript from The College Board for scores to be considered for credit. CLEP examination scores must meet the minimum standards established by the State University System and FGCU. CLEP credit will appear on the student’s permanent record. CLEP credit will count toward communication and computational skills requirements. CLEP credit does not factor into the GPA because a grade is not associated with CLEP credit.

3. **International Baccalaureate Program (IB)**. Students may be awarded up to 30 semester hours of credit in FGCU courses for scores of four (4) or higher on IB exams, in accordance with the equivalency table in the University catalog. IB equivalence will count toward communication and computational skills requirements.

4. **Advanced International Certificate of Education Program (AICE)**. Like the International Baccalaureate program, the AICE program is an international curriculum and examination program modeled on the British pre-college curriculum and “A-Level” exams. Students may be awarded up to 30 credits earned via the AICE program. Course grade equivalency is based on the schedule found in the University Academic Catalog.

5. **Military Service**. Official credentials from military service schools will be evaluated on the basis of American Council on Education (ACE) recommendations. Credit may be granted when courses are equivalent to those offered by FGCU; however, recommendations by the ACE are not binding upon the University.

6. **Dantes Subject Standardized Tests (DSST)**. These tests are designed to test student’s knowledge in a variety of college-level subjects and credit will be accepted based on recommendations for exams and passing scores as determined by the State Articulation Coordinating Committee.

7. **Credit by Examination**. FGCU colleges and departments may offer examinations for academic credit to undergraduate students upon request. The colleges or departments must be directly contacted concerning the availability of examinations.

**V. IMMUNIZATION REQUIREMENT**

As a prerequisite to registration as a degree-seeking or non-degree-seeking student, FGCU requires all students born after December 31, 1956, to present documented proof of immunity to measles (Rubeola) and Rubella. All students need to be vaccinated against meningitis and hepatitis B diseases or sign a waiver (if they are over 18 years of age). Prior to initial registration, each student must submit a completed FGCU Immunization History Form to Student Health Services. Students are strongly urged to complete this requirement before attending Orientation.

1. The following are acceptable proofs of immunization and vaccines:
a) Proof of two MMR or MMRV vaccinations received at least 28 days apart after 12 months of age; or Proof of immunity by way of a blood test result (titer); or

b) Proof of meningitis and hepatitis B vaccines or sign a waiver (if over 18 years of age).

2. Questions about acceptable proof, exemptions, or temporary deferments may be directed to Student Health Services.

3. The University reserves the right to refuse registration to any student whose health record or report of medical examination indicates the existence of a condition which may be harmful to members of the University community.

W. NON-DEGREE SEEKING ENROLLMENT

Non-degree seeking enrollment allows a student to enroll in courses on a space available basis and has been established for those individuals who do not have an immediate intention to pursue a degree program. Former degree seeking students at FGCU who have not completed a degree program will not normally be permitted to enroll in a non-degree seeking category. Successful completion of courses while in this classification does not provide a basis for regular admission at a later date. Students seeking graduate courses on a non-degree-seeking basis are considered Post-Baccalaureate (Post-Bac) and should reference Graduate Admissions requirements.

1. Students enrolling in this classification are subject to the following regulations:

   a) Non-degree seeking students are subject to the same University rules and regulations as degree seeking students.

   b) International students may only enroll as non-degree seeking students with permission from the University due to limitations of certain visa statuses and federal regulations.

   c) Non-degree seeking students are not eligible to receive financial aid.

   d) Non-degree seeking students are not eligible to stay in University housing or to receive University honors.

   e) A degree-seeking student denied admission to FGCU may not subsequently enroll as a non-degree seeking student. This restriction will be waived if the student subsequent to the denial from FGCU has completed a degree program or has been a student in good academic standing at another postsecondary institution. Official transcripts will be required in these cases.

   f) A non-degree seeking student dismissed from the University will not be eligible for admission as a degree-seeking student.
g) A non-degree seeking student is limited to 15 credit hours of undergraduate coursework. A college may waive this restriction for students wishing to enter specific degree programs in special circumstances.

h) Hours taken at FGCU as a non-degree-seeking student cannot be used to meet the 60 transferable hours required for admission as an upper division student.

i) A non-degree seeking student must be in good academic standing at his/her previous institution (including FGCU) and eligible to return.

j) Registration for classes is on a space available basis, subject to any required course prerequisites and other restrictions as determined by the applicable College or Program.

k) Registration is in accordance with the deadlines posted on the academic calendar.

l) First-time-in-college students will not be allowed to enroll as a non-degree seeking status student.

2. Application Procedure

Application procedures for non-degree seeking students or transient students are provided on the undergraduate admissions website and the Office of the Registrar’s website.

Action by Florida Gulf Coast University Board of Trustees
Approved 09/08/2015

Action by Florida Board of Governors
Approved 10/08/2015

Specific Authority
Chapter 1007, Part II, Florida Statutes; Board of Governors Regulations 1.001, 6.001, 6.002, 6.004, 6.005, 6.006, 6.007, 6.009, 6.018 and 6.020; Section 504 of the Rehabilitation Act of 1973

History of Regulation
New 04/21/09; Amended 09/23/10, 07/11/14, 10/08/15

Effective Date of Regulation
10/08/2015
(1) General. The University shall be in accordance with the regulations and guidelines of the Florida Board of Governors as they pertain to accreditation.

(2) Scope. Accreditation here shall apply to the institution as a whole through the Commission on Colleges of the Southern Association of Colleges and Schools and to specific schools, colleges and programs leading to earned degrees through appropriate bodies recognized through the federal government or BOG regulations or guidelines.

(3) Responsibility. The President of the university will ensure that FGCU will take all actions necessary to maintain its regional accreditation with the Commission on Colleges of the Southern Association of Colleges and Schools. In addition, the President will charge the Provost and Vice President for Academic Affairs with the responsibility of ensuring compliance with all Florida Board of Governors regulations and guidelines concerning the specialized accreditation of eligible programs, schools, and colleges of the university.

(4) Reporting. The President will apprise the University Board of Trustees, periodically and as necessary, on the accreditation status of the institution, its constituent academic units and programs. As directed by the Florida Board of Governors, the University will provide to it information on the accreditation status of the institution, its constituent academic units, and its programs in a manner and format so specified by the Board of Governors.
REGULATION: FGCU-PR3.002
Honorary Degrees

(1) General. This regulation is in accordance with the regulations and guidelines of the Florida Board of Governors as they pertain to the awarding of honorary degrees.

(2) Scope. Ever mindful of its mission, Florida Gulf Coast University grants honorary degrees to persons whose achievements are in concert with the mission of the University. Recipients of honorary degrees will be forever associated with the University; therefore, recipients of an honorary degree from Florida Gulf Coast University must be of sufficient stature and character so as to honor the University.

(3) Eligibility. Specific criteria for an honorary degree at FGCU include:

(a) Distinguished record of scholarship, and/or,

(b) Outstanding contributions to society through humanitarian efforts, public service, education, or artistic achievement.

(c) Ordinarily, honorary doctoral degrees are not awarded to current members of the University faculty, staff, Board of Trustees, or any elected official or state employee who has direct oversight of the University. Former members of the Board of Trustees and emeriti faculty should only be considered for honorary degrees on an exceptional basis.

(4) Nomination Process. Nominations for awarding honorary degrees are encouraged from all constituents of the University. For full consideration, the nominator must supply the following information that must be received in the Office of the Provost/Vice President for Academic Affairs no later than October 1 for Fall Commencement. Nominations and supporting materials for Spring Commencement must be received in Academic Affairs no later than February 1.

(a) Letter of nomination that summarizes the candidate’s qualifications for this honor.
HONORARY DEGREES

(b) Brief curriculum vitae of the nominee (resume or biographical description).

(c) Other supporting evidence as appropriate (e.g., letters of support, publications, materials).

(d) Contact information for the nominee.

(5) Selection Process.

(a) The Committee on Honorary Degrees is comprised of the following individuals:

(i) Provost and Vice President of Academic Affairs or his/her designee.

(ii) One faculty member from each college, appointed by the Faculty Senate. Faculty members shall be appointed for two-year terms. Members may serve no more than two consecutive terms on the committee.

(iii) An Academic Dean or Chair/Director, appointed by the Provost.

(iv) Associate Vice President of Research and Sponsored Programs or his/her designee, appointed by the Provost.

(v) Representative from the President’s Office, appointed by the President.

(vi) Vice President for Advancement or his/her designee.

(b) The committee will publicize criteria and guidelines for nominations at least three weeks prior to the nominations deadline. The committee will review nominations and identify individuals who meet the criteria for an honorary degree. The committee shall recommend candidates and appropriate degree(s) to the University President by November 1 for Fall Commencement and by March 1 for Spring Commencement. The committee will include a written rationale for each individual who is being recommended for an honorary degree. Ordinarily, the Committee on Honorary Degrees will submit no more than five recommendations to the President. There should be no communication with the prospective honorary degree recipient(s) until after the President has made the final decision on conferral of honorary degrees.

(c) The President’s Office shall contact the selected recipient(s) concerning acceptance and conferral of the honorary degree. Candidates who have been approved by the President, but are unable to come to Florida Gulf Coast University to
receive the honorary degree, will be invited to accept the honorary degree during the next academic year.

In cases where nominees fail to satisfy minimal eligibility requirements, the President, with consultation from the Committee on Honorary Degrees, reserves the right not to award an honorary degree.

(6) Honorary Degrees Offered at FGCU include the following:

(a) Honorary Doctor of Humane Letters (L.H.D.)
(b) Honorary Doctor of Letters (Litt.D)
(c) Honorary Doctor of Laws (L.L.D)
(d) Honorary Doctor of Science (Sc.D)
(e) Others as approved by the Committee on Honorary Degrees

(7) Procedures for Awarding Honorary Degrees.

(a) Honorary degrees will be awarded at Commencement
(b) Honorary degrees will not be given in absentia
(c) An honorary degree may be awarded posthumously
(d) The candidate will be presented with the University diploma carrying the title of the degree, a citation indicating the reasons for the award, and a doctoral hood bearing the colors of the University.

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1 *litterarum humaniorum doctor, honoris causa*—awarded for outstanding achievement in the humanities and the social sciences.

2 *litterarum doctor, honoris causa*—awarded for outstanding contributions to the field of literature, journalism and drama.

3 *legum doctor, honoris causa*—awarded for outstanding community contributions at the local, national, or international level in business, industry, government, and public office.

4 *scientia doctor, honoris causa*—awarded for outstanding achievement in the pure and applied sciences, health professions and technology
(8) Process for Amending the Honorary Degree Regulation

Proposed amendments to this regulation should be submitted in writing to the Committee on Honorary Degrees. The Committee on Honorary Degrees will submit recommendations to the Provost. The Provost, in consultation with Deans’ Council and the Faculty Senate, will review the proposed changes. The Provost will submit the proposed revision(s) to the President for final review and approval before the revision(s) are noticed and then sent for review and approval to the University Board of Trustees.

Law Implemented:
Board of Governors’ Regulation 3.004; §1001.74, Florida Statutes

History of Regulation
New 4/21/09

Effective Date of Regulation
4/21/09
The purpose of this regulation is to establish textbook selection and adoption procedures to decrease the cost of textbooks to students, minimize the cost of textbooks for students maintain the quality of education and ensure faculty academic freedom.

Florida Board of Governors Regulation 8.003, Textbook Adoption, directs that the regulation establish a procedure for adoption of required textbooks for courses including deadlines for identification of text by instructor, consideration of actual value of any required new edition of required texts, actual use of the required materials in the course, precise identification of text to ease comparison and purchase by the student, monitoring of instructor compliance and financial assistance. Also, no employee may receive any form of compensation for requiring a textbook other than those specified in the regulation.

The Board of Trustees of Florida Gulf Coast University establishes the following procedures for minimizing the cost of textbooks to students, maintaining the quality of the students’ educational experience and ensuring faculty academic freedom.

**PART 1**

1. For purposes of this Regulation, the term “Faculty” or “Faculty Member” shall mean an employee or employees in the collective bargain unit and any adjunct or out of unit employee or employees who are required to comply with the requirements of this regulation.

2. The University shall publish the textbook ordering and textbook adoption dates for the fall, spring and summer terms of each academic year in the University Academic Calendar or other University approved publication. Pursuant to the Florida Board of Governors’ Regulation 8.003, Textbook Adoption, textbook orders must be completed and made available to students no later than 30 days prior to the first day of classes for each term. The date for making the textbook adoption information available to students shall occur after the textbook ordering date and shall be a date prior to the minimum 30 days date required by the Florida Board of Governors’ Regulation 8.003, Textbook Adoption for the posting of required textbooks.

3. No later than the published textbook ordering date for each term, each faculty member, or the department where applicable, shall identify the textbook and other materials adopted for the course to be taught by completing the Course Textbook Adoption request page on the University Bookstore website or other University determined location.
4. There shall be an exception process to the textbook ordering date requirements which shall address, among other things, the situation when a faculty member is assigned to teach a course after the textbook ordering date.

5. In placing the textbook order, the textbook listings shall include the following information:
   a. the international standard book number (ISBN);
   b. the name(s) or the author(s) or editor(s);
   c. the title, the publisher;
   d. the edition;
   e. the copyright and publication dates; and
   f. other relevant information necessary to identify the specific textbook required for each course.

The textbook information will be included in the posting of required textbooks on the University website.

6. When adopting items other than books for a course, the faculty member shall described the items clearly to ensure that the student can determine what exactly is required to be purchase.

7. When requiring the purchase of a bundled package rather than one or more of its discrete parts, the faculty member must provide a written statement that the faculty member requires the students in that class to use all of the individual items that the bundled package. Additionally, the faculty member must include a list of all items in the bundled package ordered as part of the course syllabus.

8. Prior to adopting the new edition of the textbook currently in use, a faculty member, or the department where applicable, shall provide written determination of the extent to which the new edition differs significantly and substantively from the existing edition and the value of changing to a new edition or the extent to which an open-access textbook may exist and be used. It shall be the responsibility of the college or department to retain such determination in accordance with general records requirements.

9. The dean or designee of each college and unit will monitor the completion of the Course Textbook ordering application and ensure that each faculty member with an instructional assignment complies with the requirements for timely submission of the information required by the textbook ordering process.

PART 2

1. No University employee may demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to make specific purchases. However, and except as provided below, an employee may receive, subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and the outside activity and conflict of interest requirements set forth in FGCU-PR 5.012 and the Collective Bargaining Agreement:
   a. Sample copies, instructor copies of textbooks, or instructional materials. These materials may not be sold for any type of compensation if they are specifically identified as free samples not for resale;
b. Royalties or other compensation from sales of textbooks and other instructional resources of which he or she is the author or creator provided that such works are “published” and the University has agreed to waive this requirement in writing for materials sold to FGCU students;

c. Honoraria for academic peer review of course materials;

d. Fee associated with activities such as reviewing, critiquing, or preparing support materials for textbooks; and

e. Training in the use of course materials and learning technologies.

Conflict of interest or potential conflict of interest must be reported consistent with the requirements of the Florida Code of Ethics for Public Officers and Employees and the outside activity and conflict of interest requirements set forth in FGCU-PR5.012 and the Collective Bargaining Agreement.

PART 3

1. The University shall establish a policy and procedure to:

a. assist students who have qualified for need based educational financial assistance and cannot otherwise afford textbooks to have access to the textbooks necessary for the classes for which the student has registered;

b. assist those students who have applied and qualified for need-based financial aid and desire to purchase textbooks necessary for the classes for which the student has registered prior to the distribution of financial aid; and

c. assist students who have qualified for need based educational financial assistance purchase coursepack materials, where applicable.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 01/15/13

Law Implemented:
§1004.085 Florida Statutes, Florida Board of Governors Regulation 8.003

History of Regulation:
New 1/19/10, Amended 01/15/13

Effective Date of Regulation:
01/15/13
(1) General. Educational Research Centers for Child Development are child day care centers established to provide care for children of students, both graduate and undergraduate, faculty, and other staff and employees of the University. These Centers also provide an opportunity for interested schools or departments of the University to conduct educational research programs and establish internship programs within such centers in accordance with §1011.48, Florida Statutes. The purpose of these Centers is to provide research and training activities which are representative of a comprehensive scope of child development needs throughout the community.

(2) This regulation applies to the operations of the Educational Research Center for Child Development at Florida Gulf Coast University, known as the Family Resource Center.

(3) There shall be an Advisory Board of Directors for the Family Resource Center.

(4) The Board shall be made up of an odd number of persons and shall consist of the President of the University or designee, the student government president or designee, one parent for each 50 children enrolled (elected by the parents of children enrolled in the Center), the Chair or designee of each department participating in the Center, and one campus-wide or Community person to be determined by the President.

(5) The Center shall be managed by a Director, hired by the Provost or designee through the FGCU employment process, and approved by the Center's Board. The Center Director shall be an ex officio, non-voting member of the Center's Advisory Board of Directors.

(6) The Board of Directors shall establish local policies and shall perform oversight and operational guidance for the Center.

(7) The Center shall give highest priority to serving the children of students, followed by the children of staff and faculty and shall develop a policy to guide implementation of the established priority.
(8) The University Board of Trustees will authorize the assessment of child care and service fees for the Family Resource Center. Such fees should be set at a level required to support the cost of providing the service. Exceptions should be made for children of students and may be made for low-income faculty and staff. These fees must be approved by the University Board of Trustees in accordance with BOG Regulation 7.003(17).

(9) The Family Resource Center shall be funded by a portion of the Capital Improvement Trust Fund (CITF) fee established by the Board of Governors pursuant to §1009.24(8) with the University receiving a portion of such fees collected from FGCU students and usable only at FGCU.

(10) The CITF fee portion shall equal 22.5 cents per student credit hour taken per term, based on summer, fall and spring semesters. Such allocation may be made only after all bond obligations required to be paid from such fees have been met.

(11) Funds appropriated for the Educational and General activities of the State University System shall not be used to staff and operate the Center.
A. GENERAL STATEMENT

Florida Gulf Coast University encourages applications from all qualified individuals regardless of age, race, religion, national origin, color, sex, sexual orientation, disability, marital status, or veteran’s status. All credentials and documents submitted during admission (from submission of the application to rendering of an admission decision) and enrollment (from the admission decision to registration for course work) become the property of FGCU and will not be returned to the applicant. Furnishing any false or fraudulent statements or information in connection with the admission or enrollment process may result in disciplinary action, including, but not limited to, denial of admission, suspension of registration, invalidation of credits or degrees earned, and/or dismissal from the University.

B. GRADUATE ADMISSION REQUIREMENTS

Applicants to graduate degree programs or post-baccalaureate professional programs are required to meet minimum University admission requirements. Individual programs may set additional criteria or more selective requirements and may be limited by space or other considerations. Consequently, meeting minimum University admission requirements does not guarantee admission to a particular program. In order to be considered for admission to a graduate program at FGCU, an applicant must:

1. Have a bachelor’s degree or equivalent from a regionally accredited institution or equivalent foreign institution;

2. Present an official standardized admission test score, if required. (Refer to the college/program description for approved standardized tests.); and

3. Meet at least one of the following criteria:

   a) An applicant must have a GPA of 3.0 (or equivalent) or greater (on a 4.0 scale) for the last 60 hours of the baccalaureate degree. No entrance exam is required unless the GPA is less than 3.0. If the GPA is less than 3.0, then an applicant must have a minimum entrance score on the Graduate Record Exam (GRE), Graduate Management Admission Test (GMAT), or Miller Analogies Test (MAT) set at the program level, or
b) A graduate degree from a regionally accredited institution or equivalent foreign institution, unless the Program specifically requires the GRE, GMAT or MAT.

4. All graduate applicants must indicate whether or not Florida residency is claimed.

C. EXCEPTIONS TO THE ABOVE REQUIREMENTS

The University may admit up to 10% of its total graduate admissions in a given academic year as exceptions to the minimum University graduate admission requirements defined above. An applicant who does not meet the minimum University requirement for admission and who wishes to apply for an exception must (1) explain why his/her undergraduate or entrance exam performance does not fully represent potential for success in a graduate program, and (2) present additional evidence of potential for academic success at the graduate level, such as excellent letters of recommendation from academicians or professionals in the discipline, performance in previously taken graduate courses, or other relevant professional, educational, or life experiences. Each request for an exception must include a statement describing the special circumstances of the applicant. Review of an application for exception and subsequent endorsement or denial will be made by the graduate program and/or college, as appropriate, subject to final approval by Graduate Studies.

D. FORMER STUDENT RETURNING

A former FGCU degree seeking graduate student who has not completed a graduate degree at FGCU and who has not been enrolled for at least one year (three consecutive semesters) must submit a new admission application by the appropriate application deadline. To be eligible for readmission, a student must be in good standing and be eligible to return to the last institution attended, including FGCU. If admitted, the program will determine which previously earned credits can be applied towards graduation.

E. CHANGE IN GRADUATE PROGRAM OR COLLEGE

Students wishing to change major fields of study either between graduate colleges or graduate programs within the same college must withdraw from their current program and complete a new graduate application. The new application will follow the same review procedure and admission criteria specified by the University and program as for a first-time applicant. Change of a college or program results in the term of entry being shifted to the most current University catalog.

F. INTERNATIONAL STUDENT ADMISSION

FGCU is authorized under federal law to enroll nonimmigrant students. Applicants are classified as international if they are not United States citizens, do not hold dual citizenship (U.S. and another country), are not permanent residents, and if they are applying for an F-1 student visa or a J-1 Exchange Visitor visa (exchange visitors are classified as either
scholar or student). International students must meet University admission requirements and admission criteria for the program to which they apply and satisfy the following:

1. International students must have all credentials and admission information submitted to the Office of Graduate Studies prior to the published deadline on the Graduate Studies website for international students.

2. An international applicant must be academically eligible for admission to the program at the level of entrance requested by the applicant. An international student must demonstrate the required level of academic preparation as evidenced by official copies of any academic records needed to ascertain the comparability of the level and quality of the student's previous education and achievement to that required for other students. Credit earned from institutions outside the U.S.A. must be evaluated on a course-by-course basis by World Education Services, Josef Silny & Associates, Incorporated, or any other evaluation company approved by the National Association of Credential Evaluation Services (NACES). The applicant pays for this service and is responsible for contacting the evaluating agency directly and ensuring that academic credential reports are submitted to FGCU by the application deadline. Academic documents must be translated into English and evaluated by a reputable credential evaluator.

3. International students currently attending any institution in the United States must submit an FGCU International Student Visa Clearance Transfer Form to be completed by the current school the student attends. The school official must designate Florida Gulf Coast University as the “transfer to” institution and must confirm the student’s status as an F or J visa holder.

4. Applicants must demonstrate English proficiency in accordance with University policy and will be required to submit acceptable TOEFL (Test of English as a Foreign Language) scores unless the country of origin uses English as the official language. A minimum score of 213 is required on the computerized TOEFL, 79 on the internet based TOEFL, and 550 on the paper based TOEFL. With the approval of the Director of Graduate Studies and the appropriate college dean, applicants may furnish satisfactory evidence of English competency in lieu of the TOEFL. Examples of satisfactory evidence include, but are not limited to, completion of the IELTS (International English Language Testing System, www.IELTS.org) with a minimum score of 6.5; completion of English Composition I and II (ENC 1101 and ENC 1102, or equivalent) with a grade of C or higher; and/or a minimum of 60 credits satisfactorily completed at an accredited institution of higher education where all courses are taught in English.

5. In order for the University to issue a Certificate of Eligibility (Form I-20 or a DS 2019) to an international applicant, the applicant must file a Confidential Financial Statement from the applicant’s financial institution confirming the
availability of sufficient resources to cover tuition, fees, books, room and board, health insurance, and other living expenses while enrolled at the University.

6. Each international applicant determined to be academically and financially eligible for admission must submit a health history form including proof of immunizations, as required by the University, prior to enrollment at the University.

7. For a J-1 student, the Confidential Financial Statement must document that the applicant is directly or indirectly financed by the U.S. government, the government of his/her home country, or an international organization of which the U.S. is a member (by treaty or statute); or that he/she is substantially supported by funding from any source other than personal or family funds.

8. No international student in F or J non-immigrant status shall be permitted to register or continue enrollment without demonstrating that he/she has adequate medical insurance coverage for illness and accidental injury and which meets the following minimum requirements:

   a) Coverage Period: Policies must provide, at a minimum, continuous coverage for the entire period the insured is enrolled as an eligible student, including annual breaks during that period. Payment of benefits must be renewable.

   b) Basic Benefits: Room, board, hospital services, physician fees, surgeon fees, ambulance, outpatient services, and outpatient customary fees must be paid at 80% or more of usual, customary, reasonable charge per accident or illness, after deductible is met, for in-network, and 70% or more of usual, customary, and reasonable charge for out-of-network providers per accident or illness.

   c) Inpatient Mental Health Care: Must be paid at 80% in-network or 60% out-of-network of the usual and customary fees with a minimum 30-day cap (preferably 40) sessions per year.

   d) Outpatient Mental Health Care: Must be paid at 80% in-network or 60% out-of-network of the usual and customary fees for a minimum of 30 (preferable 40) sessions per year.

   e) Maternity Benefits: Must be treated as any other temporary medical condition and paid at no less than 80% of usual and customary fees in-network or 60% out-of-network.

   f) Inpatient/Outpatient Prescription Medication: Must include coverage of $1,000 or more per policy year.

   g) Repatriation: $10,000 (coverage to return the student's remains to his/her native country).
h) Medical Evacuation: $25,000 (to permit the patient to be transported to his/her home country and to be accompanied by a provider or escort, if directed by the physician in charge).

i) Exclusion for Pre-Existing Conditions: First six months of policy period, at most.

j) Deductible: Maximum of $50 per occurrence if treatment or services are rendered at the Student Health Center; maximum of $100 per occurrence if treatment or services are rendered at an off-campus ambulatory care or hospital emergency department facility.

k) Minimum coverage: $200,000 for covered injuries/illnesses per policy year.

l) Insurance Carrier must, at a minimum, meet the rating requirements specified in Part 62.14(c)(1) of Title 22 of the Code of Federal Regulations.

m) Policy must not unreasonably exclude coverage for perils inherent to the student's program of study.

n) Claims must be paid in U.S. dollars payable on a U.S. financial institution.

o) Policy provisions must be available from the insurer in English.

9. International students are subject to the same University policies and procedures that apply to all students, such as admission, enrollment, immunization, etc. Additionally, international students are obligated to follow and comply with the laws and regulations set by the United States Department of State, the United States Department of Homeland Security, and the United States Citizenship and Immigration Services.

G. STUDENTS WITH DISABILITIES ADMISSION

An individual requesting special consideration for admission (petition) due to a disability must provide appropriate documentation (less than five years old) that supports the ability to succeed at the graduate level. This documentation should explain how the disability likely affected the reason for the special consideration request (i.e., entrance exam score, GPA, etc.). The Office of Adaptive Services will review this petition and all accompanying documentation and will offer an opinion to the graduate program to which the applicant has applied. It is then the individual graduate program coordinator who will provide a recommendation to the College Dean whether to grant the applicant special consideration for the disability. The final admission decision will be made by the Dean of Graduate Studies.
H. PRIOR CONDUCT

Consideration shall be given to the past actions of any person applying for admission when such actions have been found to disrupt or interfere with the orderly conduct, processes, functions or programs of any other university, college or community college. Consideration may also be given to past conduct while not a student. The University may deny admission or enrollment to an applicant because of the applicant's past misconduct on campus, off campus or while not a student, if determined to be in the best interest of the University.

I. PROBATIONARY ADMISSION

1. Provisional Admission. Applicants accepted for admission who applied using unofficial documents and whose official documents (transcripts and/or test scores) have not been received by the Office of Graduate Studies can be admitted provisionally, pending receipt of these missing items. The official transcripts and/or test scores must be received within the first semester of attendance. Registration is permitted for one semester only and if official documentation is not received prior to the start of the second semester the student will not be permitted to register for the second semester. Failure to provide the missing documents by the end of the first semester of attendance may result in a student’s provisional admission into a degree program being rescinded and the transcript of completed coursework reflecting non-degree status.

2. Conditional Admission. Students who satisfy University minimum requirements for admission but not program or college specific requirements may be admitted conditionally by the program or college. These conditions may include attendance in specific core or remedial courses and/or required earned GPA of 3.0 for those courses. Each college and/or program is responsible for monitoring conditionally admitted students. The college and/or program will inform the Office of Graduate Studies if the student has failed to meet the conditions. Failure to satisfy specified conditions put forth by the college or program by the deadline established will result in a student having his/her admission to the degree program rescinded and the transcript of completed coursework reflect non-degree status.

J. ACCEPTING OR DEFERRING GRADUATE ADMISSION

A student is admitted for a specified semester and graduate program as noted in the official acceptance notification. Students admitted to a program must respond in writing, by the date defined by the program, as to their intention to accept or reject the offer of admission. Because deferment of admission policy is set by individual programs, check with the individual graduate program of interest for details.
K. APPEAL FOR RECONSIDERATION

The college or program will inform applicants denied admission in writing with an explanation as to why this decision was warranted. Denied applicants who meet both the minimum University and program criteria and who wish to appeal the decision must write to the graduate program representative or college designee within thirty (30) days of the date of admission denial to request reconsideration.

L. IMMUNIZATION REQUIREMENT

In addition to the requirements for graduate admission, and as a prerequisite to registration for classes as a degree seeking or post-baccalaureate non-degree seeking student, the State of Florida and FGCU require all on-campus students (except those granted exemptions because of age, medical or religious reasons) to present documented proof of immunizations against measles (Rubeola) and Rubella, meningitis and hepatitis B diseases or sign a waiver (if they are over 18 years of age). Prior to initial registration for classes, each student must submit a completed FGCU Immunization History Form, available online, or proper immunization documentation to Student Health Services. Questions about acceptable proof, exemptions, or temporary medical deferments should be directed to Student Health Services/Immunization Department.

M. TRANSFER CREDIT

1. Students may transfer into a graduate program at FGCU a limited number of credit hours from graduate level courses completed at a regionally accredited college or university, or equivalent foreign institution. Check with the individual graduate program regarding allowable transfer credits.

2. The Office of Graduate Studies is responsible for articulating transfer credit to the FGCU transcript.

3. The University reserves the right to evaluate transfer courses on an individual basis. The date any previous course work was completed and concordance of content to current program requirements are factors that may be used to determine course transfer and acceptance toward degrees.

4. Awarding transfer credit

   a) Transfer courses must be applicable toward the graduate degree being sought at FGCU and must be approved by the college Dean (or designee). Check with the individual program in question regarding restrictions on the acceptance of transfer credits, including any time limitations.

   b) Military Service. Official credentials from military service schools will be evaluated on the basis of American Council on Education (ACE)
recommendations. Credit may be granted when courses are equivalent to those offered by FGCU; however, recommendations by the ACE are not binding upon the University.

c) An equivalent FGCU course number will be entered on the student’s official academic transcript.

d) Transfer credits will not be computed as part of a student’s FGCU grade point average.

e) Accreditation status and evaluation of credits from an institution outside the U.S.A. must be made on a course-by-course basis by World Education Services, Josef Silny & Associates, Incorporated, or any other evaluation company approved by the National Association of Credential Evaluation Services (NACES). The applicant pays for this service and is responsible for contacting the evaluating agency directly.

f) All transfer credit evaluations are completed after admission to the University. Only official transcripts will be evaluated.

g) Transfer students from non-regionally accredited Florida institutions that follow the state common course numbering system may have a limited number of courses transferred.

h) Transfer of credit from an institution based on the quarter system will be converted to the semester system by dividing the number of course credits by a factor of 1.5.

Action by Florida Gulf Coast University Board of Trustees
Approved 06/17/2014

Action by the Florida Board of Governors
Approved 07/11/2014

Specific Authority
Board of Governors Regulation 6.001, 6.003, 6.007, 6.009, 6.018

History of Regulation
New: 04/19/2011; Amended 10/26/11, 7/11/14

Effective Date of Regulation:
07/11/2014
REGULATION: FGCU-PR3.006  
Post-Baccalaureate Non-Degree Students  

Effective Date of Regulation: 04/26/11

A. Post-baccalaureate non-degree seeking enrollment allows a student who has already completed an undergraduate degree to enroll in selected courses on a space-available basis. Such enrollment does not guarantee subsequent admission to a graduate program at FGCU as a degree seeking student.

B. Individuals enrolling as post-baccalaureate non-degree seeking students are subject to the following:

1. Post-baccalaureate non-degree seeking students are subject to the same University rules and regulations as degree seeking students.

2. International students may only enroll as post-baccalaureate non-degree seeking students with permission from the University due to limitations of certain visa statuses and federal regulations.

3. With few exceptions (e.g., teacher certification and some certificate programs), post-baccalaureate non-degree seeking students are not eligible to receive financial aid. Check with the Financial Aid and Scholarship Office for details.

4. A post-baccalaureate non-degree seeking student dismissed from the University will not be eligible for admission as a degree seeking student.

5. A post-baccalaureate non-degree seeking student must be in good academic standing at his/her previous institution (including FGCU) and eligible to return.

6. Registration for classes is on a space-available basis and is subject to any required course prerequisites and other restrictions as determined by the applicable college or program.

7. Post-baccalaureate non-degree seeking students who are subsequently admitted to a graduate program as a degree seeking student may apply a limited number of credit hours completed as a post-baccalaureate non-degree seeking student toward the completion of a graduate degree. Check with the individual program in question regarding restrictions on the acceptance of course work earned as a post-baccalaureate non-degree seeking student, including any time limitations.
8. Registration is in accordance with the deadlines posted on the academic calendar.

C. Teacher Certification. Students with undergraduate degrees who are returning to gain teacher certification or educators seeking recertification may enroll in graduate courses on a non-degree seeking, space-available basis, when course prerequisites are met. There is no limit to the number of credits students may earn in this category (Post Baccalaureate).

Action by Florida Gulf Coast University Board of Trustees:
  Approved: 04/19/2011

Specific Authority:
  Board of Governors' Regulation 6.003

Action by Board of Governors:
  Approved 04/26/11

History of Regulation:
  New 04/19/2011

Effective Date of Regulation:
  04/26/2011
A. General

Pursuant to Board of Governors Regulation 8.009, this regulation is created to regulate the establishment, reclassification, relocation, and closing of educational sites apart from the main campus, including international educational sites and educational sites located in other states, and for the acquisition of real property on which such educational sites will be located.

B. Definitions

1. The following Board of Governors definitions of educational sites shall be used for classification purposes under this regulation:
   a) Main campus is defined as the primary site of university educational, research, and administrative activities.
   b) Additional campus, including one that has received separate regional accreditation, is defined as an instructional and administrative unit of a university, apart from the main campus, that primarily offers students upper-division undergraduate and graduate programs, as well as a wide range of administrative and student support services appropriate for the number of student FTE served, and reflects a relatively permanent commitment by the university for the foreseeable future, not an occasional, time-limited, or transitory activity, in facilities which are university-owned, university-leased, or jointly used with another public institution.

1) Type I Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of more than 2,000 university student FTE in courses which lead to a college degree. A Type I Campus typically provides a broad range of instruction for numerous full and partial degree programs, research activity, and an extensive complement of student services.

2) Type II Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of 1,000 to 2,000 university student FTE in courses which lead to a college degree. A Type II Campus typically provides a moderate range of instruction for full and partial degree programs, limited research activity, and a moderate complement of student services.

3) Type III Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of at least 300 but less than 1,000 university student FTE in courses which lead to a college degree.
university student FTE. The Board of Governors may, within its discretion, require an operation with less than 300 FTE to be presented to the Board of Governors for approval if the operation otherwise meets the remaining criteria in this sub-paragraph. A Type III Campus typically provides a limited range of instruction for full and partial degree programs, limited research activity, and a limited complement of student services.

c) Special purpose center is defined as a unit of the university, apart from the main campus, that provides certain special, clearly defined programs or services, such as research or public service, and reflects a relatively permanent commitment by a university for the foreseeable future, not an occasional, time-limited, or transitory activity, in facilities which are university-owned, university-leased, or jointly used with another public institution. Instructional programs or courses leading to a college degree are typically not offered (but may be under certain circumstances) at special purpose centers.

d) Instructional site is defined as a temporary instructional unit of the university, apart from the main campus, that provides a limited range of instructional programs or courses leading to a college degree, in facilities not owned by the institution.

e) Special purpose site is defined as a unit of the university, apart from the main campus, that provides services of an educational or community outreach nature which are other than instruction leading to a college degree, in facilities not owned by Florida Gulf Coast University. Instructional programs or courses leading to a college degree are typically not offered (but may be under certain circumstances) at special purpose sites.

C. Procedures for Establishing, Reclassifying, Relocating and Closing Educational Sites Apart from the Main Campus

1. The following approval processes for establishing, reclassifying, relocating, and closing educational sites apart from the main campus will be utilized by Florida Gulf Coast University:

   a) As an initial part of the process that may lead to the acquisition, establishment, reclassification, relocation, or closing of additional campuses or special purpose centers, the President shall consult with the Chancellor of the State University System to inform system-wide strategic planning.

   b) Instructional sites and special purpose sites may be established and closed by the University consistent with this regulation. If an instructional or special purpose site scheduled for closing has been funded by the Legislature or established pursuant to law, the University shall provide documentation to the Board of Governors justifying the closure, and shall initiate a dialogue with legislative leadership regarding the closure.
c) Establishing, reclassifying, relocating, or closing an additional campus or special purpose center, including acquiring real property for such educational sites, shall be approved by the Board of Trustees and, then forwarded to the Board of Governors for its consideration. No capital outlay funds shall be requested of the Legislature or expended, except for planning, prior to such approvals being obtained.

d) Proposals for the establishment, relocation, and reclassification of additional campuses and special purpose centers shall be submitted by the President to the University's Board of Trustees and, subsequently, to the Board of Governors, using the format(s) developed by the Office of the Board of Governors. Such format(s) shall address, at a minimum, the following elements: Accountability, Needs Assessment, Academic Programs, Administration, Budget and Facilities, Student Services, and Monitoring of Implementation.

e) In addition to addressing the elements specified in (2)(d), a proposal for the establishment of international campuses and special purpose centers shall include the following elements:

1) The relationship of the international program to Florida Gulf Coast University's mission and strategic plan;

2) Any known legal requirements of the host country that must be met to establish and operate a campus or special purpose center in that country and the legal jurisdiction that will be applicable to the University's operations;

3) A risk assessment of the University's responsibility for the safety of students, faculty, and staff;

4) How the University will exercise control over the academic program, faculty, and staff, if the program is not operated exclusively by the University.

5) Assurance that the proposed campus or special purpose site/center will meet applicable accreditation standards.

f) Proposals for closing additional campuses and special purpose centers shall be submitted by the President to the Board of Trustees and, subsequently, to the Board of Governors, using the format(s) specified by the Office of the Board of Governors. The proposal shall include a request for the Board of Governors to initiate a dialogue with the University and legislative leadership regarding the appropriateness of seeking statutory changes, if the educational site has been established pursuant to law.

2. Prior to seeking separate accreditation from the Southern Association of Colleges and Schools for an additional campus, the University shall secure approval from the Board of Trustees and the Board of Governors.
3. The University shall annually monitor enrollment at its additional campuses. If enrollments fall below the minimum designated for the site as defined in (1) for three consecutive years, the University shall develop and implement a plan for increasing enrollment, reclassifying the site, or closing the site. An exception shall be made for a Type III Campus that was approved by the Board of Governors for establishment at an enrollment level below the minimum designated in Section (1)b)3). In that case, if enrollments fall below the Board of Governors-approved minimum for that site for three consecutive years, the University Administration shall develop and implement a plan for increasing enrollment, reclassifying the site, or closing the site.
A. GENERAL STATEMENT

It is the policy of Florida Gulf Coast University (“FGCU” or “University”) to comply with U.S. export control laws. Export control laws restrict access to certain types of information, technologies, and commodities that can be transmitted or shipped overseas to individuals, including U.S. citizens, or made available to foreign persons on U.S. soil. It is the responsibility of faculty, staff, and students to be aware of and comply with U.S. export control laws as well as with the University’s written policies and procedures before engaging in any activities that may raise compliance issues under U.S. export control laws or regulations.

B. RESPONSIBILITY FOR COMPLIANCE

It is the responsibility of the Office of Research and Graduate Studies (ORGS) to provide training and guidance on export control regulations. The University will develop and implement a written policy, procedures, and guidelines to implement an Export Control compliance program.

C. RECORDKEEPING

The University shall use a commercially available software program to record and track all export control compliance reviews.

D. VIOLATION

As an institution of higher education, the University must comply with federal laws and regulations relating to the United States Export Controls. Failure to comply could result in the following:

1. Criminal penalties for unlawful export and disclosure of information in violation of U.S. export control laws exposes both the individuals involved and the University to severe criminal and civil penalties as well as administrative sanctions (loss of research funding and export privileges).

2. A student found to be in violation of this policy may be subject to discipline under Regulation FGCU-PR 4.002, Student Code of Conduct and Student Conduct Review Process, and may be referred to law enforcement officials for prosecution.

3. An employee found to be in violation of this regulation may be subject to discipline under Regulation FGCU-PR5.016, Disciplinary Actions, or as may be provided in the Collective Bargaining Agreement, as applicable, and may be referred to law enforcement officials for prosecution.
enforcement officials for prosecution.

Action by Florida Gulf Coast University Board of Trustees  
Approved 04/19/16  
Specific Authority  
Code of Federal Regulations; Board of Governors Regulation 1.001  
History of Regulation  
New 04/19/16  
Effective Date of Regulation  
04/19/16
A. INTRODUCTION

This regulation provides a general statement of Student rights and responsibilities. These rights and responsibilities are further described in other University regulations and policies. A Student’s exercise of those rights and responsibilities must be exercised in accordance with all University regulations and policies.

B. STUDENT RIGHTS

1. Participation in the student government and its elective processes.
2. Membership in student organizations.
3. Freedom of expression.
4. Freedom to hold public forums.
5. Freedom to hear, write, distribute and act upon a variety of thoughts and beliefs.
6. Right to fair and impartial hearing under the Student Code of Conduct and Student Conduct Review Process.
8. The right to bring complaints to the attention of the university through the Student Grievance Process.
C. STUDENT RESPONSIBILITIES

The most basic responsibility of a student is to study and move forward in intellectual development while taking advantage of the many opportunities provided in a university environment for personal growth, development and maturation.

1. Students and Student Organizations must observe and comply with all university, regulations and policies.

2. The responsibility to respect the rights and privacy of others.

3. The responsibility to accept the consequences of one’s actions.

4. The responsibility to maintain high standards of academic integrity and honor in all work submitted.
A. INTRODUCTION

The Student Code of Conduct exists: (1) to define the behavioral rights and responsibilities of Florida Gulf Coast University Students and Registered Student Organizations; (2) to foster and enhance the academic mission of the University; (3) to protect the rights of all University students, faculty, and staff; (4) to protect University property; (5) to protect the University community from disruption and harm; and (6) to encourage appropriate standards of individual and group behavior.

B. SCOPE

The right of all students to seek knowledge, form opinions, and freely express their ideas is fully recognized by the University. The Student Code of Conduct applies to student conduct and will not be used to discipline the lawful expression of ideas.

These regulations shall apply to all Students and Registered Student Organizations as defined in this policy of the University and shall be deemed a part of the terms and conditions of admission and enrollment of all Students.

The University’s jurisdiction regarding discipline is generally limited to the conduct of any Student or Registered Student Organization that occurs on University Premises or while participating in University programs, including University Housing and study abroad or exchange programs. However, the University reserves the right to impose discipline based on any Student Conduct, regardless of location, that may adversely affect the University community.

The University’s conduct process may be instituted based upon a Student’s alleged conduct that, if committed, would violate criminal law or this Student Code of Conduct without regard to the pendency of civil or criminal litigation. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the President or designee.

C. AUTHORITY

1. The University Board of Trustees has delegated to the University President the final responsibility and authority for the discipline of University students. The President has further delegated this authority to the Vice President for Student Affairs to enforce University regulations, policies, and state and federal law, related to the conduct of students.
2. Registered Student Organizations are also disciplined under this Regulation.

3. The following procedures are designed to promote fairness, and will be adhered to as faithfully as possible. If exceptional circumstances dictate deviation from these procedures, the deviation will not invalidate a decision unless the deviation prevents a fair hearing or abrogates the rights of a student.

4. Failure of a Student or Registered Student Organization to comply with federal or state laws or University regulations and policies may subject violator to appropriate action by University authorities or referral to the appropriate civil and criminal authorities. A determination of a serious violation of established laws or University regulations may be recorded in the Student’s or Organization’s disciplinary record in the Dean of Students’ Office and in the Office of the Registrar if the Student is suspended or expelled.

D. DEFINITIONS

1. Academic Integrity Committee (AIC): A hearing body comprised of students and faculty, trained to review alleged violation(s) of academic dishonesty and make a recommendation of findings and sanctions to the Dean of Students.

2. Administrative Hearing: A proceeding conducted before a Hearing Officer, at which time the Hearing Officer reviews the information presented, makes a finding of “responsible” or “not responsible” and may impose sanctions.

3. Advisor: Any one person (unrelated to the case at issue), including an attorney, chosen by the Charged Student or Organization or Impacted Student to assist him or her throughout the disciplinary process.

4. Charge Letter: Communication, in writing, which advises the Student or Registered Student Organization of allegations of violation(s) of the Student Code of Conduct.

5. Charged Organization: A Registered Student Organization that has been charged with an alleged violation of the Student Code of Conduct.

6. Charged Student: A Student who has been charged with an alleged violation of the Student Code of Conduct.

7. Chair: A Hearing Body member designated to lead the Hearing Body.

8. Class Day: Any day that either classes or final exams are scheduled. Saturday class days will not be counted in establishing time periods under the Code.

10. Complainant: Any person who makes a complaint or reports a violation of the Student Code of Conduct or other University regulations and policies.

11. Consent: The mutual assent by words or actions to engage in a particular sexual activity that must be made voluntarily and competently by all parties.

a) In order for consent to be given voluntarily it must be free from threat, force, intimidation, extortion, and/or undue influence.

b) In order for consent to be given competently, all parties must have the mental ability to understand the encounter and agree to participate. If one or more of the parties is incapacitated due to drug or alcohol use, or any other circumstance, and is unable to communicate consent, which circumstance may include unconsciousness, disability, involuntary physical constraint, sleep, or other forms of helplessness, then that person lacks the necessary capacity to consent.

12. Conduct Review Conference: A proceeding at which the Charged Student has the right to review all of the information currently available that resulted in the alleged violations indicated in the Charge Letter and the options available to resolve the case.

13. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Impacted Person. Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

14. Disciplinary Probation: A sanction during which the student is not in good standing and may have restrictions placed upon the student’s participation in University activities.

15. Domestic Violence: Crimes of violence committed by a current or former spouse or intimate partner of the Impacted Person; by a person with whom the Impacted Person shares a child in common; by a person who is cohabitating with, or has cohabitated with, the Impacted Person as a spouse or intimate partner; by a person similarly situated to a spouse of the Impacted Person under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth Impacted Person who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

16. Facilitator: A University employee who coordinates and assists the Hearing Body in conducting hearings under this Regulation.

17. Formal Hearing: A proceeding before a hearing officer or hearing body.

18. Good Disciplinary Standing: For purposes of the Code, a student who is free of disciplinary probation or disciplinary holds.
19. **Guest(s):** Any individual (student or non-student) that is not assigned to live in the particular room/apartment or is on the Premises where the alleged violation occurred.

20. **Hearing Body:** A committee established to resolve allegations of violations of the Student Code of Conduct and, if so determined, to recommend sanctions. The Student Conduct Committee, the Academic Integrity Committee, and the Residential Conduct Committee are hearing bodies.

21. **Hearing Officer:** A University employee designated to resolve allegations of violations of the Student Code of Conduct.

22. **Hold:** An administrative notification that precludes administrative activity in the Student’s academic record.

23. **Impacted Person:** The person who is the victim of the alleged violation of the Student Code of Conduct.

24. **Impacted Student:** The student who is the victim of the alleged violation of the Student Code of Conduct.

25. **Informal Administrative Hearing:** An informal process conducted by a Hearing Officer in which the charges are reviewed with the student and, if the student chooses to accept responsibility for at least one of the charges as presented, and a determination of responsibility is made, then the Hearing Officer may impose sanctions.

26. **Intimate Partner:** Persons who are or who have been dating, cohabitating, married, separated or divorced, and may be of the same or opposite sex.

27. **Notice:** Communication from the University to an impacted student, Charge Student or Charged Organization through the official University student email address (EagleMail) or U.S. Mail to inform an impacted student, Charged Student or Charged Organization about the Student Conduct Process, up to and including informing of determination of responsibility.

28. **Premises:** All land, buildings, facilities, and other properties in the possession of or owned, used, leased, or operated by the University or one of its direct support organizations.

29. **Preponderance of Information:** Information, considered as a whole, that indicates the facts sought to be proved are more likely than not.

30. **Registered Sport Clubs:** Organizations recognized by the Sport Club Council.

31. **Registered Student Organization (“RSO” or “Organization”):** A group of students who have complied with the requirements for registration as a group by the University. This
term includes all academic, athletic, general interest student organizations, Registered Sport Clubs, and Greek-letter organizations.

32. **Release of Education Records to a Third Party:** A form that a student must sign to give permission to the Dean of Students or designee to discuss or release the student’s behavioral or student conduct records to persons indicated on the form.

33. **Residential Conduct Committee (RCC):** A hearing body comprised only of residential students established to review charges of student conduct violations. No faculty or staff are included in the Residential Conduct Committee.

34. **Sexual assault:** Any sexual act directed against another person, by force, threat of force, coercion or without Consent, including instances where the person is incapable of giving Consent.

   a) **Coercion:** Expressed or implied threats of any harm that would place a reasonable person with similar characteristics of the Impacted Person in fear of immediate or future harm and that is employed to make someone engage in sexual activity.

   b) **Force:** The actual use or threat of physical violence that is employed to make someone engage in sexual acts.

35. **Stalking:** Two or more acts done by a person or through third parties, directly or indirectly, which are directed at another person to follow, monitor, surveil, threaten, or communicate to or about that person, or interferes with that person’s property such that a reasonable person with the same characteristics as that person would feel threatened or distressed as a result of the acts.

36. **Student:** For purposes of the Code, all persons admitted to the University or taking courses at or through FGCU, either full-time or part-time, degree-seeking or non-degree-seeking, on campus, through distance learning or as part of an international program.

37. **Student Conduct Committee (SCC):** A hearing body comprised of students, faculty, and staff established to review charges of student conduct violations.

38. **Student Conduct Committee Hearing:** A proceeding of a hearing body to review alleged violation(s) of the Student Code of Conduct and to make findings and a recommendation of sanctions to the Dean of Students.

39. **Transcript Overlay:** A notation on a student’s university transcript that states the student is not in good disciplinary standing due to a conduct suspension or expulsion.

40. **University:** Florida Gulf Coast University, including all of its campuses, centers, and off-site locations.

41. **University Community:** The students, faculty, and staff of the University.
42. *University Housing:* A residence in a University operated facility.

43. *University Official:* Any person employed by the University to perform assigned teaching, research, administrative, professional, or other responsibilities.

44. *Witness(es):* A person who can provide a firsthand account or details of the incident.

**E. PROHIBITED CONDUCT**

The following actions, including complicity to commit these actions, constitute conduct for which a student, a group of students, or a registered student organization may be subject to disciplinary action, whether such actions are engaged in, on or off University premises:

1. Academic Dishonesty
   a) Cheating, includes, but is not limited to:
      1) Intentionally using or attempting to use any unauthorized assistance (including, but not limited to materials, communication of information during an academic exercise, notes, study aids or devices) in an academic exercise, including, but not limited to, quizzes, tests, or examinations;
      2) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
      3) The acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff;
      4) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion;
      5) Submitting work that has been purchased or borrows generously from work submitted in a previous or concurrent class, except where expressly permitted by the instructor; or
      6) Communication to another through written, visual, electronic, or oral means.
   b) Selling notes, handouts, or other materials without authorization or using them for any commercial purpose without the express written permission of the University and the instructor.
   c) Falsifying or misrepresenting your academic work.
   d) Plagiarism: using work appropriated without any indication of the source.
e) Knowingly helping another student violate academic behavior standards.

2. Arson

Intentionally or recklessly causing a fire that may result in damage to the Premises.

3. Falsification/Fraud/False Testimony

a) Withholding related information, or furnishing false or misleading information (oral or written) to University officials, university and non-university law enforcement officers, faculty, or staff.

b) Possession, use, or attempted use of any form of fraudulent identification, including a University-issued identification card.

c) Forgery, alteration, or misuse of any document, material, file, record, or instrument of identification, including the University’s name or logos.

d) Deliberately and purposefully providing false or misleading verbal or written information about another person.

e) Falsifying, distorting, or misrepresenting information during proceedings under this Code, including knowingly initiating a false complaint.

4. Disruptive Conduct

a) An act that impairs, interferes with, or obstructs the University or any part thereof or the rights of other members of the University community, including but not limited to obstructing or disrupting teaching, research, administrative or public service functions.

b) Any act which deliberately impedes or interferes with the normal flow of pedestrian and vehicular traffic.

c) Misuse of any University safety equipment, firefighting equipment, or fire alarms.

d) A false report of an explosive or incendiary device, which constitutes a threat or bomb scare.

e) An act, which aids, abets, or procures another person to obstruct or disrupt the teaching, research, administrative, public functions, or normal operations of the University.

f) Behavior that disrupts the study, sleep, privacy, or safety, of University community members on or off the Premises.
g) Public urination or defecation on the Premises.

5. Personal Abuse

a) Physical harm or threat of physical harm against others or through direct verbal or written abuse, threats, intimidation, coercion or other conduct that endangers the health, safety, or wellbeing of others.

b) Harassment, defined as conduct, including electronic or written communication, which is so severe or sufficiently persistent or pervasive that it undermines the roles of faculty and staff or so detracts from the impacted student’s educational experience that a reasonable person with the same characteristics of the victim of the harassing conduct would be adversely affected to a degree that interferes with his or her ability to participate in, or realize the intended benefits of, employment, a University activity or resource.

c) Dating Violence.

d) Domestic Violence.

e) Retaliation against complainant(s), other person(s) alleging misconduct, or persons who have participated in the Case Resolution Process, no matter how remotely connected to the process.

f) Stalking.

6. Sexual Misconduct, Abuse, or Harassment

a) An actual or attempted act of sexual misconduct is, as defined in Non-Discrimination, Anti-Harassment and Sexual Misconduct Regulation (FGCU-PR1.003), rape, sexual assault, sexual battery, sexual exploitation and other forms of non-consensual sexual activity.

b) Sexual exploitation is an act that exploits someone sexually. Examples of Sexual Exploitation include, but are not limited to:

1) Exposing one’s own or another person’s intimate parts without Consent.

2) Recording video or audio, photographing, or transmitting intimate or sexual utterances, sounds or images without Consent of all parties involved.

3) Allowing others to view sexual acts (whether in person or via a video camera or other recording device) without the Consent of all parties involved.

4) Engaging in any form of voyeurism.
c) Sexual Harassment is defined as unwelcome conduct of a sexual nature including unwelcome sexual attention, including requests for sexual favors, and other verbal or physical conduct of a sexual nature from any person that is so severe, pervasive, or persistent that it limits a student’s ability to participate in or benefit from an educational program. Sexual violence is a form of sexual harassment.

d) Attempting to commit sexual acts with a minor by solicitation through verbal, written, or electronic means.

7. Theft or Property Damage

a) Unauthorized use, possession, or services of personal or public property.

b) Damage or defacing of University personal property or Premises or the personal property of another person whether or not it is on University Premises.

c) Attempting to repair damages to Premises without prior authorization from University officials.

d) Misuse of University-issued identification card issued to a student through alteration, forgery, duplication, or use of an identification card that has not been issued to the user.

8. Hazing

Acts as defined in Section 1006.63, Florida Statutes, as well as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into or affiliation with, or as a condition of continued membership in, a University registered group or organization. Express or implied consent of the Impacted Student will not be considered as a defense. All provisions of Section 1006.63, Florida Statutes, are applicable to an allegation of hazing.

9. Unauthorized Use of Keys or Entry/Exit

a) Unauthorized or attempted entry or exit or continued presence on the Premises, in any University room, building, facility, motor vehicle, trailer or machinery without proper authorization or access.

b) Duplication or improper use of keys to any University Premises.

c) Assisting with the unauthorized entry or exit of others into any University premises.

10. Controlled Substances, Drug Paraphernalia and other Substances

a) The possession, use, consumption, cultivation, manufacture, sale, or distribution of
any drug or drug paraphernalia, or prescription drug not prescribed to the student.

b) The delivery or attempt to deliver or obtain any drug or drug paraphernalia.

c) A violation of any applicable local, state, or federal law relating to drugs or drug paraphernalia, as defined in Chapter 893, Florida Statutes.

d) The misuse of a prescription or non-prescription drug whether or not the charged student has been prescribed the drug.

e) The un-prescribed use, inhalation, or ingestion of a substance that will alter a student’s mental state.

11. Alcohol

a) Citation for public intoxication

b) The use, possession, sale or distribution of alcoholic beverages other than as expressly permitted by law, University regulations (such as PR9.002) and the University Alcohol Policy 4.002.

c) Citation for operation of a motor vehicle while impaired or with a blood alcohol test result above the applicable legal limit.

12. Weapons, Firearms or Dangerous Materials

a) Possession, sale, storage or use of explosives, ammunition, weapons or other dangerous articles or substances including but not limited to tasers, switchblade knives, and non-lethal weapons, such as air soft guns, or dangerous chemical, corrosive or biological chemicals or agents on University owned or affiliated property or at University sponsored/related activities.

b) Possession or use of fireworks of any description, explosives, or chemicals, which are disruptive, explosive, or corrosive, on University Premises or at University sponsored or related activities.

c) Violation of University Regulation FGCU-PR9.005, Possession of Firearms and Weapons on University Property.

13. Campus Disturbances and Demonstrations, Parades, or Picketing

Unlawful interference with academic freedom and freedom of speech of any member of the University community, as well as intentional interference with the educational function of the University.
14. Computer Misuse and Telecommunications Resources

Violations of this provision include, but are not limited to:

a) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.

b) Unauthorized transfer of a file.

c) Use of another individual’s identification or password.

d) Use of computing facilities and resources to interfere with the work of another student, faculty member, or University Official.

e) Use of computing facilities and resources, which would be considered harassment as defined in Section E.5.b.

f) Use of computing facilities and resources to interfere with normal operation of the University computing system.

g) Use of computing facilities and resources in violation of copyright laws.

h) Violation of the FGCU Policy 3.022 – Technology Acceptable Use Policy and Procedure.

i) Violation of the FGCU Policy 3.021 - Email

15. University Designated Student Residence Violations

Violations of any policy or regulation governing University Housing, as well as, the University Housing rental agreement. A complete list can be found in the Housing and Residence Life Community Guidebook available online at:

http://www.fgcu.edu/Housing/current/standards-policies.html

16. Noncompliance with an Official Request or Posted Directive

Failure to comply with University regulations, policies, or lawful directives, including orders of no contact, of University officials or law enforcement officers acting in the performance of their duties.

17. Disregard for the Student Code of Conduct Process

Action which interferes with or obstructs the Student Code of Conduct Process or acts which constitute violation of sanction(s), failure to complete sanction(s) or violation of disciplinary probation.
18. Public Law

Violation of any federal, state, or local law, rule, regulation, or ordinance.

19. Complicity in Violating the Student Code of Conduct

To be associated with or to be present during the commission of any act by another that constitutes a violation of University policy or if the behavior is considered to constitute permission, to contribute to, or to condone a violation of a University regulation or policy.

20. Responsibility for Guest(s) of Student or Registered Student Organization

A Student or Registered Student Organization will be held accountable for any damage to the Premises or violation of University regulations and policies by the guest(s) of the Student or Registered Student Organization.

F. INTERIM SUSPENSION

1. Authority of University

The Dean of Students or designee is authorized to determine if an alleged violation by a student or a registered student organization warrants an interim suspension or removal from the University or from Housing at any time prior to the conclusion of the University’s disciplinary process, including the appeal process. The criteria used in making this determination are:

a) Whether the student or registered student organization poses an ongoing threat of harm, disruption of, or interference with, the normal operations of the University; and

b) Whether interim suspension is necessary to protect the health (physical and mental), safety, or general welfare of the University community or to preserve University property.

2. Student Interim Suspension

a) An interim suspension means a student cannot be on University property, cannot attend classes (including online classes), and cannot use University facilities. An interim suspension may also include removal from Housing. An interim suspension requires the student be notified in writing as soon as practical upon the determination that an interim suspension is warranted. The Notice shall state the basis for the interim suspension and that the student will have the opportunity to inspect all information that initiated the interim suspension. The written Notice will be sent to the student’s electronic University email account and to the last physical address provided by the student to the Registrar’s Office. The University may also communicate the determination verbally to the student but must concurrently deliver
the written notice as described above. The Charged Student has three (3) class days from the date of the Notice to make a written request to appeal the interim suspension. The appeal of the interim suspension will be heard by the Vice President for Student Affairs or designee within three (3) class days of receipt of the appeal. The Hearing may be delayed due to a semester break or closing of the University. The Charged Student’s appeal of the interim suspension must be based on one of the following:

1) An egregious error pertaining to the student’s involvement; or

2) A contention that the violation, even if proven, does not pose a threat to the health, safety or general welfare of the University community and thus does not warrant an interim suspension.

b) If it is determined by the Vice President for Student Affairs or designee that an interim suspension is not appropriate, the student’s status will be reinstated and the conduct process will commence in accordance with the Student Code of Conduct. The University Housing status and other activities may be affected pending the outcome of the formal hearing.

c) If the interim suspension lasts for more than ten (10) class days but the Student is subsequently found not responsible for the violation, the Student shall be refunded a pro-rata portion of any charges for tuition and out-of-state fees, as appropriate.

d) The hearing to address the underlying charge for the interim suspension will be addressed in accordance with the Student Code of Conduct.

3. Registered Student Organization(s) Interim Suspension

a) The Dean of Students or designee may impose an interim suspension on a registered student organization. An interim suspension of a registered student organization means an immediate ban of all activities, programs, social events, funding requests, and budget expenditures of the group. If permitted by the Dean of Students or designee the suspended organization may be allowed to conduct business meetings while awaiting a hearing of the alleged violation of the Student Code of Conduct. The registered student organization shall receive written Notice of the interim suspension upon the determination that the interim suspension is warranted. The Notice will be delivered to the Presiding Officer of the registered student organization and the organization’s advisor. The Presiding Officer will have the opportunity to inspect all information that initiated the interim suspension prior to the appeal hearing. A copy of the Notice will also be provided to the Office of Student Involvement or Sport Club Coordinator, as applicable. The registered student organization has three (3) class days from the date of the Notice of interim suspension to make a written request to appeal the imposition of the interim suspension. The appeal of the interim suspension will be heard by the Vice President for Student Affairs or designee within three (3) class days of receipt of the appeal. The hearing
may be delayed due to a semester break or closing of the University. The registered student organization’s appeal of the interim suspension must be based on one of the following:

1) An egregious error pertaining to the registered student organization’s involvement; or

2) A contention that the violation, even if proven, does not pose a threat to the health, safety or general welfare of the University community and thus does not warrant an interim suspension.

b) If the Vice President for Student Affairs or designee determines that an interim suspension is not appropriate, the registered student organization’s status will be reinstated and the conduct process will commence in accordance with the Student Code of Conduct.

c) The hearing to address the charge, which is the basis for the interim suspension, will be addressed in accordance with the Student Code of Conduct.

G. PROVISIONS FOR THE CHARGED STUDENT OR ORGANIZATION

The following provisions shall be explained to each Charged Student or Organization during the Conduct Review Conference or prior to the commencement of any conduct hearing:

1. The Charged Student or Organization will receive a fair and impartial hearing in accordance with the requirements of the Code. The date of the Conduct Review Conference or any hearing will be scheduled no earlier than five (5) class days after the date of the Notice, unless waived in writing by the Charged Student or Organization at the time of the Conduct Review Conference.

2. The Charged Student or Organization will receive Notice in writing of the alleged violations filed against him or her or the Organization and the alleged misconduct upon which the charge(s) is based.

3. Reasonable access to the case file will be provided prior to and during the hearing. The Charged Student or Organization may inspect any available information presented in support of the charges and to take notes. The Conduct Review Conference and any hearing will be scheduled to allow no less than three (3) class days for the Charged Student or Organization to review the information.

4. The Charged Student or Organization may decline to make statements in response to the allegations and declining to make a statement shall not be construed as an admission of responsibility.

5. The Charged Student or Organization may be assisted by an advisor of his or her choice, at his or her own expense. The advisor may be present, but may not speak for, present the
case for the student, or otherwise participate directly in the proceeding. For hearings not held on the same date of the Conduct Review Conference, the Charged Student or Organization must provide the name of their advisor prior to the date of the hearing and must sign an Advisor form and a Release of Educational Records to a Third Party form.

6. The Charged Student or Organization may hear and question witnesses, except students impacted by Acts of Violence, who are available to provide a statement at the hearing.

7. The Charged Student or Organization may present relevant information and witnesses.

8. The Charged Student or Organization shall not be required to present self-incriminating information.

9. The Charged Student or Organization will be notified in writing of the decision of the hearing body within ten (10) class days from the date of the hearing, unless extenuating circumstances are communicated to the Charged Student or Organization in writing that resulted in a delay of the decision.

10. The Charged Student or Organization may appeal the determination of responsibility in accordance with the requirements of the Code.

H. PROVISIONS FOR STUDENTS IMPACTED BY ACTS OF VIOLENCE

To ensure fairness to students impacted by acts of violence throughout the disciplinary process, the University has established the following position:

1. An Impacted Student may have one person of his or her choice accompany them throughout the Student Conduct Review process. This person will act as a support person or advisor but will not represent the Impacted Student. Moreover, the person will not be allowed to address the Hearing Officer or Hearing Body on behalf of the Impacted Student.

2. An Impacted Student will receive Notice of the hearing no less than five (5) class days prior to the date of the hearing.

3. An Impacted Student may submit a list of questions related to the alleged incident, prior to the hearing. However, the Hearing Officer or Hearing Body shall not be required to ask these questions of the Charged Student or Organization.

4. An Impacted Student may not have his or her past conduct, including sexual history, considered when the Hearing Officer or Body is making a determination of the Charged Student or Organization as to responsible or not responsible.

5. An Impacted Student may make a “student impact statement” and offer to the Hearing Officer or Hearing Body a suggestion of what the Impacted Student believes to be an appropriate sanction for the Charged Student or Organization. This information may be
6. The Charged Student or Organization will not be permitted to directly question the Impacted Student where the alleged violations are sexual misconduct or abuse. In such cases, the Charged Student or Organization and the Impacted Student shall submit questions to the Hearing Body. However, the Hearing Body shall not be required to ask those questions submitted by the Charged or Impacted Student to the Student who is being questioned.

7. Where the student conduct review process addresses an allegation of sexual misconduct or abuse, Federal law provides that both the Impacted Student and the Charged Student or Organization must be informed of the final outcome of the student conduct review process without a commitment to protect the confidentiality of the information. The "final outcome" means only the final determination with respect to the alleged sexual misconduct or abuse and any sanction(s) that is imposed against the Charged Student or Organization. If the Impacted Student is deceased, the next of kin shall be considered as the alleged Impacted Student for purposes of this paragraph.

8. When the Charged Student or Organization is alleged to have committed sexual misconduct or abuse, the Impacted Student may appeal the outcome of a conduct hearing in writing within three (3) class days from the date of the decision letter by filing a written appeal. If there is an appeal filed by either the Impacted Student or Charged Student or Organization, the other student will be notified of the filing of the appeal and the final outcome.

I. INTERIM MEASURES:

1. Upon the University’s receipt of a report of harassment, sexual misconduct, dating violence, domestic violence, physical abuse or stalking, the University may impose reasonable and appropriate interim measures designed to protect the parties involved. The University will maintain consistent contact with the parties to ensure that all safety, emotional, and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is brought by the University or whether the Impacted Person files a complaint.

2. The University, at its discretion, may implement interim measures for parties involved including but not limited to:

   a) issuing a no contact order;

   b) offering access to counseling services and assistance in setting up an initial appointment;

   c) providing alternative course completion options;
d) offering assistance from University support staff in completing on-campus housing relocation; or

e) providing an escort to ensure safe movement between classes and activities.

3. The University will take steps to prevent the recurrence of any harassment, correct any discriminatory effects on the complainant and other Impacted Persons, and implement interim measures as are appropriate and as required by law. The University will complete the Conduct Review Process within a reasonably prompt time frame and will allow for the extension of time frames for good cause. Written notice to the Complainant and Charged Student of the delay and the reason for the delay will be provided in all cases.

J. STUDENT CONDUCT REVIEW PROCESS AND PROCEDURES

The President has delegated to the Vice President for Student Affairs or designee, authority to implement the Student Code of Conduct. All procedures will be consistent with the rights afforded to students in University disciplinary decisions.

1. Charges

a) No charges will be considered, and no charges can be filed under the Student Code of Conduct later than six (6) months after the date the alleged violation occurred except allegations of sexual misconduct or abuse may be considered no later than twelve (12) months after the date of the alleged sexual misconduct or abuse. In certain cases, the Vice-President for Student Affairs may waive the time period for filing charges after making a finding in writing that waiving the time period for filing charges is in the best interest of the University.

b) A review of possible charges may be initiated in the following ways:

1) Any individual may file a signed written statement to the Dean of Students’ Office concerning an alleged violation of the Student Code of Conduct. The statement should include all information and details specific to the incident including dates, times, location, and the names of any witnesses. The information will be reviewed by the Dean of Students or designee to determine whether Student Code of Conduct charges will be filed or if alternative action is appropriate;

2) Any information that comes to the attention of the University in any manner, including any electronic social media, that an alleged violation of the Student Code of Conduct is reported to have occurred;

3) The University may also amend its charge(s) or file with new charges based on information obtained through an outside proceeding, additional investigation, or other credible sources where that information is relevant to activity adversely affecting the University community;
4) An admission of guilt in any proceedings is conclusive for adjudicating a Student Code of Conduct violation; or

5) A verdict of guilty, adjudication withheld, a plea of guilty or similar disposition in a court of law by a Charged Student or Organization shall be deemed conclusive that the student is responsible for the purpose of University proceedings.

c) All hearings shall be conducted on the basis that the Charged Student or Organization is not in violation. The burden of proof shall not be upon the Charged Student or Organization who is subject to the hearing.

d) Upon review of the information to determine if there are reasonable grounds to believe that the allegations of the complaint are true, the Dean of Students or designee may:

1) Invoke an Interim Suspension; or

2) Direct the University to commence conduct proceedings.

e) Except in cases where the Dean of Students or designee determines that the safety, health, or general welfare of any part of the University community is at risk necessitating an interim suspension, the student’s enrollment status shall remain unchanged pending the University’s final decision in the matter. Notwithstanding, a hold will be placed on the student’s records pending the outcome of the case. No student may modify his or her registration status in any way while a disciplinary hold is in place.

f) A student’s conduct case record will be retained in the Dean of Students’ Office in accordance with the records retention schedule promulgated by the Florida Department of State.

g) The release of student disciplinary records will be governed by applicable federal and state laws regarding the privacy of education records.

2. Notice

The Charged Student or Organization will be given Notice of the alleged violation(s) of the Student Code of Conduct (i.e. Charge Letter). The EagleMail address or the U.S. Mail address provided by the Charged Student to the Registrar’s Office will be used for all correspondence with the Charged Student. The EagleMail addresses for the Charged Organization’s presiding officers and the official University employee email address for the advisor will be used for all correspondence with the Charged Organization. The Hearing Officer may place a Hold on student records prohibiting the registration of any student who fails to respond to an official request from the Dean of Students or designee.
All pending disciplinary matters must be resolved prior to the awarding of any degree or certificate.

The written Notice will include the following:

a) The Charged Student or Organization’s name, and Charged Student’s University identification number, and may include address, and an incident number;

b) A description of the alleged violation(s) including date(s), time(s), and place(s) of the incident(s) and the resulting charges;

c) Source(s) of information;

d) Link to the provisions in the Student Code of Conduct which apply to the Charged Student or Organization;

e) Notice of the opportunity to review materials received by the University concerning the alleged violations; and

f) Direct student to contact the Dean of Students or designee to schedule a Conduct Review Conference.

3. Student Advisor

a) The Charged Student or Organization may have, at his or her own expense and initiative, one Advisor present at the hearing. It is the student’s responsibility to make appropriate arrangements for the Advisor to attend the hearing time scheduled by the administrative office hearing the case. The Advisor may be present, but shall not speak for, or present the case, for the student or otherwise participate directly in the proceeding. An Advisor may not provide a statement as a witness. The Charged Student must sign a Release of Education Records to a Third Party to allow an Advisor to receive a Student’s information. A hearing will not be delayed or rescheduled based on the availability of an Advisor. For hearings not held on the same date as the Conduct Review Conference, the charged student or organization must provide a completed Advisor Form and Authorization to Release Educational Information to a Third Party Form providing the Advisor access to the disciplinary records.

b) The Dean of Students or designees will directly communicate with the Charged Student or Organization about the case. It is the responsibility of the Charged Student or Organization to relay information about the case to the selected Advisor in the conduct process.

4. Conduct Review Conference

a) During the Conduct Review Conference, the Charged Student or Organization will
have an opportunity to discuss the charge(s) and inspect all information with the designated staff of the Dean of Students’ Office or Housing and Residence Life. The Charged Student or Organization may be accompanied by an Advisor when inspecting the information at the Conduct Review Conference. Although the Advisor may be present at the Conference, the Advisor may not speak on behalf of the Charged Student or Organization or otherwise participate.

b) If the Charged Student or Organization fails to schedule a conference within five (5) class days of receipt of the Notice or attend a scheduled conference, a formal hearing will be scheduled according to his or her class schedule and will provide the Charged Student or Organization with no less than five (5) class days to review the information presented in support of the charges.

c) A Charged Student who leaves the University or withdraws from a class before the conduct process is resolved will have a hold placed on his or her record that will prohibit the student from future enrollment until such time as the matter is resolved. The Charged Student’s conduct process will continue regardless of the Charged Student’s academic status or presence at the University.

d) At the conclusion of the Conduct Review Conference, the Dean of Students or designee will inform the Charged Student or Organization of the options for resolution of the conduct process. These options are an Informal Hearing or a Formal Hearing.

5. Informal Hearing

a) An Informal Hearing is not an option for cases involving Charged Organizations, alleged sexual misconduct or abuse, or where removal from Housing, or suspension or expulsion from the University may result.

b) If the Charged Student chooses to accept responsibility for at least one of the charges, the Dean of Students or designee will determine sanctions in accordance with this Code through an Informal Hearing. The Charged Student will be notified in writing of the University’s acknowledgement of the Charged Student’s acceptance of responsibility and the sanctions to be applied. The Charged Student must sign a form acknowledging the waiving of the 24-hour consideration period and rights to a Formal Hearing.

c) If the Charged Student chooses to request a Formal Hearing, the Charged Student will be notified in writing of the University’s acknowledgement of the Charged Student’s decision to proceed to a Formal Hearing. The notification will also provide the Charged Student with information concerning the Formal Hearing process.

d) The Charged Student will have 24 hours from the Conduct Review Conference to inform the Dean of Students or designee, by either email notification or by written statement, whether he or she chooses a hearing before a Hearing Officer or a Hearing
Body, as appropriate. The Charged Student may waive his or her right to the 24 hour
time period in writing and select a hearing type following the completion of the
Conduct Review Conference. In circumstances where a case is more complex, the
University may determine the type of hearing to be utilized for resolution of the case.

e) If additional information becomes available regarding the case following the Conduct
Review Conference, the Charged Student will be provided an opportunity to review
the information prior to the Formal Hearing.

6. Formal Hearings

There are two types of formal hearings: Administrative Hearings before a Hearing
Officer and hearings before a Hearing Body.

a) Hearings are scheduled no earlier than five (5) class days and no later than fourteen
(14) class days following the Conduct Review Conference. If extenuating
circumstances exists, as determined by the Hearing Officer, the hearing may be
delayed. The Charged Student or Organization will be notified in writing of a delay
ordered by the Hearing Officer. The Formal Hearing may also be delayed due to a
semester break or closing of the University. A Charged Student or Organization may
waive, in writing, the scheduled time period and have the case heard immediately by
the Hearing Officer following the Conduct Review Conference.

b) Conduct process proceedings under the Student Code of Conduct are administrative
in nature. Therefore, the Florida Evidence Code, the Florida Rules of Civil
Procedure, and the Florida Rules of Criminal Procedure shall not apply in student
conduct hearings.

c) All Formal Hearings will be digitally recorded by the Hearing Body where the
Charged Student or Organization has the potential for receiving a sanction of
suspension or expulsion from the University and will serve as the official verbatim
record of the proceeding. Videotaping of any hearing is prohibited.

d) The Hearing Body determines responsibility of a violation of the Student Code of
Conduct. This decision is determined by a preponderance of the information
presented. The Hearing Body recommends sanctions, upon a determination of
responsibility, to the Dean of Students or designee. In Administrative Hearings, the
Hearing Officer determines responsibility and the sanction.

e) Prior records of disciplinary action, Impacted Student statements, and past criminal
convictions are considered by the Hearing Body or Hearing Officer only in the
sanctioning phase of deliberations if the student is found responsible.

f) If the Charged Student or Organization fails to attend his or her scheduled hearing,
the case will be heard in the student’s absence and the student will be informed of the
decision in writing.
g) In cases involving multiple students charged, information provided at one hearing may be used as evidence in the related cases(s). When two or more individual cases arise from the same incident, those cases may be heard jointly at the discretion of the Dean of Students or designee.

h) Previously unknown or undisclosed information obtained in a hearing may result in subsequent charges and potentially result in another hearing.

i) Prior to the subsequent hearing, the student will be permitted to inspect any additional information received by the Hearing Officer or Hearing Body.

j) Participants in a hearing may include the Charged Student or Organization, the Hearing Body, witnesses (upon call of the Hearing Body), and the facilitator.

7. Administrative Hearings Conducted by Hearing Officer

a) Administrative Hearings may be conducted by a Hearing Officer who is designated by the Dean of Students.

b) The Charged Student or Organization may request to be notified of the selection of the Hearing Officer for the case and shall have the opportunity to challenge the impartiality of the individual. The Charged Student shall state in writing the basis for such challenge at least two (2) class days prior to the hearing date. The Dean of Students or designee shall determine whether the Hearing Officer is impartial. A Hearing Officer determined not to be impartial will be excused; however, indiscriminate challenges shall not be permitted.

c) The Dean of Students or designee may refer cases directly to the Hearing Body.

d) At an Administrative Hearing conducted by a Hearing Officer, that Hearing Officer shall determine whether the Charged Student or Organization is responsible for the violation(s) of the Student Code of Conduct. If found responsible, the Charged Student or Organization will be given an appropriate sanction by the Hearing Officer.

8. Hearings by a Hearing Body

a) The Student Conduct Committee shall include University faculty, staff, and students. Each Student Conduct Committee shall have no less than fifty percent (50%) of its membership include students and will be comprised of at least three total members. Membership on the Residential Conduct Committee shall only include residential students and does not include faculty and staff.

b) The following order of presentation is recommended for use in hearings conducted by a Hearing Body. The order of business may be adjusted by the facilitator or chair.
1) Introduction of the Hearing Body and Charged Student or Organization.

2) Presentation of charges by the Chair of the Hearing Body.

3) The Charged Student or Organization is provided the opportunity to answer “responsible” or “not responsible” to the alleged violation(s).

4) Opening statement of the Charged Student or Organization.

5) Questions directed to the Charged Student or Organization by the Hearing Body.

6) Presentation of witnesses by the University, followed by questioning of those witnesses by both parties except in cases involving students impacted by an Act of Violence. Each witness is dismissed after questioning.

7) Presentation of witnesses by the Charged Student or Organization, followed by questioning of those witnesses by both parties except in cases involving students impacted by an Act of Violence. Each witness is dismissed after questioning.

8) The facilitator may limit the length of testimony of any witness or participant in the hearing if the information is redundant or irrelevant to the case.

9) Closing statement of the Charged Student or Organization.

10) All persons are excused from the hearing room for deliberations except the Hearing Body and facilitator. The facilitator does not participate in the deliberations but may advise the Hearing Body as appropriate.

11) The Hearing Body considers only information introduced in the hearing. The decision of responsibility is based on the preponderance of information and is decided by a simple majority vote. In cases of a tie, the decision will be made in favor of the Charged Student or Organization. Previous violations are to be considered only in the sanctioning phase of deliberations.

12) The decision of the Hearing Body as to responsibility of the Charged Student or Organization for the alleged violations and recommended sanctions is given to the facilitator and then to the Dean of Students or designee.

c) The Dean of Students or designee makes the final decision and communicates the decision in writing to the Charged Student or Organization within ten (10) class days following the hearing, unless extenuating circumstances exist. The Charged Student or Organization will receive written Notice of any extension of the time to provide Notice of the decision. Any difference between the recommendations of the Hearing Body and the decision of the Dean of Students or designee and the reasons for those differences will be included on the written decision.
d) The Charged Student or Organization is informed of the process to appeal the decision of the Hearing Body.

e) Postponement of the hearing will only be allowed at the discretion of the Dean of Students or designee.

f) Any participant, including the Impacted Student, Charged Student or Organization, or an Advisor, determined by the hearing body to be unruly or disruptive to the hearing process, will be removed from the hearing. A Charged Student or Organization may be subject to additional charges for violation of the Student Code of Conduct related to the removal from the hearing for unruly or disruptive behavior.

9. Witnesses

a) The University cannot compel any person to attend a student conduct hearing on behalf of the Charged Student or Organization. The Charged Student or Organization is responsible for arranging for his or her own witnesses and presenting information during the proceeding. The Charged Student or Organization may hear and question witnesses, except students impacted by Acts of Violence, who are available to provide a statement at the hearing. The Hearing Officer or Hearing Body shall have the authority to limit the number of witnesses in order to avoid unreasonable delays where the testimony of these witnesses is repetitious or irrelevant.

b) It is at the discretion of the Hearing Officer or Hearing Body to call witnesses to support the charges against the Charged Student or Organization in an Administrative or Hearing Body hearing proceeding.

c) Character statement may be provided in writing for consideration during the sanctioning phase.

d) Witnesses may not serve as the Advisor to an Impacted Student or Charged Student or Organization.

e) The Charged Student or Organization is responsible for arranging the attendance of witnesses to present a statement at the Formal Hearing. A hearing will not be delayed or rescheduled based on the availability of a Witness.

f) Witnesses who are students impacted by Acts of Violence may provide a statement in accordance with Section H of the Code.

10. Disciplinary Sanctions

As provided for in Section 7.C of the Code, the Dean of Students or designee may impose the following sanctions or combination of sanctions (with or without appropriate modifications) upon any student or student organization found to be responsible for a violation of the Student Code of Conduct.
When a charged student or organization is found responsible for a charge of sexual harassment, stalking, dating violence, domestic violence, or sexual misconduct, abuse or harassment, the sanctions shall place an emphasis on addressing sexual relationships, taking steps to prevent a recurrence of the incident, and promoting the safety of the impacted student(s) and the University Community.

a) Reprimand – An official written disciplinary warning that the student’s behavior is in violation of the Student Code of Conduct, and that if the student is subsequently found responsible for another such violation while on disciplinary warning, subsequent action may be imposed.

b) Restorative Service Hours – Assignment to perform tasks or services under the supervision of a University department or community service agency. These hours may not be used to fulfill service learning graduation requirements.

c) Educational Activities - An assignment of activities including, but not limited to, reflective or research papers, classes or seminars, or other such activities that address the subject matter of the violation.

d) Counseling Assessment and Compliance – Referral for assessment (at the student’s expense) to a licensed mental health professional or counseling center for general mental health or other counseling issues. Students found responsible for alcohol, drug or behavioral violations may be referred to the FGCU Counseling and Psychological Services (CAPS) Office or to an outside agency or counselor based on the seriousness of the violation. Students must comply with all recommendations established as a result of any assessment resulting from the imposition of this sanction.

e) Restitution – Payment to compensate for actual damages or loss of services to the University or the Impacted Student.

f) Disciplinary Probation – A period of time during which the student is considered not in good standing. Restrictive conditions may be imposed as an element of probation and vary according to the severity of the offense. Restrictive conditions include, but may not be limited to, the following: denial of the privilege to occupy a position of leadership or responsibility in any University Registered Student Organization (RSO), publication, or activity, or ability to represent the University in an official capacity or position. If the student is found responsible for another violation of the Student Code of Conduct during the period of Disciplinary Probation, a sanction of suspension or expulsion from the University may be imposed.

g) Student Organization Probation – A period of time during which an Organization is considered not in Good Disciplinary Standing with the University. The Organization is not permitted to engage in, participate in, host, or sponsor social events or mixers for the duration of the probation. Any other event or activity, including official
business, meetings, brotherhood/sisterhood, events, or philanthropic activities must be approved in advance by the Office of Student Involvement or the Sport Club Coordinator, in consultation with the Dean of Students.

h) Organizations are not permitted to host events off-campus, host events that involve alcohol, participate in any Greek Week events (when applicable), or participate in intramural sports or other social competitions.

i) Organizations are subject to suspension or revocation of University recognition should they violate policies while on Disciplinary Social Probation.

j) Organization probation periods that are longer than three (3) semesters may be reviewed to determine eligibility for participation in University events in the year following the year in which probation as imposed. This review will be held by the Office of Student Conduct, Student Involvement, and Campus Recreation.

k) Restrictions – Restrictions may be imposed on a student which include, but are not limited to:

1) Participation in student clubs, groups, activities or events.

2) Entrance to University Housing areas or any other areas on campus or University property.

3) Prohibition on contact with a specified person(s) within the University Community.

l) Change in University Housing assignment – Reassignment of the student to another location in University Housing.

m) Exclusion and removal from University Housing – The Charged Student is prohibited from visiting University Housing unless prior approval has been given by the Dean of Students or designee. A Charged Student may be allowed to be present in University Housing conference rooms or Academic Advising Offices, with the prior approval of the Dean of Students or designee. The Charged Student will be informed that he or she will be trespassed from the campus by the University Police Department should he or she be found on University Housing grounds without approval.

n) Removal from the classroom and/or the course - including but not limited to: dismissal from the course or reassignment to another section.

o) Suspension- A period of time when a student may not attend classes, or participate in University related activities, whether the class or activity occurs on or off campus. The Registrar’s Office is instructed to place an Overlay on the student’s transcript during the period of suspension indicating the period of suspension. Further, while on disciplinary suspension, a Hold will be placed on a student’s record to prevent
registration. All assigned educational sanctions must be completed prior to the restoration of student privileges; otherwise, the disciplinary suspension will remain in effect. A suspended student is not permitted on University property during the length of their suspension. If a suspended student is found on University property, the University Police will be notified.

p) Disciplinary Expulsion- Removes the student from his or her academic program and permanently separates the student from Florida Gulf Coast University without opportunity to graduate or re-enroll. The Registrar’s Office is instructed to permanently place an Overlay on the student’s transcript indicating the expulsion. Further, a Hold will be permanently placed on the student’s record to prevent future registration. An expelled student is not permitted on University property. If an expelled student is found on University property, the University Police will be notified.

q) Withholding of registration, diplomas, transcripts or other records.

r) The following sanctions may be imposed upon an Organization found to have violated the Student Code of Conduct:

1) Sanctions listed in Section J.10.g) above.

2) Disciplinary Suspension or Disciplinary Expulsion of Organization, which includes temporary or permanent loss of recognized status with the University.

3) Additional sanctions specific to Organizations, which may be found in the Organization’s Constitution, the Office of Student Involvement policies, and the by-laws or regulations of a national affiliate, if applicable.

Any sanction that separates a Charged Student from the University will be noted on that Charged Student’s academic transcript. A lesser sanction will not be noted on the transcript. The following notation will be added to the transcript while suspension or expulsion is in effect. “The student is not in good standing with the University. For more information, contact the Dean of Students’ Office.”

Decisions regarding falsification of admission or re-admission information may be forwarded to the appropriate office for review of the application and appropriate action regarding admission.

A Charged Student who fails to complete sanctions will have a disciplinary hold placed on his or her record. This hold will affect the Charged Student’s ability to register for classes and the student may receive additional charges under the Student Code of Conduct. Disciplinary holds will not be removed until the sanctions are completed.

A Charged Student may be asked to provide the Hearing Officer with a sanction status report.
K. APPEALS WITHIN THE STUDENT CONDUCT REVIEW PROCESS

1. Appeal Requests

The Charged Student or Organization may appeal the outcome of a conduct hearing in writing within three (3) class days from the date of the decision letter by filing a written appeal. The appeal of the outcome of a conduct hearing held by the Hearing Officer shall be considered by the Dean of Students or designee. The appeal of the outcome of a conduct hearing held by the Hearing Body shall be considered by the Vice President for Student Affairs or designee. An appeal must be based on one or more of the following grounds:

a) Due process errors involving the University’s failure to provide the Charged Student or Organization with Notice or an opportunity to be heard;

b) The sanction(s) is (are) extraordinarily severe in relation to the offense committed; or

c) New information can be provided that was not available at the time of the original proceeding.

2. Appeal Hearings

a) The necessity for an appeal hearing will be at the discretion of the University Official to which the Charged Student or Organization has appealed. This decision is based on the Charged Student’s or Organization’s written information provided in the appeal. If an appeal is granted, the burden of proof rests with the Charged Student to show, by a preponderance of the information presented, that the grounds for an appeal have been met.

b) If an appeal is permitted, it will be scheduled within ten (10) class days of receiving the written request for appeal unless good cause exists for deferring the scheduling more than ten (10) class days after receiving the Noticed appeal. The Charged Student may waive the ten (10) day period and request the appeal be heard at a mutually agreeable time.

c) Students impacted by acts of violence may participate in the appeals process pursuant to Section H of the Code.

d) The Charged Student is permitted to continue to attend classes while under appeal and, unless otherwise notified in writing by the Dean of Students or designee, is permitted to continue to live in University Housing.

3. Appeal Decisions

a) Based on information presented on appeal, the original determination may be upheld, modified, reversed, or a new hearing may be ordered. The appeal decision shall be
communicated to the Charged Student or Organization in writing. The decision shall state the reasons for the original determination being upheld, modified, reversed or that a new hearing will be ordered.

b) All appeal decisions are communicated in writing to the Charged Student or Organization within ten (10) class days of the appeal hearing, unless notification is given that additional time is necessary for consideration of the record on appeal.

c) The Charged Student’s academic status will remain unchanged during the appeal or review process; however, University Housing status and other activities may be affected.

d) The appeal decision of the Vice President for Student Affairs or designee is final and the Charged Student or Organization shall be informed that they may appeal the final decision to an outside judicial forum.

L. STANDARDS FOR BEHAVIOR IN THE CLASSROOM

Faculty members have the primary responsibility of managing the classroom environment whether in-person or online. Faculty members may remove a student from the classroom for disruption on the day that it occurs. If the student continues to disrupt the classroom, the faculty member should make a written incident report to the Dean of Students’ Office. The report is processed in accordance with the investigation and student conduct review process as outlined in the Student Code of Conduct.

M. RESOLUTION OF ALLEGATION OF ACADEMIC DISHONESTY

1. A student charged with academic dishonesty will have the case resolved as follows:

   a) The faculty member of record for the class communicates with the Charged Student and informs him or her of the allegations against them. If the Charged Student accepts responsibility for the academic dishonesty, the student will receive an academic sanction determined by the faculty member of record, which may include a failing grade in the class. In concert with this meeting, the faculty member completes the Faculty Referral/Summary Adjudication Form and secures the signature or other form of acceptance by the Charged Student. Faculty Referral/Summary Adjudication forms are available online at:

       http://studentservices.fgcu.edu/studentconduct/forms.html.

       The completed Faculty Referral/Summary Adjudication form is then submitted to the Dean of Students’ Office to be included in the student’s conduct file.

   b) If, after the faculty member of record communicates with and informs the student(s) of the allegation against him or her, the student denies responsibility for the actions or the allegations are so egregious (such as the student(s) having more than one incident of academic dishonesty on record with the University or in the course), the matter is
immediately referred to the Dean of Students’ Office to coordinate the hearing process.

c) Faculty must contact the Dean of Students Office with the student’s name and University Identification Number (UIN) to determine if the student has a prior academic dishonesty history. Only emails sent from the faculty’s University email account will be accepted.

d) The faculty member of record in the class informs the student(s) that he or she has been submitted by direct faculty referral for a suspected academic integrity violation to the Dean of Students’ Office for investigation of the allegation and to coordinate the hearing process through the Academic Integrity Committee.

e) Once the Dean of Students Office has been contacted, upon request of the faculty member making the referral, the Dean of Students Office will notify the Registrar’s Office that the student may not withdraw from the class during the investigation/hearing process. If a student attempts to drop a class prior to the end of the investigation/hearing process, the student will be restored to the class roster and the appropriate grade or penalty will be imposed, if applicable. The faculty member is responsible for notifying the student that he or she has been reenrolled in the class.

f) In circumstances where a case is more complex, the University may determine the type of hearing to be utilized for resolution of the case.

g) The Charged Student may inspect any available information presented in support of the charges and take notes prior to the hearing with the faculty member or the Academic Integrity Committee.

h) The Academic Integrity Committee will hear the case and make a determination of whether there is a preponderance of information to find the student responsible for academic dishonesty. If the student is determined to be “responsible” for academic dishonesty, the committee will recommend a disciplinary sanction which may include expulsion.

i) The Dean of Students will review the decision of the Academic Integrity Committee, make the final determination, and provide written notice of the determination to the student and faculty of record. The final determination will include the basis for the determination and if the determination of the Dean of Students is different from the recommendation of the Committee, then the reasons of those differences will be included in the written decision.

j) After the determination by the Academic Integrity Committee, the faculty of record will assign the student a final grade (which may include a failing course grade). The faculty member may then, if necessary, process the appropriate grade change with the Registrar’s Office.
2. Academic Integrity Committee

   a) The Academic Integrity Committee is coordinated by the Dean of Students’ Office to resolve cases of alleged academic dishonesty referred by the faculty. It is comprised of faculty and students in the following structure:

   b) The Dean of Students or designee serves as Facilitator to the Academic Integrity Committee to coordinate the hearing process and to assist the committee in providing fair and impartial hearings for students accused of academic dishonesty.

   c) Five (5) faculty members from each academic college are recommended by the Dean of the College to serve for a one-year appointment that can be renewed.

   d) Two (2) students from each college are selected in consultation with Student Government through an interview process established by the Dean of Students’ Office.

   e) When a student is referred for a hearing, the Dean of Students’ Office convenes a committee from the pool of appointees to serve on the committee for the case using the following guidelines:

      1) Two (2) faculty members from the college making the referral (if available),

      2) One (1) faculty member from any of the remaining colleges, and

      3) Three (3) students from a different college than the college making the referral (if available).

   f) The Chair of each hearing will be selected from the committee members comprising the Hearing Body.

   g) Charged Students have the right to appeal a decision of the Academic Integrity Committee to the Vice President for Student Affairs or designee in accordance with the appeal procedure described herein.

   h) The Academic Integrity Committee process is separate from the Grade Appeals process, which is managed by the Colleges in the Division of Academic Affairs.

N. CONDUCT PROCEDURES FOR VIOLATIONS OCCURRING DURING THE LAST TWO WEEKS OF THE FALL OR SPRING SEMESTER OR DURING SUMMER SESSIONS

When a student is charged with violations occurring during the last two weeks of the semester or during summer sessions, the Dean of Students’ Office or designee will determine the type of hearing provided for the student to ensure that the student is given adequate Notice and that due process is observed. Only under certain circumstances, hearings may
occur in the subsequent semester. Such circumstances include, but are not limited to, complex, extenuating circumstances, such as emergency or illness of the Charged Student, faculty, staff, or witness, or end of the term when the violation(s) occurred.

O. PERIODIC REVIEW OF THE STUDENT CODE OF CONDUCT AND STUDENT CONDUCT REVIEW PROCESS

The Vice President for Student Affairs or designee shall establish a committee to review the Student Code of Conduct and Student Conduct Review Process. The committee shall review the Student Code of Conduct and Student Conduct Review Process at least once every two years. The committee membership shall have students make up at least one half of the membership.

Action by Florida Gulf Coast University Board of Trustees
Approved 09/08/2015

Specific Authority
§§1006.60, 1006.61, 1006.62, 1006.63, Florida Statutes; Board of Governors Regulations
1.001 and 6.0105

History of Regulation
New 1/15/08; Amended 1/18/11, 9/20/11, 04/17/12, 6/19/12, 6/17/14, 09/08/15

Effective Date of Regulation
09/08/2015
A. GENERAL STATEMENT

This regulation establishes the University’s mechanism for student dispute resolutions. A student dispute may arise from a decision that affects a student’s access to courses and credit granted toward the degree, or certain other decisions that have or can have an effect on a student’s participation or ability to participate in University activities. Students shall be given adequate opportunity to bring disputes to the attention of the University with the assurance that University officials will promptly examine the facts of the case and evaluate these facts in an objective manner. The Ombuds shall provide assistance to the student to address the dispute. The Office shall not advocate for any individual but shall advocate for fair and equitably administered processes and shall facilitate discussion to identify best options to resolve problems. While a student’s use of the Ombuds is voluntary and shall not be a required step in the University’s student dispute resolution process, the University strongly encourages students to make use of services of the Ombuds in addressing their disputes.

B. RESOLUTION OF STUDENT DISPUTES

1. A student who has a dispute covered under this regulation may contact the Ombuds to initiate the process to resolve the dispute. The Ombuds shall develop a policy to assist students in the resolution of disputes, which shall describe informal as well as formal processes to resolve the dispute. The policy will provide that the student shall have the opportunity to communicate with University officials who have the authority to resolve the dispute. The policy shall provide that a student may provide to the Ombuds, with or without a request, any documents or materials that support the student’s position in the dispute.

2. The decision of the University official resolving the dispute is final University action for purposes of judicial appeal.

C. EXCLUSIONS

The following areas are excluded from appeal under this regulation:

1. Disciplinary actions taken under FGCU Student Code of Conduct;

2. Traffic and Parking Violations;

3. The professional judgment exercised by an instructor in assigning a grade;

4. The professional judgment of licensed practitioners in the health related professions; or
5. Any grievance that arises as a result of a student’s employment with the University.

Action by Florida Gulf Coast University Board of Trustees
Approved 04/19/16
Specific Authority
Sections 1002.21(5) and 1006.51, Florida Statutes;
Board of Governors Regulations 1.001 and 6.011
History of Regulation
New 01/15/08; Amended 10/21/08, 04/19/16
Effective Date of Regulation
04/19/16
REGULATION: FGCU-PR4.005

Student Activities Eligibility

Effective Date of Regulation: 01/20/2015

A. GENERAL

Florida Gulf Coast University (“FGCU” or the “University”) encourages student involvement on campus through activities and organizations. Research reports that co-curricular engagement has a positive impact on the general education of students and their retention at the University. Opportunities for involvement and leadership in student organizations include, but are not limited to, Student Government, media groups, academic, pre-professional, honorary, religious, club sports, recreational, social, special interests, cultural, service and fraternity/sorority groups. Student organizations and student leaders play an important role in the total university life and must, therefore, exercise judgment and responsibility in the planning and implementation of activities. This judgment and responsibility extends to individual members as well as officers of organizations. Organizations and individuals are also subject to the rules set forth by their national affiliations as well as the University's regulations and policies including, but not limited to, the Student Code of Conduct.

B. REGISTRATION OF STUDENT ORGANIZATIONS

Student organizations that wish to be recognized by the University must follow appropriate procedures established by the Division of Student Affairs. Registration approval must be granted by the Vice President for Student Affairs (or designee). Registered Student Organizations may be granted certain privileges by the Office of Student Involvement. Those privileges are outlined in its Student Organization Handbook. Organizational membership requirements must also be satisfied. In order to comply with the University's commitment to non-discrimination, no discrimination shall be made on the basis of gender, race, color, creed, age, religion, disability, national origin, marital status, sexual orientation, parental status or veteran status.

C. MEMBERSHIP

Membership in any student organization is limited to any student enrolled in a degree-seeking program as an undergraduate, graduate, or postgraduate student.

D. ELIGIBILITY FOR LEADERSHIP POSITIONS/OFFICER QUALIFICATIONS

The minimum requirements for a student holding elected or appointed positions in a student organization are follows.

1. (a) A student must be currently enrolled in a degree-seeking program and pay Activity and Service (“A&S”) fee during the term(s) of the position; or (b) participating in an academic program of the University that may apply to a degree; and
2. A student must meet requirements for course registration and academic standing:
   a) effective Fall 2010, undergraduate students must be registered for at least nine (9) credits each regular semester, and enrolled in a credit bearing course in either summer term A, B or C, and maintain a minimum 2.25 cumulative FGCU GPA. Graduate and professional students must be registered for six (6) credits per semester, and maintain a minimum 3.0 cumulative FGCU GPA; and
   b) effective Fall 2011, undergraduate students must be registered for at least nine (9) credits in each semester, and enrolled in a credit bearing course in either summer term A, B or C and maintain a minimum 2.5 cumulative FGCU GPA. Graduate and professional students must be registered for at least six (6) credits in each semester, and maintain a minimum 3.0 cumulative FGCU GPA.

3. A student must be in good academic standing, free of conduct probation and be free of delinquent obligations for tuition and fees. Notwithstanding, students who otherwise meet the requirements of this subsection, but have received approval to have a reduced course load due to a registered disability, are eligible to hold leadership positions in student organizations as described herein.

4. A student in the last semester before graduation is eligible to hold a leadership position if the student is enrolled for the required number of credits needed for graduation that term and maintains the required GPA.

5. A student who is currently in a leadership position of a student organization must meet these minimum requirements to continue holding a leadership position. A student not meeting the eligibility requirements as outlined in this regulation will be required to relinquish the office. A student may submit a written appeal to a committee appointed by the Vice President for Student Affairs for review and determination if the student may remain in that position for the remainder of the semester.

6. Elected or appointed student leadership positions to which this regulation applies are student leadership positions in Registered Student Organizations, Student Government and its branches, Greek letter organizations and Sport Clubs.

7. Organizations and their officers that are active in the summer semester are subject to this requirement. An organization subject to this regulation is considered active during the summer semester if it holds regularly scheduled meetings and requests, expends or utilizes A&S funds between the first day of classes of Summer A and the last day of classes of Summer C.

E. FACULTY/STAFF ADVISOR

All registered student organizations shall have at least one full-time FGCU faculty or staff advisor in order to be registered and to be eligible to receive A&S funding.
F. FUNDS AND EXPENDITURES

Registered Student Organizations may receive disbursements for operating and programming from A&S funds through the process established under the Student Government Finance Code.

G. VIOLATIONS

Organizations that violate any law, University regulation or policy, or Student Government policy will be subject to disciplinary action pursuant to the Student Code of Conduct.

H. HAZING

Officers of Organizations who have direct knowledge of a hazing event of the Organization’s members, or have reason to believe that hazing of the Organization’s members has or will occur, whether on or off campus, are required to report that knowledge to the University Police and Dean of Student’s Office. The definition of hazing found in section 1006.63, Florida Statutes, is applicable.

I. STUDENT ORGANIZATIONS AS INDEPENDENT ENTITIES

Registration of student organizations by the University shall not imply support for any student organization's purpose, philosophy or activities. With the exception of Student Government, student organizations and clubs are entities independent of the University. The University assumes no legal liability for any student organization's activities.

J. NO CONTRACTUAL AUTHORITY

Students or student organizations shall not enter into contracts or agreements which purport to bind the University for any purpose.

Action by Florida Gulf Coast University Board of Trustees
Approved 01/20/2015

Specific Authority
Sections 1004.26, 1006.63, and 1009.24, Florida Statutes

History of Regulation
New 01/15/08; Amended 04/20/10, 04/19/11, 01/17/12, 01/20/15

Effective Date of Regulation
01/20/2015
(1) The Florida Gulf Coast University Student Government is recognized as the official representative and governing organization of the student body.

(2) The Florida Gulf Coast University Student Government Constitution has been promulgated by the students and is accepted by the University as expressing their will. The Constitution is subject to amendment from time to time in accordance with the procedures established in the instrument, and all proposed changes to the Constitution shall be submitted through the University President to the Board of Trustees for approval. To facilitate organizational integrity and cohesive administration, Student Government shall establish and maintain implementing statutes, rules and policies in accordance with the Constitution.

(3) Student Government shall allocate Activity and Service (A & S) Fees for lawful purposes to benefit the student body in general, subject to the veto power of the University President or designee in accordance with Section 1009.24(9), F.S., Student Government shall expend A & S fees in accordance with the final Student Government budget and Student Government statutes, rules and policies.

Specific Authority 1.001.74(4) F.S. Law Implemented 1001.74(10), 1004.26, 1009.24(9) F.S. History~New 6/15/04
REGULATION: FGCU-PR4.007

Administrative Withdrawal

Effective Date of Regulation: 01/15/13

1. A student who poses a significant danger of imminent or serious physical threat to harm themselves or others at the University may be administratively withdrawn from attendance at the University by the Vice President for Student Affairs or designee upon appropriate notification and consultation with the Director of the Student Health Services Center, the Director of the University Counseling Center and the Dean of Students or their respective designees. This regulation is not disciplinary in nature and is utilized to protect the health, safety and welfare of the student and members of the University community.

2. Prior to administrative withdrawal, a student shall be furnished:
   a. Notice of intent to withdraw the student from the University stating the reasons for the action;
   b. An advisor of the student's choice, or, if the student is unable to make that choice, an advisor will be designated by the Dean of Students;
   c. An opportunity to present relevant information for consideration of his/her case personally or by representation;
   d. The opportunity to have an advisor present at all proceedings.

3. If at any time the Vice President for Student Affairs or designee determines, upon a review of all available information and surrounding circumstances, that based on a preponderance of the evidence presented, any student's condition presents a significant danger of imminent or serious physical threat to harm himself/herself or others, the student will be subject to a temporary withdrawal, pending a further determination. A student subject to such withdrawal shall be offered an opportunity to meet with the Vice President for Student Affairs or designee, immediately prior thereto, to discuss the matter and shall be offered the opportunity to provide credible documentation from an appropriate licensed healthcare provider who has conducted a reasonable assessment of the student and concluded that the student does not pose a significant risk of imminent or serious physical threat to harm himself/herself or others.

4. A student subject to administrative withdrawal will be asked to meet certain conditions applicable to the reason for this action as a condition for eligibility to be re-enrolled for subsequent semesters or to continue in the current semester.

5. A student subject to administrative withdrawal will be refunded the tuition and fees and will be entitled to whatever refund of room and board charges that would be appropriate given the timing of the withdrawal.
6. A student subject to administrative withdrawal shall be withdrawn without academic penalty in all registered classes. The Division of Student Affairs may generate an appeal for any refund that would be appropriate on behalf of the student.

7. Students who are administratively withdrawn from the University shall have a hold placed on their records, which will prevent them from being readmitted or reenrolled in the institution unless cleared by the Vice President for Student Affairs or designee as stated in paragraph 9.

8. A student subject to administrative withdrawal may appeal the decision of the Vice President for Student Affairs within three (3) working days of the written decision of the Vice President for Student Affairs. If the student appeals under this regulation, a panel comprised of three (3) faculty and staff will be convened by the Vice President for Student Affairs within two (2) working days to review the decision and affirm, modify or overturn the decision of the Vice President for Student Affairs. The decision of the panel is final and is not subject to further appeal.

9. Applications or petitions for readmission by students subject to administrative withdrawal shall be considered and evaluated to determine if any conditions precedent to re-enrollment have been satisfactorily met. The Vice President for Student Affairs or designee will make this determination upon appropriate consultation with the Director of the Student Health Center, the Director of the University Counseling Center and the Dean of Students or their respective designees.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 01/15/13

Specific Authority:
§1006.62 F.S.

Law Implemented:
§1006.62 F.S.

History of Regulation:
New 06-17-08, Amended 01/15/13

Effective Date of Regulation:
01/15/13
REGULATION: FGCU-PR4.008
International Student Insurance

(1) General. The intent of this regulation is to establish the authority wherein the University may ensure compliance with the Board of Governors Regulation 6.009. Pursuant to the Florida Board of Governors Regulation 6.009, no international student in F or J non-immigrant status shall be permitted to register, or to continue enrollment, at the University without specified levels of medical insurance coverage for illness or accidental injury.

(2) University Provided Insurance. The University will secure a Student Medical Insurance Plan which offers insurance for international students in F or J non-immigrant status which meets Board of Governors’ Regulation requirements. The University will make a good-faith effort to secure the most cost-effective policy meeting requirements. All international students in F or J non-immigrant status will be enrolled in the university insurance program plan to ensure compliance with this regulation.

(3) Registration Hold. A registration hold shall be placed on any international student in F or J non-immigrant status until the student has provided proof of the required insurance.

(4) Exception. An international student in F or J non-immigrant status may elect to provide proof of alternative insurance which complies with the Board of Governors’ requirements through the use of the FGCU International Student Medical Insurance Compliance Form, completed by both the student and a representative of the alternative insurance company. The Form must be completed in its entirety and submitted to the International Services Office by August 1 for the fall semester and December 1 for the spring and spring/summer semesters. If the International Services Office of FGCU determines that the alternative insurance complies with the Board of Governor’s requirements, an exception shall be granted. No exceptions shall be granted for Forms submitted past the deadline, or for incomplete Forms.

Specific Authority:
§§1001.74(3)c,1001.74(7),1009.24(9), Florida Statutes
22 CFR 62.14, 6.009 Board of Governors

History of Regulation:
New 1/20/09
Effective Date of Regulation:
1/20/09
A. Federal law provides that no educational program or activity may discriminate on the basis of sex. However, social sororities and fraternities are expressly exempted from this requirement by federal law (20 USC Section 1681), provided that the social fraternity or sorority:

1. Is exempt from taxation under Section 501(a) of Title 26; and
2. The active membership consists primarily of students in attendance at an institution of higher education.

B. A social fraternity or sorority is an organization which does not:

1. Limit membership to persons pursuing or having interest in a particular field of study, profession or academic discipline;
2. Serve as an honorary society for academic, leadership, or any other endeavor; or
3. Permit members to hold membership in other social sororities or fraternities.

C. In addition to the requirements for registered student organizations provided for in FGCU-PR4.005, an organization submitting an application to be registered as a social fraternity or sorority must:

1. Hold an affiliation with a national social fraternity or sorority;
2. Limit membership to currently enrolled students of the University; and
3. Meet the requirements to be exempt from the requirements of 20 USC Section 1681, described above.

Notwithstanding FGCU-PR4.005(2), an organization registered by the University as a social fraternity or sorority may limit its membership to a single sex.

D. The Vice-President for Student Affairs, or designee, is authorized to register social sororities and fraternities. The Vice-President for Student Affairs, or
designee, may establish policies to implement a process for recognizing social sororities and fraternities. The Vice-President for Student Affairs, or designee, may also establish policies to implement an expansion process for the social fraternity and sorority community. This expansion process must include the participation by at least one Greek governing body. A participating member of a social sorority or fraternity and the Greek organization itself, must be in good standing with the University.

E. A social fraternity or sorority registered with the University must be an active member of a Greek governing body, such as either the Interfraternity Council, the National Pan-Hellenic Council, the Panhellenic Association or any subsequently registered Social Fraternity or Sorority governing body at Florida Gulf Coast University to remain in good standing.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 06/15/10

BOG Regulations
BOG Regulation 6.010 Student Affairs Administration

Law Implemented:
Title 20 USC Section 1681

History of Regulation
New: 06/15/10

Effective Date of Regulation:
06/15/10
REGULATION: FGCU-PR5.001

Employee Compensation and Classification Plans

A. General Applicability.

1. FGCU-PR5 regulations contain personnel regulations for University employees. These regulations have University-wide application by virtue of the authority granted to the University in Chapter 1001 Florida Statutes, and are supplemented by other University regulations, the Florida Board of Governors’ (BOG) regulations, applicable federal and state laws, collective bargaining agreements and internal management memoranda containing procedures and guidelines for implementing University policies.

2. For purposes of these regulations, University employees are those persons who have been hired by the University into regular or temporary appointments and receive financial compensation to perform services for the University, and whose work is directed and controlled by the University. The term "employee" does not include volunteers or independent contractors.

B. Definitions. For the purpose of administering and interpreting the regulations and procedures of Chapter PR5, the following definitions and abbreviations shall apply:

1. Faculty -- an employee whose appointment includes teaching, scholarship, and public service activities or who has administrative responsibility for functions directly related to the University's academic mission. Faculty titles or modifiers include: regular, acting, interim, adjunct, provisional, visiting, joint, research, clinical, courtesy, honorary/honoris causa, emeritus, affiliate, joint college, phased retirement and fixed and continuous multi-year.

   a. In-unit -- classifications which have been designated by the Public Employee Relations Commission as being part of a recognized bargaining unit that is represented by a bargaining agent.

   b. Out-of-unit -- Academic Administrator classifications which have not been designated by the Public Employee Relations Commission as being included in a recognized bargaining unit and which are not represented by a bargaining agent or employees who serve as members of the University Board of Trustees.
2. Academic Administrator - an employee appointed in the General Faculty classification and pay plan, with responsibilities for University-wide academic programs at the college, unit, department or comparable levels. Such positions carry titles including Dean, Director and Chairperson. Faculty employees with administrative responsibilities serve at the pleasure of the university and, such responsibilities may be removed with or without cause.

3. Administrative & Professional (A&P) – appointments that provide management direction and control to university departments and/or work requiring knowledge of an advanced professional nature; and whose level of job duties meets the criteria for exemption under the Fair Labor Standards Act.

4. Executive Service – appointments designated by the President, who report directly to the President, and whose positions are defined as responsible for policy-making at the executive level.

5. Support Personnel (SP) - positions for paraprofessional, secretarial, clerical, technical, skilled crafts, service, maintenance and other responsibilities. Support Personnel appointment status modifiers include regular, probationary, trainee, temporary, emergency and time-limited. An employee earns regular status in the classification after successful completion of the designated probationary period.

6. Temporary positions -- employees who are hired on a temporary, at-will basis by the University and are not entitled to receive benefits. They provide exempt or non-exempt temporary employment.

7. FTE -- a designation which connotes a regular full-time position, or part thereof, as stated.

8. Volunteer/Courtesy Faculty -- a person who provides services to the University with no expectation of monetary or other material compensation or consideration, or as part of a court-ordered program on a continuous, occasional, or one-time basis.

C. The University shall provide employment agreements consistent with the following:

1. Faculty Appointments
   a) For in-unit employees, the terms, conditions and use of fixed and continuous multi-year appointments, tenure appointments and visiting appointments shall be in accordance with the provisions of the Collective Bargaining Agreement.
   b) For out-of-unit faculty, the following appointments apply:
      1) Continuing Multi-Year Appointments (CMYA), consist of an initial three (3) year term extendible annually on the basis of overall satisfactory annual performance as determined through the evaluation criteria, standards, and procedures.
2) Fixed Multi-Year Appointments (FMYA) are for a defined period of two (2) to five (5) years. Such agreements may include the prospect of non-renewal at the end of the multi-year term, an offer of a successive fixed multi-year appointment, or the opportunity to request conversion to a Continuing Multi-Year Agreement (CMYA).

3) Visiting Appointments are fixed appointments of specific duration to a person who has appropriate professional qualifications but is not expected to be available for more than a limited period, or for a person in a position which the university does not expect to be available for more than a limited period. There is no commitment for renewal and the appointment may not exceed a total of four (4) consecutive years.

2. A&P Appointments

a) An A&P appointment for one year may be offered to A&P employees. Such appointments automatically renew on a year-to-year basis for subsequent terms to run concurrently with the University’s fiscal year.

b) An A&P Appointment for a period of two (2) to five (5) years. Such agreements may include the prospect of non-renewal at the end of the multi-year term, or an offer of a successive fixed multi-year appointment or as described in C.2.a) above.

3. Other Personal Services (OPS) Appointments

OPS appointments are temporary in nature, provide only those entitlements required by state and/or federal laws and are exempt or non-exempt employment.

D. Former employees seeking re-employment will apply to and be processed by the Human Resources Department in the same manner as new applicants. Former employees who were terminated due to unsatisfactory performance, job abandonment, or misconduct are ineligible for rehire. Former employees who resigned in lieu of termination are also not eligible for rehire.

E. The University may dismiss or discipline an employee for cause during the term of any appointment in accordance with university regulations, policies, procedures, and applicable collective bargaining agreements.
(1) The University will exert every effort to collect delinquent accounts—other than educational loans collectable pursuant to Section 112.175, F.S. owed to the University by its employees.

(2) The University has responsibility for collection of the following kinds of employee debts: accounts receivable; registration fees; returned checks; traffic and parking fines; library fines; educational resources fines/sales; graduation fees; health services; rental fees; housing; physical education equipment; travel advance reimbursements; overpayments to employees, and other miscellaneous charges.

(3) Salary Overpayments.

(a) If the overpayment occurred in one payment, the university will collect the repayment via payroll deduction in one payment, when possible. If full repayment in one payment is not possible, a repayment schedule can be established and followed. If the overpayment cannot be completely repaid in the same calendar year in which the overpayment occurred, the amount of the repayment owed will likely increase if the original overpayment included income tax withholding. Income tax is not credited for salary overpayments that are repaid in subsequent tax years.

(b) If there are insufficient funds to deduct the total amount or if other repayment arrangements have not been made, the uncollected overpayment will be referred to the University Bursar Office for collection.

(4) Accounts Receivable Other than Salary Overpayments or Returned Checks.

(a) Collection Procedures. Amounts due from an employee shall be placed in the University's Accounts Receivable billing system after routine attempts by the department to obtain payment of any accounts receivable are unsuccessful. If the University does not receive payment within a reasonable period of time from the date of the first billing or suitable payment arrangements have not been made, the employee shall be notified that set-off procedures may be implemented with respect to his/her debt. An employee who accepts or continues employment after the adoption of this regulation will be deemed to have agreed to the procedures set forth in this regulation.

(b) Set-Off Procedures. The employee shall be notified by certified letter to the most current W-4 address on file with Human Resources or via electronic mail to the assigned university e-mail account, return receipt requested, that he/she has thirty (30)
calendar days from receipt of the notice to either pay all sums due, make satisfactory payment arrangements, submit documentary evidence disputing his/her debt, or request administrative review of the decision to set-off his/her debt through a deduction of funds from the employee's paycheck. The notice shall further advise the employee that the set-off of wages shall commence without further notice following the expiration of the thirty (30) day notice period unless the employee has taken appropriate action and shall include the amount and duration of the deductions which shall be made from his/her paycheck.

(c) Calculation 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 shall be deducted in the first or second pay period following the expiration of the ten (10) day notice period given to the employee.

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 shall not exceed ten percent (10%) of the employee's gross salary.

3. Accounts Receivable - Returned Checks.

(a) Collection Procedures, Set-Off Procedures. When a check written by an employee to the University is returned uncollections, the employee shall be notified of the returned check, and the employee shall be required to make full payment of the check and return check charge within seven (7) calendar days from receipt of the notification. The notice shall further advise the employee that if the check is not redeemed within the seven (7) day period, the check and return check charge amount shall be forwarded to the Payroll Office for payroll deduction without further notice.

(b) Calculation of Payroll Deduction. The full amount of the returned check and return check charge shall be deducted in the first or second pay period following referral of the account to the Payroll Office.

(5) In the event an employee-debtor is terminated or voluntarily leaves the University's employ, the entire amount of the debt shall be deducted from any payments due to the employee to include, but not be limited to, final pay, accrued leave payments, and expense reimbursements, where possible.
REGULATION: FGCU-PR5.006

Employee Criminal and Background Checks

1. Current employees and applicants for positions of employment will be subject to a criminal background check, which will include, as a condition of employment and continued employment, fingerprinting. As appropriate, the Assistant Vice President and Director of Human Resources will designate the positions which require security and background checks based on the special trust, responsibility or location of the positions, and designate such within each applicable position description.

2. For the purposes of this regulation, a criminal background check shall encompass a criminal records check through law enforcement agencies, and fingerprinting for all purposes required by Florida Statutes.

3. This regulation excludes employment reference checks or any other type of background check which may be a requirement of the position.

4. Background checks will be conducted at the expense of the University.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 9/18/12

Law Implemented:
Section 110.1127, Florida Statutes

History of Rule:
New 04/17/97

History of Regulation:
New 06/17/08, Amended 9/18/12

Effective Date of Regulation:
9/18/12
A. The Florida Gulf Coast University Employee Recognition Program shall provide for recognition of eligible employees.

B. The University is authorized to expend state funds for recognition and awards to employees in compliance with this regulation. Any award is contingent upon the availability of funds and must be approved by the President. This regulation does not apply to the expenditure of private funds to which the University may have access.

C. The awards shall acknowledge employee achievement in the following components:

   1. A superior accomplishment component to recognize employees who have contributed exemplary and meritorious service in their respective fields, including exceptional contributions to efficiency, economy, or other improvement contributing to the mission of Florida Gulf Coast University.

   2. A service award component to recognize employees who have achieved increments of five (5) cumulative years of service to the University in appreciation and recognition of such service. The Department of Human Resources shall be responsible for gathering the data necessary to implement the service award program. The computation used to determine years of service under this regulation shall only be applicable to the Employee Recognition Program.

D. In addition to the components specified above, the University may recognize retiring employees whose service with the University has been satisfactory and appointed members of university boards or commissions whose service to the University has been satisfactory, upon the expiration of the member's final term in such position.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 06/18/13

Law Implemented:
Section 1001, 706, Florida Statutes, Board of Governors Regulation 1.001

History of Regulation:
New 06/17/08, Amended 06/18/13

Effective Date of Regulation:
06/18/13
REGULATION: FGCU-PR5.010  
Nepotism

10/21/08

(1) Definitions.

(a) For the purposes of this regulation only, with respect to a University employee, a "related person" means an individual who lives in the same residence as the employee or is related to the employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(b) In some circumstances, an individual's relationship with another person can give rise to an actual or apparent conflict of interest, therefore it is the responsibility of the current employee and/or applicant to disclose the relationship prior to acceptance of an offer of employment.

(c) Conflicts of Interest - for the purpose of this regulation, a conflict of interest arises when a related person participates in making recommendations or decisions specifically affecting the appointment, retention, tenure, multi-year contract, work assignments, evaluations, promotion, demotion, or salary of his or her relative, or any attempt to influence a relative's supervisor with any regard to matters concerning that relative.

(d) Organizational Unit - for the purpose of this regulation, means a department.

(2) General. Employment of related persons at the University is allowed where there is no direct supervisory responsibility between related persons and where the functions of their positions do not create a conflict of interest, or if there is a conflict of interest, there is a demonstrated critical shortage of qualified applicants. An employee shall be considered in the direct supervisory line of his or her related person even though they are separated by intermediary positions.

(3) Procedures for Approval. A written request for the employment of related persons in the same organizational unit or in job-related organizational units shall be submitted by the employing department head to the respective Vice President or if the employing department head is a non Vice President direct report, the President or designee for approval, prior to the offer of employment. The Vice President or in cases involving a non Vice President direct report, the President or designee shall determine whether a conflict of interest will occur if the relative is employed and provide written notification of the approval or disapproval of the request to the employing department head and Director of Human Resources. The President shall approve or disapprove any request involving a person related to a Vice President or a non Vice President Direct Report.
(4) Violations and Penalties.

(a) In the event a related person covered by this regulation is hired without prior approval, whether through intentional or unintentional failure to disclose a conflicting relationship, the related person hired may be subject to one or more of the following actions: transfer, reassignment, and/or disciplinary action including dismissal.

(b) No employee shall attempt to influence the supervisor of a related person with regard to a term or condition of the related person’s employment. A violation of this regulation shall result in disciplinary action pursuant to applicable University Regulations and the terms of any applicable collective bargaining agreement.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 10/21/08

Law Implemented:
§112.3135, F.S.

History of Rule:
New 04/17/97

History of Regulation:
New 01/15/08; Amended 06/17/08; 10/21/08

Effective Date of Regulation:
10/21/08
(1) Definitions.

(a) For the purposes of this regulation "outside employment/activities" includes, but is not limited to, any private practice, private consulting, additional teaching or research, employment or other activity, compensated or uncompensated, which is not part of the employee's assigned duties and for which the University has provided no compensation.

(b) For the purposes of this regulation "conflict of interest" shall mean any conflict between the private interests of the employee and the public duty or interests of the University, the Board of Trustees, or the State of Florida, including conflicts of interest specified under Florida Statutes; or any activity whether paid or unpaid which interferes with the full performance of the employee's professional or institutional responsibilities or obligations.

(2) General. Employees have a primary obligation to the University to perform all duties pertinent to their employment in a full and competent manner. Outside employment or activities that materially interfere with the employee's obligations to the University are deemed a conflict of interest and are prohibited. Where conflict of interest may be an issue, employees are responsible for resolving such conflicts of interest, working in conjunction with their supervisors, before engaging in the outside activity. No employee shall claim to be an official University representative in connection with any outside employment or activity or use the University's name, proprietary marks or goodwill to promote such employment or activities, unless prior written approval is obtained. The provisions of a collective bargaining agreement shall take precedence over this regulation in regards to employees included in a collective bargaining unit. All employees shall observe and fully comply with Part III, Chapter 112, Florida Statutes, "Code of Ethics for Public Officers and Employees".

(3) Use of University Resources. An employee engaging in any outside activity shall not use the facilities, equipment, or services of the University in conjunction with such outside activity without prior approval.

(4) Approval of Outside Employment/Activities.
(a) Before an out-of-unit faculty member, A&P or Support Personnel employee engages in outside employment/activities, he/she shall report to their department head or designee, in writing, the details of such proposed activity. Approval of the outside employment/activity shall be provided as follows:

1. for out-of-unit faculty members, the Provost and Vice President for Academic Affairs.
2. for A&P employees, the respective Vice President for the department/unit.
3. for Support Personnel employees, the department head.
4. for direct reports to the President, the President.

(b) The collective bargaining agreement for in-unit faculty provides criteria by which a faculty member's Report of Outside Employment/Activity will be reviewed by the University.

(c) The following test shall be used to consider a request by out-of-unit faculty, A&P and Support Personnel employees to engage in outside employment:

1. Whether the outside employment or activity, regardless of whether it is compensated or uncompensated, will reasonably and materially interfere with the full performance of the employee's University duties, i.e., hours/days available for work, timeliness in reporting to or departing from work, quantity or quality of work performed, frequent short-notice requests for accrued annual leave or, misuse/abuse of sick leave;
2. whether the outside employment/activity affects the employee's ability to meet prescribed standards of conduct;
3. or whether such outside employment/activity is contrary to the goals and purposes of the employee's position.

(5) Authorization and Annual Reporting Requirement.

(a) At the time of hire, all employees must attest in writing to their involvement in outside employment and their understanding of reporting requirements for future outside employment/activity. Annually, thereafter, each employee involved in an outside employment/activity shall be required to report and receive approval to be engaged in the employment/activity by completing the prescribed University form. The reporting provisions of this regulation shall not apply to compensated or uncompensated activities performed wholly during a period in which the employee has no appointment with the University.
(b) Authorization for outside employment/activities is granted for a specific period of time, not to exceed one year ending June 30. If outside employment is to extend beyond June 30 or to exceed one year, a new report/request form must be submitted prior to July 1 of each new fiscal year.

(5) An employee shall be notified in writing as soon as practicable when a determination has been made that proposed outside employment or activities constitute a conflict of interest or will materially interfere with the employee’s duties.

Law Implemented:
§1001.74, F.S.

History of Rule:
New 04/17/97

History of Regulation:
New 1/15/08; Amended 10/21/08

Effective Date of Regulation:
10/21/08
(1) Employees of the University may seek election to, and hold, public office upon prior notification to the University President of his/her intentions and shall adhere to the provisions of Section 104.31, Florida Statutes. The written notification must be provided in advance of any announcement of intent to hold public office, must address how the political activity will impact the employee’s normal duties and responsibilities, and whether the political activity will involve interests which conflict or interfere with their employment at the University.

(2) When an employee intends to seek election to run for and/or hold public office and such action is determined by the President to materially interfere with the full discharge of the employee's duties, the President will notify the employee and Human Resources of such determination. In the event the employee wishes to run or hold public office in spite of the determination, he/she must obtain a leave of absence or submit a resignation. The President’s written determination will be forwarded to Human Resources for inclusion in the employee’s official personnel file.

(3) Campaign Activity

(a) If an employee desires to campaign on campus, that employee must register with the Office of Campus Reservations.

(b) Campaign signage on University property regarding a public office is prohibited.

(c) While on duty, no employee shall coerce or attempt to coerce, command, advise or influence any other employee’s position on an issue or person on the ballot.

(d) No employee is prohibited from participating in any political campaign during the employee’s off-duty hours, so long as such activities are not in conflict with the law.
Law Implemented: §§104.31, 110.233, 112.313, F.S.
History of Rule:
New 4-17-97
History of Regulation:
New 1/15/08; Amended 10/21/08
Effective Date of Regulation
10/21/08
REGULATION: FGCU-PR5.016

Disciplinary Actions

Effective Date of Regulation: 06/18/13

A. Scope and Authority.

1. This regulation applies to all out-of-unit Faculty, Administrative and Professional (A&P), Support Personnel (SP), and Executive Service employees of the University. Employee discipline is considered to be a very serious action that is undertaken with care, objectivity and full consideration for the rights and interests of both the employee and the University. Discipline shall be administered in a judicious manner that strives to achieve equitable treatment for all employees.

2. The authority to discipline employees is vested in the University President. The level of delegation authority varies with the severity of the particular disciplinary action. The President has delegated authority to Vice Presidents to approve disciplinary actions within the administrative area for which he/she is responsible, regarding the demotion, suspension and termination of any SP, A&P, and out of unit faculty employee. In the case of Executive Service employees, disciplinary action remains with the President. Authority has been delegated to Department Heads and/or immediate supervisors to administer oral and written reprimands.

B. Standards of Conduct. Employees shall respect the rights of others, exhibit a level of behavior supporting the University Mission, Guiding Principles and best interests of the University, perform assigned duties in an orderly and efficient manner, and adhere to all University regulations, policies and directives.

C. Disciplinary Procedures. An employee, who repeatedly violates the University’s standards of conduct, whether of the same or different nature, and who, despite repeated warnings, fails to correct his or her behavior to conform to reasonable conduct or work standards may be subject to progressive and cumulative disciplinary action.

In general, disciplinary actions are based on the concept of progressive and cumulative discipline. Progressive discipline is based on the principle that employees have been informed of the performance and behavior expected of them. As offenses occur appropriate discipline will be administered in a progressive manner. Penalties shall be appropriate to the circumstances of the offense.

These standards do not preclude the imposition of more or less severe penalties depending upon all circumstances surrounding a particular incident.

1. Job-related offenses. Generally, the standards for disciplinary action apply to offenses that occur while the employee is at work. For offenses occurring off the job, disciplinary action will be determined based on the facts and circumstances of each situation, including but not
limited to, the employee’s ability to continue to perform his/her current job, and whether it adversely affects the University’s ability to carry out its assigned mission.

2. Counseling. Except for offenses which warrant immediate disciplinary action, supervisors may counsel an employee and provide an opportunity for him or her to comply with the instructions before administering disciplinary action. If the problem is not resolved, the supervisor will notify the employee that disciplinary action will be taken.

3. Investigatory Interview. Investigatory interviews may be used to determine whether the employee committed the alleged offense. The provisions of Part VI of Chapter 112, F. S., shall apply to law enforcement employees covered by that statute.

4. SP Probationary Employees. The probationary period for each SP employee is intended to be a working test period following appointment to any class in which the employee does not hold regular status. Probationary employees may be disciplined without a right of appeal and are subject to dismissal for any single offense or for failure to meet required performance levels during the probationary period. For purposes of discipline, regular status refers to an employee’s status in the Support Personnel and not a specific job. Consequently, an employee with regular status in SP, but serving in probationary status in a class may be removed from the class during this probationary period, without the application of these standards. New employees, in probationary status in the SP classification, may be dismissed during this probationary period without the use of these standards and without the right of appeal. If dismissed within the first ninety (90) days of hire for unsatisfactory work performance, the University will not have its account charged for any unemployment benefits for which an employee is later determined to be eligible.

D. Types and Guidelines for Disciplinary Action.

1. All forms of disciplinary action shall be in a memorandum format, informing the employee of the nature of the offense that was violated, briefly noting the specific incident, the corrective action expected, and the possible consequences if the offense is repeated. This document shall be signed by the immediate supervisor with a signature line for the employee to acknowledge receipt. A copy shall be provided to the employee with a copy to Human Resources for inclusion in the employee’s personnel file.

2. Oral Reprimand. This is the least severe type of disciplinary action and is administered to bring about a change in inappropriate behavior.

3. Written Reprimand. A written reprimand is a more significant type of disciplinary action designed to correct continued or more serious offenses.

4. Suspension. This is a severe form of discipline which can be administered as a step in the progressive and cumulative discipline procedure following one or more written reprimands, or for the first commission of a serious offense. Suspension is defined as an action taken by the University to temporarily relieve the employee of duties and place the employee on leave without pay.

5. Dismissal. This is the final and most severe form of discipline that can be imposed on an employee. Dismissal is defined as the action taken by the University to separate an employee from employment. Employees dismissed for cause are not eligible for rehire.
E. Written Notice. Following written notice but prior to the date of dismissal or suspension without pay of an out-of-unit faculty, regular SP, A&P or Executive Service employee, one of the following options may be used by the University: retain the employee in his/her usual duties; temporarily assign the employee to other duties; place the employee on administrative leave with pay; or opt to provide a lump sum amount to be paid to the employee in lieu of providing the applicable time as notice of separation, subject to limitations under Section 215.425, Florida Statute, if applicable. In the case of exigent circumstances, the University reserves the right to suspend or terminate an employee without notice.

F. Standards for Disciplinary Action. The following standards for disciplinary action shall be used by supervisors to strive to achieve uniformity in treatment in the most common disciplinary problems. The list of offenses is not exclusive and the disciplinary action selected for a particular offense will be chosen based on the facts of the specific situation taking into consideration any extenuating circumstances. These standards do not preclude the imposition of more or less severe penalties depending upon all circumstances surrounding a particular incident. In prescribing disciplinary actions it is recognized that some offenses are so serious that suspension or dismissal may be warranted on the first occurrence even though the employee has no prior record of having been disciplined. All offenses can have a cumulative effect and offenses need not be identical to impose a penalty more severe than prescribed for a similar offense. These standards are meant to be illustrative of the most common disciplinary problems and the actions to be taken. Failure to follow the standards for disciplinary action shall not be grounds to invalidate the disciplinary action unless the failure materially prejudices the employee’s rights.

1. Employees who violate the University’s standards with respect to the following offenses will be subject to disciplinary action:

   a) Excessive Tardiness. As determined by the workplace supervisor, the repeated failure of an employee to follow established work schedules including, reporting late at the beginning of the work schedule, or leaving early or returning late from breaks or lunch, or leaving work early at the end of the schedule, without approval, shall constitute tardiness, subject to disciplinary action.

   b) Excessive Absenteeism. Excessive absenteeism is the inability or unwillingness of an employee to report to work with a reasonable degree of regularity. It also occurs when an employee demonstrates a pattern of absences, whether necessary or excusable, or in instances where the employee does not have sufficient accrued leave to cover the period of absence.

   c) Loafing. Frequent or significant idleness or non-productiveness during working hours which diverts the employee from performing assigned tasks. This includes, but is not limited to, wasting time when there is assigned work to be performed, engaging in idle talk or gossip, or conducting personal business during the work period.

   d) Unauthorized Distribution and Solicitation. The distribution of written, printed or reproduced material of any kind, sales to, or solicitation of, students or employees by another employee, for any purpose not specifically authorized by the University, while either employee is on duty shall constitute unauthorized distribution and solicitation.
Disciplinary Actions

e) Improper Uniform or Untidy Appearance. Non-compliance with a Department's uniform and dress appearance code shall be subject to disciplinary action.

f) Leaving the Work Station or Duty Assignment Without Authorization. The unauthorized absence by an employee from the work station or duty assignment during the established work period, or the leaving of the work station without being properly relieved, if that station must be maintained during such period.

g) Horseplay. Inappropriate acts, such as pranks, whether intended to be mischievous or malicious, that result in disruption or have the effect of disrupting the work place. If any personal injury or damage to property results, more severe disciplinary actions may be taken on the first occurrence.

h) Violation of Safety Practices. The failure to adhere to or follow established safety practices. This includes the performance of unsafe acts or failure to wear or use safety equipment, including but not limited to vehicle safety belts.

i) Negligence. Carelessness in, omission of, or inattention to, the performance of assigned duties and responsibilities. Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence, or discretion.

j) Disruptive Conduct. Behavior that interferes with the employee's work performance or the work performance of others. This may include but is not limited to: loud, boisterous language; creating a disturbance; throwing objects; slamming doors, or other activities which would have a detrimental effect on the work environment.

k) Failure to Report Revocation or Suspension of Driver's License. The failure to immediately report the revocation or suspension of an employee's driver's license to a supervisor shall be subject to disciplinary action where driving is a job-related function or the employee operates University owned vehicles.

l) Improper or Careless Use or Operation of State Property or Equipment. The negligent, improper or careless use of State property or equipment, abuse or misuse, including but not limited to failure to observe the established speed limit while driving a State vehicle. If the violation causes personal injury, more severe discipline may be imposed.

m) Absence Without Authorized Leave. Failure to obtain approval prior to any absence from work, to notify or call the appropriate supervisor or the supervisor's designee on the first day of an absence or obtaining leave based upon a misrepresentation or falsification. In the case of a proven emergency, an employee who must be absent, prior to receiving approval from the proper authority, shall not be subject to disciplinary action. This regulation shall apply, but shall not be limited to, employees who fail to return to work as specified in an approved leave of absence.
Disciplinary Actions

n) Unauthorized Use of State Property, Equipment or Personnel. The use of any State property, equipment or personnel for any purpose other than official University business.

o) Sleeping on Duty. The failure of an employee to remain awake or alert while on duty during the established work period.

p) Insubordination. The deliberate and indefensible refusal or failure to obey a reasonable order which relates to an employee's job function. An unwillingness to submit to authority, and both an expressed refusal to obey a proper order, as well as a deliberate failure to carry out an order.

q) Threatening or Abusive Language. The use of language which is threatening or abusive, whether directed towards a supervisor, fellow employee or any other person. It includes but is not limited to offensive language, whether or not directed towards anyone in particular, regardless of the intent.

r) Conduct Unbecoming a Public Employee. Conduct, whether on or off the job, which adversely affects the employee's ability to continue to perform his/her assigned duties, the University's ability to carry out its assigned mission, or which tends to promote mistrust or embarrassment of the University.

s) Failure to Report Bribe. Failure of an employee to immediately report any bribe or attempted bribe of a department employee or public official.

t) Abuse of Position or Unauthorized Use of Department Identification. The abuse of an employee's University position or identification to obtain personal gain or influence or to avoid the consequences of unlawful acts, including but not limited to, soliciting or accepting any gratuity, gift, loan, reward, promise of future employment, favor or service that would cause the employee to be influenced in the exercise of official duties or that is based on any understanding that any official action or judgment of the employee may be influenced thereby or the use of name, photograph, or title which identifies one as an employee of the University or a department in connection with testimonial, advertisements of any commodity or service, commercial enterprise, charity or other public or private uses without the written approval of the University.

u) Unlawful or Careless Use or Display of a Weapon. The failure of an employee who is required to carry a weapon during the performance of duties to use or display the weapon in a lawful manner or under circumstances which negligently endanger the lives or safety of others.

v) Handling of Evidence by Law Enforcement Officers. Failure by a University law enforcement officer to inventory, process and reasonably care for recovered or seized property or any act which displays an intent to convert, falsify, conceal, destroy or withhold any property or evidence which belongs to another or which is taken into custody by the University.

w) Failure to Give Truthful or Requested Information during Internal Investigation. Failure of an employee, including a law enforcement officer, to timely respond to
or give truthful information during the course of an internal investigation concerning matters which occurred during the performance of his or her duties.

x) Possession of Unauthorized Weapons and/or Firearms on University Property. Possession or use of firearms, fireworks of any description, explosives, chemicals which are disruptive, explosive, or corrosive in nature, or any weapon other than a common pocket knife on University premises or during University-related activities.

y) Display of Uncooperative or Antagonistic Attitude. Display of words or actions by an employee which flouts authority, is disruptive to the workplace and/or has the effect of causing dissension among fellow employees and/or which is rude to the public.

z) Failure to Make Restitution of Debts. Failure upon the accumulation of debts owed to the University or State of Florida by an employee to make appropriate arrangements for payment or for restitution. Nothing herein restricts the right of the University or the State to set off debts owed by the employee against wages or any sums due to the employee.

aa) Falsification of Records. The willful and deliberate misrepresentation, falsification or omission of any fact whether verbal, written, or communicated in some other medium, including but not limited to application, time and attendance, employment status, travel, or work and production records.

bb) Violation of a Provision of Law or University Regulation. The violation of the provisions of law or University regulation including, but is not limited to discrimination in employment, sexual harassment, illegal campaigning, or any other act or omission which could constitute a violation of Federal, State Laws or University Regulations or Policy.

c) Fighting on the Job, Battery or Threat. The commission of any oral or written threat of injury to another, or the commission of an actual physical battery against another employee or member of the public, except when justified in the interest of self-defense.

dd) Drinking on the Job or Reporting to Work under the Influence of Alcohol. Drinking of any alcoholic beverage on the job or reporting to work under the influence of alcohol is prohibited and subject to disciplinary action. An employee exhibiting a pattern of alcohol abuse to the extent that it affects work performance shall not be subject to disciplinary action, unless the employee has refused to recognize his or her alcoholism and cooperate by seeking help, fails to complete the program of treatment, or unless treatment has proved unsuccessful.

ee) Reporting to Work Under the Influence or Use of Illegal Drugs. The use of any illegal drug on the job or reporting to work under its influence is prohibited.

ff) Misdemeanor or Felony Incident. A conviction for, or plea of nolo contendere (no contest), to a misdemeanor or felony which substantially affects an employee’s
Disciplinary Actions

ability to perform his or her job duties or for a crime which involving moral
turpitude or which would tend to promote public mistrust or embarrassment to
the University.

gg) Possession, Sale, Distribution of Alcoholic Beverages or Illegal Drugs. The
possession, sale, or distribution of illegal drugs on University property or on the
job is prohibited at all times. Possession, sale or distribution of alcoholic
beverages except at authorized events is prohibited.

hh) Divulging Confidential Information or Unauthorized Release of Records. The
dissemination, release, alteration, defacement or removal of official University
records by an employee without proper authorization.

ii) Sabotage. Participation in a deliberate act of destruction or attempted
destruction of University property or equipment which obstructs University
operations.

jj) Theft or Stealing. The unauthorized taking of any property of the University,
including surplus or salvage, or of any other person or entity.

kk) Strike. Instigating or supporting in any manner a strike, as defined in Chapter
447, Florida Statutes.

ll) Substandard Performance of Assigned Duties or Failure to Maintain Minimum
Qualifications for Job. The failure to satisfactorily meet the minimum
performance standards that specifically relate to the employee's duties and
responsibilities, with or without use of progressive discipline, failure to follow oral
or written instructions from supervisory personnel, or failure to maintain the
minimum qualifications set for a position by either the University or a certifying
agency.

mm) Criminal Background Check. Failure to comply with the requirements of the
criminal background check as outlined in FGCU Policy#3.037.

G. Extraordinary Situations. When circumstances exist whereby the retention of an employee
would result in imminent injury or the threat of imminent injury to the employee or another
person, damage to property, or be detrimental to the best interests of the University.

H. Investigatory Leave. An employee may be placed on administrative leave when the employee
is under investigation by the University for violation of the University's Standard of Conduct and
it is determined that the employee's absence from the worksite is determined to be in the best
interest of the University.

I. Demotion. Demotion is defined as moving an employee from a position in one class to a
different position in another class having a lesser degree of responsibility and a lower salary
range maximum. An employee shall not be demoted as a form of disciplinary action. Demotion shall also be used to remove an employee from his or her class when the employee
fails to achieve performance standards in his or her assigned duties.
Guidelines for Progressive Disciplinary Action

The following chart is intended to provide suggested guidelines for progressive disciplinary action with reference to procedures fully outlined in section (6) Standards for Disciplinary Action of Regulation PR5.016 Disciplinary Actions.

<table>
<thead>
<tr>
<th>Examples of Offenses</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
<th>4th Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excessive Tardiness</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Excessive Absenteeism</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Loafing</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Unauthorized Distribution or Solicitation</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Improper Uniform or Untidy Appearance</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Leaving the Workstation or Duty Assignment Without Authorization</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Horseplay</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Violation of Safety Practice</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Negligence</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Disruptive Conduct</td>
<td>Oral to written reprimand</td>
<td>Written reprimand</td>
<td>Suspension</td>
<td>Dismissal</td>
</tr>
</tbody>
</table>
### Examples of Offenses

<table>
<thead>
<tr>
<th></th>
<th>1&lt;sup&gt;st&lt;/sup&gt; Offense</th>
<th>2&lt;sup&gt;nd&lt;/sup&gt; Offense</th>
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<th>4&lt;sup&gt;th&lt;/sup&gt; Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to Report</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Revocation or</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Suspension of</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Driver’s License</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Improper or</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Careless Use or</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Operation of State</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Absence Without</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Authorized Leave</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unauthorized Use of</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>State Property,</td>
<td></td>
<td></td>
<td></td>
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<td>Equipment or</td>
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<td>Personnel</td>
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<td>Sleeping on Duty</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
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<td>Insubordination</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Threatening or</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Abusive Language</td>
<td></td>
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<td>Conduct Unbecoming</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<td>a Public Employee</td>
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<tr>
<td>Failure to Report</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Bribe</td>
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<tr>
<td>Abuse of Position</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
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<td>or Unauthorized Use</td>
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<td>Identification</td>
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<td>Unlawful or</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<td>Careless Use or</td>
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<td>Display of a Weapon</td>
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</tbody>
</table>
## Disciplinary Actions

<table>
<thead>
<tr>
<th>Examples of Offenses</th>
<th>1&lt;sup&gt;st&lt;/sup&gt; Offense</th>
<th>2&lt;sup&gt;nd&lt;/sup&gt; Offense</th>
<th>3&lt;sup&gt;rd&lt;/sup&gt; Offense</th>
<th>4&lt;sup&gt;th&lt;/sup&gt; Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handling of Evidence by Law Enforcement Officers</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Failure to Give Truthful or Requested Information During Internal Investigation</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Possession of Unauthorized Weapons and/or Firearms on University Property</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Display of Uncooperative or Antagonistic Attitude</td>
<td>Oral reprimand to suspension</td>
<td>Written reprimand to suspension</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
</tr>
<tr>
<td>Failure to Make Restitution of Debts</td>
<td>Written reprimand if restitution is not</td>
<td>Dismissal if restitution is not</td>
<td>Dismissal</td>
<td></td>
</tr>
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<td></td>
<td>arranged to the satisfaction of the University.</td>
<td>made after second notice to pay the debt.</td>
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<tr>
<td>Falsification</td>
<td>Written reprimand to dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Violation of a Provision of Law or University Regulation</td>
<td>Written reprimand to dismissal</td>
<td>Dismissal</td>
<td></td>
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<tr>
<td>Fighting on the Job, Battery or Threat</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Examples of Offenses</td>
<td>1st Offense</td>
<td>2nd Offense</td>
<td>3rd Offense</td>
<td>4th Offense</td>
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<tr>
<td>Drinking on the Job or Reporting to Work under the Influence of Alcohol</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Reporting to Work Under the Influence or Use of Illegal Drugs</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Misdemeanor or Felony Incident</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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</tr>
<tr>
<td>Possession, Sale, Distribution of Alcoholic Beverages or Illegal Drugs</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Divulging Confidential Information or Unauthorized Release of Records</td>
<td>Suspension to Dismissal</td>
<td>Dismissal</td>
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<tr>
<td>Sabotage</td>
<td>Dismissal</td>
<td></td>
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<tr>
<td>Theft or Stealing</td>
<td>Dismissal</td>
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<td>Strike</td>
<td>Dismissal</td>
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<tr>
<td>Substandard Performance of Assigned Duties or Failure to Maintain Minimum Qualifications for Job</td>
<td>Dismissal</td>
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</tbody>
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Action by Florida Gulf Coast University Board of Trustees:
Approved: 06/18/13

Law Implemented:
Sections 215.425, 1001.706, Florida Statutes, Board of Governors Regulation 1.001

History of Regulation:
New 01/15/08, Amended 06/17/08; 10/21/08, 06/18/13

Effective Date of Regulation:
06/18/13
A. GENERAL STATEMENT

This regulation establishes a Sick Leave Pool (Pool) to allow Faculty, Administrative and Professional (A&P), and Support Personnel (SP) employees to voluntarily pool a portion of their unused sick leave and, upon depletion of their own sick, annual, and compensatory leave, to draw leave credits from the Pool as prescribed in subsections (B) and (C) below. Part-time Faculty, A&P, and SP employees may participate in the Pool on a pro rata basis.

B. MEMBERSHIP

1. An employee shall be eligible to participate in the Pool after completion of one year of employment with Florida Gulf Coast University (University), provided that a minimum of 64 hours of sick leave has been accumulated by such employee.

2. Applications for membership shall be in writing addressed to the Pool Administrator (Administrator).

3. Following the initial open enrollment period, additional applications shall be accepted only during open enrollment periods conducted at such other times as may be prescribed by the Pool Committee (Committee).

4. Each full-time participating employee shall contribute 8 hours of sick leave in the first month of eligibility, and thereafter, each full-time participant shall contribute 8 hours of sick leave each time the Pool is declared to be depleted. A part-time employee shall contribute sick leave on a pro-rata basis. All sick leave contributed shall be removed from the employee’s sick leave account and be placed into the Pool account.

5. When a participating employee repeatedly fails to have a sufficient balance in his/her individual sick leave account when requested to contribute the appropriate hours to the Pool, the reasons for the use of sick leave credits by the employee shall be investigated for a determination as to whether the employee’s membership in the Pool should be canceled. The decision for such cancellation shall be by majority vote of the Committee.

6. A participating employee shall be allowed to donate to the Pool up to 16 hours of unused or unpaid sick leave from the employee’s individual sick leave balance at the time of retirement or termination from the University.

7. Employees who complete their first year of service other than during an open enrollment period will have thirty (30) calendar days to apply for membership in the Pool.
8. No employee shall be unreasonably denied enrollment in the Pool.

C. ADMINISTRATION

1. The President shall appoint two faculty, two A&P, and two SP employees who have elected to participate in the Pool to serve as the Committee (Committee). Each will be appointed to serve alternating two year terms.

2. The Director of Human Resources, or designee, shall serve as the Pool Administrator.

3. Approval to use leave hours from the Pool by an eligible employee shall require approval by at least three Committee members. The Administrator will have the authority to implement the Committee's approval.

4. The Pool shall be administered in accordance with the following general guidelines:
   a) Participation in the Pool does not guarantee hours may be withdrawn from the Pool.
   b) Participating employees who require hospitalization or extended medical care as the result of any injury or illness or as a result of serious or major medical or health problems, may request permission to utilize leave credits from the Pool.
   c) Sick leave hours from the Pool may be granted only for the employee's personal illness, injury, accident, or exposure to a contagious disease which would endanger others. Personal illness includes pregnancy, miscarriage, abortion, childbirth, and the recovery therefrom.
   d) All requests for Pool credit utilization shall be made in writing to the Administrator by, or for, the employee and shall be accompanied by medical verification of the injury or illness.
   e) In the event the Committee finds a participant has abused the Pool process by inappropriate use or misrepresentation, the participant will be required to deposit sick leave hours equal to the number of credit hours utilized, and shall be discontinued from membership in the Pool.
   f) The maximum number of Pool credits which may be granted to an employee on any one request is one hundred sixty (160) hours or twenty (20) work days. Subsequent requests may be submitted as provided in Section C.4.d. above.
   g) The maximum number of Pool credits which may be granted to an employee shall be sixty (60) work days, four hundred eighty (480) hours. Upon use of the maximum number of Pool credits an employee shall be discontinued from membership in the Pool. Such employee may reapply for membership in the Pool as
described in Section B. above.

h) Pool payments shall be coordinated with any and all disability insurance benefits the employee may accrue. No more than the current bi-weekly salary may be received by the employee after all payments from all applicable disability insurance benefits are applied.

D. MAINTENANCE OF SICK LEAVE POOL

1. The Pool shall be maintained in accordance with the following standards:

a) The Pool shall not be activated unless a minimum of 25 employees agree initially to participate in the Pool and each deposit eight (8) hours of their accrued sick leave therein.

b) When the total credits available in the Pool amount to eighty (80) hours or less, the Pool shall be considered to be depleted. Upon depletion, the Pool members will be notified that eight (8) hours of sick leave credit will be deducted from their accumulated sick leave balances unless they inform the Administrator, in writing within two (2) weeks of the date of the notice, of their intention to discontinue membership.

c) If two-thirds of the membership vote in favor of terminating the Pool, all further actions of the Pool shall cease. The balance of sick leave hours remaining in the Pool shall be divided equally among the members on record at the time of termination and transferred to the employees' individual sick leave accounts maintained by the Payroll office.
(1) The Director of Human Resources is the official custodian of all University personnel records. The Provost and Vice President for Academic Affairs is the official custodian of all Faculty and Adjunct OPS University academic evaluative records. As the official custodial for personnel records, the Director of Human Resources shall designate those staff members and University officials who shall have access to the records of University personnel. In accordance with Florida law, the University designates the following records as "limited-access records" which are confidential and exempt from the provisions of Section 119.07(1), F.S.

(a) Academic evaluations - Personnel records containing information reflecting academic evaluations of an employee's performance such as, but not limited to, tenure, promotion, annual evaluation, Teacher Incentive Program, faculty awards, merit increases and student course evaluation except as noted herein, are designated as limited-access records. Records comprising the common core items contained in the State University System Student Assessment of Instruction instrument are not provided limited-access status. The summary results of the common items, by course, shall be open for inspection in accordance with Chapter 119, F.S. However, the raw data gathered on the forms completed by the students are limited-access documents and not subject to public inspection. Records containing information under this provision shall be open for inspection only by the employee and by the officials of the University responsible for supervision of the employee.

(b) Investigations of misconduct - Records maintained for the purposes of any investigation of an employee's alleged misconduct, including but not limited to a complaint against an employee and all information obtained pursuant to the investigation thereof, shall be confidential until the investigation ceases to be active or until the University provides written notice to the employee who is the subject of the complaint that the University has either (i) concluded the investigation with a finding not to proceed with disciplinary action; (ii) concluded the investigation with a finding to proceed with disciplinary action; or (iii) issued a letter of discipline. For the purpose of this paragraph, an investigation shall be considered active for as long as it is continuing with a reasonable, good faith anticipation that a finding will be made in the foreseeable future. There shall be a rebuttable presumption that an investigation is inactive if no finding is made within 90 days after the complaint is filed. Otherwise, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that a finding will be made in the foreseeable future.

(c) Disciplinary proceedings - Records maintained for the purposes of any disciplinary proceeding brought against an employee shall be confidential until a final decision is made in the proceeding. The record of any disciplinary proceeding, including any evidence presented, shall be open to inspection by the employee at all times.
(d) Grievance proceedings - Records maintained for the purposes of any grievance proceeding brought by an employee for enforcement of a collective bargaining agreement or contract shall be confidential and shall be open to inspection only by the employee and by University officials conducting the grievance proceeding until a final decision is made in the proceeding. A decision shall be "final" for the operation of this regulation when an arbitration decision has been issued, or when a step decision has been issued and the time for appeal to the next step has expired without further appeal.

(2) Notwithstanding the foregoing, any records or portions thereof which are otherwise confidential by law shall continue to be exempt from the provisions of s. 119.07(l), F.S. In addition, for sexual harassment investigations, portions of such records which identify the complainant, a witness, or information which could reasonably lead to the identification of the complainant or a witness are limited-access records.

(3) Except as noted above, the custodian of limited-access personnel records may release information from such records only upon authorization in writing from the employee or upon order of a court of competent jurisdiction.

Action by Florida Gulf Coast University Board of Trustees:
Approved: 1/19/10
Law Implemented:
§§1012.91 and 119.07(1), Florida Statutes
History of Rule:
New 04/17/97; Amended 12/19/99, 1/20/09
History of Regulation:
New 06/17/08, Amended 1/20/09, 1/19/10
Effective Date of Regulation:
1/19/10
A. GRIEVANCE POLICY STATEMENT

1. Florida Gulf Coast University (FGCU) encourages a pro-active, collegial work environment in which employees have the opportunity to discuss and resolve work-related concerns with the appropriate supervisor. In those cases where an employee has an unresolved dispute concerning that employee’s terms or conditions of employment, the employee may choose to file a Grievance. The purpose of this Regulation is to set forth a procedure for the consideration and resolution of Grievances filed by out-of-unit faculty, Administrative and Professional (A&P), or Support Personnel (SP) employees, not governed by a collective bargaining agreement. The President’s direct reports may not grieve an employment action covered by this Regulation.

2. Job-related problems should be resolved, whenever possible, before the filing of a Grievance. Open communication and informal resolution between the employee and supervisor are encouraged so as to avoid the necessity for formal Grievances.

3. The burden of proof in Grievances concerning disciplinary actions, including reprimands, suspension, and termination for cause, shall be on the University. In all other cases, the burden of proving a Grievance, by a preponderance of evidence, shall be on the employee.

4. After the initial Grievance has been filed, all time limits contained in this Regulation may be extended by mutual written agreement of the parties. Upon failure of the employee to file any step of the Grievance within the time limits provided in this Regulation, the Grievance shall be deemed to have been resolved at the prior step, or in the case of an untimely filing of the initial Grievance, the Grievance shall not be accepted. Upon failure of the University or its representative to provide a decision within the time limits, the employee may appeal to the next appropriate step.

5. Any decision made as a result of the Grievance process shall apply only to the individual who submitted the Grievance, based on the specific unique facts of the matter, and shall not serve as a precedent for future matters.

B. DEFINITIONS

1. Days: Refers to calendar days. In the event an action falls due on a Saturday, Sunday, University holiday, or University closing, the action will be considered timely if it is
accomplished by 5:00 p.m. on the following business day. In the event the time for the Step One or Step Two Representative to issue a decision falls during the University winter break, that Representative shall have an additional five (5) days to issue a decision.

2. **Designee**: The term “designee” as used in this Regulation will generally be an employee in the Division to which the Grievant is assigned. However, in cases involving extenuating circumstances, such as clear conflict of interest, a designee may be an employee outside the Grievant’s assigned Division or another objective third party.

3. **Grievance**: A dispute concerning the Grievant’s rights regarding the terms and conditions of employment and must specify an adverse employment action.

   The following actions shall not be grieved through the process:

   a) Administrative leave with pay.
   b) Voluntary reduction in pay.
   c) Voluntary demotion.
   d) Notice of layoff.
   e) Performance evaluations - unless it is alleged that the evaluation is based on factors other than performance or conduct.
   f) Assignment of work.
   g) Reassignment of workspace.
   h) Complaints covered under FGCU-PR1.003, Non-Discrimination, Anti-Harassment, and Sexual Misconduct Regulation. Such complaints must be filed with the Office of Institutional Equity and Compliance.

4. **Grievant**: Employee(s) who are appointed to an out-of-unit faculty, Administrative and Professional (A&P), or Support Personnel (SP) position not governed by a collective bargaining agreement, who has filed a Grievance and whose rights may have been directly affected by an act or omission of a University supervisor or administrator. Only employees who hold regular status are eligible to file a Grievance. A probationary employee may file a Grievance concerning only non-disciplinary matters affecting the employee’s terms and conditions of employment. A Grievance filed by a probationary employee shall be heard only by the immediate supervisor and the next level supervisor.
5. **Grievant’s Representative**: Any individual the employee chooses with whom the employee may confer, or seek advice or assistance.

6. **Meeting**: The term “meeting” under the Grievance Procedure, as it relates to a disciplinary action, means a disciplinary proceeding brought to address the imposition of such action.

**C. GRIEVANCE PROCEDURE**

1. The following applies to all Grievances:
   a) The written Grievance shall contain the following information:
      1) Grievant’s name;
      2) Position;
      3) Work unit;
      4) Specific provision(s) of FGCU Regulations or Policies claimed to have been violated;
      5) A statement of the Grievance, including the acts or omissions, which are claimed to have given rise to the Grievance, as well as the dates such acts or omissions are to have occurred;
      6) Remedy sought; and
      7) Grievant’s signature and date.
   b) The Assistant Vice President and Director of Human Resources or designee, as applicable, will determine the sufficiency of the Grievance consistent with this Regulation. The determination shall be provided to the Grievant(s) in writing within seven (7) days. This determination is not reviewable; however, if denied, the Grievant has five (5) days from the date of notice to resubmit the Grievance with additional information or argument for reconsideration of the decision. The final determination shall be issued in writing within five (5) days.
   c) The role of the Step One Representative is to:
      1) Review the actions of the University as it relates to the Grievance;
      2) Review the Grievance against the disciplinary action to be imposed;
3) Act as an objective third party and fact finder; and

4) Request documents and/or speak directly with any person deemed, by the Step One Representative, to be relevant or necessary in the grievance process. Notwithstanding, the Step One Representative has no authority to compel the appearance of witnesses.

d) Grievant’s Representative may not speak for the Grievant or otherwise participate directly in the meeting.

2. General Grievance Procedure

The General Grievance Procedure applies to any Grievance, as defined above. A Grievance concerning a suspension or termination with cause is governed by the grievance procedures described in Section C.3. of this Regulation.

The General Grievance Procedure is as follows and is administered by the Assistant Vice President and Director of Human Resources or designee for eligible employees:

a) Step One

1) Employees are encouraged to seek informal resolution before the filing of a formal Grievance. All Grievances shall be filed with the Human Resources Department on a Request for Grievance form, within fourteen (14) days following the act or omission giving rise to the Grievance, or the date on which the Grievant knew or reasonably should have known of such act or omission. In instances where multiple Grievances have been filed by the same employee, the University, at its sole discretion, may consolidate the Grievances and will notify the Grievant in writing.

2) For the purposes of this section, the designated Step One Representative shall be the Dean, Director or next level administrator, or their designee, to whom the Grievant reports.

3) The Step One Representative shall arrange a meeting, to be held within fourteen (14) days from notification that the matter is grievable, for the purpose of resolving the Grievance. In advance of the Step One meeting, the Grievant shall have the right, upon written request, to a copy of identifiable documents relevant to the Grievance. The Step One Representative shall have seven (7) days from the meeting to make the determination. The Step One Representative shall notify the Grievant in writing of the decision with a copy to the President, the respective Vice President or President’s Direct Report, as appropriate, and the Assistant Vice President and Director of Human Resources, or their designee.
4) Upon written request of the Grievant, and within seven (7) days of the date of the Step One Representative’s decision, if determined to be reasonable by the Step One Representative, such Representative may direct that the Grievant proceed to Step Two.

5) The determination of the reasonableness of a Grievant’s request to proceed to Step Two shall be based on, but not limited to, allegations of due process, the production of new evidence not previously available at the Step One meeting, or disciplinary action was excessive. Grievant’s dissatisfaction with the Step One Representative’s decision, without more, is insufficient to warrant the progress of a Grievance to the next level.

b) Step Two

1) If the Grievant’s request to proceed to Step Two has been approved, a Step Two Representative will be assigned to the Grievance. The Step Two Representative shall be the President's Direct Report or the Vice President for the Division, or their designee, in which the Grievant is assigned.

2) The Step Two Representative shall schedule a meeting, to be held within seven (7) days of the written request for a Step Two meeting, with the Grievant, and any other persons believed to be necessary to the resolution of the Grievance. The Step Two Representative will make a determination and notify the Grievant of the Step Two decision in writing within seven (7) days of the meeting. The Step Two decision is final and binding upon the Parties.

3. Grievance Procedures for Suspensions and Terminations

This procedure applies to all Grievances concerning a suspension without pay or termination with cause whether it is a proposed or immediate action.

a) Unless exigent circumstances require immediate suspension or termination, individuals will receive written notice of a proposed action, with the opportunity to respond to the allegations in the suspension or termination notice prior to the imposition of the disciplinary action.

b) All Grievances shall be filed with the Assistant Vice President and Director of Human Resources or designee on a Request for Step One Grievance form – Suspensions or Terminations, within seven (7) days following the Notice of Suspension or Notice of Termination.

c) For the purposes of this section, the Step One Representative shall be the President’s Direct Report or the Vice President for the Division in which the Grievant is
assigned, or their designee. The Step One Representative shall schedule a meeting with the Grievant to be held within seven (7) days of the written request. The Grievant must submit a written statement as a response to the suspension or termination action and may be accompanied to the Step One meeting by a representative. The Grievant’s representative may assist, advise, and confer with the Grievant. However, discovery, cross-examination, and similar legal procedures are not permissible. Additionally, the Grievant’s representative is not permitted to testify or speak for the Grievant. The meeting is not a legal proceeding but shall be informal and shall not be in the nature of an evidentiary hearing. Neither the Rules of Civil Procedure nor the Rules of Criminal Procedure apply to this meeting. The Step One Representative will make a determination and notify the Grievant of the Step One decision in writing within seven (7) days of the meeting. If the suspension or termination action is upheld by this Step One decision, the University may implement the aggrieved action if it has not already done so.

d) Upon request of the Grievant, and within seven (7) days of the date of Step One Representative’s decision, if determined to be reasonable by the Step One Representative, such Representative may direct that the Grievant proceed to Step Two.

e) The determination of the reasonableness of a Grievant’s request to proceed to Step Two shall be based on, but not limited to, allegations of due process violation(s), the production of new evidence not previously available, or the disciplinary action was excessive. Grievant’s dissatisfaction with the Step One Representative’s decision, without more, is insufficient to warrant the progress of a Grievance to the next level.

f) Step Two - If the Grievant’s request to proceed to Step Two has been approved, a Step Two Representative will be assigned to hear the Grievance. The request for a Step Two Meeting must be submitted on a Request for Step Two Grievance form – Suspensions or Terminations. The President or designee shall schedule a meeting to be held no later than ten (10) days of the request for such meeting.

The Grievant shall have the right at the meeting to:

1) A review of all allegations against the employee;

2) Present a response to the allegations and provide a rationale on all the issues;

3) Submit a rebuttal to the allegations;

4) Be accompanied by his or her representative; and

5) Witnesses, at the sole discretion of the Step Two Representative.  (Note: Step Two Representative has no authority to compel appearance of witnesses.)
g) The President or designee shall issue a decision within fifteen (15) days of the conclusion of the Step Two Meeting, which shall be the final decision and binding. In cases where the Grievant failed to file a request for a Step Two review in a timely manner, or the request for a Step Two review is denied, then the Step One decision shall be the final decision and binding.

Action by Florida Gulf Coast University Board of Trustees
Approved 04/21/2015
Specific Authority
§1001.706, Florida Statutes, Board of Governors Regulation 1.001(5)(a)
History of Regulation
New 01/15/08; Amended 10/21/08; 01/18/11; 06/19/12; 04/21/15
Effective Date of Regulation
04/21/2015
REGULATION: FGCU-PR5.023

Separations

Effective Date of Regulation:
04/19/16

A. GENERAL STATEMENT

This Regulation applies to all employees who are not subject to a collective bargaining agreement, unless otherwise indicated, and encompasses actions separating an employee from the University or from their current position while remaining an employee ("reassignment"). If there is a conflict between any contract and this Regulation, the Regulation will control.

B. SEPARATIONS FROM EMPLOYMENT

The following separations from employment shall be administered consistent with the following provisions:

1. Resignation

Whenever possible, employees are encouraged to provide at least two weeks advance notice of resignation to the University. Once tendered, a resignation, whether communicated verbally or in writing, is deemed accepted, and may not be rescinded by the employee without concurrence of the President for a President’s direct report, or the appropriate Vice President. Employees resigning in lieu of termination are not eligible for rehire.

2. Job Abandonment

An employee who is absent without approved leave for three (3) or more consecutive workdays may be considered to have abandoned the position and has therefore resigned from the University, unless the employee, or designee, provides information regarding the existence of an emergency situation or medical condition that impaired the employee’s ability to contact his/her supervisor. Employees separating due to job abandonment are not eligible for rehire.

3. Separation During Probationary Period

Employees serving in a probationary period in any position or classification may be separated from employment at any time, for any non-discriminatory reason. Separations during the probationary period do not require notice and may not be appealed.
4. Layoffs

Layoffs shall be administered consistent with the following provisions. Additional guidance may be provided in a University policy.

a) Employees may be laid off at any time.

b) The President or designee shall notify any appropriate employee organizations when layoffs are to take place.

c) Layoff units may be at an organizational level such as a division, college, school, department, area, program, unit or other level of organization as the University President or designee deems appropriate.

d) In designating the employees for layoff, the President or designee may take into consideration the qualifications and relevant experiences required for specific positions and exclude such from layoff.

e) The President or designee may make reasonable efforts to locate appropriate alternative/equivalent employment within the University for laid-off employees, where possible.

5. Notice of Separation

a) Separation with Advance Notice

1) Non-Unit Faculty, Administrative & Professional (A&P), Support Personnel (SP) and Executive Service employees may be separated from the University without cause, as long as written notice is provided, according to the following schedule:

   i) Employees in their initial year of employment shall be given no less than thirty (30) days notice prior to the effective date.
   ii) Employees with more than one year of employment shall be given no less than ninety (90) days notice prior to the effective date.
   iii) Employees in the Executive Service shall be given no less than sixty (60) days notice prior to the effective date. This notice shall indicate whether the separation is from employment or removal from the executive service position with a reassignment to a non-executive service position, if applicable.

2) An employee who has received a separation from employment notice may be reassigned to other duties, responsibilities and locations for the duration of the notice period, and during the notice period shall not be eligible for pay
increases or bonuses and benefits designated for employees “in good standing."

3) The University may opt to provide a lump sum amount to be paid to the employee in lieu of providing the applicable time as notice of separation. If applicable, such lump sum shall not exceed 20 weeks of pay, subject to limitations under Section 215.425, Florida Statutes.

b) Fixed Term Appointments

Persons appointed to fixed term appointments, including but not limited to visiting appointments and employees in positions funded through contracts and grants, sponsored research funds, trust funds, auxiliary, or local funds, shall be provided notice that employment will cease on a specific date where no further notice of cessation of employment is required in an employment agreement, offer letter, or other document.

c) Other Personal Services (OPS) Employment

1) Persons appointed to OPS employment category are provided notice upon hire that such appointment is temporary in nature and may end at any time without notice and with no right to appeal.

2) Persons appointed to Adjunct faculty are hired for one academic term at a time and are provided notice upon hire that such appointment may end due to lack of enrollment, funding, or reassignment of faculty workload.

6. Dismissal for Cause

Non-Unit Faculty, A&P, SP, and Executive Service employees dismissed for cause are not entitled to advance notice and may be dismissed at any time during their employment in accordance with this Regulation. Employees dismissed for cause are not eligible for rehire. Dismissal for cause is addressed in FGCU-PR5.016, Disciplinary Actions.

C. EXIT INTERVIEW

Individuals who separate from employment are encouraged to complete the Exit Interview Process through the Department of Human Resources.

D. SEPARATION CLEARANCE

1. Faculty (including in-unit), A&P, and SP employees separating from employment with the University shall return all University property in their possession and settle their financial accounts with the University prior to receipt of any final payments due
them. The Department Head shall work in collaboration with the Department of Human Resources and all applicable University departments to ensure the timely return of all University property and/or to activate the appropriate measures to collect such. The employee’s immediate supervisor is responsible for ensuring proper separation procedures are followed and for notifying the Department Head if property or keys are not returned or accounts are not settled.

2. The University reserves the right to deduct any amounts owed to the University or to deduct an amount to compensate for unreturned property from any funds, which may be due the employee (i.e., final pay, leave payout).

Action by Florida Gulf Coast University Board of Trustees
Approved 04/19/16

Specific Authority
Sections 1001.706 and 215.425, Florida Statutes;
Board of Governors Regulation 1.001

History of Regulation
New 06/17/08; Amended 06/18/13; 04/21/15, 04/19/16

Effective Date of Regulation
04/19/16
REGULATION: FGCU-PR6.008

Protests

Effective Date of Regulation: 10/21/08

(1) Protests shall be handled in accordance with the Board of Governors’ Regulation 18.002.

(2) Contract Award. The University shall provide notice of a decision or intended decision concerning a competitive solicitation, contract award, or exceptional purchase by electronic posting. This notice shall contain the following statement: “Failure to file a protest or failure to post the bond or other security as required in this Regulation shall constitute a waiver of protest proceedings.”

(3) Notice of Protest. Any qualified bidder or proposer who is aggrieved in connection with an award of a contract may file a written notice to protest within 72 hours after the university’s electronic posting of award or notice of intent to award, provided the contract has not been fully executed. The notice of protest must be received before the expiration of the 72 hour period. Notices of protest filed after the 72 hour period will be rejected. The notice of protest must be filed with the Director of Procurement Services.

(4) Formal Written Protest. The protesting bidder or proposer must reduce its protest to writing and it shall be filed with the Director of Procurement Services within ten calendar (10) days of the filing of the Notice of Protest. Formal written protest not filed within this 10 day period will be rejected. The formal written protest must state with specificity the grounds upon which the protest is based and also the action requested to be taken. At the filing of the written protest, the protesting bidder/proposer shall post with the Office of Procurement Services, a security, in the form of a bond (in a form and with such terms, approved by the Director), payable to Florida Gulf Coast University in an amount equal to one percent (1%) of the price quoted bid proposed, or ten thousand dollars ($10,000), whichever is less. In lieu of a bond, the University may accept an irrevocable letter of credit, cashier’s or certified check or money order in the above-referenced amount (in a form, and with such terms, approved by the Director). If the protest is successful, the posted security will be refunded in full. If the protest is unsuccessful, the security will be returned, less all fees, expenses, damages, cost and charges incurred by the University. Noncompliance with this requirement, in whole or in
part, shall be deemed to be a waiver by the protester of their rights under this regulation.

(5) Upon receipt of a timely filed formal written protest, filed in accordance with this regulation, the Vice President of Administrative Services and Finance or their designee shall delay the execution of the contract until the protest is resolved by mutual agreement between the parties or by final order of the President. Such delay may be removed if, in consultation with the Vice President over the using department, the President determines that such a delay would have detrimental effect upon the University.

Law Implemented:
BOG Regulation 18.002, §§1001.74, 1010.04, F.S.

History:
New 7/10/97; Amended 9/30/99; 01/15/08; 10/21/08

Effective Date of Regulation:
10/21/08
It is the intent of the Florida Gulf Coast University Board of Trustees to acquire quality goods and services within reasonable or required time frames, while promoting fair and open competition in the public procurement process. The process will reduce the appearance and opportunity for favoritism, ensure that contracts are awarded equitably and economically, and establish effective management oversight in the acquisition of commodities and contractual services, in order to preserve the integrity of public purchasing and contracting. The opportunity to bid on university contracts is a privilege, not a right.

**Specific Authority:**

1001.74(4), 1010.04(2) FS.

**Law Implemented:**

1001.74(5), (17), (29), 1001.75(5), 1010.04 FS.

**History:**

New 9-30-99, Amended 7-10-03

**Effective Date of Regulation:**

July 10, 2003
REGULATION: FGCU-PR6.013

Definitions

Effective Date of Regulation: 4/21/09

(1) Artistic Services – Services provided by an individual or group of individuals who profess and practice a skill in the area of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, craft arts, industrial design, costume design, fashion design, web design, motion pictures, television, radio or tape and sound recording or in any other related field.

(2) Bid – A sealed response to a competitive solicitation received pursuant to the issuance of an Invitation to Bid by a responsive and responsible bidder or offeror.

(3) Change Order – A University document formalizing the amendment of a purchase order.

(4) Commodity – Any of the various supplies, materials, goods, merchandise, food, equipment or other personal property, including a mobile home, trailer, or other portable structure, which are purchased, leased, lease-purchased or otherwise contracted for by the University. “Commodity” also includes interest on deferred-payment contracts entered into by the University for the purchase of other commodities. Printing of publications and software to be used pursuant to license agreements shall be considered commodities.

(5) Competitive Negotiation – The process resulting in the establishment of a contract through deliberation, discussion or conference on the terms and conditions of a proposed agreement.

(6) Competitive Solicitation – An Invitation to Bid, Request for Proposal or Invitation to Negotiate to competitively select a contractor through a publicly noticed process.

(7) Contractor/Vendor – A person or firm who contracts to sell commodities or contractual services to the University.

(8) Contractual Service – The rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. “Contractual service” does not include labor or materials or selection of professional services for the construction, renovation, repair or demolition of facilities entered into pursuant to Chapter 255, Florida Statutes.

(9) Direct Owner Purchase – The purchase of materials or equipment by the University that were originally included in a construction manager,
contractor or subcontractor bid, proposal or reply for a University construction project.

(10) Extension – An increase in the time allowed for the contract.

(11) Governmental Entities – The State of Florida including its local governments and political subdivisions, the federal government, and other public or private educational institutions, cooperatives or consortia.

(12) Independent Contractor – A person or firm who provides a service to the University, but does not have any employment or other relationship or connection with the University, except as provided in Section 112.313, Florida Statutes.

(13) Informal Quotation – A written or oral quotation not requiring a formal competitive solicitation. Written evidence of oral quotations shall be maintained. Informal quotations shall be used for those services or commodities that are not on state or University contract and that meet or exceed $5,000 but are less than the competitive solicitations requirement in FGCU regulation PR6.015.

(14) Invitation to Bid (ITB) – A written solicitation for competitive bids on specific items for a fixed price on defined commodity (ies) through a publicly noticed process. The ITB is used when the University is capable of specifically defining the scope of work for which a contractual service is required or capable of establishing the precise specifications defining the commodities sought. The contract will be awarded to the lowest, responsible and responsive bidder.

(15) Invitation to Negotiate (ITN) – A written solicitation where the scope of work is not specifically defined. The ITN is used when it has been determined by the University, in its sole discretion, that the use of an ITB or RFP will not result in the best value to the University, based on factors including price, quality, design and workmanship. Cost may or may not be a consideration in the initial stages of negotiating.

(16) Minor Irregularity – A variation from the terms and conditions of a competitive solicitation that does not affect the price of the commodities or services, give the vendor an advantage or benefit not enjoyed by other vendors, or adversely impact the interests of the University.

(17) Minority Business Enterprise – A small business concern as defined in Section 288.703(2), Florida Statutes.

(18) President – The chief executive officer of the University, responsible for the operation and administration of the University.

(19) Proposal – A sealed response to a competitive solicitation received from a vendor pursuant to the issuance of a request for proposal.

(20) Public Entity Crime – A violation of any state or federal law by a person in the transaction of business with any public entity of any state or with the
DEFINITIONS

United States government involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.

(21) Purchase – An acquisition of commodities, licenses or contractual services obtained by contracting in any manner, whether by rent, lease, installment- or lease-purchase or outright purchase.

(22) Purchase Order – A University document formalizing a purchase transaction with a vendor and authorizing the vendor to deliver goods or services.

(23) Purchases for Resale – The purchase of commodities or contractual services acquired for the purpose of selling them for the benefit of the University.

(24) Renewal – Contracting with the same contractor for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.

(25) Reply – A sealed response to a competitive solicitation received from a vendor pursuant to the issuance of an Invitation to Negotiate.

(26) Request for Proposal (RFP) – A written solicitation for competitive proposals for commodities or contractual services as part of a publically noticed process. The request for proposal may be used when price is not the primary factor. Unlike the ITB process, award need not be to the lowest bidder; rather the award may be given to the responsible bidder whose proposal is determined in writing to be in the best interest of the University, considering the price and other criteria set forth in the RFP.

(27) Responsive and Responsible Bidder or Offeror – A contractor/vendor who has submitted a bid, reply or proposal that conforms in all material respects to a competitive solicitation.

(28) Surplus Property – State owned, tangible personal property which is excess, obsolete, uneconomical, inefficient for continued use or which serves no useful function shall be determined by the surplus property board.

(29) Term Contract – An indefinite quantity contract for the purchase of commodities or contractual services during a prescribed period of time, with a beginning and ending date.

Specific Authority:
§§1001.74(2), 1010.04 FS.

Law Implemented:
§§273.055, 273.05, 287.09451, 287.057, 288.703(2), 1001.74(2) FS.

History of Rule:
New 9-30-99, Amended 7-10-03

History of Regulation:
Renumbered 01-15-08, Amended 04/21/09

Effective Date of Regulation:
04/21/09
Purchasing Authority of the University

The President or designee is delegated authority to serve as the central procurement officer for the University and has the duty to:

(1) Canvass sources of supply and contracting for the purchase or lease of all commodities and contractual services for the University, in any manner, including purchase by installment- or lease-purchase contracts. Installment- or lease-purchase contracts may provide for the payment of interest on unpaid portions of the purchase price.

(2) Remove any contractor from the University’s competitive vendor list that fails to fulfill any of its duties specified in a contract with the University or governmental entity.

(3) Plan and coordinate purchases in volume and negotiating and executing agreements and contracts for commodities and contractual services under which the University may make purchases.

(4) Evaluate and approve contracts let by governmental entities for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interests of the University to make purchases under contracts let by such other entities.

(5) Elect as an alternative to any provision in Section 120.57(3)(c), Florida Statutes, to proceed with a competitive solicitation or contract award process when it is set forth, in writing, that the particular facts and circumstances which demonstrate that the delay due to staying the solicitation or contract award process would be detrimental to the interests of the University. After the award of contract resulting from a competitive solicitation in which a timely protest was received and in which the University did not prevail, the contract will be cancelled and re-awarded to the prevailing party unless the final order or settlement between the parties provides otherwise.
(6) Award contracts for commodities and contractual services to one or multiple suppliers, if it is determined to be in the best interest of the University. Such awards may be made on behalf of the University or a consortia of the University and other governmental entities, and the contracts may be for multiple years.

(7) Reject or cancel any or all competitive solicitations when determined to be in the best interests of the University.

(8) Reserve the right to waive any minor irregularities in an otherwise valid bid, proposal or reply. Variations that are not minor cannot be waived.

Specific Authority:
§1001.74(4), 1010.04 FS.

Law Implemented:
§120.57(3), 1001.74(5), (17), (29), 1001.75(5), 1010.04 FS.

History:
New 9-30-99, Amended 7-10-03

Effective Date of Regulation:
July 10, 2003
REGULATION: FGCU-PR6.015

Competitive Solicitations Requirement

(1) The University will provide notice of any information relating to a competitive solicitation by advertising for bids or by distribution of solicitation documents.

(2) All purchase orders or contracts for the purchase of commodities or contractual services exceeding $75,000 shall be awarded pursuant to a competitive solicitation, unless otherwise permitted. The purchase of commodities and contractual services shall not be divided to avoid the requirement of competitive solicitation.

(3) Competitive solicitations for purchases that are expected to be in excess of $75,000 annually shall be advertised by the University in the Florida Administrative Weekly, a newspaper of general circulation, or electronically posted on the www.myflorida.com website (Florida Communities Network). All competitive solicitations will be electronically posted on the University’s www.fgcu.edu/ website (Procurement Services Department). The President or designee shall waive the advertisement requirement when the number of potential responders is limited and can otherwise be solicited, when the availability of funding so requires, or when delivery is urgent.

(4) When only one response is received to a competitive solicitation for commodities or contractual services exceeding $75,000 annually, the University will review the solicitation response and circumstances surrounding the solicitation to determine if a second call for a competitive solicitation will yield the same results. If it is determined that a second call is not in the University’s best interests or would yield the same results, then the University may proceed with the acquisition. The University retains the right to reject or cancel any or all competitive solicitations where it is deemed to be in the best interest of the University.

(5) When multiple responses that are equal in all respects are received to an invitation to bid, the University will give preference, in the following order of priority, to bids that include commodities manufactured in the State of Florida, Florida businesses, businesses with a drug-free workplace program, or foreign manufacturers located in the state, to determine the contract award. If use of these preferences does not determine a contract award, the toss of the coin shall be used to award the contract.
(6) In the case of extension errors in a response to a competitive solicitation, the unit price will prevail.

(7) A Contractor may withdraw a competitive solicitation response, in writing, at any time prior to the response opening, excluding Saturdays, Sundays and University holidays, or at any time thereafter with the written consent of the Vice President for Administrative Services and Finance or designee when the University's interests will not be adversely affected by the withdrawal.

(8) Notices of Intent to Award competitive solicitations shall be publicly posted on the Procurement Services Department website for a minimum of seventy-two (72) hours excluding Saturdays, Sundays and University holidays.

Law Implemented:
§1001.74, 1010.04 F.S., 287.42, 287.0582, 287.084, 287.087, 287.092

History:
New 9/30/99; Amended 7/10/03; 10/21/08

Effective Date of Regulation:
10/21/08
REGULATION: FGCU-PR6.016

Purchase of Commodities or Contractual Services

Effective Date of Regulation: 04/21/09

(1) Purchase of Private Attorney Services. Written approval from the Attorney General is not required for private attorney services acquired by the University.

(2) Purchase of Insurance. The University has the authority to purchase insurance as deemed necessary and appropriate for the operation and educational mission of the University. Examples of insurance coverage that may be acquired by the University include:
   a. Physical damage on vehicles and boats;
   b. Inland marine on property owned, leased, or loaned to or by the University;
   c. Building and property damage;
   d. Equipment losses due to theft;
   e. Equipment subject to transportation;
   f. Loss of rental income;
   g. Commercial general liability insurance for scientific equipment;
   h. Excess general liability coverage;
   i. Camps insurance.

   All insurance purchased for property damage shall have a minimum of a $1,000 deductible.

(3) Purchases from Minority Business Enterprises. The University is an equal opportunity institution and promotes procurement participation and contract award with Minority Business Enterprises ("MBEs"). MBEs should have a fair and equal opportunity to compete for dollars spent by the University to procure commodities and contractual services. Competition ensures that prices are competitive and that a broad vendor base is available. The University will use good faith efforts to ensure that MBE vendors are aware of procurement and contract opportunities.

(4) Purchases from Contractors Convicted of Public Entity Crimes. The University shall not accept a competitive solicitation from or purchase commodities or contractual services from a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida’s convicted vendor list for a period of 36 months from the date of being added to the convicted vendor list.
(5) Purchasing actions that are not subject to the competitive solicitation process include:

a. Emergency Purchases. When the President or designee determines, in writing, that the delay due to the competitive solicitation process threatens the health or safety of person(s) or animal(s), the protection or continuance of a vital University function or the preservation or protection of property, the University will proceed with the procurement of commodities or contractual services without a competitive solicitation. The emergency purchase shall be limited to the purchase of the type of items and quantities or for a time period sufficient to meet the threat and shall not be used to meet long-term requirements.

b. Sole Source Purchases. Commodities or contractual services may be exempted from a competitive solicitation process when it is determined that there is only one source for the required service or commodity.

c. Purchases from competitively solicited contracts and negotiated annual price agreements established by other governmental entities, other Universities in the State University System, or other independent colleges and universities are not subject to further competitive solicitation.

d. Commodities to be incorporated into any public works project which are procured by the University as a direct owner purchase are not subject to any further competitive solicitation.

(6) Commodities and contractual services that are not subject to the competitive solicitation process include:

a. Artistic services;

b. Academic program reviews;

c. Lectures;

d. Auditing and accounting services;

e. Legal services including attorney, paralegal, expert witness, appraisal, arbitrator or mediator services;

f. Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration.

g. Training and education services;

h. Advertising;

i. Contractual services or commodities provided by other governmental entities;

j. Conferences, workshops, programs or events that are offered to the general public for which fees have been collected to pay all associated expenses;

k. Conferences, workshops, programs or events that are required by a grant to be purchased, attended, held or organized;

l. Purchases from firms or individuals that are prescribed by state or federal law or required by a granting agency;

m. Regulated utilities and government franchised services;
PURCHASE OF COMMODITIES OR CONTRACTUAL SERVICES

n. Regulated public communications, except long distance telecommunication services or facilities;

o. Extension of an existing contract;

p. Renewal of an existing contract if the terms of the contract specify renewal option(s);

q. Purchases for resale;

r. Contractual services or commodities provided by a direct support organization;

s. Training, programming and other services available from the owner or licensor of copyrighted software or its designated provider of such services;

t. Purchases of materials, supplies, equipment or services for research purposes when the Director of Sponsored Research or designee certifies in writing that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project;

u. Leases of space by the University for 5,000 square feet or less in a privately-owned building.

(7) Participants in Contract Awards Not Subject to Competitive Solicitations.

a. No person or firm who receives a contract to perform a feasibility study for potential implementation of a subsequent contract, participates in the drafting of a competitive solicitation, or develops a program for future implementation shall be eligible to contract with the respective University dealing with the specific subject matter.

b. The individuals taking part in the development or selection of criteria for evaluation, the evaluation process and the contract award in any purchase shall be independent of, and have no conflict of interest in, the entities evaluated and selected.

Specific Authority:

§§1001.74(2), 1010.04 FS.

Law Implemented:

§§1001.74(2), 1010.04 FS.

History of Rule:

New 9-30-99, Amended 7-10-03

History of Regulation

Renumbered 1/15/08, Amended 4/21/09

Effective Date of Regulation:

4/21/09
REGULATION: FGCU-PR6.017

Bonds

10/21/08

(1) Solicitation Security. A certified, cashier’s or treasurer’s check, bank draft, bank official check, bid bond or other form of security acceptable to the University may be required as a condition for participating in a competitive solicitation.

(2) Payment and Performance Bonds. Any contractor contracting with the university to provide commodities, services or commodities which include installation, maybe required to furnish a payment and performance bond, with good and sufficient securities, to the University prior to the issuance of the contract. The bond or security must be in an amount equal to 100% of the response submitted to the competitive solicitation.

(3) Solicitation Protest Bond. Any entity filing an action protesting a decision or intended decision pertaining to a solicitation, shall at the time of filing of the formal written protest, post with the University, a bond, cashier’s check or money order payable to the University in an amount equal to: 10% of the estimated value of the protestor’s bid or proposal; 10% of the estimated expenditure the contract term or $10,000, whichever is less. The security shall be conditioned upon the payment of all costs that may be adjudged against the contractor filing the protest action. Failure of the protesting contractor to file the required bond, cashier’s check or money order at the time of filing the formal protest shall result in the denial of the protest.

Law Implemented:
§§255.05, 255.051, 1001.74, 1010.04 F.S.

History of Rule:
New 9/30/99; Amended 7/10/03

History of Regulation:
New: 1/15/08; Amended 10/21/08

Effective Date of Regulation:
10/21/08
REGULATION: FGCU-PR6.018

Effective Date of Regulation: 04/21/09

Contracts

(1) Contracts for commodities or contractual services shall consist of a purchase order or bilateral agreement signed by the President or designee and the contractor prior to goods or services being rendered. For purchases that the President or designee determines are emergency purchases in accordance with paragraph FGCU-PR6.016(5)(a), a contract shall consist of a purchase order or signed bilateral agreement prior to or within thirty (30) days of the goods or services being rendered by the contractor.

(2) Any contract for the purchase of services or tangible personal property for a period in excess of one fiscal year shall include the following statement: “The State of Florida and University’s performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature”.

(3) Extension of an existing contract for contractual services shall be for a period not to exceed six (6) months, shall be in writing, shall be signed by both parties and shall be subject to the same terms and conditions set forth in the initial contract and any amendments thereto. There shall be only one extension of a contract unless the failure to meet the criteria set forth in the contract for completion of the contract is due to events beyond the control of the contractor.

(4) A contract may contain provisions for renewal for a period no longer than the initial term of the contract. If the commodity or contractual service is purchased as a result of a competitive solicitation, the cost of any contemplated renewal must be included in the competitive solicitation. All contract renewals are contingent upon satisfactory performance as determined by the University and subject to sufficient annual appropriations and shall be executed in writing by both parties.

(5) The President or designee is authorized to enter into deferred payment agreements through the State of Florida’s Consolidated Equipment Financing Program. No agreement shall establish a debt of the state or shall be a pledge of the faith and credit of the state; nor shall any agreement be a liability or obligation of the state except from appropriated funds.
(6) In order to promote cost-effective procurement of commodities and contractual services, the University may enter into contracts that limit the liability of a vendor in accordance with Section 672.719, Florida Statutes.

Specific Authority:

§§1001.74(2), 1010.04 F.S.

Law Implemented:

§§ 1001.74, 1010.04 F.S.

History of Rule:

New 9-30-99, Amended 7-10-03

History of Regulation:

Renumbered 1/15/08, Amended 4/21/09

Effective Date of Regulation:

4/21/09
(1) It shall be a breach of ethical standards for any employee of the University to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for commodities or services. All persons taking part in the development or selection of criteria for evaluation, the evaluation process, and the contract award process in any purchase shall follow all relevant portions of the State of Florida Code of Ethics for Public Officers and Employees, Chapter 112, Part III, Florida Statutes, and the University’s regulation on outside employment and activities, FGCU-PR5.012.

(2) Purchasing officers shall be protected from improper pressures of external political or business interests. It shall be a breach of ethical standards for any contractor or potential contractor to offer an employee of the University a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or contractual services.

Specific Authority:
§1001.74(4), 1010.04 FS.

Law Implemented:
§112.313, 1001.74(5), 1001.75(5), 1010.04 FS.

History of Rule:
New 9-30-99, Amended 7-10-03

History of Regulation:
January 15, 2008

Effective Date of Regulation:
January 15, 2008
REGULATION: FGCU-PR6.020  

Effective Date of Regulation:  
01/15/08

Purchase of Motor Vehicles

(1) The term "motor vehicle" includes any automobile, truck, watercraft or other vehicle designed primarily for transporting persons, and construction vehicles or farm equipment.

(2) The University has the authority to:
   a. Establish standard classes of motor vehicles to be leased, purchased or used by University personnel;
   b. (b) Obtain the most effective and efficient use of motor vehicles for University purposes;
   c. Establish and operate facilities for the acquisition, disposal, operation, maintenance, repair, storage, control and regulation of University-owned motor vehicles. Acquisition may be by purchase, lease, installment-purchase, loan or by any other legal means and may include a trade-in. All motor vehicles purchased or leased shall be of a class that will safely transport University personnel and adequately meet the requirements of the University.
   d. Contract for specialized maintenance services.

(3) Motor vehicles owned, leased or operated by the University shall be used for official University business only.

Specific Authority:
§1001.74(4), 1010.04 F

Law Implemented:
§1001.74(5), 1001.75(5) 1010.04 FS

History of Rule:
New 09-30-99; Amended 7-10-03

History of Regulation:
New January 15, 2008

Effective Date of Regulation:
January 15, 2008
(1) The following provisions relate to all purchase orders, agreements and contracts for the purchase of goods and services.

(a) It is the policy of the University that payment of an invoice shall be made not later than forty (40) days after receipt of a proper invoice (to include vendor name, date, description of goods and services and amount due), receipt of goods at the location set forth on the purchase order or contract, and inspection and approval of the goods or services, except that in the case of a bona fide dispute the vendor shall be notified of the dispute and payment made only for the amount not in dispute.

(b) If a check in payment of an invoice is not issued within forty (40) days after receipt of a proper invoice and receipt, inspection and approval of the goods and services, the University, upon a valid request, will pay to the vendor, in addition to the amount of the invoice, an interest penalty at the rate established pursuant to Section 55.03(1), F.S., provided, however, that the interest penalty is in excess of one dollar ($1.00). The interest will be calculated on the unpaid balance from the expiration of the 40-day period until such time as the payment is issued to the vendor. Interest penalties will be processed within 15 days after issuing the payment unless there are exigent circumstances. The provisions of this paragraph apply only to undisputed amounts for which payment has been authorized. The provisions of this paragraph do not apply to payments made to governmental entities of the State of Florida such as local governments and political subdivisions.

(c) For purposes of determining the date an invoice was received, the University will be deemed to have received an invoice on the date on which an invoice in the amount(s) and price(s) stipulated in the purchase order or contract and any written change order is first received at the location designated by the University. In cases where the vendor invoice is incorrect and the vendor is required to furnish a revised invoice, the receipt date of the revised invoice will be used. In case of disputes regarding issues other than invoice amounts, the vendor will be contacted and documentation will be maintained as to the date(s) and person(s) contacted. The invoice receipt date will be the date final resolution is reached.

(d) The University may make partial payments to a vendor upon partial delivery of goods or services.
(e) If the terms of the invoice provide a discount for payment in less than forty (40) days, the University shall preferentially process it and use all diligence to obtain the savings by complying with the invoice terms.

(f) Where the specific provisions of the contract, federal or state law alter the timeframe for making contractually required payments to a vendor or contractor, the University will process payments to meet the contractual, federal or statutory timeframe.

(g) All purchasing agreements between the University and a Vendor shall include the telephone number of the University Vendor Ombudsperson who shall be the Vice President for Administrative Services or designee.

(h) The University may advance payments for goods and services including, but not limited to, maintenance agreements and subscriptions and deposits, when it is in the best interests of the University to make payments in advance and it has been determined there is adequate protection to ensure that such goods or services will be provided.

(i) Vendors must have on file with the University a complete and accurate Internal Revenue Service Form W-9 or other acceptable form that provides all necessary data to determine 1099 status.

(j) Invoices received from vendors shall be for the amount and pricing schedules set forth in the purchase order or contract unless the vendor has received a written change order. A change order is not required for changes within 10% or $100.00, whichever is less.

(2) Construction Contracts -- For construction projects, the terms and conditions of the contract shall govern the timely payments to contractors for work satisfactorily completed.
REGULATION: FGCU-PR6.022

Acquisition of Architectural, Engineering, Construction Management, or Design-Build Services

A. Announcement of Intent to Acquire Architectural, Engineering, Construction Management or Design-Build Services

The University will announce its intent to acquire the following services:

1. Professional services for a project with estimated construction costs exceeding $250,000. However, the University may use a continuing contract, for this activity;

2. Continuing contracts for professional services, or continuing contracts for construction management services, for projects with estimated construction costs which do not exceed $2,000,000;

3. Professional services for development of design criteria for design-build projects;

4. Construction management services;

5. Design-build services;

6. Professional services for planning or study activity when the fee will exceed $50,000. However, the University may use a continuing contract for this activity; or

7. Continuing contracts for professional services for planning or study activity which does not exceed $200,000.

B. Selection of Professional Services

Selection of architectural and engineering firms shall be done by a Selection Committee consisting of at least three persons of which two will have demonstrable experience in the selection of professional architectural or engineering services or education in construction, engineering, architecture or other related discipline. The Committee shall consider the following for each firm: the experience of professional personnel; past performance; ability to meet time and budget requirements; location; and recent, current and projected workloads of the firms. The Selection Committee shall consider the results of any evaluation completed in accordance with Regulation 6.023 when selecting a professional firm.
When acquiring professional architectural or engineering services, a Selection Committee shall use a form approved by the Vice President for Administrative Services and Finance or designee for the purpose of evaluating an architectural or engineering firm.

C. Selection of Construction Management Services

When the University has determined that the use of construction management services are in its best interest, a Selection Committee shall be convened to select the construction management firm. The Selection Committee will consist of at least three members, two of which must have demonstrable experience in the selection of construction management and/or professional architectural or engineering services or education in construction, engineering, architecture or other related discipline. The committee shall include at least one facilities professional from the University Office of Facilities Planning or Physical Plant, one facilities professional who is not required to be a current University Office of Facilities Planning or Physical Plant employee and one or more additional members, based on the special needs of the project, if required. The committee may also include one student as a non-voting member.

The Selection Committee shall conduct discussions with the construction management firms regarding their qualifications, approach to the project, and ability to furnish the required services. The Selection Committee shall also consider the results of any evaluation completed in accordance with Regulation 6.023 when selecting a construction management firm. When acquiring construction management services, the Selection Committee shall use a form, approved by the Vice President for Administrative Services and Finance or designee, created for the purpose of evaluating a construction management firm.

D. Selection of Design-Build Services

Design-build entities shall be selected either on the basis of qualifications or on the basis of formal design-build proposals. For qualifications-based selections, the Committee shall consider the criteria for selection of architects and engineers and the criteria for selecting a construction manager and shall follow the selection process described for construction managers. For proposal-based selections, the Committee shall review all design-build proposals and shall rate each firm on the basis of the point scale identified in the solicitation. When acquiring design-build services, the Selection Committee shall use a form, approved by the Vice President for Administrative Services and Finance or designee, created for the purpose of evaluating design-build entity.
E. Special Requirements for the Project

If special requirements are necessary for the project, the University will establish additional criteria to review in determining whether the applicant possesses the expertise and experience necessary to perform the services being solicited and include those special requirements in the announcement of intent to acquire services for the project.

Approved by the Florida Gulf Coast University Board of Trustees
Approved: 09/13/2013

Law Implemented:
Board of Governors Regulations 1.001, 14.004, 14.005 and 14.0055; Section 1013.45, Florida Statutes

History of Regulation:
New 06/18/13; Amended 09/17/2013

Effective Date of Regulation:
09/17/2013
REGULATION: FGCU-PR6.023
Evaluation of Professionals and Contractors Under Construction Program

A. METHOD OF EVALUATION FOR PROFESSIONALS

The University shall evaluate the work of each architect, engineering or construction management firm at the completion of a project which has a value exceeding $250,000. The evaluation will address:

1. performance on the project;
2. timeliness in completing work;
3. management of trade contractors or consultants; and
4. compliance with contract terms

B. EVALUATION METHODS FOR CONTRACTORS

At the completion of the project, the University shall evaluate the performance of the general contractor or construction manager for a project which has a value exceeding $250,000. The evaluation will address:

1. performance on the project;
2. timeliness in completing work;
3. workmanship; and
4. compliance with contract terms

C. USE OF EVALUATION RESULTS

The evaluation may be used by the Selection and Evaluation Committee members when selecting firms for work on University projects in accordance with FGCU-PR 6.022. When considering any evaluation results, the Committee shall use the evaluation results as a deduction or additive when selecting a professional or contractor for subsequent University projects.

The evaluation shall be used as part of the determination for disqualification in accordance with FGCU-PR 6.024.
Approved by the Florida Gulf Coast University Board of Trustees
06/18/13
Law Implemented:
   Board of Governors Regulations 1.001 and 14.020
History of Regulation:
   New 06/18/13
Effective Date of Regulation:
   06/18/13
REGULATION: FGCU-PR6.024
Disqualification and Right to Appeal

A. DETERMINATION OF DISQUALIFICATION

1. When the results of the evaluation provided for under FGCU-PR6.023 show deficient performance, unjustified delay in completing work, defective or unacceptable workmanship, failure to comply with contract terms, or any other unfavorable result that adversely impacts the completion of the project, such results will be used to determine whether the firm or contractor should be disqualified from providing future services to the University.

2. If a review of the evaluation results support a determination of disqualification, the Director of Facilities Planning will recommend to the Vice President for Administrative Services and Finance, as the President's designee, that the offending firm or contractor be disqualified from participation on future University projects.

B. NOTICE OF DISQUALIFICATION

When the University has determined that the firm or contractor will be disqualified from participation on future University projects, the University shall notify the firm or contractor in writing of the specific grounds that are the basis for the disqualification.

C. APPEAL

The appeal process to address a disqualification will be outlined in the Board of Governors Regulation 18.002.

Approved by the Florida Gulf Coast University Board of Trustees
06/18/13

Law Implemented:
Board of Governors Regulations 1.001, 14.022 and 18.002, §1001.706, Florida Statutes

History of Regulation:
New 06/18/13

Effective Date of Regulation:
06/18/13
A. General

Tuition and fees assessed by the University shall be in accordance with the General Appropriations Act and the regulations and policies of the Board of Governors.

B. Tuition and Fees

1. Tuition and Fee Schedule

The University shall assess the following tuition and fees per credit hour for each regularly enrolled student, depending on whether a student is a resident or non-resident of the State of Florida, unless provided otherwise by law or in this regulation:

<table>
<thead>
<tr>
<th>Tuition/Fee</th>
<th>Undergraduate (Resident)</th>
<th>Undergraduate (Non-Resident)</th>
<th>Graduate (Resident)</th>
<th>Graduate (Non-Resident)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>105.07</td>
<td>709.65</td>
<td>290.60</td>
<td>1,173.73</td>
</tr>
<tr>
<td>Tuition Differential</td>
<td>36.38</td>
<td>36.38</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Aid Fee</td>
<td>5.25</td>
<td>35.46</td>
<td>14.52</td>
<td>58.67</td>
</tr>
<tr>
<td>Transportation Fee</td>
<td>5.95</td>
<td>5.95</td>
<td>5.95</td>
<td>5.95</td>
</tr>
<tr>
<td>Parking Decal Fee</td>
<td>2.75</td>
<td>2.75</td>
<td>2.75</td>
<td>2.75</td>
</tr>
<tr>
<td>Capital Improvement Trust Fund Fee</td>
<td>6.76</td>
<td>6.76</td>
<td>6.76</td>
<td>6.76</td>
</tr>
<tr>
<td>Activity and Service Fee</td>
<td>11.50</td>
<td>11.50</td>
<td>11.50</td>
<td>11.50</td>
</tr>
<tr>
<td>Athletic Fee</td>
<td>13.54</td>
<td>13.54</td>
<td>13.54</td>
<td>13.54</td>
</tr>
<tr>
<td>NCAA Athletic</td>
<td>4.00</td>
<td>4.00</td>
<td>4.00</td>
<td>4.00</td>
</tr>
<tr>
<td>Technology Fee</td>
<td>5.25</td>
<td>5.25</td>
<td>14.52</td>
<td>14.52</td>
</tr>
<tr>
<td>Tuition Waiver FY16</td>
<td>(1.75)</td>
<td>(1.75)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Per Credit Hour</td>
<td>$ 203.94</td>
<td>$ 838.73</td>
<td>$ 373.38</td>
<td>$ 1,300.66</td>
</tr>
</tbody>
</table>
2. Repeat course fee

A student enrolled in the same undergraduate college credit course more than twice shall be assessed an additional $177.94 per credit hour charge for each such course.

3. Excess hour fee

All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2009 or thereafter and prior to fall 2011 shall pay an excess hour fee equal to 50 percent of the undergraduate tuition for each credit hour in excess of 120 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.

All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2011 or thereafter shall pay an excess hour fee equal to 100 percent of the undergraduate tuition for each credit hour in excess of 115 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.

All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2012 or thereafter shall pay an excess hour fee equal to 100 percent of the undergraduate tuition for each credit hour in excess of 110 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.

C. Payments on Accounts Due the University

Charges against a student's account for loss or breakage of University equipment, lost books, library, or parking fines, and other related charges are due immediately. University policy prohibits registration or release of transcript and diploma for any student whose account with the University is delinquent.

D. Registration

Registration occurs when a student:

1. Selects one or more credit courses approved and scheduled by the University; and,

2. Pays tuition and fees, partial or otherwise, or makes other appropriate arrangements for tuition payment (deferment, or third party billing) for the courses in which the student is enrolled as of the end of the drop/add period. The University does not have a plan for installment payment of fees.
E. Payment

Tuition and registration fees must be paid in full by the payment deadline date designated in the Academic Calendar as the "last date to pay fees" for each term. Payments shall be made at the Cashier's Office, University Website, or by mail and received no later than that date. The President or designee will extend the deadline for fee payment when payment by the student is delayed due to University action or inaction.

F. Liability for Payment of Tuition

Liability for payment of tuition is incurred at the point at which the student has completed registration. Students are liable for all fees associated with all courses in which they are registered at the end of the drop/add period.

G. Cancellation of Registration

A student's course schedule shall be canceled when tuition has not been paid or when arrangements for payment have not been made through the Office of Financial Aid or the Cashier's Office. Students are liable for tuition and fees associated with all courses in which they are registered at the end of drop/add period. A student who has not made any effort to pay their tuition and fees by the published deadline will have all courses canceled. A student whose course schedule has been canceled cannot thereafter attend classes and will not obtain credit for courses. A student whose course schedule has been canceled will be mailed written notice of cancellation from the Registrar's Office to his/her last known address on record and be given a deadline by which he/she may apply for reinstatement. A student who make an effort to pay, including but not limited to partial payments by credit card, check, or cash, any type of financial aid or scholarship, grants, waivers, third party contracts, Florida Bright Futures, and Florida Pre-paid, by the published deadline will not be cancelled from all courses and are considered fee liable.

H. Reinstatement

Students may seek reinstatement of their course schedule by following the procedures outlined in this subsection.

1. Requests for reinstatement. A request for reinstatement must be presented in writing to the Registrar's Office by the deadline given on the notice of cancellation mailed to the student. The request for reinstatement must include all documentation supporting the request. The Reinstatement Appeals Committee will evaluate the request based upon the criteria contained in this rule and notify the student in writing of its decision.

2. Reinstatement Appeals Committee. A student whose course schedule has been canceled for non-payment may apply for reinstatement of the course schedule to the Reinstatement Appeals Committee. The Committee shall consist of at least three staff members appointed annually by the President, and one student appointed by the FGCU Student Government. The Committee shall meet as required between the
published last day to pay fees and six months after the end of the term for which the reinstatement is requested. The decision of the Committee shall be final.

3. Criteria for Reinstatement. In evaluating a request for reinstatement, the Committee shall apply the following criteria:

a) Reinstatement shall be granted where it is demonstrated that the student's registration was canceled through University error.

b) Reinstatement shall be granted where the student submits documentation demonstrating that the student was prevented from making timely payment due to extenuating circumstances beyond the student's control. Examples of "extenuating circumstances" include:

1) A student was unavoidably out of town during the week prior to the last day to pay fees, or

2) A student was ill and unable to make payment prior to the last day to pay fees.

c) If a student's reinstatement is approved by the Reinstatement Appeals Committee, they must be reinstated for all courses for which they were originally registered.

Where reinstatement is granted, the student shall take the written decision of the Committee to the Cashier's office, pay the fees which are due and complete the registration process with the Registrar's Office.

I. Late Registration Fee

1. A late registration fee of $100 shall be assessed by the University when registration is initiated after the close of the regular registration period.

2. The late registration fee shall be waived when:

   a) The late registration was caused by a University error, or

   b) The student was unavoidably out of town on the last day to register (documentation must be provided), or

   c) The student was ill (documentation must be provided), or

   d) The course was closed and the student was required to wait until classes started (written documentation from the instructor is required), or

   e) The student was informed after the published last day to register that a course is necessary in order to graduate, be re-certified, or is a work related requirement (appropriate documentation must be provided).
J. **Late Payment Fee**

A late payment fee of $100 shall be assessed by the University when:

1. A student pays his/her fees after the published "last day to pay fees", and has been approved for reinstatement pursuant to this rule; or

2. A dishonored check is redeemed after the last date to pay fees.

K. **University Loan Program Service Charge**

In lieu of interest, a $10 service charge will be assessed to any student participating in the University loan program regardless of the amount of the loan. Students utilizing the university loan program must sign a promissory note which obligates them to the total loan amount including the $10 service charge for each loan issued.

L. **Tuition and Fee Appeals**

Students may appeal the assessment of fees and request refunds of tuition and fees to the Fee Appeals Committee according to procedures set forth in this subsection.

1. **Procedures.** A student who seeks review of tuition or a fee assessed shall file a written appeal with the Registrar's Office. The appeal must set forth the basis for seeking a refund and attach all supporting documentation. An appeal must be filed no later than six months following the last day of the term during which the respective tuition or fees were incurred. For the purpose of this regulation, summer terms are considered as one term.

2. **Tuition and Fee Appeals Committee.** The Tuition and Fee Appeals Committee shall consist of at least three staff members who are appointed annually by the President, and one student appointed by the FGCU Student Government. The Committee shall meet as often as necessary to review and act upon appeals which come before it.

3. **Committee Determinations.** Each appeal will be initially reviewed by the Registrar or designee. A decision will be made by the Registrar's Office according to criteria established by this regulation. The decision shall be communicated in writing to the student within sixty (60) days from the date the appeal was filed with the University. The Tuition and Fee Appeals Committee shall consider only cases of those students who are appealing the initial decision made by the Registrar's Office. Students may appear in person before the Committee to present their appeal. The decision of the Committee is final.

4. **Criteria for Determining Tuition and Fee Appeals.** The criteria established by this regulation shall govern decisions by the Registrar and the Tuition and Fee Appeals Committee:
a) An appeal shall be granted when it is demonstrated that tuition or fees were paid as a result of University error.

b) An appeal shall be granted when it is demonstrated that the student was prevented from timely withdrawal from the University due to extenuating circumstances beyond the student's control. Extenuating circumstances include death of the student, or death in the immediate family (parent, spouse, child, sibling) of the student; illness of the student that is of long duration or severity, as confirmed in writing by a physician; or call to, or enlistment in, active military duty.

M. Refunds

Refunds will be processed and mailed to the address shown on the Registrar's files to all students whose fee accounts show an overpayment after the published last day to pay fees. Students due a refund will not be required to submit a refund request to receive their refund because it will be automatically calculated. If there is a balance due to the University in the accounts receivable system, that amount will be deducted from any refund due. In addition, students shall be entitled to refunds in the following circumstances:

1. 100% of tuition and course related fees will be refunded if notice of complete withdrawal or course withdrawal from the University occurs prior to the end of drop/add period.

2. 25% of tuition and course related fees will be refunded if notice of withdrawal from ALL courses from the University occurs prior to the deadlines as designated by the University or in the Academic Calendar for each term.

3. Students who receive financial aid and subsequently change their enrollment status and this action results in a refund, may have all or a portion of their refund returned to the University's Financial Aid Office in accordance with the terms of their financial aid agreement.

4. 100% of tuition and course related fees if a student withdraws or drops a course due to circumstances which are exceptional and beyond the control of the student. Requests for fee adjustments must meet one of the conditions below to be considered:

5. Death of the student or immediate family member (parent, spouse, child or sibling) as confirmed by documentation indicating the student's relationship to the deceased. A death certificate is required.

   a) Illness of student of such severity or duration to preclude completion of course(s). Written confirmation by a physician required.

   b) A situation in which the University is in error as confirmed in writing by the appropriate Vice President or other senior administrator.
N. Deferred Payment Status

Deferred payment status for tuition and registration fees will be granted upon application by the student on the following grounds:

1. Veterans shall be entitled to deferment in accordance with the provisions of Section 1009.27, F.S.
   a) Each student granted a veteran's deferment shall sign a promissory note for the amount of registration and tuition fees due. The promissory note must be presented to the University Cashier's Office before the published last day to pay fees. Failure to present the promissory note by the deadline will result in the student being assessed the $100 late payment fee. If the student does not present an authorized deferment to the Cashier, including the $100 late fee, by the close of the fourth week of classes, the student's registration shall be canceled. The student may request reinstatement by presenting an authorized VA deferment promissory note along with a $100 late registration/late payment fee in lieu of full payment of tuition and registration fees. (See the procedure outlined in Reinstatement.)
   b) If an eligible student's educational benefits are delayed beyond the deferral period, (end of term for which they are enrolled) the deferment will be extended upon request by the student with written verification from the granting entity that the student is eligible to receive benefits and that benefits are being processed for payment. Upon receipt of written verification, the Registrar's Office shall approve the deferment and any request for extension. Additional extensions may be similarly granted until such time that the student begins receiving educational benefits. Failure of the veteran to pay the amount of the authorized deferment by the due date or extended date, whichever is later, will result in the student being assessed the $100 late registration/late payment fee.

2. Third Party Billings. Deferment is permitted when formal contractual arrangements have been made with the University for payments by an approved third party. The President or designee is responsible for negotiating such third party contracts.

3. Delay in Financial Aid Delivery. Deferral of tuition and fees is permitted for those students receiving financial aid from federal, state, or University assistance programs when delivery of the aid is delayed through circumstances beyond the control of the student. Failure to make timely application for such aid shall be insufficient reason to receive such deferral. The Director of Financial Aid shall certify a student's eligibility for deferral to the University Controller or designee for each student for each academic term for which receipt of aid is delayed.

4. Extraordinary circumstances exist and the deferment has the approval of the President or his designee.
O. Withdrawal or Course Changes Due to Military Service

A student who is called to, or enlists in, active military service in the United States Armed Forces may choose to withdraw from the University or any course(s) with a full refund of tuition and fees paid and without academic penalty. In the alternative, a student may elect not to withdraw and to complete the course(s) at a later date. A student who elects to complete the course(s) at a later date shall re-enroll and begin completion of the course(s) requirements no later than within six months after discharge or release from active military duty.

1. Notification of withdrawal or course change(s) due to military service shall be made to the Office of the Registrar as soon as practicable. The student, or a representative of the military service on the student's behalf, shall provide verification of the official active duty orders and/or discharge to the Office of the Registrar.

2. The transcript of a student will be annotated to reflect that the above withdrawal or course change(s) is due to active military service.

3. A student living in University housing or registered for a meal plan will receive a pro rata refund of fees paid based on the date of withdrawal or the date of election to complete the course(s) at a later date, or the terms of the meal plan.

4. The student is responsible for returning any outstanding library materials and University equipment, and for the payment of any parking fines assessed by the University.

Action by Florida Gulf Coast University Board of Trustees
Approved 06/10/2015

Action by the Florida Board of Governors
Approved 06/11/2015

Specific Authority
§§1004.07, 1009.01, 1009.21, 1009.24, 1009.26, 1009.27, 1009.28, 1009.285, Florida Statutes; Board of Governors Regulation 7.001

History of Regulation
New 11/13/05; Amended 6/29/06, 6/19/07, 7/27/08, 6/17/08, 10/27/08, 6/29/09, 6/15/10, 07/05/11, 6/21/12, 6/19/13, 6/18/14, 6/11/15

Effective Date of Regulation
06/11/2015
REGULATION: FGCU-PR7.002
Delinquent Accounts Receivable

The University shall enforce the collection of all delinquent unpaid and uncancelled accounts receivable through the use of lawful procedures.

1) Collection effort may include the employment of the services of a collection agency.
   a. No collection agency shall be paid a commission in excess of 35 percent of the amount collected.
   b. Any expense incurred by the University enforcing the collection of a debt may be added to the principal of such debt.

2) Students with delinquent accounts greater than $5.00 shall not be permitted to register and shall have a “hold” placed on their records restricting the release of transcripts, awarding of diplomas and access to other resources and services of the University. This hold shall continue in force until the student debt is paid, settled, or discharged through federal court bankruptcy proceedings.

3) The following delinquent unpaid accounts receivable may be charged off as uncollectable:
   a. The University Controller is authorized to charge off accounts with past due balances of $99 or less when accounts become at least six (6) months old and the cost of further collection effort or assignment to a collection agency would not be warranted.
   b. The Vice President for Administrative Services and Finance is authorized to charge off past due balances of $100 or more when accounts are at least 2 years delinquent and after all reasonable and lawful collection attempts have failed.

Action by Florida Gulf Coast University Board of Trustees:
Approved 9/18/07

Law Implemented:
1010.03 F.S.

Effective Date of Regulation:
Approved: 9/18/07

History of Regulation:
New 9/18/07
A. The fees listed in this section will be assessed by the University.

<table>
<thead>
<tr>
<th>Fee</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Non-Refundable Application Fee</td>
<td>$30.00</td>
</tr>
<tr>
<td>2. Non-Refundable Orientation Fee</td>
<td>$35.00</td>
</tr>
<tr>
<td>3. Security, Access or Identification Cards:</td>
<td></td>
</tr>
<tr>
<td>Annual Fee for Card</td>
<td>$10.00</td>
</tr>
<tr>
<td>Fee for Replacement Card</td>
<td>$15.00</td>
</tr>
<tr>
<td>4. Fee for Transcripts</td>
<td>$10.00</td>
</tr>
<tr>
<td>5. Fee for Diploma Replacement</td>
<td>$10.00</td>
</tr>
<tr>
<td>6. Course-related Fee for Materials and Supplies consumed during instructional activities</td>
<td>Cost</td>
</tr>
<tr>
<td>7. Overdue Library Material Fee (per day)</td>
<td>$0.25</td>
</tr>
<tr>
<td>8. Overdue Library Reserve Material Fee – per item, per hour</td>
<td>$0.25</td>
</tr>
<tr>
<td>9. Interlibrary Loan Fee</td>
<td>Cost</td>
</tr>
<tr>
<td>10. Literature Search Fee</td>
<td>Cost</td>
</tr>
<tr>
<td>11. Damaged/Lost Library Materials</td>
<td>Cost</td>
</tr>
<tr>
<td>12. Late Return of Equipment Fee (per day)</td>
<td>$5.00</td>
</tr>
<tr>
<td>13. Equipment or Facilities Use, Damage or Loss</td>
<td>Cost</td>
</tr>
<tr>
<td>14. Duplicating, Photocopying, Binding Microfilming and Copyrighting Fees</td>
<td>Cost</td>
</tr>
<tr>
<td>15. Standardized Testing Fees</td>
<td>Cost</td>
</tr>
<tr>
<td>16. Returned Check Fee for Unpaid Checks as authorized by Section 832.07(1), F.S. as follows:</td>
<td></td>
</tr>
<tr>
<td>i. Service charge of $25.00, if the face value of the check is $50.00 or less;</td>
<td></td>
</tr>
<tr>
<td>ii. Service charge of $30.00, if the face value of the check is between $50.01 and $300.00; or</td>
<td></td>
</tr>
<tr>
<td>iii. Service charge of $40.00, if the face value of the check exceeds $300.00, or an amount of up to 5% of the face amount of the check, whichever is greater.</td>
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</tbody>
</table>
17. Returned Electronic Payment Fee for Unpaid ACH or other electronic payments shall be processed in the same manner as a returned check following Florida Statute 832.07(1) as follows:
   i. Service charge of $25.00, if the face value of the electronic payment is $50.00 or less;
   ii. Service charge of $30.00, if the face value of the electronic payment is between $50.01 and $300.00; or
   iii. Service charge of $40.00, if the face value of the electronic payment exceeds $300.00, or an amount of up to 5% of the face amount of the electronic payment, whichever is greater.

18. Miscellaneous Health-Related Charges for Services at the Health Center

19. Fee for Collection of Overdue Accounts

20. Additional Fee for Off-Campus Course

21. Non-Refundable Admissions Deposit $200.00

B. The term “cost” as used in this provision includes those increased costs to the University that are reasonable, specific, identifiable and directly related to the goods or services.
A. GENERAL STATEMENT

The Office of Financial Aid and Scholarships provides services to both traditional and nontraditional students pursuing either an undergraduate or graduate degree. Financial aid programs available for these students shall include scholarships, grants, loans and student employment, as it relates to Title IV and work study, from federal, state, private and institutional sources of funding.

B. GUIDING PRINCIPLES

The Financial Aid Programs at Florida Gulf Coast University shall be administered according to the following principles:

1. No student shall be denied the opportunity to attend the University and successfully pursue his/her educational goals due to the lack of financial resources,

2. The family (parents, student and/or spouse), shall be responsible for educational expenses. Financial aid shall be available to supplement the family's contribution so that students can meet the cost of education at the University. The amount of money that a family is expected to pay is calculated by the Free Application for Federal Student Aid (FAFSA);

3. In the assignment of funds to financial aid recipients, the largest amount of grant assistance shall go to students with the greatest amount of need;

4. Financial aid policies and procedures shall treat each student in a fair and equitable manner, taking into consideration each student’s unique financial situation as well as any unusual circumstances; and

5. Financial assistance shall be provided to all students regardless of gender, age, race, ethnic background, religion, or disability.

C. FINANCIAL AID POLICY COMMITTEE

Financial Aid Policy Committee shall be established with the following purposes: (a) recommend University policy on matters relating to financial aid; (b) recommend specific financial aid program objectives in support of the University’s
master plan; and (c) facilitate the conduct of financial aid activities.

D. SINGLE OFFICE DESIGNATION

The Office of Financial Aid and Scholarships shall be the single office designated to coordinate and administer financial aid at the University, as well as coordinate the collection and processing of financial aid data for use within the university system and state information systems.

E. DISTRIBUTION AND USE OF FINANCIAL AID

Financial need and academic merit shall be given primary consideration in the awarding of financial aid to students. Additionally, the Office of Financial Aid and Scholarships shall consider the funding levels between need-based and non-need based programs to reflect the needs of the student population, the necessity for increasing current programs versus the need for new programs based on University priorities and assuring fiscal integrity.

1. Need-based funds shall be distributed on a priority basis to students who apply between January 1 and March 1 each year and who have a demonstrated financial need, as determined by a nationally recognized need-analysis system, and who complete all student financial aid application requirements. The optimum financial aid package may vary considerably due to student classification, family financial status, availability of funds and application date.

2. Academic merit assistance shall be awarded to students according to their academic standing, achievement test scores or ability to contribute to the institution.

3. The University shall also recognize special student talents and qualities in artistic, athletic, technical and other areas, and award scholarships, grants and waivers for such contributions.

4. Information concerning institutional need-based financial aid program shall be maintained by the Office of Financial Aid and Scholarships. The Office of Financial Aid and Scholarships shall award and coordinate the distribution and use of all need-based resources, as well as all merit-based programs awarded by the Office of Admissions, Graduate Studies and the individual colleges or departments of the University. Additionally, the Office of Financial Aid and Scholarships shall coordinate scholarships awarded to students from external sources.

Law Implemented:
BOG Regulation 3.009

History of Regulation:
New 01/18/2011

Effective Date of Regulation: January 18, 2011
A. GENERAL STATEMENT

Resident tuition, non-resident tuition, and associated fees may be waived (fully or partially) for purposes that support and enhance the mission of the University. The University Bursar is designated as the University official who is to address student issues and/or questions regarding waivers.

B. WAIVERS

Waivers and exemptions are authorized to include, but not be limited to the following:

1. Sponsored Credit Institutes and Programs – Tuition and associated fees, as well as fees for materials and supplies may be waived for participants in sponsored credit institutes and programs.

   a) Sponsored credit institutes and programs are entities where substantially all the direct costs are paid by the external sponsoring entity, where there is no direct expenditure of Educational and General funds for the conduct of the programs, and where no fees or other assessments are collected from students by the sponsoring entity, the University, or any other entity.

   b) In determining whether the direct costs are paid by the sponsoring entity, funds paid directly to the participants in a form such as, but not limited to, stipends, travel or book allowances should not be taken into account. "Direct costs" refer to the costs associated with the instruction or training which a participant receives. All funds collected from sponsoring entities for sponsored credit institutes will be remitted to the University's contract and grants trust fund and/or auxiliary trust funds.

   c) Funds collected from courses offered through continuing education should be budgeted in the Auxiliary Trust Fund.

   d) Neither the number of participants nor student credit hours in these institutes and programs may be counted for state-funding purposes.

2. Deceased Law Enforcement, Correctional, or Correctional Probation Officers

   Employed by the State or Political Subdivision thereof – Certain educational expenses that the child or spouse of the deceased officer incurs while obtaining an undergraduate
education or a postgraduate education shall be waived if a law enforcement, correctional, or correctional probation officer is accidentally killed or receives accidental bodily injury which results in the loss of the officer's life while engaged in the performance of the officer's law enforcement duties on or after June 22, 1990, or is unlawfully and intentionally killed or dies as a result of such unlawful and intentional act on or after July 1, 1980, while the officer was employed by a political subdivision of the state.

a) The amount waived by the University shall be an amount equal to the cost of tuition and associated fees for a total of 120 credit hours. The child or spouse may attend on either a full-time or part-time basis. The benefits provided to a child under this section shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death.

b) Upon failure of any child or spouse benefited by the provisions of this subsection to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child or spouse and no further funds may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.

c) Only a student in good standing in his or her respective University may receive the benefits.

d) A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the university attended.

3. Deceased Firefighters Employed by the State or a Political Subdivision thereof – Certain educational expenses that the child or spouse of the deceased firefighter incurs while obtaining an undergraduate education or a postgraduate education shall be waived if a firefighter is accidentally killed or receives accidental bodily injury which results in the loss of the firefighter's life while engaged in the performance of the firefighter's duties on or after June 22, 1990, or is lawfully and intentionally killed or dies as a result of such unlawful and intentional act on or after July 1, 1980, while the firefighter was employed by a political subdivision of the state.

a) The amount waived by the University shall be an amount equal to the cost of tuition and associated fees for a total of 120 credit hours. The child or spouse may attend on either a full-time or part-time basis. The benefits provided to a child under this section shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death.
b) Upon failure of any child or spouse benefited by the provisions of this subsection to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child or spouse and no further moneys may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.

c) Only a student in good standing in his or her respective University may receive the benefits.

d) A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the university attended.

4. Acceleration – Tuition and associated fees shall be waived for students who earn credit in courses toward both a Florida high school diploma and an associate or baccalaureate degree, or students enrolled in a dual enrollment or early admission program.

5. Florida Department of Children and Family Service Adoptions – Tuition and associated fees shall be waived for any student who is or was at the time he or she received the age of 18 in the custody of the Department of Children and Family Services or a relative under s. 39.5085; who was adopted from the Department of Children and Family Services after May 5, 1997; or was placed in a guardianship by a court after spending at least 6 months in the custody of the Department after reaching 16 years of age. Additionally, material and supply fees and fees associated with enrollment in career-preparatory instruction shall be waived. Any student requesting such a waiver must provide certification of eligibility from the Department of Children and Family Services to the University. The waiver shall remain valid up until the time the student reaches the age of 28, and shall be limited to undergraduate degree programs, and shall not exceed 120 credit hours.

6. School Psychology Training Program – Tuition and associated fees shall be waived for internship credit hours applicable to an internship in the public school system under the supervision of the Florida Department of Education certified school psychologist employed by the school system for any graduate student.

7. Florida Linkage Institutes – These Institutes shall be exempt from non-resident tuition and non-resident financial aid fee up to 25 full-time equivalent students per year enrolled through Florida Linkage Institutes Program.

8. Deceased Teacher or School Administrator Employed by a Florida District School Board – Certain educational expenses shall be waived that the child of the deceased teacher or school administrator incurs while obtaining an undergraduate education or a postgraduate education if the teacher or school administrator is killed or is injured and dies as a result of an unlawful and intentional act, provided such killing or injury inflicted by another person and the motivation for the act is related in whole or part to the fact that the individual is a teacher or school administrator, or such act is inflicted
while he or she is engaged in the performance of teaching duties or school administration duties while employed by a Florida district school board. The amount waived by the University shall be an amount equal to the cost of tuition and associated fees for a total of 120 credit hours at the University. The child may attend on either a full-time or part-time basis. The benefits provided under this paragraph shall continue until the child's 25th birthday.

a) Upon failure of any child benefited by the provisions of this paragraph to comply with the ordinary and minimum requirements of the University, both as to discipline and scholarship, the benefits shall be withdrawn as to the child and no further moneys may be expended for the child's benefits so long as such failure or delinquency continues.

b) A student who becomes eligible for benefits under the provisions of this paragraph while enrolled in the University must be in good standing with the University in order to receive the benefits provided herein.

c) A child receiving benefits under this paragraph must be enrolled according to the customary rules and requirements of the University.

9. Homeless – Tuition and associated fees for a total of 120 credit hours shall be waived for any student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter designed to provide temporary residence for individuals intended to be institutionalized, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

10. Purple Heart Recipients – Undergraduate tuition and associated fees shall be waived for each recipient of a Purple Heart, or another combat decoration superior in precedence which was awarded for valor, and who:

a) Is enrolled as a full-time, part-time, or summer-school student in an undergraduate program that terminates in a degree or certificate;

b) Is currently, and was at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, a resident of this state; and

c) Submits to the state University the DD-214 form issued at the time of separation from service as documentation that the student has received a Purple Heart or another combat decoration superior in precedence. In situations where admissions or financial aid application deadlines preclude providing a DD-214 in time to meet such a deadline, the official (service specific) transmitting correspondence that would normally accompany such an award to a previously discharged service member would suffice until an updated DD-214 could be
obtained and presented to the postsecondary institution. However, the updated DD-214 must be submitted to the postsecondary institution by the start of the student's next term of enrollment for continued eligibility for the waiver. In situations where a service member is on active duty and has not been issued a DD-214, the official (service specific) transmitting correspondence that would normally accompany such an award or a certification of the appropriate combat award by the service specific administrative record holder [e.g., Adjutant, G-1 (general staff officer-personnel), or JAG (Judge Advocate General)] would meet the documentation requirement.

d) A waiver for a Purple Heart recipient or recipient of another combat decoration superior in precedence shall be applicable for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled. This waiver is considered "countable aid" for student financial aid purposes. Therefore, if this waiver is administered by an office other than the college financial aid office, college officials must notify the Director of Financial Aid that a student has qualified for the waiver. The waiver covers only tuition and fees associated with credit hour instruction provided directly by the University and does not include any additional fees that may be charged for specialized programs or by external organizations. This includes, but is not limited to, flight school, study abroad travel and living expenses, and courses taken elsewhere as a transient student.

11. State Employees – The University shall waive tuition and associated fees for up to 6 credit hours per term on a space available basis for state employees.

12. University Employees – The University may allow full-time University employees to enroll in up to 6 credit hours of tuition-free courses per term on a space available basis.

13. Florida residents 60 years of age or older – The University may waive any or all application, tuition, and associated fees for persons 60 years of age or older who are residents of this state and who enroll to audit courses being offered for college credit. No academic credit shall be awarded for attendance in classes for which fees are waived under this subsection. This privilege may be granted only on a space-available basis, if such classes are not filled as of the close of registration. A university may limit or deny the privilege for courses which are in programs for which the Board of Governors has established selective admissions criteria. Persons paying full fees and state employees taking courses on a space-available basis shall have priority over those persons whose fees are waived in all cases where classroom spaces are limited.

14. Intern Supervisors – Persons who supervise interns for institutions within the State University System may be given one non-transferable certificate (fee waiver) for each full academic term during which the person serves as an intern supervisor. This certificate shall provide for waiver of the basic fee (as defined in Board of Governors Regulation 7.001).
a) Certificate holders are entitled to a waiver of tuition for a maximum of six (6) hours credit instruction (including credit through continuing education) during a single term at any state university.

b) Certificates shall be valid for three years from date of issuance.

c) Eligible recipients of an Intern Participation Certificate may be identified by the University as a person who engages in the direct supervision of at least one university intern for 300 contact hours, which may be accumulated over multiple semesters provided at least 100 contact hours of direct supervision is provided per semester.

d) To be eligible for a Certificate, the internship program must be an essential part of the course of instruction and must be required as part of the degree.

e) The University shall develop procedures and policies to govern the issuance, distribution, security, and redemption of certificates.

f) The University shall maintain accurate data on Intern Participation Certificates and annually submit a report of certificate activity to the Board of Governors according to a prescribed format.

15. Non-resident students – Non-resident students who are non-degree seeking may be entitled to a waiver of the out-of-state fee if the credit hours generated by such students are non-state fundable and the cost for the program of study is recovered from the fees charged to all students.

16. Admissions Deposit – If the University establishes an admissions deposit it must also adopt policies that provide for the waiver of this deposit on the basis of financial hardship.

17. Wrongfully Incarcerated – The University shall waive tuition and associated fees for up to 120 hours of instruction if the wrongfully incarcerated person meets and maintains the regular admission requirement of the university; remains registered and makes satisfactory academic progress as defined by the University. A wrongfully incarcerated person is someone who has had a felony conviction and sentence vacated by a court and the original sentencing court has issued its order finding that the person neither committed the act, nor did they aid, abet or act as an accomplice or accessory to the act or offense.

18. The University may waive the tuition differential for students who meet the eligibility requirements for the Florida Public Assistance Grant.

19. Public School Classroom Teacher – The University may waive tuition and fees for a
classroom teacher who is employed full-time by a school district and who meets the academic requirements established by the University for up to six credit hours per term on a space-available basis in undergraduate courses related to special education, mathematics or science approved by the Department of Education. The waiver may not be used for courses scheduled during the school district's regular school day.

20. Veterans – The University shall waive out-of-state fees for an honorably discharged veteran of the United States Armed and Reserve Forces (Air Force, Army, Coast Guard, Marines, and Navy) and the National Guard (Army and Air) who physically resides in Florida while enrolled at the University. Persons who are entitled to and uses educational assistance provided by the United States Department of Veterans Affairs also qualify for this waiver if they physically reside in Florida while enrolled at the University in any term beginning July 1, 2015. Tuition and fees charged to a veteran or person who qualifies for the out-of-state fee waiver under this section may not exceed the tuition and fees charged a resident student enrolled in the same program.

21. Nonresident Waiver – The University shall waive out-of-state fees, including the out-of-state financial aid fee, for students, including, but not limited to, students who are undocumented for federal immigration purposes, who meet the following conditions:

   a) Attended a secondary school in this state for three consecutive years immediately before graduating from a high school in this state;

   b) Apply for enrollment in an institution of higher education with 24 months after high school graduation; and

   c) Submit an official Florida high school transcript as evidence of attendance and graduation.

The waiver is applicable for 110 percent of the required credit hours of the undergraduate degree or certificate program for which the student is enrolled.

A student who is granted an out-of-state fee waiver under this regulation is not eligible for state financial aid.

The University shall, within its nonresident student enrollment, prioritize the enrollment of a veteran who is granted an out-of-state fee waiver pursuant to Section 20 above over a student who is granted an out-of-state fee waiver under this Section.

22. Child Protection and Child Welfare Personnel – Employees as defined in section 402.403, Florida Statutes, who are enrolled in an accredited master’s degree in social work or a certificate program, and maintain at least a grade of ‘B’ in all courses shall be exempt from tuition and fees. Eligible employees must have an approved Department of Children and Families, community-based agency or a subcontractor waiver form stating that the necessary employment qualifications have been met to apply for this
waiver.

C. REPORTING

The University shall report the purpose, number, and value of all fee waivers granted annually in a format prescribed by the Board of Governors.

D. ADMISSION CRITERIA

All persons eligible for a waiver or exemption for tuition and associated fees must still satisfy the University’s admission criteria.

Action by Florida Gulf Coast University Board of Trustees
Approved 01/12/2016

Action by the Florida Board of Governors
Approved 01/14/2016

Specific Authority
§§112.19, 112.191, 112.1915, 1009.25, 1009.26, 1009.265, Florida Statutes; Board of Governors Regulation 7.008

History of Regulation:
New 04/19/11; Amended 01/14/16

Effective Date of Regulation:
01/14/2016
A. PURPOSE OF DEBT MANAGEMENT GUIDELINES

Florida Gulf Coast University ("FGCU") and its direct support organizations ("DSOs") have funded significant investments in infrastructure, such as buildings, equipment, land, and technology, to meet the needs of a growing student population and to upgrade and maintain existing capital assets. A significant amount of the funding for this investment in infrastructure has been provided through the issuance of debt for the benefit of FGCU and by its DSOs.

The purpose of these guidelines is to confirm that FGCU and its DSOs must engage in sound debt management practices and, to that end, Florida Gulf Coast University Board of Trustees ("UBOT") has formalized guiding principles for the issuance of debt by FGCU and its DSOs.

The following guidelines set forth guiding principles regarding FGCU and DSO debt-related decisions relating to:

1. The amount of debt which may prudently be issued.
2. The purposes for which debt may be issued.
3. Structural features of debt being issued.
4. The types of debt permissible.
5. Compliance with securities laws and disclosure requirements.
6. Compliance with federal tax laws and arbitrage compliance.

These principles facilitate the management, control and oversight of debt issuances, for the purpose of facilitating ongoing access to the capital markets which is critical to the financing of needed infrastructure.
In furtherance of this objective, the provisions of these guidelines shall be followed in connection with the authorization, issuance and sale of FGCU and DSO debt. However, exceptions to the general principles set forth herein may be appropriate under certain circumstances. Also, additional guidelines and policies may be necessary as new financial products and debt structures evolve over time.

For purposes of these guidelines:

a) “debt” means bonds, loans, promissory notes, lease-purchase agreements, certificates of participation, installment sales, leases, or any other financing mechanism or financial arrangement, whether or not a debt for legal purposes, for financing or refinancing, for or on behalf of FGCU or its DSOs, the acquisition, construction, improvement or purchase of capital outlay projects;

b) “capital outlay project” means (i) any project to acquire, construct, improve or change the functional use of land, buildings, and other facilities, including furniture and equipment necessary to operate a new or improved building or facility, and (ii) any other acquisition of equipment or software; and

c) “financing documents” means those documents and other agreements entered into by FGCU or its DSOs establishing the terms, conditions and requirements of the debt issuance.

d) "auxiliary enterprise" means any activity defined in section 1011.47(1), Florida Statutes, and performed by FGCU or DSOs.

B. DEBT AFFORDABILITY AND CAPITAL PLANNING

1. Concept of Affordability

One of the most important components of an effective debt management policy is an analysis of what level of debt is affordable given a particular set of circumstances and assumptions. More comprehensive than simply an analysis of the amount of debt that may be legally issued or supported by a security pledge, the level of debt should be analyzed in relation to the financial resources available to the University and its DSOs on a consolidated basis, to meet debt service obligations and provide for operating the University.

An analysis of debt affordability should address the impact of existing and proposed debt levels on an issuer's operating budget and offer guidelines or ranges to policymakers for their use in allocating limited resources within the guidelines.

2. Debts That May Be Issued Without Board of Governors’ Approval

The following types of financings may be engaged in by FGCU and its DSOs, as applicable, without UBOT or Board of Governors (“BOG”) approval:
a) FGCU and its DSOs may finance the acquisition of equipment and software provided such financings are accomplished in accordance with the deferred-purchase provisions in Chapter 287, Florida Statutes.
b) FGCU and its DSOs may finance the acquisition of equipment and software financings provided the overall term of the financing, including any extension, renewal or refinancings, hereof, does not exceed five years or the estimated useful life of the equipment or software, whichever is shorter.
c) FGCU and its DSOs may issue promissory notes and grant conventional mortgages for the acquisition of real property. However, no mortgage or note shall be entered into without FGCU's Board of Trustee's approval, nor shall it exceed 30 years.
d) FGCU and its DSOs debt secured solely with gifts and donations and pledges of gifts so long as the maturity of the debt, including extensions, renewals and refundings, does not exceed five years and so long as the facilities being financed have been included in FGCU's five-year capital improvement plan that has been approved by the BOG.
e) Refundings for debt service savings where final maturities are not extended.
f) Fully collateralized lines of credit intended to be used for temporary cash flow needs.
g) Energy Performance-Based Contracts, in accordance with the provisions of section 1013.23, Florida Statutes, not to exceed $10,000,000.
h) The University may borrow up to $20,000,000 from a DSO on a non-recourse basis to finance a capital project. The term of the borrowing may not exceed thirty (30) years, and the interest rate, if any, may not exceed current market interest rates. The University retains legal title to any capital project financed in whole or in part by such loan irrespective of whether the loan is repaid. The DSO is prohibited from transferring the note or any other instrument associated with the borrowing to any other entity.

C. GENERAL DEBT ISSUANCE GUIDELINES

1. Process for Submitting Debt for Approval for the BOG Upon Approval by the University Board Of Trustees

   a) Timing. The submission of proposed debt for approval by the BOG shall be governed by the following process:

      1) The University shall formally transmit to the BOG a request for debt approval no later than sixty (60) days prior to the next regularly scheduled meeting of the BOG. The University shall also provide a copy to the State Division of Bond Finance ("DBF"). The formal transmittal to the BOG shall be in duplicate, hard copy, and bound in a three-ring binder, and include all the information required by these guidelines. Electronic copies of supporting documentation should be provided to the BOG and the DBF, to the extent available. The formal letter of transmission must be signed by the official University contact for such matters.

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1 Although not required, the University should consult with the BOG Office and the DBF thirty (30) days prior to formal approval of debt by the UBOT or the DSO, particularly for any debt with unusual features.
and any exceptions to these Debt Guidelines shall be noted and explained. If the UBOT has not yet formally approved the debt being requested, the proposed UBOT meeting date shall be provided.

2) During the review period, the BOG shall review the information submitted for compliance with these Guidelines and State law, analyze general credit issues associated with the proposed indebtedness, and review any analysis provided by DBF staff.

3) The BOG and DBF staff will jointly discuss with FGCU or its DSOs any issues, concerns or suggestions resulting from the review during the four-week review period. As a result of these discussions, FGCU may amend the information submitted or give reasons why the suggestions were not incorporated. The BOG will advise the University if it believes that any amended information is so significant that re-authorization by the UBOT and/or DSO is required. During this period, if the debt being requested for approval is to be issued by the DBF on behalf of FGCU, DBF shall submit to the BOG a form of a resolution for adoption by the BOG requesting that DBF issue the debt.

4) After the review period, the BOG will submit the agenda item with supporting documentation and all appropriate and required analyses to the BOG for consideration at its next meeting. Supporting documentation for the agenda item shall also include the resolution to be adopted by the BOG requesting issuance of the debt by DBF or a resolution approving issuance of the debt by the DSO.

b) Information Required for Submission. Additionally, FGCU or its DSO shall complete the "Checklist of Information Required for Submission to the BOG Pursuant to Debt Management Guidelines," and provide any additional information requested by the BOG or DBF staff in connection with review of any proposed debt issuance. Additionally, the following information will be submitted to the BOG staff in support of a request for approval of the issuance of debt.

1) A resolution of the DSO Board of Directors approving the debt issuances, if applicable, and a resolution of the UBOT approving the debt issuance and authorizing the University to request BOG approval of the debt issuance. For debt to be issued by DBF, at the request of the University, DBF staff will work with FGCU to determine a not-to-exceed amount of debt to be included in the BOT requesting resolution to the BOG and in preparing required debt service and source-and-use schedules.

2) The project program, feasibility studies or consultant reports (if available), and an explanation of how the project being proposed is consistent with the mission of the University.

3) Estimated project cost, with schedules drawn by month and including start and completion dates, estimated useful life, and the date bond proceeds are required.

4) The sources-and-uses of funds, clearly depicting all costs, funding sources expected to be used to complete the project and the estimated amount of the debt to be issued.

5) An estimated debt service schedule with the assumed interest rate on the debt clearly disclosed. If the proposed debt service is not structured on a level debt service basis, an explanation shall be provided which gives the reason why it is desirable to deviate from a level debt structure.
6) One consolidated debt service schedule separately showing all outstanding debt related to or impacting the debt being proposed, the proposed debt and the new estimated total debt service.

7) A description of the security supporting the repayment of the proposed debt and the lien position the debt will have on that security. If the lien is junior to any other debt, the senior debt must be described. Furthermore, a description of why the debt is proposed to be issued on a junior lien basis must be provided. A statement citing the legal authority for the source of revenues securing repayment must also be provided.

8) If debt is to be incurred on a parity basis with outstanding debt, a schedule showing estimated compliance with any additional bonds requirement set forth in the documents governing the outstanding debt. The applicable provisions of the documents for bonds of DSOs should be provided.

9) Financial statements for five (5) years, if available, for the auxiliary, if auxiliary revenues are pledged.

10) A five-year history, if available and five-year projection of the revenues securing payment and debt service coverage. To the extent applicable, the projections must be shown on the individual project as well as the entire system. All revenue items securing repayment must be clearly set forth as separate line items. An explanation must be provided with regard to growth assumptions, and to the amount and status of approval of any rate increases. The effect of the rate increases on the projections and expected revenues and expenses for the new facility should be clearly set forth as a separate line item. If rate increases are necessary, a commitment must be made to increase rates to the needed levels. Major categories of any operating expenses should be set forth as separate line items with an explanation of assumptions regarding increases or decreases.

11) Evidence that the project is consistent with the University's master plan, or a statement that the project is not required to be in the master plan.

12) For variable rate debt proposals:
   (a) the expected reduction in total borrowing costs based on a comparison of fixed versus variable interest rates;
   (b) a variable rate debt management plan that addresses liquidity and interest rate risks and provides, at a minimum: a description of budgetary controls, a description of liquidity arrangements, a discussion of why the amount of variable rate debt being proposed is appropriate, and a plan for hedging interest rate exposure. If interest rate risks are to be mitigated by the use of derivatives, then evidence that the counterparty has a long term rating of at least an A/A2 and a swap management plan as set forth in the BOG’s Debt Management Guidelines must be submitted;
   (c) a pro forma showing the fiscal feasibility of the project using current market interest rates plus 200 basis points;
   (d) the total amount of variable rate debt including the proposed debt as a percentage of the total amount of the University and DSO debt outstanding; and
   (e) the individual or position that will be responsible for the reporting requirements for variable rate debt as set forth in these guidelines.
13) If all or any portion of the financing is contemplated to be done on a taxable basis, then evidence demonstrating that the issuance of taxable debt is in the best interest of the University must be submitted.

14) A statement explaining whether legislative approval is required, and if required, an explanation as to when legislative approval will be sought or evidence that legislative approval has already been obtained.

15) A statement that the debt issuance is in accordance with the University debt management policy or, if not, an explanation of the specific variances as well as the reasons supporting the variances.

16) If a request is made to employ a negotiated method of sale, an analysis must be provided supporting the selection of this method that includes a discussion of the factors set forth in Section D of these Guidelines.

17) A description of the process used to select each professional engaged in the transaction, showing compliance with the competitive selection process required by these Guidelines. Specific contact information for each selected professional, must be included, and at a minimum, should disclose the professional’s name, firm name, address, email address, phone number and facsimile number.

18) The most recent annual variable rate debt report.

c) Approval. The BOG will consider the following factors in connection with its review and approval of FGCU or DSO debt issuance.

1) The debt is to provide funding for needed infrastructure of FGCU for purposes consistent with the mission of FGCU.

2) The debt is being issued in compliance with the principles and guidelines set forth herein.

3) The project information submitted is reasonable and supportable.

4) The five-year projection of pledged revenues available to pay debt service should provide debt service coverage of at least 1.20x for both outstanding parity debt and for the proposed new debt for all years within the five-year projection period after giving credit for any capitalized interest and other revenues available for payment.

5) Any requirements for the issuance of additional parity debt can be reasonably expected to be met.

2. Purposes for Which Debt May Be Issued

Debt may be issued only to finance or refinance capital outlay projects as defined in these guidelines, including equipment and software; debt may not be approved to finance or refinance operating expenses of the University or its DSOs.

Refunding bonds may be issued to achieve debt service savings. Refunding bonds may also be issued to restructure outstanding debt service or to revise provisions of Financing Documents if it can be demonstrated that the refunding is in the best interest of the University.
3. **Committing University Resources for Debt Issued by Direct Support Organizations**

There may be occasions where the University considers committing its financial resources on a long-term basis in support of debt issued by one of its DSOs or other component unit. While the nature of the commitment may not constitute a legal debt obligation of the University, it may affect the FGCU's debt position and its available financial resources. Therefore, the University should evaluate the long-term fiscal impact upon the university's debt position and available resources before authorizing any such financial commitment. Additionally, the debt of any DSO may not be secured by an agreement or contract with the University unless the source of payments under such agreement or contract is limited to revenues that the University is authorized to use for the payment of debt service. Any such contract or agreement shall also be subject to the requirements set forth under “Security Features – Pledged Revenues” herein.

4. **Credit Ratings**

In order to access the credit markets at the lowest possible borrowing cost, it is recognized that credit ratings are critical. Therefore, for all publicly offered debt:

a) For existing bond programs, the University and its DSOs shall strive to maintain or improve current credit ratings without adversely impacting the amount of debt which may be issued for any particular program.

b) For all new financings; the University or its DSOs shall seek to structure the transaction to achieve a minimum rating of “A” from at least two nationally recognized rating agencies. Credit enhancement may be used to achieve this goal.

5. **Tax Status**

FGCU has traditionally issued tax exempt debt which results in significant interest cost savings compared with the interest cost on taxable debt. Accordingly, all FGCU and its DSOs debt should be issued to take advantage of the exemption from federal income taxes unless the University demonstrates that the issuance of taxable debt is in the University’s best interest. With respect to debt which has a management contract with a private entity as part of the security feature, the management contract should comply, to the greatest extent practical, with tax law requirements to obtain tax exemption for the debt.
6. **Security Features**

a) *Pledged Revenues.* The debt issued by the University and its DSOs may only be secured by revenues (including fund balances and budget surpluses) authorized for such purpose. The revenues which may secure debt include the following:

1) Activity and Service Fee, subject to the limitation that annual debt service payable from these fees does not exceed five percent of the revenues derived therefrom.

2) Athletic Fee, subject to the limitation that annual debt service payable from these fees does not exceed five percent of the revenues derived therefrom.

3) Health Fee.

4) Transportation Access Fee.

5) Licenses and Royalties for facilities that are functionally related to FGCU operation or its DSOs reporting such royalties and licensing fees.

6) Gifts and Donations for debt not longer than five (5) years.

7) Overhead and indirect costs and other monies not required for the payment of direct costs of grants.

8) Assets of the FGCU Foundation, the FGCU Financing Corporation and earnings thereon.

9) Auxiliary Enterprise Revenues (e.g., housing, parking, food service, athletic, retail sales, research activities).

   Revenues which are not enumerated above may not be pledged to secure debt unless authorized by law for such purpose. In the case of university-issued debt, the pledge of revenues which secures debt should specifically identify the sources pledged and not use general or vague terms such as "lawfully available revenues." Specifically identifying revenues used to secure debt will provide certainty and transparency as to the revenues that are encumbered and avoid ambiguity or uncertainty as to the issuer's legal liability. The University and its DSOs should take this into consideration when determining the nature of the security it will provide in connection with a debt issuance. The guidelines for pledging revenues and securing debt shall also apply to debt structures which involve an agreement, contract or lease with the University or its DSOs, i.e., the revenues being pledged to secure debt must be specifically identified and lawfully available for such purpose. It is preferable, whenever possible, to secure debt with system pledges comprised of multiple facilities within a system, e.g., housing and parking, rather than stand-alone project finances.

b) *Functional Relationships.* Revenues from one auxiliary enterprise (a "Supporting Auxiliary Enterprise") may not be used to secure debt of another auxiliary enterprise unless the BOG, after review and analysis, determines that the facility being financed (the "Facility") is functionally related to the Supporting Auxiliary Enterprise's revenues being used to secure such debt. The BOG must determine whether a functional relationship exists whenever revenues from a Supporting Auxiliary Enterprise will be used to pay or secure the debt of a Facility or when proceeds of bonds issued by a Supporting Auxiliary Enterprise will be used, directly or indirectly, to pay costs relating to a Facility. When a functional relationship is established between a Facility and a Supporting Auxiliary
Enterprise, only that portion of the Supporting Auxiliary Enterprise's revenues that exceed its operating requirements and debt service, if any, may be pledged to secure such debt, provided that such pledge may be on parity with outstanding debt if permitted by the covenants and conditions of the outstanding debt.

A functional relationship exists when a nexus is established between the Facility and the Supporting Auxiliary Enterprise's revenues. Whether a Facility is functionally related to the Supporting Auxiliary Enterprise's revenues must be determined on a case by case basis, taking into consideration the unique facts and circumstances surrounding each individual situation.

Examples of functional relationships include, but are not limited to, a parking facility intended to provide parking to residents of a student housing facility and located within reasonably close proximity to a student housing facility; a food services facility intended to serve residents of a student housing facility and located within reasonably close proximity to a student housing facility; or shared infrastructure (e.g. water lines, sewer lines, utilities, plaza areas) located within reasonably close proximity to both the Facility and the Supporting Auxiliary Enterprise. While representations that a Facility will provide general benefits to or enhance the experience of the student body are desirable, this factor alone is not determinative in and of itself to establish a functional relationship between the Facility and the Supporting Auxiliary Enterprise's revenues.

c) Lien Status. All bonds of a particular program should be secured by a first lien on specified revenues. Additionally, bonds should generally be equally and ratably secured by the revenues pledged to the payment of any outstanding bonds of a particular bond program. However, the creation of a subordinate lien is permissible if a first lien is not available or circumstances require.

d) Reserve Fund. Debt service reserve requirements may be satisfied by a deposit of bond proceeds, purchase of a reserve fund credit facility, or funding from available resources over a specified period of time. In the submission of a request for debt issuance, it is preferred, though not required, that the bond size for the proposed debt include a provision for funding a reserve from bond proceeds. This will ensure that in the event that FGCU is unable to obtain a reserve fund credit facility, it will still have an authorized bond amount sufficient to fund its needs. Debt service reserve requirements may also be satisfied with cash balances.

e) Credit Enhancement. Credit enhancement is used primarily to achieve interest cost savings. Accordingly, the University and its DSOs should consider the cost effectiveness of bond insurance or other credit enhancements when evaluating a debt issuance and the overall cost thereof. Any bond insurance or credit enhancement should be chosen through a competitive selection process analyzing the cost of the insurance or credit enhancement and the expected interest cost savings to result from their use. The primary determinant in selecting insurance or other credit enhancement should be price and expected interest cost savings; however, consideration may also be given to the terms of any arrangement with the provider of insurance or other credit enhancement.

f) Capitalized Interest. Capitalized interest from bond proceeds is used to pay debt service until a revenue producing project is completed or to manage cash flows for debt service in special circumstances. Because the use of capitalized interest
increases the cost of the financing, it should only be used when necessary for the financial feasibility of the project.

7. **Structural Features**

a) *Length of Maturity.* In addition to any restriction on the final maturity imposed by the constitution or laws of the State, as a general guideline, the final maturity on bonds should not exceed thirty years.

   Debt secured by gifts and donations shall not be considered long-term financing but may be used as a temporary or construction loan to accelerate construction of facilities. Accordingly, the maturity of debt secured by gifts and donations shall not exceed five years, including roll-overs or refinancings, except refinancings to implement permanent financing. Debt issued to finance equipment and software may not be longer than five years or the useful life of the asset being financed, whichever is shorter. Lastly, the final maturity of the debt should not exceed the estimated useful life of the assets being financed.

b) *Debt Service Structure.* Generally, debt should be structured on a level debt basis, i.e., so that the annual debt service repayments will, as nearly as practicable, be the same in each year. A deviation from these preferences is permissible if it can be demonstrated to be in the University’s best interest, such as restructuring debt to avoid a default and not to demonstrate feasibility of a particular project.

c) *Redemption Prior to Maturity.* A significant tool in structuring governmental bonds is the ability to make the bonds callable after a certain period of time has elapsed after issuance. This provides the advantage of enabling the issuer to achieve savings through the issuance of refunding bonds in the event interest rates decline. Although the ability to refund bonds for a savings is advantageous, there may be situations where a greater benefit of lower interest rates may be realized by issuing the bonds as non-callable. Accordingly, there is a strong preference that bonds issued by the University or its DSOs be structured with the least onerous call features as may be practical under then prevailing market conditions. Bonds of a particular issue may be sold as non-callable if it is shown to be in the best interest of the University or its DSOs.

d) *Debt Issued With a Forward Delivery Date.* Debt issued by FGCU or its DSOs may be issued with a delivery date significantly later than that which is usual and customary. This debt typically carries an interest rate penalty associated with the delay in delivery. There are also additional risks that delivery will not occur. Debt with a forward delivery date may be issued if the advantages outweigh the interest rate penalty which will be incurred and the University and its DSOs are protected from adverse consequences of a failure to deliver the debt.

8. **Interest Accrual Features**

a) *Fixed Rate, Current Interest Debt.* Fixed rate debt will continue to be the primary means of financing infrastructure and other capital needs. However, there may be circumstances where variable rate debt is more appropriate, in which case, the University or its DSOs shall provide documentation as noted in these guidelines for such debt.
b) **Derivatives.** Alternative financing arrangements, generally referred to as derivatives, are available in the market as an alternative to traditional bonds. Under certain market conditions, the use of alternative financing arrangements may be more cost effective than the traditional fixed income markets. However, these alternative financing instruments, such as floating to fixed swap agreements, have characteristics and carry risks peculiar to the nature of the instrument which are different from those inherent in the typical fixed rate financing. Although FGCU and its DSOs should normally continue issuing conventional fixed rate bonds, alternative financing instruments may be used when the inherent risks and additional costs are identified and proper provision is made to protect the BOG, FGCU, and its DSOs from such risks. In determining when to utilize alternative financing arrangements, the availability of the requisite technical expertise to properly execute the transaction and manage the associated risks should be evaluated along with any additional ongoing administrative costs of monitoring the transaction. Also, a comprehensive derivatives policy should be established by the University or its DSOs and approved by the BOG prior to approving transactions using derivatives products.

c) **Capital Appreciation Bonds.** Normally capital appreciation bonds, which do not require current debt service payments, should not be used. However, when a compelling university interest is demonstrated, capital appreciation bonds may be issued.

d) **Variable Rate Bonds.** Variable rate debt may be issued, considering the totality of the circumstances. Such bonds can reasonably be expected to reduce the total borrowing cost to the FGCU or its DSOs over the term of the financing. The availability of the requisite technical expertise to properly manage the risks and execution of the variable rate transaction should be evaluated along with any additional ongoing administrative costs of monitoring the transaction. There should be a solid understanding of the liquidity risk and interest rate risks associated with variable rate debt. Further, there should be a debt management plan that mitigates, to the extent possible, these risks over the life of the debt. The following guidelines should apply to the issuance of variable rate debt:

1) **Expected reduction in total borrowing cost.** In determining reasonably expected savings, a comparison should be made between a fixed rate financing at then current interest rates and a variable rate transaction, based on an appropriate floating rate index. The cost of the variable rate transaction should take into account all fees associated with the borrowing which would not typically be incurred in connection with fixed rate bonds, such as tender agent, remarketing agent, or liquidity provider fees.

2) **Limitation on variable rate debt.** The amount of variable rate debt and interest derivative exposure is dependent on several factors associated with these types of debts. Included in the factors associated with these instruments are University’s/DSOs operating flexibility and tightness of budget, access to short- and long-term capital, the likelihood of a collateral call or termination payment, and University’s/DSOs financial expertise. The level to which FGCU may utilize variable rate debt obligation (“VRDO”) and interest derivatives (like swaps, collars, and caps) is subject to an understanding of the risks associated and a
Debt policy that adequately addresses the additional risks.

3) **Budgetary controls.** To avoid a situation in which debt service on variable rate bonds exceeds the annual amount budgeted, the following guidelines should be followed in establishing a variable rate debt service budget:

   (a) A principal amortization schedule should be established, with provisions made for payment of amortization installments in each respective annual budget;

   (b) Provide for payment of interest for each budget year using an assumed budgetary interest rate which allows for fluctuations in interest rates on the bonds without exceeding the amount budgeted. The budgetary interest rate may be established by: (1) using an artificially high interest rate given current market conditions; or (2) setting the rate based on the last 12 months actual rates of an appropriate index plus a 200 basis point cushion or spread to anticipate interest rate fluctuations during the budget year. The spread should be determined by considering the historical volatility of short-term interest rates, the dollar impact on the budget and current economic conditions and forecasts; or, (3) any other reasonable method determined by the University or its DSOs and approved by the BOG;

   (c) The amount of debt service actually incurred in each budget year should be monitored monthly by the University or its DSOs to detect any significant deviations from the annual budgeted debt service. Any deviations in interest rates which might lead to a budgetary problem should be addressed immediately; and

   (d) As part of the effort to monitor actual variable rate debt service in relation to the budgeted amounts and external benchmarks, the University or its DSOs should establish a system to monitor the performance of any service provider whose role it is to periodically reset the interest rates on the debt, i.e., the remarketing agent or auction agent.

4) **Establish a hedge with short-term investments.** In determining the appropriate amount of variable rate debt which may be issued by the University or its DSOs, consideration should be given to mitigating the variable interest rate risk by creating a hedge with short-term investments. This “hedge” mitigates the financial impact of debt service increases due to higher interest rates because, as debt service increases, the University or its DSOs earnings on short-term investments also increases. Appropriate personnel should monitor the hedge monthly. Short-term investment as a hedge is one of several methods of mitigating interest rate risk. The ratio of such short-term investments to variable debt needs to be examined in conjunction with other interest rate risk hedging, striking an overall balance to minimize interest rate risk.

5) **Variable interest rate ceiling.** The bond documents should include an interest rate ceiling of no greater than 12%.

6) **Mitigating interest rate risks with derivatives.** The University and its DSOs are allowed to use various derivatives to mitigate the risk of rising interest rates on variable rate debt. However, the introduction of these derivatives also presents other risks for which the University must mitigate. These risks include rollover risk, basis risk, tax event risk, termination risk, counterparty credit risk and collateral posting risk. At a minimum, the University/DSOs engaging in this type...
of interest rate risk mitigation must provide:

(a) Evidence that the counterparty has a long term rating of at least an A/A2; and
(b) A swap management plan that details the following:
   (i) Why the University is engaging in the swap and what the objectives of the swap are.
   (ii) The swap counterparty’s rating.
   (iii) An understanding by the issuer of the cash flow projections that detail costs and benefits for the swap.
   (iv) The plan of action addressing the aforementioned risks associated with swaps.
   (v) The events that trigger an early termination (both voluntary and involuntary) under the swap documents, the cost of this event and how such would be paid.
   (vi) The method for rehedging variable rate exposure should early termination be exercised.
   (vii) A list of key personnel involved in monitoring the terms of the swap and counterparty credit worthiness.

7) Liquidity. One of the features typical of variable rate debt instruments is the bondholder’s right to require the issuer to repurchase the debt at various times and under certain conditions. This, in theory, could force the issuer to repurchase large amounts of its variable rate debt on short notice, requiring access to large amounts of liquid assets. There are generally two methods for addressing this issue. With the first method, issuers that do not have large amounts of liquid assets may establish a liquidity facility with a financial institution which will provide the money needed to satisfy the repurchase. The liquidity provider should have a rating of A1/P1 or higher. The liquidity agreement does not typically run for the life of long-term debt. Accordingly, there is a risk that the provider will not renew the agreement or that it could be renewed only at substantially higher cost. Similar issues may arise if the liquidity provider encounters credit problems or an event occurs which results in early termination of the liquidity arrangement; in either case the issuer must arrange for a replacement liquidity facility. With the second method, issuers with significant resources may choose to provide their own liquidity. This approach eliminates the costs that would be charged by a third party liquidity provider and could mitigate the renewal/replacement risk. If the University or its DSOs chose to provide its own liquidity, the institution must maintain liquid assets or facilities equal to 100% of the outstanding VRDOs.

8) Submission of periodic reports. The University will prepare and submit to the UBOT and the BOG an annual variable rate debt report showing the position during the previous period of the University or its DSOs variable rate debt with respect to the following measures:

(a) the total principal amount of variable rate debt to principal amount of total debt;
(b) the amount of debt service accrued during the reporting period in relation to the pro-rata amount of annual budgeted debt service for the reporting period. If the amount of debt service which accrued during the reporting period exceeded the pro-rata amount of annual budgeted debt service for the period, the University shall explain what actions were taken to assure that there would be sufficient
revenues and budget authority to make timely payments of debt service during the subsequent years; and
(c) the amount of variable rate debt in relation to the amount of the University and/or its DSOs short-term investments, and any other strategies used to hedge interest rate risk.

9. Other Types of Financings

a) Refunding Bonds. Generally, refunding bonds are issued to achieve debt service savings by redeeming high interest rate debt with lower interest rate debt. Refunding bonds may also be issued to restructure debt or modify covenants contained in the bond documents. Current tax law limits to one time the issuance of tax-exempt advance refunding bonds to refinance bonds issued after 1986. There is no similar limitation for tax-exempt current refunding bonds. The following guidelines should apply to the issuance of refunding bonds, unless circumstances warrant a deviation therefrom:

1) Refunding bonds should be structured to achieve level annual debt service savings.
2) The life of the refunding bonds should not exceed the remaining life of the bonds being refunded.
3) Advance refunding bonds issued to achieve debt service savings should have a minimum target savings level measured on a present value basis equal to 5% of the par amount of the bonds being advance refunded. The 5% minimum target savings level for advance refundings should be used as a general guide to guard against prematurely using the one advance refunding opportunity for post-1986 bond issues. However, because of the numerous considerations involved in the sale of advance refunding bonds, the 5% target should not prohibit advance refundings when the circumstances justify a deviation from the guideline.
4) Refunding bonds which do not achieve debt service savings may be issued to restructure debt or provisions of bond documents if such refunding serves a compelling university interest.

b) Certificates of Participation and Lease-Type Financing. The University or its DSOs may utilize these financing structures for all purposes, but it shall be considered as debt for the purposes of these guidelines and the University shall always budget and make available monies necessary to pay debt service, notwithstanding the right to cancel the lease. Additionally, for lease purchase financings of equipment, the University and its DSOs should consider using the State’s consolidated equipment financing program if it will reduce costs and ensure a market interest rate on the financing.

c) Conversions of Existing Variable Rate Debt. A conversion between interest rate modes pursuant to the provisions of variable rate financing documents does not require BOG approval. However, ten (10) days prior to the conversion, the University or its DSOs’ must notify the BOG of a conversion and provide a summary of the terms of (i.e. interest rate, debt service schedule, etc.) and reasons for the conversion. The University and its DSOs should answer all questions and provide any additional information that the BOG deems necessary to fully understand the conversion.
D. METHOD OF SALE AND USE OF PROFESSIONALS

1. Analysis of Method of Sale

It is in the best interests of the University and its DSOs to use the method of sale for their debt that is expected to achieve the best sale results. Based upon the facts and circumstances with regard to each individual financing, it may be more appropriate to sell debt through either a competitive sale or through negotiation. Accordingly, the University and its DSOs may utilize either a competitive or negotiated sale. If, however, a request is made for a DSO to sell debt using a negotiated sale, the University must provide the BOG with an analysis showing that a negotiated sale is desirable. The analysis should include, but not necessarily be limited to, a consideration of the following factors:

a) Debt Structure
   1) pledged revenues – strong revenue stream vs. limited revenue base;
   2) security structure – conventional resolution, cash flow, rate and coverage covenants vs. unusual or weak covenants;
   3) debt instrument – traditional serial and term bonds vs. innovative, complex issues requiring special marketing; and
   4) size – a smaller transaction of a size which can be comfortably managed by the market vs. a large size which the market cannot readily handle.

b) Credit Quality
   1) ratings – “A” or better vs. below single “A”; and
   2) outlook – stable vs. uncertain.

c) Issuer
   1) type of organization – well-known, general purpose vs. special purpose, independent authority;
   2) frequency of issuance – regular borrower vs. new or infrequent borrower; and
   3) market awareness – active secondary market vs. little or no institutional awareness.

d) Market
   1) interest rates – stable; predictable vs. volatile;
   2) supply and demand – strong investor demand, good liquidity vs. oversold, heavy supply; and
   3) changes in law – none vs. recent or anticipated

   Bonds may also be sold through a private or limited placement, but only if it is determined that a public offering through either a competitive or negotiated sale is not in the best interests of the University or its DSOs.
2. **Allocation of Bonds**

In the event a negotiated sale by a DSO is determined by the University to be in the university's best interest, syndicate rules shall be established which foster competition among the syndicate members and ensure that all members of the syndicate have an opportunity to receive a fair and proper allocation of bonds based upon their ability to sell the bonds.

3. **Report on Sale of Bonds**

The University or its DSOs shall prepare a report on the sale of bonds or anytime it incurs debt. The report shall be prepared and provided to the BOG as soon as practicable but in no event later than one (1) month after closing the transaction, in the format and manner provided by the BOG, which at a minimum shall include the following:

- a) The amount of the debt.
- b) The interest rate on the debt.
- c) A final debt service schedule or estimated debt service schedule if a variable rate debt or the interest rate is subject to adjustment.
- d) Any aspect of the transaction that was different from the transaction submitted for approval.
- e) Itemized list of all fees and expenses incurred on the transaction, including legal fees.
- f) For negotiated sale of bonds:
  1) the underwriters’ spread detailing the management fee;
  2) takedown by maturity and aggregate takedown;
  3) any risk component and an itemized list of the expense component;
  4) orders placed by each underwriter and final bond allocation;
  5) total compensation received by each underwriter; and
  6) any report or opinion of the financial advisor.
- g) Final official statement for publicly offered bonds.
- h) Bond insurance or any other form of credit enhancement and the terms thereof.
- i) Credit rating reports.

4. **Selection of Financing Professionals**

The use of underwriters for negotiated financings and the use of financial advisors for negotiated and competitive offerings is necessary to assist in the proper structuring and sale of debt. To assure fairness and objectivity in the selection of professionals and to help select the most qualified professional, the selection of underwriters and financial advisors should be accomplished through a competitive selection process. A competitive selection process allows the University and its DSOs to compare more professionals and obtain the best price and level of service.
E. DISCLOSURE

1. Primary Disclosure

The University and its DSOs shall use best practices in preparing disclosure documents in connection with the public offer and sale of debt so that accurate and complete financial and operating information needed by the markets to assess the credit quality and risks of each particular debt issue is provided.

The disclosure recommendations of the Government Finance Officers Association’s “Disclosure for State and Local Governments Securities,” and the National Federation of Municipal Analysts’ “Recommended Best Practices in Disclosure for Private Colleges and Universities” should be followed to the extent practicable, specifically including the recommendation that financial statements be prepared and presented according to generally accepted accounting principles.

2. Continuing Disclosure

DSOs shall fulfill all continuing disclosure requirements set forth in the transaction documents and as required under Rule 15c2-12 of the Securities and Exchange Commission.

F. POST-ISSUANCE CONSIDERATIONS

1. Investment of Proceeds of Debt Issued by DSOs
   a) Construction Funds. Funds held for payment of debt service and all other funds held as required by the documents of any financing shall be invested consistent with the terms of the Financing Documents.

2. Arbitrage Compliance

   The University will comply with federal arbitrage regulations. Any arbitrage rebate liabilities should be calculated and funded annually.

G. EFFECT

The foregoing guidelines shall be effective immediately and may be modified from time to time by the UBOT as circumstances warrant. The guidelines are intended to apply prospectively to the University and DSOs’ debt, and not to adversely affect any University or DSO debt currently outstanding or projects approved by the BOG or UBOT prior to, or existing, as of January 26, 2006.
Approved by the Florida Gulf Coast University Board of Trustees
04/19/11
Authority:
Section 7D(d), Art. IX, Fla. Const., BOG Debt Management Guidelines
Regulation History:
New: 04/19/11
Effective Date of Regulation:
04/19/11
REGULATION: FGCU-PR7.008
Tangible Personal Property

A. The tangible personal property threshold is set at $5,000 in order to achieve administrative effectiveness and cost savings. Any provision herein is only applicable to property at or above the aforementioned threshold.

B. Physical Inventory Required. The University shall ensure that a complete physical inventory of all tangible personal property is taken at least once each fiscal year. The Vice President for Administrative Services and Finance or designee, is hereby declared to be the custodian of all property owned by the University. The Property Manager is a University employee who has been delegated responsibility by the custodian to manage the assignment, accountability, transfer and disposal of University owned property.

C. Recording and Marking of Property.
1. Recording of Property. The capitalization threshold for recording tangible personal property with a value or cost of $5,000 or more and having a projected useful life of one year or more shall be recorded in the financial system as property for inventory purposes. Library resources with a value or cost of $250 or more and having a useful life of one year or more shall be recorded in the financial system as property for inventory purposes. For the purpose of this regulation, “cost” is used if the property is purchased and represents the purchase price of the property item; “value” is used if the property is donated and represents the fair market value of the property item at the date of donation.

2. Marking of Property. Each property item shall be permanently marked with the identification number assigned to that item to establish its identity and ownership by the custodian. The marking shall visually display the property identification number of the item and may include an electronic scanning code (barcode) to facilitate electronic inventory procedures.

3. Exemptions for Marking Property. Any item of property whose value or utility would be significantly impaired by the attachment or inscription of the property identification number is exempt from the requirement for physical marking. The University shall contain sufficient descriptive data to permit positive identification of such items.

D. Disposition of Property. The custodian or custodian’s designee may identify as surplus any property in his or her custody that is obsolete, the continued use of which is uneconomical or inefficient, or which serves no useful function as to any activity or location under his or her supervision. The University shall appoint one or more review boards to examine and make recommendations on approval or disapproval of classification of property as surplus. The University shall adopt policies regarding the certification and disposition of property.

Approved by the Florida Gulf Coast University Board of Trustees
Approved 06/21/11

Law Implemented:
Board of Governors Reg. 9.001, 9.002, 9.003, 9.0031

History of Regulation:
New 06/21/11

Effective Date of Regulation:
06/21/11
A. General Statement

Section 1011.91, Florida Statutes, provides the University Boards of Trustees with the authority to direct the expenditure of revenue derived from vending machine collections to be appropriated for the use of the universities collecting such funds. As such, Florida Gulf Coast University Board of Trustees authorizes the University to expend concession funds consistent with this Regulation and its related policy.

B. Definition

Concession Fund – revenue derived from commissions earned on receipts from vending machines.

C. Authorized Expenditures

The Concession Fund may be used for the following categories of expenditures, including but not limited to:

1. Student recruitment, student support services, student program support and student financial aid and related expenses to further the University mission to its students;
2. Commencements, special events and their related costs;
3. Professional consultant services and related costs including, where appropriate legal settlements;
4. Operation of University’s vending machine program and related costs;
5. Expenses to fund the domestic partner benefit program;
6. Athletic events and activities; and
7. Sustainability initiatives.

D. Budgeted expenditure of Concession Funds shall be annually approved by the University’s Board of Trustees as part of the annual budget process. The budget
may be allocated for authorized expenditures by the President to the Vice Presidents as determined by the President.

Approved by the Florida Gulf Coast University Board of Trustees
Approved 04/15/2014

Law Implemented:
§1011.91, Florida Statutes

History of Regulation:
New 04/15/2014

Effective Date of Regulation:
04/15/2014
REGULATION: FGCU-PR7.010

Governor’s Challenge Rebate Program

A. GENERAL STATEMENT

The purpose of this regulation is to implement the Governor’s Challenge Rebate Program. FGCU students who meet the program criteria are eligible for an award equal to the tuition paid, either out of pocket or by loan, for up to 30 FGCU credit hours earned during their freshman year. The award does not include a rebate for tuition paid with grants, waivers, or scholarships, nor does it include payments for fees, books, housing, meal plans, or other non-tuition costs.

B. FIRST YEAR TUITION REBATE PROGRAM CRITERIA

1. Students must declare a major their freshman year, graduate from FGCU in four years or less, and prove they have attained full-time employment in Florida within six months of graduation with an annualized salary of $25,000 or higher.

2. Consistently throughout their four years, students must have received counseling on job prospects within majors offered at FGCU. Students must utilize FGCU’s Career Development Services Office for the purposes of preparing for interviews, creating resumes, participating in job fairs, and applying for full-time employment.

3. Students must participate in internships, co-op work experiences, or other similar apprenticeship opportunities with potential employers.

Action by Florida Gulf Coast University Board of Trustees
Approved 04/19/16

Specific Authority
Board of Governors Regulation 1.001

History of Regulation
New 04/19/16

Effective Date of Regulation
04/19/16
(1) General. The Florida Gulf Coast University Police and Safety Department provides general police services to the University including protection of its population, buildings, grounds and equipment, and the maintenance of peace and order within the University community, and at its functions. The University Police and Safety Department is authorized to enforce the laws of the State of Florida, the ordinances of Lee County, and the regulations of Florida Gulf Coast University, including all traffic and parking regulations.

(2) University police shall meet the minimum standards established by the Criminal Justice Standards and Training Commission and Chapter 943, F.S., and the rules and regulations promulgated thereunder in addition to any other criteria established by state law.

Law Implemented:
Section §1006.66 Florida Statutes

History of Rule:
New 04/17/97

History of Regulation:
New 10/21/08

Effective Date of Regulation:
10/21/08
University Police are sworn law enforcement officers in accordance with Chapter 943, Florida Statutes. University police shall meet the minimum standards established by the Criminal Justice Standards and Training Commission and Chapter 943, F.S., and the regulations promulgated thereunder in addition to any other criteria established by state law or these regulations. University police are authorized and empowered to:

1. Enforce these regulations and to provide for the safety of all persons on University property;

2. Make arrests, issue citations, and seek the assistance of, and cooperate with, other law enforcement agencies in carrying out their police functions;

3. Pursue violators off campus to make arrests;

4. Enforce all State of Florida laws and Lee County, Florida traffic and parking ordinances which are not in conflict or inconsistent with these regulations; and perform any other act authorized by law; and

5. Employ civilian personnel as Police Service Aides (PSA), Safety Officers (SO) and Parking Enforcement Aides (PEA) who have been trained in the enforcement of this Chapter and are authorized by such training to enforce the provisions thereof.

Action by Florida Gulf Coast University Board of Trustees:
Approved 10/21/08

Law Implemented:
§§1001.74 (35) & (39), 1006.66, Chapter 943, FS.

History of Regulation:
New 4/18/06, Amended 4/17/07; 10/21/08

Effective Date of Regulation:
10/21/08
REGULATION: FGCU-PR8.003

Registration of Vehicles

Effective Date of Regulation: 10/21/08

(1) Any motor vehicle, except disability access vehicles or personal assistive mobility devices, that is owned, leased or operated by a student, faculty or staff member, administrator, concession employee or any other person who regularly operates a motor vehicle on University property must be registered with the University and display a validly issued University parking decal or permit. Vehicles which make temporary and brief stops at one or more points on University premises including but not limited to, marked delivery trucks, utility service vehicles, vehicles for hire and buses are exempt from registration. Contractors and contractor personnel who are engaged in University construction projects are also exempted when engaged in work provided that they are parked at specified locations on project sites.

(2) Unless a grace period has been established by the President or designee, and is in effect, vehicle registrations expire on the date indicated on the decal or permit. Notice of a grace period shall be given by publication in the student newspaper and in postings in and around campus.

(3) Decals and permits are issued according to the classifications contained in these regulations. A decal or permit will be issued by the Parking Services Division of University Police and Safety Department upon the following conditions:

(a) The owner or driver registers the vehicle with the Parking Services Division of the University Police and Safety Department by presenting a valid vehicle registration and paying any applicable registration fee;

(b) The owner or driver pays the appropriate fee and provides proof of the decal or permit classification to which he or she is entitled;

(c) The owner or driver settles all outstanding traffic and parking fines and fees;

(d) Parking privileges have not been revoked for the owner or driver; and,

(e) When two (or more) persons who are employed by, or are students at, the University, reside in the same household and drive separate vehicles, each is required
to register and purchase a decal or permit. If two (or more) persons travel together in one vehicle, only one decal or permit is required.

(4) The owner or driver receiving a permit may register a maximum of two (2) vehicles under the same permit, except that students residing on campus may register only one (1) vehicle. A multi-vehicle permit may be displayed on any vehicle registered under such permit.

(5) Boats, trailers, motor homes, or other recreational vehicles shall not be registered or parked on campus. The University Police and Safety Department may grant a waiver of this restriction for up to forty-eight (48) hours when in the best interest of the University.

Action by Florida Gulf Coast University Board of Trustees:
Approved 10/21/08

Law Implemented:
§§1001.74, 1006.66, 1009.24(13)(p), FS.

History of Regulation:
New 4/18/06, Amended 4/17/07; 10/21/08

Effective Date of Regulation:
10/21/08
(1) Effective July 1, 2012, the annual registration fee for decals and permits is provided below:

(a) Three or More Wheels Hanging Permit:
   General Lot Parking (students): No Additional Charge
   Student Housing Residents Parking: No Additional Charge
   Senior Citizens Parking: No Charge
   Dual Enrollees Parking: No Charge
   General Lot Parking (non-students): $118.00
   Faculty/Staff Lot Parking: $118.00
   Faculty/Staff Reserved Space Parking: $535.00
   Faculty/Staff LEED approved vehicle: $94.00
   Faculty/Staff LEED approved vehicle Reserved: $511.00
   Adjunct: $30.00
   OPS: $30.00

(b) Two Wheels Affixed Decal:
   General Lot Parking (students): No Additional Charge
   Student Hanging Permit + Decal: $10.00
   General Lot Parking (non-students): $25.00 initial vehicle
   $10.00 second vehicle

(c) The special event permit fee is provided below and is intended to be applied for events during the normal university hours (Monday-Friday 8:00 a.m. – 5:00 p.m.) or anytime reserve spaces or an attendant is requested:

   General Lot Parking:
   Ten or More Days in Advance of Event $1.00 per day per vehicle
   Nine or Less Days in Advance of Event $2.00 per day per vehicle

(2) Term Registration. Effective July 1, 2012, with the exception of faculty/staff reserved parking, permits can be purchased on a per term basis for a fee of $60.00 per term.

(3) Transferability. Decals are non-transferable. Permits are transferable to any other four-wheeled vehicle that is registered in accordance with this regulation and is owned, leased or operated by the applicant.
(4) Sales Tax. All decal and permit registration fees include the required State of Florida sales tax.

(5) Proration of Purchase Price. The purchase price of an annual or term permit or decal will not be prorated. A faculty/staff reserved space permit purchased after January 1, for the duration of the academic year, shall be $275.00.

(6) Retired Faculty/Staff. Persons with Florida Gulf Coast University retired status who are no longer receiving any form of financial compensation for active employment are eligible to register and obtain the same parking privileges as if still employed by the University, except that retired employees are not eligible to purchase reserved spaces.

(7) Adjunct Faculty. Persons employed by Florida Gulf Coast University as adjunct faculty are eligible to obtain a faculty/staff annual parking permit for the fee stated above. The fee is the same for one term or an annual pass. For purposes of this provision, adjunct faculty are defined as instructors hired on a per semester basis whose responsibilities are limited to those duties related to classroom instruction and student assessment. Such persons are appointed on a temporary basis for one academic term at a time and possess no continuing contractual or other employment relationship with the University.

(8) Senior Citizens. Persons sixty (60) years of age or older who are residents of the State of Florida and who attend classes for credit as provided by Section 1009.26(4), Florida Statutes, are eligible to obtain a general lot (student) permit at no charge.

(9) Dual Enrollees. Students enrolled in a dual enrollment or early admission program as provided by Section 1009.25(2)(a), Florida Statutes, are eligible to obtain a general lot (student) permit at no charge.

(10) Waiver of Special Event Permit Fees. The special event permit fees in (1)(c) above shall be waived for University events when a written request is submitted to the Department and the Director or designee determines that granting a waiver is in the best interests of the University.

(11) Special Event Parking Attendant Services. When the Director or designee determines that a special event requires the services of a parking attendant, an additional charge of $15.00 per hour will be incurred.

(12) OPS. "Other Personal Services" (OPS) is a term assigned by Human Resources to describe an employee/employer relationship for the accomplishment of short term peak workload, or periodic tasks or projects, or it may describe the payment from OPS funds to certain students, temporary labor, and consultants. An OPS is eligible to obtain a faculty/staff annual parking permit for the fee stated above. The fee is the same for one term or an annual pass. Any OPS worker changing to a faculty/staff position must report such to Parking Services within 5 business days and pay appropriate proration. Student OPS workers are not authorized to purchase an OPS permit and must park in student/general lots and garages.
Action by Florida Gulf Coast University Board of Trustees:
   Approved: 4/17/12
Authority:
   §§1006.66, 1009.24(13)(p), 1009.25(2)(a), 1009.26(4), FS.
History of Rule:
   New 7/10/97, Amended 10/4/00, 9/4/02, 7/2/03, 1/8/04, 4/17/12
History of Regulation:
   New 4/18/06, Amended 4/17/07, 1/1508, 10/21/08, 04/20/10, 7/01/10, 04/19/11, 4/17/12
Effective Date of Regulation:
   7/1/12
A. This Regulation applies to all persons who operate or park vehicles on property owned or controlled by Florida Gulf Coast University. All Lee County, Florida, traffic and parking ordinances which are not in conflict or inconsistent with University regulations and all provisions of Chapter 316, Florida Statutes, Florida Uniform Traffic Control Law, shall extend and be applicable to the University's premises. The operation and parking of a motor vehicle on University property is a privilege and not a right. Application for and acceptance of a decal or permit shall be deemed an acknowledgment of the requirements of, and an agreement to adhere to, these regulations.

B. University parking and traffic regulations are enforced twenty-four (24) hours a day, each day of the calendar year. Copies of these regulations and a schedule of fees and fines are available on the FGCU website at www.fgcu.edu (police and public safety). The University assumes no liability for damage to vehicles parked or operated on University premises. Any such damage is a risk assumed by the owner or operator of the vehicle. The issuance of a decal or permit does not guarantee a place to park.

C. The following are definitions of words and phrases used in the regulations governing traffic, parking, and registration of vehicles on the Florida Gulf Coast University campus.

1. Abandoned Vehicle: Any vehicle left parked on campus:
   a) For non-Housing parking areas:
      1) An unreserved parking space;
      2) A non-housing lot for more than three (3) consecutive days; or
      3) A non-housing parking garage for more than forty-eight (48) consecutive hours.
   b) For Housing parking areas:
      1) A vehicle left for three (3) consecutive days when residences are not occupied and permission was not granted by Parking Services to leave the vehicle; or
      2) A vehicle left in any area not designated for parking for any period of time and determined to be of concern or a nuisance.

2. Day: A calendar day unless otherwise noted.

3. Decal: A decal is a sticker affixed to a vehicle authorizing the parking of a vehicle on the University campus for a limited period of time in authorized areas.

4. Director: The Director of Public Safety.
5. **Immobilized Vehicle**: A vehicle that is rendered inoperable by a lawfully attached mechanical device such as a “boot” or clamp device.

6. **Impounded Vehicle**: A vehicle that has been towed away from the place in which it was parked and held in legal custody.

7. **LEED Vehicle**: A LEED approved vehicle is a vehicle meeting the standards incorporated into Campus Police and Safety. Standard Operating Procedure “LEED Parking Decal”.

8. **Motor Vehicle**: Any self-propelled vehicle not operated upon the rails or guideway and includes any automobiles, motorcycles, motor scooters, mopeds, motorized disability access vehicles, or electric personal assistive mobility devices.

9. **Park or Parking**: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of loading or unloading merchandise or passengers.

10. **Parking Services Division (“Parking Services”)**: The unit within Campus Police and Safety responsible for the issuance of decals and permits for parking on campus and for the enforcement of parking regulations.

11. **Parking Space**: Areas governed by the University parking regulations with spaces delineated by white, yellow or blue striping, a parking meter, signage or physical barriers delineating parking parameters.

12. **Permit**: A permit is a hangtag authorizing the parking of a vehicle on the University campus for a limited period of time in authorized areas.

13. **Reserved Space**: An individual parking space, appropriately marked for a particular license tag number, permit number, individual, or University position or unit.

14. **State Vehicles**: Vehicles bearing a duly issued license tag (yellow government tag) of the State of Florida or a political subdivision thereof. State vehicles may park in designated State Vehicle restricted spaces or any general parking space.

15. **Term**: One of the following three academic divisions of a year: fall, spring or summer.

16. **Campus Police and Safety (aka University Police Department (“UPD”))**: The University unit responsible for providing law enforcement, security, traffic control, disaster-planning, and emergency response. UPD is authorized to enforce the laws of the State of Florida, the traffic and parking ordinances of Lee County, Florida, which are not in conflict with this Chapter, and the regulations of Florida Gulf Coast University. UPD provides routine and emergency services to the University.
17. University Parking Citations Appeals Board: The University authority established in Regulation FGCU-PR8.006, Parking and Traffic Enforcement, to review and render final decisions regarding appeals of parking citations.

18. Vehicle: Any conveyance used to transport passengers, merchandise, livestock or equipment.

D. Decal/Permit Registration; Replacements; Refunds

1. If a registered vehicle with an affixed decal is sold, traded, or destroyed, the original registrant may obtain a replacement decal for a fee of $10.00 upon presenting the original decal (or remains thereof, where possible), along with the new vehicle registration (if applicable), to Parking Services.

2. If a registered vehicle with a permit is sold or traded, the permit may be transferred to the new vehicle. The new vehicle shall be registered with Parking Services within ten (10) days of the sale or trade.

3. All lost, stolen or defaced decals or permits should be reported to Parking Services.

4. Lost or stolen decals or permits will not be replaced and the registrant will be required to purchase a new decal or permit at a fee of $30.00.

5. Refunds of Registration Fee to faculty/staff. Refund requests may be submitted to the Parking Services as set forth below. Refunds will not be given in cash. One twelfth (1/12) of the annual price for each unused month may be refunded on an annual decal. Refunds must be requested by the 5th of the month in order for the month to be considered unused. No refunds will be issued unless the permit or decal (or remains thereof, where possible) are returned to Parking Services. Refunds are not provided to Adjuncts or OPS employees due to the reduced original fee.

6. University employees may elect to have vehicle registration fees deducted from their paychecks through payroll deduction. This option is only available during the fall term and is not available to Adjuncts or OPS employees. Due to requirements of the Internal Revenue Service, an employee who paid a registration fee through payroll deduction is not eligible for a refund of the registration fee.

7. Temporary permits may be issued under the following circumstances:

a) When the registered vehicle is undergoing repairs and the registrant is driving a loaner or rental vehicle;

b) When a University unit is hosting a special event such as a seminar or meeting on University property;
c) When a University unit employs temporary or seasonal personnel for a duration of no more than two weeks. Where the duration of temporary or seasonal employment is more than two weeks, the cost of a term decal or permit shall be prorated and assessed; or

d) When the Director or designee determines that the issuance of a temporary permit is in the best interests of the University.

E. Decal/Permit Display. Decals and permits shall be displayed according to the following regulations:

1. All persons who park motor vehicles on University premises shall display either a valid decal or permit, except that visitors to the parking areas adjacent to the Alico Arena, the Lee County/FGCU Aquatics Center, and the Welcome Center/Kleist Health Education Center complex are not required to display a valid decal or permit when parking in an unrestricted space.

2. Decals shall be permanently affixed midway down the left side of the windshield of four-wheeled motor vehicles or as otherwise directed by Parking Services at the time of registration depending upon vehicle configuration.

3. A hanging style permit shall be displayed at all times while on campus on the rear view mirror, or otherwise displayed in the windshield, with the permit number facing outward.

4. Decals shall be permanently affixed to the rear fender of two-wheeled vehicles, or if there is no fender, as directed by Parking Services at the time of registration.

5. No person shall transfer a decal or permit to another person, alter a decal or permit, falsify documents to obtain a decal or permit or to otherwise possess, obtain or display a decal or permit that is not registered in his or her name. Any such act constitutes decal/permit fraud.

6. State vehicles are exempt from being registered with Parking Services or requiring a permit.

F. Traffic Regulations. The operation of motor vehicles on University roadways and in parking areas is subject to the following regulations:

1. Pedestrians and wildlife have the right-of-way over motor vehicles. Pedestrians must use crosswalks when crossing a roadway.

2. The speed limit in all parking lots is 15 miles per hour and the speed limit on roadways is 30 miles an hour, unless otherwise posted. The speed limit in parking garages is 5 miles per hour, unless otherwise posted.
3. Motorists and pedestrians shall follow and obey all traffic signs and devices and orders given by UPD. Directions given by UPD supersede posted regulations and traffic signals.

4. Campus Police and Safety may erect barriers on roadways and in parking lots from time to time to prevent the entry of vehicles. No person shall move or remove barriers or enter into barricaded areas.

5. No motor vehicles, other than police, emergency or service vehicles, shall be operated or parked on grass, walkways, sidewalks, fire hydrant areas, service areas, or other prohibited zones, except where specifically permitted by signage.

6. No person shall alter, deface, or remove any traffic control device or sign.

7. No second person shall ride on a motorcycle, motor scooter, or bicycle unless the vehicle is designed and equipped with a seat for a second person.

8. All vehicular accidents which occur on University property shall be reported to UPD.

G. Parking Regulations.

1. Posted signs, wheel stops and other markings designate the various parking areas on campus. Temporary parking areas may be designated by the University by placement of delineating signs, wheel stops, or other identifying marks. Parking areas may be restricted by classification, time, or purpose. Parking areas restricted by classification, time, or purpose shall be considered "no parking" zones to those individuals who do not fall within the restriction of the classification. The following parking restrictions are found in areas on the University's premises:

   a) Disabled;
   b) Motorcycle/moped/bicycle;
   c) State Vehicles;
   d) Loading Zone;
   e) Visitor;
   f) Faculty/Staff;
   g) Reserved;
   h) Short Term;
   i) Housing;
j) Service Vehicle;
k) Fire Lane;
l) Head-In;
m) Compact Vehicle;
n) Golf Cart;
o) Metered Parking;
p) Gated;
q) Garage;
r) Volunteer;
s) Student; And
t) LEED Vehicles (Low-Emitting & Fuel-Efficient Vehicles per LEED criteria)

2. The following regulations apply to the parking of motor vehicles on University property:

a) All vehicles must park in marked parking spaces.

b) Visitors must obtain a visitor's parking permit from UPD, Parking Services, or the information booth near the entrance to campus on FGCU Boulevard South. Visitors may park in any visitor-designated or unmarked space, unless otherwise directed by Campus Police and Safety.

c) No vehicle shall be parked in more than one space at a time or in a manner that straddles the marked lines of a parking space.

d) No vehicle shall be parked or left standing in a manner that blocks the egress or ingress of another vehicle.

e) Vehicles shall not be parked or left standing in such a way as to create a hazard or an obstruction with the free movement of vehicular or pedestrian traffic.

f) No vehicle shall be parked or left standing on grass, sidewalks, or on the street, unless otherwise permitted by signage.
g) A person who must leave a vehicle overnight on University premises due to mechanical failure, flat tire, lack of fuel and the like, must notify UPD. Any abandoned vehicle shall be subject to towing, impoundment, and disposal at the owner's expense. Disabled vehicles shall be reported immediately to UPD.

h) No major repairs to vehicles shall be performed on University property, to include: body work, painting, or repairs to major components that will take more than 1 day.

i) Loading zones shall be used only for the purposes of loading and unloading vehicles and only for the time limit permitted by signage.

j) No person shall park in any restricted parking space unless the person or vehicle satisfies the terms of the restriction.

k) Vehicles parked in disabled accessible spaces without state-issued disabled accessible parking permits are subject to being towed and impounded in addition to any other penalty provided by Regulation FGCU-PR8.006.

l) Any parking space within an assigned lot that is not reserved for a particular kind of parking is open on a first come basis to students, faculty, staff, or other registrants.

m) Parking a vehicle on University premises following failure to pay or appeal any citation for a University decal, parking or traffic infraction within the time provided, or parking on University premises with a revoked decal or permit shall be considered illegal parking and subject the vehicle to towing and impoundment or immobilization at the owner's expense in addition to any other penalty or fine provided by Regulation FGCU-PR8.006.

n) Motorcycles, motor scooters, mopeds, and bicycles shall be parked only in special racks or designated areas and shall not occupy spaces designated for automobiles. Persons with a reserved space may park a properly registered motorcycle within their reserved space.

o) Campus residential students are prohibited from parking in all non-housing parking lots and garages between 7 a.m. and 6 p.m., Monday through Friday, during the fall or spring terms. During summer sessions, residential students may park in main campus student lots or garages. This restriction does not apply to West Lake Village (WLV) residents, as they are issued commuter permits. Campus housing lots are restricted to only vehicles displaying housing parking permits from 1:00 a.m. to 10:00 a.m. Monday through Friday.

p) Parking Garages. Parking garages, excluding South Village garage(s), will be closed to all vehicles and persons from midnight to 5:00 a.m. daily. All vehicles must be removed before garage closure. After a garage is officially closed, all
remaining vehicles will be cited and can be towed and impounded. South Village garage(s) are open 24/7 unless otherwise posted. The use of skateboards, roller-skates, in line skates, or similar devices, are prohibited in parking garages.

q) General Parking Hours. Students, faculty, staff, and other registrants shall park in assigned lots during posted hours. All student and faculty/staff lots, except restricted/reserved spaces, are general parking between 6:00 p.m. and 7:00 a.m., Monday through Friday, and on weekends. Unless otherwise designated, parking garages are general parking seven (7) days a week, and operate on a “first-come, first-served” basis.

r) All vehicles must be operational and properly/currently licensed.

s) No person shall litter in a parking lot or garage.

t) Temporary Suspension of Parking Privileges or Regulations for Construction or Special Events. When the Director or designee determines that a temporary suspension of parking privileges or restrictions is in the best interest of the University to enable construction to proceed in a timely manner or to enable the general public or members of the University community to attend special events on campus such as athletic events, concerts, conferences, lectures, or commencement ceremonies, the Director or designee shall temporarily suspend parking privileges or regulations. In so doing, the Director or designee shall provide affected registrants with such notice of suspension as is practicable under the circumstances.
A. VIOLATIONS

Failure to abide by any provision of this regulation shall be deemed a University infraction. University infractions are enforced through use of written warnings, citations and fines, towing and impoundment, immobilization and any other means authorized by this Chapter.

B. CITATIONS

All Campus Police and Safety (aka University Police Department) employees (sworn officers, PSA's, PEA's, or Safety Officers) have the authority to issue written University citations to persons who violate applicable laws of Lee County, Florida or University decal/permit and parking regulations. State of Florida Uniform Traffic Citations are issued for moving violations, which are returnable to the Lee County Court for appearance and payment of fines. State of Florida Uniform Traffic Citations may carry higher fines or penalties and cannot be appealed through the University's administrative processes.

1. Schedule of Fines. The schedule below establishes fines for University parking infractions:

   If Paid within Ten (10) Days of Citation:
   Decal/Permit Violations (Except Decal/Permit Fraud)   $ 30.00
   Decal/Permit Fraud       $100.00

   Parking Violations:
   General Violations          $ 30.00
   Littering                  $ 50.00
   Disabled Accessible Space Violations       $200.00
   Reserved Space Violations $100.00
   University Traffic Violations         $ 30.00

   If Payment Received after Ten (10) Days:
   A $10.00 late fee will be assessed in addition to the above charge

2. Restricted Parking Spaces

   Vehicles, which remain parked in time-restricted parking spaces such as Loading Zones beyond the time allowed, are subject to additional citations. Any vehicle which remains in violation of any other provision of these regulations twenty-four (24) hours beyond the time of the original citation, is subject to additional citations.
3. Administrative Action

In addition to the accrual of a fine and a late fee, the University is authorized to take administrative action if a University parking citation is not paid or appealed within the time provided in these regulations. Such administrative action includes withholding of grades, degrees and/or transcripts; revocation of parking privileges; turning the citation over for collection, and/or towing and impoundment or immobilization of the person's vehicle.

4. Permit Revocation

A person who has been accused of decal/permit fraud or who falsifies or misrepresents information when applying for or exercising parking and traffic privileges is subject to revocation of parking privileges, if such charges were sustained.

C. RESPONSIBILITY FOR CITATIONS

The person(s) in whose name a decal/permit is registered or in whose name a vehicle is registered with the Department of Highway Safety and Motor Vehicles, shall be held responsible for citations issued to a vehicle.

D. PROCEDURES FOR PAYMENT OF FINES AND APPEALS

A person who has been issued a University parking citation has ten (10) days from the date of its issuance to settle the citation either by paying the designated fine or by filing an appeal. If payment is not made or an appeal instituted within the allotted time, a late charge shall be assessed. If the fine and fee are not paid within ten (10) days from the date the citation is issued, then the University will turn the matter over to the University's Cashier's Office for collection, in which case the person shall also be responsible for paying reasonable costs of collection.

1. Payment of Fines

Fines can be paid as follows:

a) For students, faculty members, and staff, payments shall be made through the FGCU Gulfline account credit card payment system; or

b) For members of the general public, payments shall be made by U.S. mail or in person to the FGCU Cashier’s Office. All payments shall include the payor's full name, the payor’s university identification number if applicable, the cited vehicle’s license tag number, and the citation number.
2. Appeals of Citations

Appeals of citations for University parking infractions are instituted by filing a written appeal with the Director of Public Safety or a designee on Form UPD #1001 (Notice of Appeal) (10/08). Forms may be obtained at Campus Police and Safety, Division of Parking Services. Faculty, staff, and students shall file appeals electronically through the Division of Parking Services’ website.

Lack of parking spaces or the failure of others to observe these regulations shall not be valid defenses to violation of the University's parking regulations. The appeal shall include a current and accurate address where notices can be sent and received. The Director of Public Safety or designee shall make a determination whether to grant the appeal within fourteen (14) days of receipt of the appeal. If the appeal is denied, then the appeal shall be forwarded, as completed, to the University Parking Citations Appeals Board for hearing and resolution within sixty (60) days.

3. University Parking Citations Appeals Board

The University Parking Citations Appeals Board consists of six members who are appointed by the University President for two-year staggered terms. The membership of the Board shall include two representatives from student government, one faculty member, one Administrative and Professional employee, one Support Personnel employee and one additional member appointed at large by the President. The student, faculty, Administrative and Professional, and Support Personnel representatives will be nominated by their respective governance structures. The Director of Public Safety or a designee shall be an ex officio member of the University Parking Citations Appeals Board. The University Parking Citations Appeals Board shall have the authority to hear and resolve appeals of University parking infractions including cases of permit revocation.

a) Upon receipt of an appeal, the Board shall set a place, time, and date for hearing and provide the appellant with at least three (3) days advance written notice if the appellant indicated a desire to attend the meeting. Failure of the appellant to appear at the hearing shall result in dismissal of the appeal.

b) At the hearing, the University Parking Citations Appeals Board shall consider any facts or evidence, which is relevant to its determination of the appeal. The board may request additional information prior to rendering its decision and may hear the testimony of the appellant, witnesses, or the citing officer. The board may modify the penalties provided in Regulation FGCU-PR8.006. Such modification may include a reduction in penalty or a warning to the appellant. The board shall render a decision within thirty (30) days of the close of the hearing and notify the appellant in writing.
c) The decision to grant or deny an appeal shall be in writing and contain findings supporting the board's determination. The decision of the University Parking Appeals Board is final without further right of review. When an appeal is denied, the fine assessed for the violation shall be paid within ten (10) days of notification to the appellant or a late fee of $10.00 will be assessed. The appellant will also be subject to any other administrative action authorized by these regulations to collect all outstanding fines and fees.

4. Towing and Impoundment; Vehicle Immobilization

a) Towing and Impoundment

The University is authorized to tow and impound any vehicle, which is found to be parked in violation of this Chapter. The towing and impoundment of a vehicle shall be used as a last resort under the following conditions: the vehicle is abandoned per regulation FGCU-PR8.005 C.1. and a good faith effort to contact the owner/driver has been made to resolve the issue; the vehicle is parked in a disabled accessible or reserved space for which it is not permitted; the vehicle is creating a hazardous parking condition; the parking decal/permit is fraudulent; or the registrant is deemed a chronic violator in that they have obtained three or more citations during a school term which have remained unpaid or unsatisfied during that term.

b) Immobilization

As an alternative to towing and impoundment, the University may immobilize a vehicle by attaching a “boot” or similar wheel lock device when there are two (2) or more University parking citations outstanding against the vehicle and timely action has not been taken to pay or appeal the citations. A vehicle may also be immobilized when it is found to display a lost, stolen, forged or altered University parking decal or permit. At the time of attachment, a notice shall be affixed to the vehicle which states the sum of outstanding fines and fees that must be satisfied before the wheel lock will be removed and the location where the moneys can be paid. A $30.00 immobilization fee shall be charged in addition to all other fines and fees which are due and owing.

c) Release of Vehicle

All outstanding fines and fees against the vehicle must be satisfied before a vehicle will be released from impoundment or immobilization. A person whose vehicle has been towed and impounded or immobilized may challenge the validity of the action by filing a written appeal to the University Parking Citations Appeals Board within ten (10) days of the date the vehicle was released, using UPD Form #1001 (Notice of Appeal University Parking Citation (10/08). The Director of Public Safety or designee shall review and determine whether an immediate release of the vehicle is warranted. If the subsequent appeal to the University Parking Citations Appeals Board
Board is granted, the University shall refund the amount charged for towing and impoundment of the vehicle.

Action by Florida Gulf Coast University Board of Trustees
Approved 04/21/2015

Specific Authority
Sections 1006.66, 1009.24(14)(r); Florida Statutes

History of Regulation
New 04/18/06; Amended 04/17/07, 10/21/08, 04/17/12, 04/21/15

Effective Date of Regulation
04/21/2015
REGULATION: FGCU-PR9.001
Use of University Facilities

I. Definitions

A. University Persons, Groups and Organizations: Registered students, faculty members, administrative and professional and university support personnel, the student government, registered or recognized student organizations, official University colleges, departments, or other organizational units which are a part of, or operate on behalf of, Florida Gulf Coast University, such as the Foundation and the alumni association.

B. Non-University Persons, Groups and Organizations: Persons, groups or organizations which do not meet the definitions outlined in “A.” above, including but not limited to charitable community organizations, other public educational institutions and those organizations which exist primarily for the purpose of commercial activity for profit, or private gain or benefit.

II. Event Classifications and Requirements

A. Requisite Events shall be defined as:

1. Events coordinated and managed solely by the University schools, colleges, departments, departmental centers, institutes and grants conducting official University activities. These events must be pertinent to the daily operation and mission of the University.

2. Events coordinated and managed solely by Student Government, University Student Organizations officially registered through the Office of Student Involvement or those groups pending registration that have been authorized by the Office of Student Involvement.

B. Non-Requisite Events shall be defined as:

1. Events that are coordinated and managed by the University schools, colleges, departments, departmental centers, institutes, or grants in conjunction with an outside group. These events must be related to the mission of the University.

2. Events coordinated and managed by Student Government, University Student Organizations officially registered through the Office of Student Involvement or those groups pending registration that have been authorized by the Office of Student Involvement, in conjunction with an outside group.
C. University Sponsored Events shall be defined as events that are managed and coordinated by an outside group, but a University department, group, college, center, institute or group has agreed to sponsor the event and facilities use rental.

D. Private Events shall be defined as any for-profit and non-profit organization, entity, or agency, non-FGCU alumni associations, student, faculty or staff use of University facilities for non-related University activities, or other outside persons or groups not affiliated with the University.

III. Scheduling of Facilities

A. The first priority for the use of University facilities is instructional and academic activities of the University.

B. All instructional space of the University shall be under the assignment and control of the Registrar’s Office.

C. Instructional space not scheduled by the Registrar’s Office shall be released to Campus Reservations for event scheduling after each Fall, Spring and Summer term add/drop registration deadlines.

D. Instructional space shall not be scheduled for events or meetings during the week of final exams each academic term.

E. Scheduling of outdoor and multi-purpose spaces shall occur through the Office of Campus Reservations or through a University Facility Use Custodian, as defined in FGCU Policy 3.026.

F. Use of any University facility after 11 p.m. shall be scheduled by the Office of Campus Reservations or the University Facility Use Custodian responsible for the requested facility. University Facility Use Custodians must notify the Office of Campus Reservations of any facility use scheduled after 11 pm.

IV. Use of Outdoor Spaces

A. Approval and scheduling of events in outdoor areas must be consistent with regulations and policies of the University. As a condition of approval, the University may impose safety, security and liability requirements, consistent with the use to be made of the area. Moreover, the space to be utilized must be adequate for the nature of the event.

B. Any use of sound amplification equipment in the outdoor areas of campus must have prior approval through the Office of Campus Reservations.

C. Events held in the outdoor areas of campus must maintain a reasonable sound level. A sound level is considered reasonable when it meets the needs of the event without disrupting the regular activities of the adjacent academic or other
operational areas. Complaints of noise should first be reported to the Office of
Campus Reservations. (If the complaint concerns a Registered Student
Organization, the complaint will be forwarded to the Office of Student
Involvement for resolution.)

D. Amplified sound will not be permitted at any space located in areas that fall within
25 feet of an academic building or other operational area, with the exception of
the Student Plaza and the Cohen Center Courtyard.

E. In academic areas and other operational areas, the use of sound amplification
equipment will, generally, not be allowed on class days (Monday through Friday).
If sound amplification is permitted in an area, the sponsoring group or
organization is responsible for maintaining a sound level that does not disrupt the
regular activities of the adjacent academic or other operational areas.

F. Failure to comply with this regulation or refusal to lower volume when notified to
do so by the Office of Campus Reservations or the Office of Student
Involvement, may result in the loss of privileges associated with the use of
University facilities.

V. Fee Schedule

The President or designee shall approve a fee schedule and other procedural
information giving priority and discounts for events that are solely managed and
coordinated by University faculty, staff or student groups. Each event category shall
have specific requirements relating to space usage fees, as well as contract and
insurance requirements.

Action by the Florida Gulf Coast University Board of Trustees:
Approved 6/18/13
Specific Authority:
BOG Regulation 1.001, §1013.10, Florida Statutes
History of Regulation:
New 1/15/08; Amended 6/16/09, 6/19/12, 6/18/13
Effective Date of Regulation:
6/18/13
REGULATION: FGCU-PR9.002

Use of Alcoholic Beverages on University Premises

(1) General: The University endeavors to maintain an environment conducive to teaching and learning and to personal and professional growth. Irresponsible use of alcoholic beverages is detrimental to this goal. This regulation establishes practices and procedures to discourage irresponsible use of alcoholic beverages and ensure compliance with local, state and federal laws by all groups and individuals on University premises, defined as property under the ownership or control of the University. For purposes of this regulation, the term alcoholic beverages means beer and wine, but excludes distilled spirits.

(2) Distilled Spirits: The service, sale, possession or consumption of distilled spirits or beverages containing distilled spirits on University premises or at university functions is prohibited, except as specifically permitted by the President or his/her designee. This does not prohibit the lawful use of alcoholic beverages other than beer and wine in residences, consistent with Florida law.

(3) Possession and Consumption of Alcoholic Beverages: Possession and consumption of alcoholic beverages on University premises shall comply with federal and state laws, local ordinances and the following University regulations.

(a) Possession of alcoholic beverages in unauthorized areas is prohibited.

(b) The university will contract with licensed and insured vendors who will serve all alcoholic beverages on campus.

(c) Persons must be 21 years of age to be served, buy, possess, or consume alcoholic beverages while on University premises or at university functions.

Each student, group or organization which offers or consumes alcoholic beverages on University premises or at university functions is responsible for insureing compliance with federal and state laws, local ordinances and this regulation and state and local laws and regulations concerning the service, possession and consumption of alcoholic beverages.

Consumption of alcoholic beverages by any student, employee or other person, to or beyond the point of intoxication and whose behavior violates the provisions of Section 856.011(1), F.S., shall be grounds for disciplinary action and possible arrest.

(d) Prior approval must be obtained in order to offer alcoholic beverages at organized and properly scheduled programs or activities held on University premises.
1. Student groups shall obtain approval to offer alcoholic beverages from the Office of the Vice President of Student Affairs in accordance with the guidelines of the Student Guidebook, the Student Code of Conduct, and (e), below.

2. Non-student organizations shall obtain approval to offer alcoholic beverages from the Vice President for Administrative Services and Finance in accordance with guidelines in (e) and (f) below.

(e) Conditions for the Service, Possession or Consumption of Alcoholic Beverages: The following conditions shall apply to every student, faculty, staff member, group or organization which is granted approval to offer, possess, or consume alcoholic beverages on University premises or at University functions.

1. Advertisements for events at which alcoholic beverages will be served, shall not refer to the quantity that will be available, nor shall the reference to alcoholic beverages be prominently displayed.

Alcohol may only be procured and served at events by a university contracted vendor. 2. Non-alcoholic beverages and food must also be provided in sufficient quantities for persons who may desire them.

3. A printed sign shall be prominently displayed at each event which reads:

   NO ALCOHOL SERVED TO MINORS
   PROOF OF AGE REQUIRED
   WE RESERVE THE RIGHT TO DENY SERVICE

4. Alcoholic beverages may not be used as prizes or awards for any event nor shall there be any competitions or contests at an event which involves alcoholic beverages.

5. No one under the age of 18 may be involved in checking identification for service of alcoholic beverages.

6. As a condition of approval, the sponsoring individual, group or organization shall be responsible for the costs of any required Campus Police and Safety Department officers, or any other off-duty officers for the event.

7. Responsible consumption of alcohol shall be encouraged and alcohol service shall be terminated one hour prior to the end of an event.

(f) Procedures for Obtaining Approval:

1. Any person, group or organization seeking permission to offer alcoholic beverages on University premises or at University functions shall file an application on Form number FCC #005 (9/97), which is incorporated by reference into this regulation. The form may be obtained from Campus Reservations, and should be signed by all approving authorities designated in section (3)(d) of this regulation. The approving authority or
designee shall insure that all information required on the form is provided, that the request will not conflict with any other University activity and that the following conditions are met:

a. The person, group or organization has not been previously found in violation of state or local laws or University regulations regarding the service of alcoholic beverages;

b. The person, group or organization has sponsored no more than six (6) events in the last calendar year where alcoholic beverages have been served or as approved by the appropriate authority as designated in (3)(d) of this regulation; and

c. Approval for service of alcoholic beverages has been given by a faculty/staff advisor, the Director of Public Safety or designee, and Campus Reservations;

d. Adequate safeguards have been taken to insure responsible use and service of alcoholic beverages, which may include, as a condition for approval, the requirement for hiring off-duty officers as security.

2. The approving authority shall retain a copy of form FCC #005 and instruct the person, group or organization to post the original form on-site during the event.

3. Penalty for Violations: Any University-related person, group or organization which is found to be in violation of this regulation shall be subject to disciplinary action; in the case of non-university related persons, groups or organizations, a violation of this regulation or of federal, state or local law shall result in loss of the privilege to use University premises and facilities.

Action by Florida Gulf Coast University Board of Trustees:
Approved: January 15, 2008
Specific Authority:
562.01 et seq.F.S.
History of Rule (6C10-9.002):
New 8-2-98
History of Regulation:
New 01-15-08
Effective Date of Regulation:
Approved: January 15, 2008
A. GENERAL

Florida Gulf Coast University is located in an area which is inhabited by many species of wildlife. The University endeavors to protect all wildlife, but in particular the wildlife species that are designated as endangered or protected by federal and state law and regulations. Warning notices of protected species shall be posted at various locations throughout campus.

B. ANIMAL CONTROL

1. Except for approved educational or research activities, no person shall disturb, harm or molest any wildlife which is found on campus.
2. Except for an approved University program or activity, certified guide, assistance or service animals, and pets owned by employees living on campus, the bringing or keeping of pets on campus is prohibited.
3. A policy will be implemented to govern activity and behavior of those persons permitted to bring and/or keep residential employee-owned pets on campus.

C. ANIMAL RELOCATION AND REMOVAL

1. The relocation or removal of wildlife from the University shall be accomplished by officers of the Florida Game and Fresh Water Fish Commission or persons who are licensed or authorized by the University to handle the relocation or removal of wildlife from campus.
2. The removal of stray or abandoned domestic animals shall be accomplished by the Lee County Humane Society's Animal Control Unit or any other entity with authority over stray or abandoned domestic animals.

D. VIOLATION OF REGULATION

A student found to be in violation of this regulation shall be subject to discipline under the Student Code of Conduct and may be subject to arrest and prosecution. An employee found to be in violation of this regulation shall be subject to discipline under Regulation FGCU–PR5.016 or the Collective Bargaining Agreement, as applicable, and may be subject to arrest and prosecution. Any other person found to be in violation of this regulation may be subject to arrest and prosecution.
Specific Authority:
   FS Board of Governors’ Regulation 1.001
Law Implemented:
   Board of Governors Regulation 1.001
Action by Florida Gulf Coast University Board of Trustees:
   Approved: 09/17/2013
History of Regulation:
   New 08/02/98, Amended 09/21/10, 01/15/13, 09/17/2013
Effective Date of Regulation:
   09/17/20013
REGULATION: FGCU-PR9.004

Public Expression and Assembly

Effective Date of Regulation: 6/18/13

I. The freedom of speech and assembly guaranteed by the Constitutions of the United States and the State of Florida shall be enjoyed by all members of the University community. It is the intent of the University to encourage a free discourse of ideas while maintaining the safe and normal operations of campus life and education. To that end, this regulation provides some time, place and manner parameters on campus expression.

II. Persons engaged in protected speech occurring in public spaces must follow all applicable University Policies and Regulations. An event that requires use of University resources including but not limited to sound amplification, reservable spaces, and security must go through the normal scheduling and coordination process provided by the Office of Campus Reservations. Speech activities must not disrupt the normal operations of the University or infringe on the rights of other members of the University community. No demonstrations may be held inside University buildings.

III. Responsibility: Each speaker or group shall be fully responsible for any violation of federal or state law or University regulation committed by them.

IV. Suspension or Termination of Activities: Like all activities, public expression activities may also be scheduled in reservable spaces, subject to their availability. Public expression activities (to include postings) can be suspended, terminated or removed by the Vice President for Student Affairs or designee when, after consultation with University Police it is determined that the activity is disrupting the University's normal operations, is causing harm to University property or infringing on the safety or rights of others. The following occurrences may result in the suspension or termination of a public expression activity:

A. Intentional obstruction of ingress to or egress from any office, classroom, building, facility or area on campus;

B. Disruption of other ongoing, authorized University functions or operations through excessive sound or noise, yelling or loud voices, or other means;

C. A speaker's advocacy of the use of violence towards any Individual or of the violent overthrow of the government (local, state or federal);
D. Damage, destruction, seizure or subversion of the University's buildings or other property;

E. Interference with the University's regularly scheduled classes or other educational functions;

F. Physical harm, coercion, intimidation or other invasion of the lawful rights of any other person, including University students, faculty or staff members or officials;

G. Acts which constitute a crime;

V. Appeal Process: The suspension or cancellation of a public expression activity to include solicitation may be appealed to the President or designee. The President or designee shall render a decision within a reasonable time not to exceed five (5) University working days after receiving the appeal. The written decision of the President or designee shall be hand-delivered, mailed certified return receipt or faxed to the individual or organization that filed the appeal. The decision of the President or designee shall be final and binding.

VI. Sound Amplification Equipment: The University reserves the right to impose reasonable time, place and manner restrictions on the use of sound amplification equipment, such as the degree of amplification.

VII. Suspension or Termination Procedure. If an activity is or becomes disruptive, the Vice President for Student Affairs or designee shall utilize the following procedure. University Police have the authority to act independently if the Vice President of Student Affairs or designee is not present:

A. Identify himself/herself to the participants, giving name and official position;

B. Inform participants that they are in violation of the law and/or this regulation and specify the nature of the violation;

C. Request that the violation cease;

D. In the event of non-compliance with the request, enlist the assistance of the University Police in terminating the activity, restoring order and enforcing the law. The University Police have the authority to:

1. Declare an assembly to be in violation of the law and this regulation and request all participants to cease and desist and to disperse and clear the area or be subject to arrest and/or University disciplinary action;

2. Arrest participants observed to be violating the law; and

3. Enlist the assistance of outside law enforcement agencies, if necessary.
VIII. All prior University policies or directives concerning public expression are superseded by this regulation.

Action by the Florida Gulf Coast University Board of Trustees
Approved 6/18/13
Specific Authority:
§1006.60, F.S., Board of Governors Regulation 1.001
Law Implemented:
§870.01.01, 02, 03, 04; 1013.10, Florida Statutes, Board of Governors Regulation 1.001
History of Regulation:
Renumbered 1/15/08; Amended 4/21/09; 6/19/12, 6/18/13
Effective Date of Regulation:
06/18/13
REGULATION: FGCU-PR9.005  
Possession of Firearms and Weapons  
On University Property

A. SCOPE

This regulation applies to all persons on Florida Gulf Coast University property or property under the control of the University.

B. POSSESSION OF FIREARMS ON UNIVERSITY PROPERTY

1. The possession of a firearm is prohibited on University property or property under the control of the University.

2. Sworn peace officers who are required by their employment to be armed are exempt from this regulation.

3. Persons possessing concealed weapon permits must comply with this regulation and may not possess a firearm or other weapon on University property or property under the control of the University except as permitted by Section 790.06(12), Florida Statutes.

C. POSSESSION OF WEAPONS ON UNIVERSITY PROPERTY

The possession of any weapon is prohibited on University property or property under the control of the University. Additional items prohibited by law or regulation include: fireworks, explosives, chemical weapons or devices, bb guns, pellet guns, and air soft/paintball guns or weapons except that a person may possess a common pocket knife, legitimate tools appropriately used in authorized work on campus, and certain other weapons as defined in this policy.

D. EXCEPTIONS

Notwithstanding the above, the following are permitted:

1. A weapon or firearm to be displayed or used in any of the academic programs of the University, after permission is obtained from the Office of the Provost and the Chief of Police.

2. A self-defense chemical spray may be carried.
3. A person licensed to carry a concealed weapon, and who is affiliated with the University as a student, employee, or faculty, may carry a non-dart firing stun gun for defensive purposes.

E. VIOLATION OF REGULATION

A student found to be in violation of this regulation may be subject to discipline under the Student Code of Conduct and may be subject to arrest and prosecution. An employee found to be in violation of this regulation shall be subject to discipline under Regulation FGCU–PR5.016 or the Collective Bargaining Agreement, as applicable, and may be subject to arrest and prosecution. Any other person found to be in violation of this regulation may be subject to arrest and prosecution.

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Specific Authority:
Board of Governors Regulation 1.001

Law Implemented:
Sections 790.01, 790.06 and 790.115, Florida Statutes

Action by Florida Gulf Coast University Board of Trustees:
Approved: 01/21/14

History of Regulation:
New 08/02/98, Amended 09/21/10; 01/21/14

Effective Date of Regulation:
01/21/14
I. Non-University related businesses and organizations shall not be permitted to post or distribute materials or handouts on campus for purposes of solicitation except as provided in this regulation.

II. Advertising, promotional, or informational materials designed for posting, display or distribution inside or outside of University buildings are restricted to public bulletin boards or areas approved in advance by the appropriate university official. No unauthorized materials may be fastened to, or hung from shrubbery or trees, nor drawn, painted or otherwise displayed on sidewalks, walls or building exteriors. The distribution of ingestibles is permissible, provided they are regulated by the Food and Drug Administration (FDA).

III. Materials distributed by hand related to Non-University sales or business transactions will be governed by Regulation FGCU-PR9.004, Public Expression and Assembly Regulation.

IV. Public bulletin boards and other designated locations are provided by the University in order to post materials. Postings by student organizations and groups may be placed on student designated boards. Postings by faculty, staff and other university approved organizations may be posted in official university designated locations. Anyone in the University community can place materials on the public bulletin boards.

V. Public bulletin boards will be cleared at a regularly scheduled time designated by the University.

VI. Solicitors and vendors including students, faculty and other University personnel, are prohibited from using University facilities, equipment and services for the purpose of conducting sales or business transactions with individuals or organizations unless approved in accordance with this regulation.

VII. Approval to conduct Non-University sales or business transactions or distribute information related to sales or business transactions on campus requires an approved Form which may be obtained from the Office of Campus Reservations. Solicitation related to Non-University sales or business transactions may only take place in designated areas during designated timeframes. Approval to conduct sales on University Campus by outside groups will only be on designated days.
VIII. Approval

1. The granting or denial of a request for space reservation shall be based on the following:
   a. Whether the solicitation is for participation in illegal activities;
   b. Whether ingestibles to be distributed are regulated by the Food and Drug Administration (FDA);
   c. Whether the solicitation infringes on the rights of existing contracts with the University;
   d. Whether the solicitation is in violation of University regulations or policies.

IX. Free Standing Signs. Free standing signs may be placed in designated locations. The size and number of the signs may be restricted. These signs will be discarded at regularly scheduled time designated by the University.

Specific Authority:
Board of Governors Regulation 1.001

History of Rule:
New 8/2/98

History of Regulation:
Renumbered 1/15/08; Amended 04/21/09, 6/19/12

Effective Date of Regulation:
06/19/12
A. GENERAL STATEMENT

Article X, Section 20 of the Florida Constitution prohibits smoking within enclosed indoor workplaces. This section of the Florida Constitution is implemented under Chapter 386, Part II, Florida Statutes. This regulation establishes the guidelines for the use of tobacco in University premises consistent with the constitutional requirements and state law. In addition the University has declared that it shall be smoke free and tobacco free.

Additionally, this regulation addresses the consumption of food and beverages within University buildings and other University facilities designated for instructional purposes.

B. DEFINITIONS

1. Enclosed Indoor Workplace: any place where one or more persons engage in work, and which place is predominantly or totally bounded on all sides and above by physical barriers, regardless of whether such barriers consist of or include, without limitation, uncovered openings; screened or otherwise partially covered openings; or open or closed windows, doors, or the like. Common areas, cafeterias, stairways, restrooms, offices, or other areas within owned or leased University buildings and facilities are designated Enclosed Indoor Workplaces.

2. Smokeless Tobacco: chewing tobacco, snuff, or other tobacco product that is taken orally or inhaled through the nose.

3. Smoking/Smoke: the use of a lighted cigarette, lighted cigar, lighted pipe, or other lighted tobacco product. The use of an electronic nicotine and non-nicotine delivery system including, but not limited to, electronic cigarettes and personal vaporizers, also known as vaping, is also included in this definition.

4. University Premises: All land, buildings, facilities, and other properties owned, used, leased, operated by, or in the possession of the University or one of its direct support organizations where the University does not share the facility or building with other tenants.
C. PROCEDURES

1. Tobacco Products
   a) No person shall smoke or use Smokeless Tobacco in any Enclosed Indoor Workplace as well as on University Premises.
   b) Smoking and the use of Smokeless Tobacco are prohibited in all University owned or leased trucks or automobiles, golf carts, or other motorized vehicles.

2. Food and Beverage Consumption
   The consumption of food and beverages is prohibited in all classrooms, the library, computer labs, lecture halls and theaters, and all other areas designated for instructional purposes unless the area is otherwise permitted or designated for consumption of food and beverages.

3. Penalties
   a) A student found to be in violation of this regulation may be subject to discipline under Regulation FGCU-PR4.002, Student Code of Conduct and Student Conduct Review Process.
   b) An employee found to be in violation of this regulation may be subject to discipline under Regulation FGCU-PR5.016, Disciplinary Actions, or the Collective Bargaining Agreement, as appropriate.
   c) Any other person found to be in violation of this regulation may be subject to removal from University premises.

Action by Florida Gulf Coast University Board of Trustees
   Approved 04/19/16

Specific Authority
   Fla. Const. Art. X, Section 20; Sections 386.201 – 386.2125, Fla. Stat.; Board of Governors Regulation 1.001

History of Regulation
   New 08/02/98; Amended 09/08/15, 04/19/16

Effective Date of Regulation
   04/19/16
Florida Gulf Coast University Board of Trustees  
Special Committee on FGCU Strategic Plan 2016-2021  
May 10, 2016

SUBJECT: Minutes of April 29, 2016 Committee Meeting

PROPOSED COMMITTEE ACTION

Approve minutes

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees' Special Committee on FGCU Strategic Plan 2016-2021 met on April 29, 2016. Minutes of the meeting were kept as statutorily required.

Supporting Documentation Included: Minutes of April 29, 2016 Committee Meeting

Prepared by: Amber Pacheco, Director of Board Operations, and Special Projects

Legal Review by: N/A

Submitted by: Vice President and Chief of Staff Susan Evans
FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Special Committee on FGCU Strategic Plan 2016-2021

Friday, April 29, 2016
Cohen Center, Room #213
Florida Gulf Coast University

Minutes

Members:
Present: Trustee Shawn Felton – Chair, Trustee Darleen Cors, Trustee Robbie Roepstorff, Trustee Ken Smith, Trustee Christian Spilker (until 2:33 p.m.)

Not Present: Trustee Russell Priddy

Others:
Trustees: Trustee Dudley Goodlette and Trustee Kevin Price

Deans: Interim Dean of the College of Education Ivan Banks (until 12:58 p.m.); Dean of the Lutgert College of Business Robert Beatty; Dean of the U.A. Whitaker College of Engineering Richard Behr; Dean of the College of Health Professions and Social Work Mitchell Cordova; Dean of the College of Arts and Sciences Robert Gregerson; Interim Dean of Undergraduate Studies Sean Kelly; Dean of Library Services Kathleen Miller; Associate Vice President for Research and Dean of Graduate Studies Tachung (T.C.) Yih

Staff: President Wilson Bradshaw; Provost and Vice President for Academic Affairs Ron Toll; Senior Associate Provost and Associate Vice President for Planning and Institutional Performance Paul Snyder; Vice President and Chief of Staff Susan Evans; Vice President and General Counsel Vee Leonard; Director of Board Operations, and Special Projects Amber Pacheco; Director of Media Relations Lillian Pagan; and Executive Assistant to the Vice President and Chief of Staff Tiffany Reynolds.

Item 1: Call to Order, and Roll Call
Committee Chair Shawn Felton called the meeting to order at 12:00 p.m. Roll call was taken with 5 of 6 Trustees present, thus meeting quorum requirements.

Item 2: Opening Remarks
Chair Shawn Felton thanked the Trustees for their willingness to work on the Strategic Plan and the Work Plan. He said it is a big responsibility, but it provides an opportunity to synthesize a lot of important information and strategic directions
into the future. He said that the documents should be cohesive and also be potentially aspirational in nature.

He thanked the deans, Provost Toll and Senior Associate Provost Paul Snyder for participating in the meeting. He asked the deans to introduce themselves and indicate their respective areas of responsibility.

Chair Felton thanked the deans for preparing their documents for today’s meeting and said Dean Banks had a prior engagement and would need to leave the meeting early.

Chair Felton said the existing draft of the Strategic Plan was developed by Dr. Toll, Dr. Snyder and members of the President’s Cabinet. He said the Special Committee for FGCU Strategic Plan 2016-2021 was formed to help provide some additional strategic direction. He said he envisioned the discussion would circle around three to five pillars, and that the documents provided by the deans indicate their areas which have items that fall within those pillars.

**Item 3: Critical Path Timeline (Tab #1)**

Chair Felton discussed the Critical Path Timeline and said that according to Academic Affairs May 13 is the deadline for the “Pending Board of Trustees Approval” version of the Work Plan. He said the Work Plan is a document required annually by the Board of Governors (BOG), and it reviews the submissions at its June meeting. He said the final Work Plan approved by the FGCU Board of Trustees is required by June 13.

Chair Felton said the University needs to get its areas of strategic emphasis in place first, which will help drive the Work Plan. He said the Strategic Plan has been in development for a while now and time is critical. He said the Strategic Plan should fit the needs of FGCU moving forward and have internal buy-in.

Chair Felton opened the floor for questions. Trustee Smith said the Timeline indicates the University had an opportunity to submit to the Board of Governors the Draft Work Plan for pre-review on April 25 and asked if we did. Dr. Snyder said no. Trustee Smith asked if it was still possible to send something to the BOG or if the deadline had passed. Dr. Snyder said the deadline passed, but that we could request it if it was the will of the Board.

**Item 4: Intersection of Strategic Plan, Work Plan, Accountability Report, and Aspirational Initiatives**

Chair Felton said the main challenge is determining the pillars, previously described as centers of excellence. He said “pillars” is a term he saw commonly used in other organizations’ strategic plans. He said today’s meeting is well represented by the academic enterprise and although that is not all of which FGCU is comprised, it gives the Committee a good starting point. He said it is important to determine the academic goals of the University, which will help
guide, for example, individuals with their initiatives, such as Vice President Chris Simoneau in the Foundation, Vice President Mike Rollo in Student Affairs, and Administrative Services which is represented by David Vazquez.

**Item 5: Open Discussion with the Deans and Trustees**

Chair Felton asked the deans to provide a five minute overview of their respective areas, and he encouraged Trustees to ask questions. He referenced an email he sent to the deans where he asked that they reflect on the following categories:

1. Creation of a School of Dental Medicine and School of Pharmacy, which came forward as a result of Senator Negron’s visit to FGCU.
2. College’s contributions to the metrics than define Emerging Preeminence.
   Chair Felton stressed that this category was very aspirational, but if the University were to make baby steps along the way, it could really define FGCU.
3. Entrepreneurship
4. Innovative Academic Programs and Excellence

Chair Felton said the categories were suggested to encourage discussion, and said additional ones could be recommended. He called on Dean Banks to present first.

**College of Education**

Interim Dean of the College of Education Ivan Banks said he looked into the categories that Chair Felton asked them to address. He said with regard to the College of Education, most of its emphasis would be placed on initiatives that involve collaboration with the other FGCU colleges. He said he understands the Dental School and Pharmacy School are clearly aspirational, so he looked at how the College of Education could fit with medical education. He said a Google search indicated there is a shortage of nurse educators, particularly those trained at a doctoral level. He said he recalled from a recent Board meeting that there is concern regarding increasing graduate enrollment. He said he believes FGCU could forge a niche in the production of health educators.

Dr. Banks said in terms of Emerging Preeminence, he consulted with his leadership team and they believe collectively that the College of Education has to produce some type of educator that has attributes, qualities and skills that other programs do not. He said news coverage indicates turnover in Higher Education, and that it appears quite a few Higher Ed leaders have issues with things like financial management of institutions. He said the Doctor of Education (Ed.D.) program already is in place, but a group of faculty is looking into proposing in the next couple of years the Ed.D. program specifically in Higher Education. He said it would be powerful to be a program that produces Higher Ed administrators who have clear and strong acumen in terms of financial or fiscal responsibility. Dr. Banks said a portion of the program would be completed in the College of
Education and a large piece would be completed in collaboration with the Lutgert College of Business.

He said in terms of Science, Technology, Engineering and Math (STEM) professions, there already is a strong program with Educational Technology. He said an area where we could make a mark is in the evaluation, implementation and assessment of appropriate uses of technology for conveying information for instructional purposes.

Dr. Banks said in terms of entrepreneurship, the College of Education has strong relationships with the five county school districts, so that is a natural niche to create entrepreneurs. He said an effort needs to be made to prepare teachers to encourage children to practice an entrepreneurial mindset before they finish high school. He said Collier County has entrepreneur academies at which he met two five-year-olds who had already started their own businesses. He said that type of initiative could be expanded, and those type of things could be included in teacher education programs at the University.

He said if you take that same idea with Science, Technology, Engineering and Math (STEM) education, one reason the College of Education doesn’t have a large number of STEM educators, in his opinion, is there are not enough teachers prepared well enough in those disciplines to convey the knowledge to students at an early age. He said research indicates teachers focus on subjects with which they are most comfortable. He said if you produce teachers who are not comfortable with mathematics or technology, they will cover what the curriculum requires but they won’t cover those subjects as well as the areas in which they feel most comfortable. He said the College of Education needs to partner with the College of Arts and Sciences to produce teachers who are stronger in the STEM areas.

He said there is a movement currently developing in an area in which FGCU could distinguish itself. He said we could train Higher Education educators who are skilled in turnaround strategies for higher education institutions. He said it is common to see in the media news about institutions closing or having some deficiency.

Chair Felton asked Dr. Banks to comment on where he’d like to see the College in five or fifteen years. Dr. Banks said he’d like to see the College of Education producing preeminent educators and leaders. He said the term “educators” used to refer primarily to teachers, but now there is a full range of professionals in a school. He said FGCU needs to distinguish itself by producing educators and school leaders who have exceptional and unique skills that you don’t find in other education programs.

Trustee Price said with regard to areas of collaboration, he suggests information on personalized and adaptive learning well known in the College of Education be used when implementing the Business Intelligence and Analytics programs to
enhance competency-based learning. He said we should think about ways in which we can be leaders in where the market is going and apply the findings internally to the University.

Dr. Banks said one area that could be tapped into is “career changes,” where people have already distinguished themselves in their careers but want to give back to society. He said we could also focus on returning military personnel who have skills that could be applied in other education settings, and training educators in non-school settings.

Dean Behr said the U. A. Whitaker College of Engineering is operating a training program for engineering subjects in K-12 titled “Project Lead the Way.” He said we are the Florida affiliate for the 50-state, nationwide organization. He said this summer they will be training 200 teachers from all over Florida and the country. He said it’s focused primarily on high school, but it also includes middle and elementary school. He said it trains teachers how to teach engineering curricula. He said one benefit of the program is the recruitment of students through their teachers. He said conversations are taking place with College of Education leadership to have the Education undergraduates go through the training so they are equipped to teach engineering and technology subjects in K-12 classes.

Dean Gregerson said the College of Arts and Sciences has a Whitaker Center for Science, Technology, Engineering and Math (STEM) Education, which provides programming for regional high school teachers and students teaching and learning in the STEM disciplines.

Lutgert College of Business

Chair Felton called on Dean Bob Beatty to present. Dr. Beatty said he would describe in one sentence the College of Business by saying, “Your success is our business.” He said they would like to see their faculty move up to a higher level of scholarship in order to support the goals of the University. Dr. Beatty said the faculty do great research now and bring it into the classroom, which helps ensure students are well prepared when they leave FGCU. He said we want the students to have the skills and knowledge to be successful when they leave here, to get high paying jobs, and to fulfill their dream of receiving a college degree.

He said with regard to economic development, we are helping businesses in the area develop through our Small Business Development Center. He said we could attract new businesses to come here with the help of a clustering program.

Dr. Beatty said with regard to the pillars, he was excited to see the possibility of the School of Pharmacy and Dentistry. He said his previous institution added two medical schools during one year, including allopathic and osteopathic. He said they were asked what the College of Business could do to aid in that effort. He said medicine is a business, and students would learn how to work with hospitals and insurance companies as well as learning insurance metrics for the organization and their patients. He said it was similar to a customized medical
Masters of Business Administration (M.B.A.) to help doctors, dentists and others in the medical profession learn the business of being in that profession. He said dual degrees or certificate programs could be developed to help them be business doctors.

Dr. Beatty discussed the Business Analytics and Intelligence program. He said he has met with Chief Information Officers for local hospitals and they say health operations requires data mining and analytics to determine costs. He said we should prepare now to be ready for when we put into place those educational programs.

Dr. Beatty said the Emerging Preeminence category is very aspirational and very exciting. He said to accomplish it we need to start thinking immediately about research. He said to be nationally known and nationally renowned is going to first take baby steps. Dr. Beatty said we need to not only invest in the faculty we have doing research here, but not hesitate to hire faculty who are doing groundbreaking research outside of FGCU. He said we should consider using the “cluster hire” method, where you identify an area of focus and hire a number of faculty in that area to serve as a very strong force.

Dr. Beatty said with regard to Entrepreneurship, he believes it is one of the most exciting things happening in Southwest Florida. He commended Director of the Institute for Entrepreneurship Sandra Kauanui for her efforts. He said the Institute is in the high schools; we received a grant to teach veterans to develop their own businesses; and the curriculum was developed here. Dr. Beatty said that is an example of a “shining star,” as other institutions are coming to FGCU to see how they can apply that model in other areas. He said we've been able to achieve results with very little capital. He said our undergraduate students participated in a health entrepreneurship competition where they were competing with doctoral level and senior level students at other institutions, and our students received second place out of thirty teams.

Dr. Beatty said you'll see sponsorship within the community for these kinds of programs. He said the CEO academy has transformed the lives of high school students. He said they start their own business and the winning team receives a scholarship. Dr. Beatty said parents report back that their student learned strong communication skills as a result, and that they are inclined to attend FGCU because they can see an opportunity for entrepreneurship.

Dr. Beatty said a number of schools have moved forward with graduate education, but that we can be considered a leader in undergraduate education. He said it is astounding when you consider that other schools have $100 million or more that is invested as compared to the $100,000 here. He said we are becoming the place to come to learn about doing business. Dr. Beatty said we started with an entrepreneurship minor of approximately 40 students, and it has grown to more than 800 now. He said the best thing about this program is it's not
a business school program; it’s a University program. He said the entrepreneurs are working together from across disciplines.

Dr. Beatty said another important element is our partnership with the business community and the State of Florida on “all in” projects. He said there is an incubator in Naples and a private one is being developed in Downtown Fort Myers called “Rocket Lounge.” He said if we had a hatchery here where students at FGCU could develop their businesses, once sponsorships are received, they could move their businesses to the Emergent Technologies Institute (ETI). Then, when that business has received financial footing, we could move it to one of the incubators in either area. He said the Committee members have a copy of the plan.

Dr. Beatty said the next step in the process is to achieve national prominence. He said the goal would be to have an undergraduate degree in Entrepreneurship across the University, and to rank in the top 20 degree programs in the Princeton Review. He said the Lutgert College of Business and the business community are all in.

Dr. Beatty said another thing to consider are the difference makers. He said the College’s Resort and Hospitality Management program has 700 students who are required to do at least two internships, and they are hired all across the United States. He said the Professional Golf Management (PGM) program was recently reaccredited and is placing students in jobs across the U.S. as well.

He said students in Accounting, Finance and Economics are hired so quickly he oftentimes receives questions from businesses as to why FGCU students have not been applying to their organization. He said it’s because our students already have jobs. Dr. Beatty said their internship experience and the excellent reputation of the program have resulted in students being hired immediately after graduation. He said the success of the program comes from real world experience which students learn as a result of CEOs in the area coming in and teaching them.

Trustee Smith said it appears a focus has been on training high school students, but that our students who are learning to be teachers or entrepreneurs are not afforded the same opportunities. He asked why we don’t require students to take Introduction to Entrepreneurship so that when they are teaching they can identify young students who excel in that area and can help that child be energized about the subject.

Dr. Beatty said Introduction to Entrepreneurship is available to freshmen. He said the degree program being discussed would be a University program that would result in an interdisciplinary degree with exposure to entrepreneurship.

Dr. Behr said money is a factor. He said the two week “Project Lead the Way” program costs $3,000. He said we’d need to find additional funding to have our
current students take the course. Trustee Smith suggested that a course be
developed to mimic what is being done with “Project Lead the Way” to prevent
graduating students from having to come back to the University to be certified.

Dr. Banks said some programs, including Teacher Certification Programs in the
State of Florida, are very prescriptive and have limited opportunity for electives.
He said the curriculum would have to be reshaped. Dr. Banks said to pass the
licensure exams, Education majors have minimal elective slots. Trustee Smith
said if the State of Florida and the Board of Governors are saying that Science,
Technology, Engineering and Math (STEM) programs are important, he believes
we could get a supportive audience.

Trustee Smith said it appears from what was submitted by the deans for review
today that each College has a tie to entrepreneurship, and asked why we don’t
have a college specifically focused on this. Dr. Beatty said he would be fully
supportive of it and that it is common with more mature programs.

Trustee Roepstorff asked for clarification from Dean Banks about how graduation
rates for the College of Education students are impacted by limited electives, and
if they graduate in four years. Dean Banks said the only thing that prevents them
from graduating in four years is whether or not they pass the licensure exam. He
said requirements for teachers as determined by the Florida Department of
Education change often, so we have to establish priorities, recognize that if
something is added then something needs be removed, and keep the total
number of credit hours as close to 120 as possible.

Dr. Banks indicated that our students leave with an endorsement in Reading,
which is required by the districts, and an endorsement in English for Speakers of
Other Languages (ESOL). He said other schools don’t do this, and their students
have to return to college to receive the certifications within the first five years of
their teaching. He suggested a creative redesign of courses be considered to
incorporate Entrepreneurship rather than designing and requiring a course
specifically on the topic.

Trustee Spilker said that with regard to the Strategic Plan, we are here to identify
priorities for the institution that align with our Vision and Mission Statements, and
to determine what we will be doing over the next five years in those core areas to
make sure we move forward. He said he believes the Committee should be
discussing what those areas will be, with input from the deans. He said one of
our strategic issues, for example, should be greatly increasing the four-year
graduation rate. He suggested that the Committee determine what the pillars are,
and if they include the ones the deans responded to as a result of Chair Felton’s
memo, before moving on.

Trustee Smith said he believes the Strategic Plan should clearly outline what we
are going to be known for, and that graduation rates should be included in the
Work Plan. He said he would suggest things like a College of Entrepreneurship;
being the preeminent supplier of health professionals for everything other than Medical Doctor (MD) and Doctor of Osteopathic Medicine (DO); and have Academic Excellence in our core education. He said if we identify the pillars then we can work on getting students who can drive those initiatives. He said we need the deans to tell us, based on resources, need in the community, region and the State, what those three or four pillars should be.

Trustee Spilker said he believes the Strategic Plan is a strategy on accomplishing three or four cores to your mission and doesn’t have to be four-year graduation rates. He asked if we’ve identified the right pillars. Trustee Smith said the deans should suggest the pillars, and the Committee can determine how they look and what should fall under them.

Chair Felton said his intent with the memo to the deans which suggested categories was to provide his perspective on areas in which we currently fit. He said he doesn’t know if they are the right ones, but that is why the deans are present today. He said he hopes the Committee can discuss and decide what the pillars are.

Trustee Roepstorff said we have been asked to find our flagship. She says we have a strong legislative body that is looking out for us; a Governor who is focused on Higher Education; Senate President-Designate Joe Negron who wants to put $1 Billion toward Higher Education, as well as Senator Benacquisto. She said the medical field employs a large number of people, and it is currently experiencing a deficiency. She said since there already are a number of medical schools in the State University System, it was determined that Pharmacy and Dentistry may be considered flagships, as there is limited overlap in the System and we have people who want to support us with funding.

Trustees discussed the differences between the Work Plan and the Strategic Plan; and that the deans should be responsible and accountable for four-year graduation rates, reporting to Provost Toll what they are doing to effectuate change.

Dr. Yih said the curriculum at the undergraduate level is more rigid than at the graduate level. He said there is a trend at the graduate level that is more individualized or personalized curriculum. He said we may consider bringing highly-specialized degree programs into the graduate level.

**U. A. Whitaker College of Engineering**

Dean Richard Behr said he’d like his college to be widely regarded as offering unsurpassed value in Engineering education. He said he believes that at the current tuition level and what is being accomplished in the College of Engineering, that the College is already unsurpassed in value and he would like to maintain that position permanently.
Dr. Behr said the College has approximately 20 faculty and 1,000 students, with a ratio of 50 to 1. He said enrollment is increasing and that the College could stay small; however, if he considers where we want to be in five years, he wants to make sure the aspirations are commensurate with the College’s size and are scaled appropriately.

Dr. Behr said the Emergent Technologies Institute (ETI) opened in January and is a $12 million facility that is designed to accommodate the Master of Science in Engineering program that has been on the books for several years. He said the focus would be in renewable energy. He said a new Backe Chair recently has accepted the position and will be in place in August, replacing the retiring Dr. Joe Simmons. Dr. Behr said he believes Environmental Sustainability should be an area of focus, as it is inherent to this University. He said we are one of the few universities in the country that has Colloquium course, which is a sustainability-oriented course, required of all students.

Dr. Behr said in response to Trustee Smith’s suggestion about having a College of Entrepreneurship, his recommendation would be to approach it in the same way as Colloquium: have an Entrepreneurship course that is offered by many disciplines. He said we could accomplish the same thing without creating a new College.

Dr. Behr said one of the pillars previously suggested related to Water Resources. He said he believes we should actively participate in that with regard to the Emergent Technologies Institute (ETI), and our existing programs in hydraulics, hydrology, water quality, Civil Engineering and Environmental Engineering. He said research could be done with graduate students rather than just undergraduates.

Dr. Behr said with regard to Entrepreneurship, all College of Engineering students are already required to take an Entrepreneurship in Engineering course.

He said Trustee Roepstorff mentioned Cyber Security in a previous meeting. Dr. Behr said they have a plan to enhance our teaching in Cyber Security and Big Data, and that it’s an incremental plan that would be a concentration addition to our existing program.

Dr. Behr said he hopes we will continue to try for funding for the Construction Management program because there is a very strong demand for construction managers in this area.

Trustee Roepstorff thanked Dr. Behr for discussing Cyber Security and said the business community is going to love to hear that it is in the front of our minds. She said what we’ve done for water management and the collaborative partners is something we need to continue.
Trustee Smith said he is has not completely bought into the Emergent Technologies Institute (ETI) idea or plan for that location. He said he is unsure about the renewable energy piece, but he loves the sustainability and Construction Management pieces. He said there are other institutions that are so much further ahead of us in the area of renewable energy and doesn’t know how we would compete nationally. He said he agrees that the relationship between science and business is what is going to make the Emergent Technologies Institute (ETI) go, but he wonders if it as a facility could become a home for entrepreneurship.

Trustee Smith said he liked the idea of biomedical engineering, as businesses like Arthrex are located in the area and we could facilitate Engineering students or other individuals becoming master students in that. Dr. Behr said the University has a very strong partnership with Arthrex; they mentor and hire our students, and support our program with equipment and training grants. He said with regard to the ETI, he thinks it’s important that the facility have a very strong research component. He said there are several labs there and we inherited about a half million dollars’ worth of equipment that was donated to us. He said they wish to have the ability to do high quality research with M.S. students and those who wish to work with faculty on externally funded projects. He said we need to have the facilities to do that and we have this in the ETI.

College of Health Professions and Social Work
Chair Felton called on Dr. Mitchell Cordova, Dean of the College of Health Professions and Social Work, to provide his remarks.

Dr. Cordova provided an overview of the College. He said it has 100 faculty and staff; 11 graduate programs; and seven undergraduate programs. Dr. Cordova said it has approximately eight national accrediting agencies and two state boards to which it reports. He said all of the courses offered in the College are specific to undergraduate and graduate students within the College itself.

He said the College prepares professionals for high impact, high tech, high demand careers promoting health and wellness, and to sustain quality of life for residents of Florida and beyond.

He said the Strategic Planning process for the College started in October 2014, and it was an inclusive and iterative process. He said it engaged the department leadership, the college advisory board, and faculty and staff. He said four goals were identified to guide the College’s five-year Strategic Plan, including:

1) Innovative Academic Programs
2) Clinical Entrepreneurship
3) Research and Scholarship
4) Inter-professional Education Practice
Dr. Cordova said with regard to Innovative Academic Programs, you'll see a big push in graduate level education, including: Post-Masters Certificates in Counseling; the creation of Physician Assistant Studies program; the final implementation of the Doctor of Nursing Practice (DNP) program; planning of a Masters in Athletic Training; and planning of a Clinical Doctorate of Occupational Therapy (OTD).

Dr. Cordova said aspirationally the plan includes the creation of interdisciplinary and multidisciplinary Ph.D. programs in Rehabilitation Sciences and Behavioral Health. He said to inch toward preeminence benchmarks, those are the types of programs this institution will need if we want to have greater research expenditures; for example: graduate 200 doctoral students. Dr. Cordova said we need doctoral programs, research and entrepreneurship.

He said with regard to the Clinical Entrepreneurship goal, he asked how the College through its faculty and students can start developing alternative revenue streams that will offset our state dollars that are not increasing much, and serve as a clinical laboratory for our students who continue to have active learning with our faculty. He said the creation of on-campus faculty practice clinics focusing on Rehabilitation Sciences, and Primary Care where faculty and students can be treated. He said regarding off-campus community, a health center could be located at the Buckingham property. He said these ideas are both realistic and aspirational.

Dr. Cordova said the third goal of Research and Scholarship is important because we need to become more research focused, which requires research focused faculty who publish high quality papers in journals. He said faculty will become more competitive for grant applications, which will impact the procurement of Federal awards that we know are critical if we want to pursue preeminence status.

He said the last goal is Inter-professional Education Practice. He said we have to focus our curricula, research, and practice activities in a manner that is integrated. He said as we created our Physician Assistant Studies program, we worked closely with our Primary Health Care Nurse Practitioner program. He said we worked together to share core course work, clinical sites and clinical rotations.

Dr. Cordova said his College fits very well with the School of Dental Medicine and Pharmacy. He said it has an outstanding track record of developing practitioners with an undergraduate or graduate degree. He said with the School of Pharmacy you would consider a Doctor of Pharmacy (Pharm. D), a clinical doctorate; and consider partnering a Pharm. D with a Master of Health Administration (MHA). He said we have an M.S. in Health Science we are considering converting to an MHA. He said with regard to entrepreneurship, we need to start developing new technologies and start commercializing
technologies, which is where an entity like the Emergent Technologies Institute (ETI) can help.

Dr. Cordova said only one public institution in the State has a Dental Medicine program' that the Bureau of Labor Statistics indicates a need; and that there are large openings every year. He said the College needs a centralized entrepreneurship center to help us actualize having clinics on campus.

Dr. Cordova said with regard to Innovative Academic Programs, the College of Health Professions produces approximately 65% of all the graduate education at FGCU, and this is going to continue to increase with the addition of a Physician Assistant (PA) program; Doctor of Nursing Practice (DNP) program; and the lengthening of the Counseling program by another 12-14 hours. He said we are starting to see “degree creep” in the Health Professions in areas such as Athletic Training, which will soon require entry level preparation of a Master’s degree. He said Occupational Therapy may decide to move to a doctoral level in the next 10 years.

Dr. Cordova said with regard to Preeminence Milestones, we have to start addressing these by implementing the milestones to improve freshman retention, and look to pursue pre-FGCU admissions criteria for certain limited access programs in areas such as Nursing, Clinical Lab Sciences and Athletic Training in an effort to improve the quality of students who have a desire to pursue these majors.

He said the U.S. News & World Report top 50 Graduate School rankings are based on research expenditures and productivity, so we need to increase our research structure. He said we need new labs and cluster hires specifically in areas that we know are fruitful.

Trustee Smith asked if the other deans had Strategic Plans for their colleges that were similar to Dr. Cordova’s and if they could be shared with the Committee. Dr. Beatty said the packet includes one that the Lutgert College of Business is working on and hopes to have in place by the end of next year; Dean Behr said his College’s is coming to the end of its life cycle and the one provided is a draft of the new strategic plan being developed; and Dean Gregerson said the College of Arts and Sciences has departmental strategic plans and the College’s strategic plan is coming to the end of its life cycle. He said they base their strategic plan on the one for the University. Dr. Kelly said Undergraduate Studies is in a similar position as it is waiting for the newly named dean to come in and for the University to provide its strategic plan; Dean Miller said the Library is essentially a direct support organization, and it is waiting on the University’s strategic plan; its strategic plan ended in 2015. Dr. Yih said Graduate Studies has something similar but not to the same level of detail.
Dean Bob Gregerson said the College of Arts and Sciences has 10 departments which provide 25 undergraduate programs and seven graduate programs. He said the College provides 95% of the General Education courses at the University. He said when major-specific courses are added to that number, the College teaches 64% of all courses at FGCU.

He said the goal of the College of Arts and Sciences is to graduate very well educated students whose FGCU experience enables them to meet their career goals.

Dr. Gregerson said what is important to the College of Arts and Sciences for the next five years is enhancing collaboration, and interdisciplinary and multidisciplinary partnerships. He said “partnerships” are within the College, between Colleges, between FGCU programs and other State University System (SUS) schools, and with state and federal agencies.

Dr. Gregerson said of our students who graduate, the cohorts have graduated in 4.3 years and 4.2 years. He said we are getting through in less than 4.5 years the students who persist and graduate. He said we do well getting them through the program, but we need to do better at keeping them here. He said he believes one of the reasons students leave is we do not have enough programs that a broader range of students really want.

Dr. Gregerson said with regard to the four pillars model, the Schools of Dentistry and Pharmacy provide exciting possibilities to create programs in which students would receive the prerequisites courses and immediately go into a pharmacy or dental program, shortening the their time to a professional degree. He said other universities use that method, and if we are going to move forward with these two schools we need to be aggressive in doing this from day one. He said the College of Arts and Sciences can be a big contributor in this area.

He said regarding Preeminence Metrics, if we’re doing the things we need to, then we’ll be moving toward those goals.

Dr. Gregerson said with regard to Entrepreneurship, every department in the College has students who are interested in becoming entrepreneurs. He said we need to have more students participating, and that can be accomplished through advising and listening to students to determine their interests. He said a part of this also will be participating in whatever organization we create that fosters entrepreneurship.

He said in preparing his material for the Committee, he spent the most amount of time on Programs and Program Development and how the College can contribute to moving our performance metrics in the right direction. He said we have the opportunity to add a number of new programs that take advantage of the resources we already have and don’t cost a lot of money to implement.
Dr. Cordova said he provided as a separate document information about the School of Water Resources. He said he doesn’t want us to lose track of an opportunity that is crucially important. He says we all know the importance of water resources and water management, and he believes we could be a pivotal player in those research and teaching areas.

He said another aspect is to continue developing current programs and grow our research enterprise which permits faculty and students to be engaged in scholarship. He said we have had an amazing opportunity with the Seidler Fund gift that will be used as an investment tool to create new research opportunities. Dr. Gregerson said the plan is to have this boost the research funding we already are bringing in by getting projects up and running.

He said the last thing is to ensure students who leave FGCU are ready to take the next step in their careers. He said they are excited about the Humanities Initiative in which students in the Humanities and Social Sciences are gaining expertise from their freshman year through graduation. He said we’d like to grow internship opportunities, and that the current program recently placed 47 interns in the region.

**Undergraduate Studies**

Chair Felton introduced Dr. Sean Kelly, Interim Dean of Undergraduate Studies.

Dr. Kelly described his area as an office of strategic initiatives which coordinates university-wide academic strategies in an effort to provide a transformative educational environment. He said the highlights he provided in the materials includes the move from an Honors Program to an Honors College, which is essential to raising the bar. Dr. Kelly said we are the only State University System (SUS) institution that still has the opportunity to create an Honors College. He said because of that we can do it very strategically and around our brand. He said we can compete with New College of Florida, and that a number of top students have informed him that they’d like to have something similar to what New College has in place, but in an environment that is more like a traditional comprehensive university.

He said Undergraduate Studies maintains consciousness of the FGCU brand, including social entrepreneurship, social sustainability and environmental sustainability, with a focus on high impact learning. He said they have a great relationship with Student Affairs which helps incorporate Dr. Rollo’s and his staff’s input into academic projects and ensures success in areas such as Service Learning.

Dr. Kelly said they recently have filled the high impact offices in his area by adding the Office of Undergraduate Scholarship and the Office of Internships, and they are pursuing a First Year Experience position that hopefully will be filled by next year.
He said one of the things his office does is to identify academic areas that fall between colleges instead of under one particular college. He said, for example, that they look for degrees in areas of strategic emphasis that would require a crossover between several colleges. He said they’ve recently discussed the potential for a Medical Humanities degree which is available at a doctoral level and said it would provide an advantageous way of retaining the Health Professions students who are not accepted into the limited access programs. He said there is a lot of potential here to create concentrations and utilize existing resources.

Dr. Kelly said with regard to the four pillars that everything we are doing is moving toward preeminence, but the length of time to get there is to be determined. He said we fill a niche in the State of Florida in Undergraduate Studies. He said as we move toward preeminence we should look at other universities to determine in which metric areas we can grow in a unique way as compared to institutions such as the University of Central Florida (UCF) and other research schools.

Dr. Kelly said Entrepreneurship is very important and that following the “Imagine Solutions” event a few years ago, a number of people got involved with FGCU after hearing about social entrepreneurship. He said our combination of our strong business backgrounds and our civic engagement uniquely position us to create citizens who will go out and add value.

He said with regard to Academic Excellence, they want to continue to strengthen the Accelerated Collegiate Experience (ACE) program; build a three-year program, which would allow students to graduate earlier; and strengthen undergraduate research and internships through programs like Co-Op 6, the Honors Program and ACE.

Trustee Roepstorff asked if the success of the Honors Program is being recognized, and if Dr. Kelly is part of the recruitment process, as we do not have a National Merit Scholar. Dr. Kelly said it is a Catch-22, as the list of National Merit Scholar Finalists is not available to us unless we have a certain number of scholars for a specific number of years. He said once we become a sponsor we can use the names to recruit them. He said we need top programs here in order for top students to consider FGCU. Dr. Kelly said the research-based and service-based experiences required of the Honors Program are attracting students now, as parents and top students see the results.

Trustee Roepstorff asked what we need to do to get a National Merit Scholar. Dr. Kelly said we need the ability to recruit them by knowing their names and locations; have marquee programs that attract students; and have continued scholarship support, which he believes we have for all students.

Trustee Price asked for clarification regarding the challenges associated with our learning who the students are if we aren’t considered a sponsor. Director of
Admissions Marc Laviolette said the National Merit Scholarship Corporation, which sponsors the National Merit Scholarship, requires that you be a sponsor with the Corporation before you can avail yourself of the Benacquisto Scholarship. He said sponsorship requirements include having seven scholars in one year; five in two years; or three in three years. He said the challenge is to find and enroll scholars so we can become a sponsor. He said the semi-finalists list that comes out provides the high school and student names, but it does not provide contact information. He said the next step is to compete with scholarship dollars that the students would receive at other sponsorship schools within the State and try to match them.

Trustee Smith asked if Mr. Laviolette knew the number of students within the five-county area and if we are actively recruiting those students. Mr. Laviolette said we do know how many students are in the area, but we are not actively recruiting them. Trustee Smith said we should know each of the students very well and provide a number of reasons why they should come here. Trustee Smith said he doesn’t believe the Benacquisto Scholarship is tied to having a National Merit Scholar and suggested we speak with her about the details if that truly is the case. He said we need to get those scholars here in order to become a sponsor, so it’s important that additional effort is made. Mr. Laviolette said it is his understanding that we have to be a sponsor before we can take advantage of the Benacquisto Scholarship. He said he recently submitted a plan to Dr. Bradshaw to enhance our efforts, and identify and recruit students.

Trustee Smith said we need our recruitment efforts to be similar to those utilized in the recruitment of student-athletes.

Mr. Laviolette said we have increased the number of top students that we’ve attracted here. He said we have awarded more than 1,800 top merit scholarships this year of which approximately 400 have accepted, which is about 60 more than last year.

President Bradshaw said we distributed letters to thousands of high achieving students who were identified by the Noel-Levitz lists we purchase. He said the Accelerated Collegiate Experience (ACE) program has some of the highest achieving students in the five-county area who come here as juniors and graduate high school with the equivalent of an Associate’s Degree. Dr. Bradshaw asked Dr. Kelly to comment on the number of ACE students we keep and where the remaining students go. Dr. Kelly said we keep approximately 50%; of those who do not stay at FGCU, they attend schools such as University of Pennsylvania, Cornell University and Boston College.

President Bradshaw said the ACE program has expanded over the last five years and the Honors Program has almost doubled. He said those programs may not have the branding of National Merit Scholars, but that he believes a look at the academic profiles of the ACE students enrolled would indicate they would qualify if they applied.
Trustee Smith and Trustee Roepstorff expressed disappointment that FGCU does not have a National Merit Scholar. Trustee Smith said the message during Senator Negron’s visit was that we need to recruit those students. Trustee Roepstorff said we received a letter from Senator Gaetz a while back to that same effect. Trustee Smith said we need to focus on this effort more to help prevent the loss of state funding, which would impact everything being talked about today.

Mr. Laviolette said they will redouble their efforts. He said there are many misconceptions regarding what a National Merit Scholar is and who is eligible. He said many of these students come from private schools. Trustee Roepstorff said we have connections and individuals at FGCU, including her, who sit on private school boards and can assist.

**Library Services**

Dean Kathy Miller said she appreciates the opportunity to be here. She said the role of the Library is somewhat different because its primary purpose is to enable and support all of the work that happens in the Colleges, and to support the University’s 15,000 students.

Dr. Miller said the Library focuses on three things, including: (1) building collections, including books, manuscripts, music scores, databases, e-journals and more, and that the Library works closely with the faculty in the Colleges to ensure the collections will support the academic programs; (2) provide instruction and assistance to individuals who find and use those resources to complete assignments and conduct research; and (3) provide a facility that is an intellectual crossroads for students, where they interact with other students, faculty and librarians, and resources both in the facility and those maintained in our virtual library.

She said the Library’s Strategic Plan will be developed after the one for the University has been finalized.

Dr. Miller said she has provided a brief document which outlines the vision, mission and goals from the Library’s last strategic plan, as well as a list of six initiatives in which it is currently engaged. She said there are focuses on assessment, service delivery, and on continual improvement and database decision making.

Dr. Miller said if Dental and Pharmacy Programs are added, they are so specialized that they would require substantial library resources, including librarians with this subject expertise, as well as facilities. She said the current facility is full now and we may need to consider adding a Science Library to the campus. She said that although an expansion is included in the Campus Master Plan for the current building, we may be better served by a separate facility for Science and Health Professions.
Chair Felton called on Associate Vice President for Research and Dean of Graduate Studies Tachung (T.C.) Yih to present.

Dr. Yih said the two offices of (1) Sponsored Research and (2) Graduate Studies merged when he came to FGCU approximately four years ago, and it is now titled the Office of Research and Graduate Studies. He said as indicated in the name, his office provide services to both areas of research and graduate studies. Dr. Yih said when preparing the document for today he considered: (1) where we are; (2) how to develop an estimate to determine where we need to move forward from here to accomplish our five-year goals; (3) how to determine the number of faculty and students required; and from there (4) figure out, with the input of the deans, how much we may need.

Dr. Yih said to respond to Chair Felton’s questions, one of the most important concepts in research is the critical mass. He said current numbers of active research faculty members by percentage is lower than 15% and to reach the first turning point, whether it be Tier 3 or Tier 4, we need to double that number. He said we need to develop a collective plan that involves each of the College departments and the faculty members, as this goal is not something that can be accomplished solely by his office.

Dr. Yih said for patent applications to increase, we need products to increase our commercialization portfolio, and focus more on applied and technological research. He said culture change is something we need to consider as we move forward with conducting more research, as there will be resistance. He said we need to find a balance between teaching, research and service.

**Item 6: FGCU Strategic Plan 2016-2021 (TAB #2)**

Chair Felton thanked the deans for the information they provided. He asked the Trustees to discuss potential pillars. He said in addition to the four he provided as starting points, he heard the following concepts discussed today:

1. Interdisciplinary
2. School of Pharmacy and Pharm D.
3. Entrepreneurship
4. Innovative Programming
5. Emerging Preeminence; and
6. All things health with the exception of M.D.

Trustee Spilker said he liked the University of South Alabama’s Strategic Plan which identifies five institutional priorities, one of which was “Student Success and Access.” He said he would expand on that idea and say his five suggestions include:

1. Student Success and Access to Employment, which would include the enhancement of our recruitment of scholars.
2. Excellence in Health Care
3. Excellence in Entrepreneurship
4. Interdisciplinary enhancement and opportunities; and
5. Expand our research capabilities, and provide the deans the necessary tools.

In support of Student Success and Access to Employment, he also suggested that a personal finance and management course requirement be implemented.

Trustee Smith said the information the deans presented today supports the FGCU Mission statement which reads “Seeks academic excellence in the development of selected programs and centers of excellence in science, technology, engineering and mathematics (STEM) disciplines, health professions, business, and marine and environmental sciences.”

He said he would recommend the following areas of focus:

1. Health Sciences, which would include Pharmacy, Dentistry, Physician Assistant (PA), Physical Therapy (PT), and Administration.
2. Academic Excellence, which would include the Honors College and the recruitment of National Merit Scholars.
3. Entrepreneurship, which would include a goal of establishing a College of Entrepreneurship.
4. Emerging Preeminence with a focus on water management, which would involve such things as engineering, healthcare, and both undergraduate and graduate research.

Chair Felton recapped the pillars as described by Trustees Spilker and Smith. The Committee discussed the meaning of preeminence; the Board of Governors’ expectations; the costs associated with the implementation of a new Strategic Plan; the cost of new facilities; space utilization rates and the adjustments in course schedules to accommodate additional classes; plans for Academic Building 9 (AB9); various space types; the need for additional classrooms and labs should the Pharmacy and Dentistry Schools be included in the Strategic Plan; Legislative Budget Request (LBR) requirements; and whether or not the Emergent Technologies Institute (ETI) could be used for some of the new programs being considered due to campus space limitations.

Chair Felton said to summarize, the ideas for pillars include:

- Health Sciences
- Academic Excellence
- Entrepreneurship
- Emerging Preeminence

Chair Felton said he would be willing to work collaboratively with the deans, the Office of the Provost, and other areas to prepare a document that would assist
with reporting to the FGCU Board of Trustees the Committee’s work and provide a platform from which the Committee can work at its next meeting.

Trustee Smith suggested the Committee determine the pillars before moving forward.

Chair Felton asked the deans if there are any items missing from the suggested pillars.

Dr. Kelly said he’s not sure if sustainability and civic engagement should be an independent pillar, but he hopes those key FGCU concepts don’t take a back seat. He said they should be incorporated into the pillars identified by the Committee. He said we are the only State University System (SUS) institution that has a civic engagement requirement and it is something we should highlight. Dr. Beatty agreed and said “sustainability” applies both to environmental sustainability and economic sustainability. Dr. Behr agreed and said he believes it is essential to maintain the program plan for the Emergent Technologies Institute (ETI), which has that as a core function. He said we have a Backe Chair in renewable energy and an endowment dedicated to it, and to repurpose the building at this early stage in its evolution would be a mistake.

Trustee Smith requested a copy of the five-year ETI plan. He said he wants to make sure we can accommodate the overarching needs of the University. Dr. Beatty said he would provide it.

Dr. Gregerson said with regard to Academic Building 9 (AB9), he wants to make sure we don’t lose dedicated research space. Dr. Beatty said we need to be very careful about space utilization when we talk about fungibility. He said if we dedicate most of the space to very specific tasks, which we do need on campus, we may not be able to put other things in there and it will impact space availability for general instruction as programs continue to grow.

Chair Felton verified with the deans that nothing had been left off of the list of suggested pillars and that they felt comfortable with them.

Trustee Roepstorff asked what would fall under the Emergent Preeminence category. Chair Felton said research, water quality, ETI, and student success are some of the things. Chair Felton asked the Committee if civic engagement could be considered a component of Academic Excellence. Trustee Smith said he didn’t think it needs to be a separate pillar but should continue to be in our core DNA.

Chair Felton said it appears that there is consensus that the pillars should be categorized as:

- Health Sciences
- Academic Excellence
Item 7: FGCU 2016 Work Plan for Board of Governors (TAB #3)
Chair Felton said he spoke earlier today about the integration of the Strategic Plan, the Work Plan and the Accountability Report. He said we have a good idea of the four pillars that will help define our “Statement of Strategy” portion of the Work Plan. He said the next step will be to set goals for the Plan.

Chair Felton said there was limited time available and asked Senior Associate Provost Paul Snyder to get the Committee prepared for its next meeting by providing an overview of where we are in the current metrics and to discuss what would be required for us to accomplish moving up one percentage point in categories outlined in the Work Plan.

Dr. Snyder said the provided document includes a mix of existing goals, some that have been decreased because the goals were not met this year, and those that were increased as a result of our exceeding our goals. He said those numbers appear in red.

Dr. Snyder said both new and changed metrics are included in the BOG Work Plan form this year. He said, for example, Percent of Bachelor’s Graduates Enrolled or Employed earning $25,000 or more was modified to include the “$25,000+.” He said the goals for 2017-2020 are all new because we’ve added another year of goals for the four upcoming years. He said the “Key Performance Indicators” on page two include a number of new goals, including “Freshmen in Top 10% of Graduating High School Class;” “Adult (Aged 25+) Undergraduates Enrolled;” and “Percent of Undergraduate FTE in Online Courses.”

Chair Felton thanked Dr. Snyder for providing the information.

Item 8: Public Comment
There was no public comment.

Item 9: New Business
Trustee Smith suggested Chair Felton collaborate with Dr. Toll and Dr. Snyder to have a draft of the Work Plan available the next time the Committee meets.

There was no additional new business.

Item 10: Closing Remarks, and Adjournment
Chair Felton thanked the deans, Academic Affairs and everyone at the meeting and said he looks forward to getting a draft of the Work Plan prepared so the Committee can provide feedback.

President Bradshaw said that they have listened intently today and that they will prepare a document that is informed by the comments from today’s meeting.
Chair Felton said he will provide an informational report to the FGCU Board of Trustees at its meeting on May 10, 2016 and provide an update on the Committee’s progress. He said Vice President and Chief of Staff Susan Evans will be in touch to determine quorum availability for the next Committee meeting date.

The meeting was adjourned at 3:02 p.m.

Minutes submitted by Director of Board Operations, and Special Projects Amber Pacheco.

Agenda Items:

A. [http://www.fgcu.edu/Trustees/AgendaFile/2016/04-29-2016(SP%2016-21%20Cmt.)/STRATEGICPLAN16-21CMT_4-29-2016.pdf](http://www.fgcu.edu/Trustees/AgendaFile/2016/04-29-2016(SP%2016-21%20Cmt.)/STRATEGICPLAN16-21CMT_4-29-2016.pdf)

B. [http://www.fgcu.edu/Trustees/AgendaFile/2016/04-29-2016(SP%2016-21%20Cmt.)/STRATEGICPLAN16-21CMT-HANDOUTS_4-29-2016.pdf](http://www.fgcu.edu/Trustees/AgendaFile/2016/04-29-2016(SP%2016-21%20Cmt.)/STRATEGICPLAN16-21CMT-HANDOUTS_4-29-2016.pdf)
SUBJECT: Draft FGCU 2016 Work Plan for Board of Governors

PROPOSED BOARD ACTION

Information only

BACKGROUND INFORMATION

FGCU Board of Trustees Chair Dudley Goodlette named a Special Committee on FGCU Strategic Plan 2016-2021 with Trustee Shawn Felton as its Chair. Trustee Felton will report on the coordinated work for the FGCU 2016 Work Plan for Board of Governors, and FGCU Strategic Plan for 2016-2021. A draft FGCU 2016 Work Plan for Board of Governors will be presented for information and discussion by the FGCU Board of Trustees.

Supporting Documentation Included: (1) Timeline for Content Coordination of FGCU Strategic Plan for 2016-2021, and FGCU 2016 Work Plan for Board of Governors; (2) Memorandum from Trustee Felton to the Special Committee on FGCU Strategic Plan 2016-2021; and (3) Draft FGCU 2016 Work Plan for Board of Governors

Prepared by: Trustee Shawn Felton, Chair of Special Committee on FGCU Strategic Plan 2016-2021

Legal Review: N/A

Submitted by: Trustee Shawn Felton, Chair of Special Committee on FGCU Strategic Plan 2016-2021
Timeline for Content Coordination of (1) FGCU Strategic Plan for 2016-2021; and (2) FGCU 2016 Work Plan for Board of Governors

April 2016:
- **April 19:** (1) Meeting of FGCU Board of Trustees (BOT). (2) Draft FGCU Strategic Plan for 2016-2021 removed from BOT agenda. (3) BOT Chair Dudley Goodlette appoints Special Committee on FGCU Strategic Plan 2016-2021 – and charges Committee with coordinating content of Strategic Plan; and 2016 Work Plan for BOG.
- **April 21:** FGCU visit by Senators Joe Negron, Lizbeth Benacquisto and Anitere Flores. Concept paper presented on incorporating new programs in Dentistry and Pharmacy into existing College of Health Professions and Social Work.
- **April 25:** Board of Governors (BOG) *optional* deadline for staff pre-review of universities’ 2016 Work Plans. (per Dr. Paul Snyder)
- **April 29:** Meeting of Special Committee on FGCU Strategic Plan 2016-2021.

May 2016:
- **May 10:** (1) Meeting of FGCU Board of Trustees. (2) Special Committee presents *Information Only* agenda items of (1) Draft FGCU Strategic Plan for 2016-2021, and (2) Draft FGCU 2016 Work Plan – to obtain feedback from BOT. Staff revisions made to Drafts as informed by BOT feedback.
- **May 11 to May 30:** Additional meeting(s) as needed by Special Committee on FGCU Strategic Plan 2016-2021.
- **May 12:** FGCU submits “Pending-BOT-Approval FGCU 2016 Work Plan for BOG.”
- **May 13:** BOG deadline for receipt of “Pending-BOT-Approval FGCU 2016 Work Plan.” (per Dr. Paul Snyder)
- **May 20:** Meeting of Special Committee on FGCU Strategic Plan 2016-2021.
- **May 31:** Agenda packet posting deadline for June 7 BOT meeting, including *Action Items*.

June 2016:
- **June 7:** (1) Meeting of FGCU Board of Trustees. (2) Special Committee on FGCU Strategic Plan for 2016-2021 recommends Action Items for approval of (1) FGCU Strategic Plan 2016-2021, and (2) FGCU 2016 Work Plan. (3) Staff updates to documents as needed based on BOT action.
- **June 13:** FGCU submits “BOT-Approved FGCU 2016 Work Plan for BOG.”
- **June 17:** BOG Deadline for receipt of “BOT-Approved FGCU 2016 Work Plan.” (per Dr. Paul Snyder)

(NOTE: 2017 Legislative Budget Request also will need coordinated content.)

(END)
May 6, 2016

Fellow Committee Members:

I want to provide you with some further details and context related to the 2016 Work Plan presented for our upcoming discussion. Following the April 29, 2016 committee member, where we identified four pillars to anchor the 2016-2021 Strategic Plan, Senior Associate Provost Dr. Snyder provided to me an updated draft of the 2016 Work Plan that incorporated our general framework into the Work Plan specifically related to the narrative areas you will find in the document (Statement of Strategy, Strengths and Opportunities, and Key Initiatives). When I received the draft: Monday, I requested that it be shared with the Provost and Vice President for Academic Affairs and the eight deans who joined us at our April 29th committee meeting. I received feedback from a super majority of Deans and this was discussed with the Planning Budget Council's (PBC) Strategic Planning and Institutional Effectiveness Committee (SPIEC). Following the SPIEC meeting I worked in-depth trying to sort through the feedback from the many reviewing parties to propose to you the current draft for review. Following my initial attempt at edits I reviewed the document with Dr. Snyder prior to final edits as presented in the document. I would like to especially recognize the work of the Deans for their thoughtful input and review and Lenore Benefield, Director of Assessment and Accreditation Management Systems, for her assistance in navigating the formatting and challenging typing and working within the Board of Governors template.

Some notes related to the highlighted areas in the document: The two highlighted areas in the Mission Statement, page 4 “comprehensive and practices” were suggested for inclusion at the January full BOT meeting. However, no formal action has occurred in updating the Mission Statement. The Board will need to take action on this, or the approved mission from September 2015 will need to be inserted. Also, on page 13, I have reached out to the Quality Enhancement Plan (QEP) Director, Dr. Billy Gunnels, to assist in defining the benchmark to ensure progress on student scholarly productions. Also, we will need to identify numeric goals for the 4-year graduation rate goal.

Lastly, the committee and full Board will need to review the numeric goal projections on the Performance Based Funding Metrics and Key Performance Indicators. The goals appearing in red text indicate a change and will be discussed in more detail at our upcoming meetings. I have not made any changes to the goals, and this area will need further vetting.
Please review the document and I look forward discussing this in committee on Tuesday and later that day at the full BOT meeting.

All the best,
FGCU
2016 Work Plan

Florida Gulf Coast University
University Work Plan Presentation
for Board of Governors June 2016 Meeting

DRAFT 5/6/2016

STATE UNIVERSITY SYSTEM of FLORIDA | Board of Governors
INTRODUCTION

The State University System of Florida has developed three tools that aid in guiding the System’s future.

1) The Board of Governors’ 2025 System Strategic Plan is driven by goals and associated metrics that stake out where the System is headed;

2) The Board’s Annual Accountability Report provides yearly tracking for how the System is progressing toward its goals;

3) Institutional Work Plans connect the two and create an opportunity for greater dialogue relative to how each institution contributes to the System’s overall vision.

These three documents assist the Board with strategic planning and with setting short-, mid- and long-term goals. The Board will use these documents to help advocate for all System institutions and foster even greater coordination with the institutions and their Boards of Trustees.

Longer-term goals will inform future agendas of the Board’s Strategic Planning Committee. The Board’s acceptance of a work plan does not constitute approval of any particular component, nor does it supersede any necessary approval processes that may be required for each component.
TABLE OF CONTENTS

1. STRATEGY
   a. Mission Statement
   b. Vision Statement
   c. Statement of Strategy
   d. Strengths and Opportunities
   e. Key Initiatives & Investments

2. PERFORMANCE BASED FUNDING METRICS

3. KEY PERFORMANCE INDICATORS
   a. Teaching & Learning
   b. Institution Specific Goals

4. ENROLLMENT PLANNING

5. ACADEMIC PROGRAM COORDINATION

6. STUDENT DEBT & NET COST

7. UNIVERSITY REVENUES

8. TUITION, FEES AND HOUSING PROJECTIONS

9. DEFINITIONS
MISSION STATEMENT  (What is your purpose?)

Florida Gulf Coast University, a comprehensive institution of higher education, offers undergraduate and graduate degree programs of strategic importance to Southwest Florida and beyond. FGCU seeks academic excellence in the development of selected programs and centers of distinction in science, technology, engineering and mathematics (STEM) disciplines, health professions, business, and marine and environmental sciences. Outstanding faculty and staff supported by a strong community of advisors prepare students for gainful employment and successful lives as responsible, productive and engaged citizens. FGCU emphasizes innovative, student-centered teaching and learning, promotes and practices environmental sustainability, embraces diversity, nurtures community partnerships, values public service, encourages civic responsibility, and cultivates habits of lifelong learning and the discovery of new knowledge.

VISION STATEMENT  (What do you aspire to?)

Florida Gulf Coast University will achieve national prominence in offering exceptional value in high-quality educational programs that address regional and statewide needs. Our programs, firmly grounded in the liberal arts and sciences, will employ emerging instructional technologies. Possessing an entrepreneurial spirit, graduates will be well prepared for productive lives as civically engaged and environmentally conscious citizens with successful careers, ready to pursue further education. Florida Gulf Coast University will achieve national prominence in undergraduate education with expanding recognition for graduate programs.
STATEMENT OF STRATEGY (How will you get there?)
Given your mission, vision, strengths and available resources, provide a brief description of your market and your strategy for addressing and leading it.

As a public comprehensive university serving Southwest Florida (SWFL) and beyond, Florida Gulf Coast University (FGCU) primarily attracts traditional age undergraduate students who are increasingly seeking a residential experience at an institution noted for its excellent career preparation, community engagement/service, and focus on practicing and promoting environmental sustainability. FGCU is focused on providing students with an all-inclusive educational and co-curricular experience that will prepare them for successful careers in Florida’s growing and increasingly diverse economy and/or pursing advanced fields of study. FGCU will continue to leverage the following as our key strengths: success of our graduates in Science, Technology, Engineering and Mathematics (STEM) disciplines, and areas of strategic emphasis identified by the BOG (e.g. health professions disciplines); focus on teaching, learning, and scholarship; commitment to managing growth in strategic emphasis areas; continue to improve institutional efficiencies; further expand community and civic engagement; and continue to serve as a major catalyst of economic impact in SWFL and the region. Concurrently, FGCU continues to emphasize critical thinking skills that are grounded in the liberal arts and humanities that are necessary for career preparation of our students. The success of our approach is reflected in the number of students in the STEM disciplines and health professions areas that are employed in professional positions immediately after graduation.

Currently, FGCU is finalizing its 2016-2021 strategic plan. This plan has identified four new pillars that will serve, as the strategic foundation for us to address critical needs of our region, Florida, our nation, and globally using the servant leadership philosophy. The four pillars: 1) Academic Excellence, 2) Entrepreneurship, 3) Health Sciences, 4) Emerging Pre-Eminence will develop critical masses of faculty in key, strategic areas facilitating cutting-edge research, innovative academic programs; further expand successful interaction among faculty and students by widening their experiences across traditional departmental boundaries; link students more closely to the business community and workforce development opportunities through internships, co-ops, and practicums. This heightened involvement, complemented with an entrepreneurial spirit, will utilize a problem-solving approach, which will translate into improved student outcomes.

The new strategic plan will focus on ensuring a bright and aspirational future for FGCU, and ensure that student success is at the centrality of all we do with extreme laser focus on graduation rates and post-graduation employment. To specifically address these benchmarks, FGCU will:

1. Provide incentives that encourage students to complete their studies in a timely fashion through programs such as the Soar in Four: The Governor’s Challenge Rebate program for FTIC students and a Graduate Tuition Waiver program for all students who complete their bachelor’s degrees within four years.

2. Implement policies and practices to keep students on a successful pathway to 4-year graduation by limiting changes in majors, the addition of minors, repetition of courses, limiting the number of cumulative credits needed to fulfill degree requirements.

3. Expand an already successful Honors Program (e.g., 80+% 6-year graduation rate among participating students) to a recognized Honors College that will attract an even larger number of higher-achieving students.
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<td>4.</td>
<td>Increase the use of online instructional delivery methods to provide students with more opportunities to students to complete their studies in a timely manner, examine opportunities for competency-based education, and explore the creation of a central office dedicated to online education.</td>
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<td>5.</td>
<td>Establish entrepreneurial focus throughout all undergraduate degree programs.</td>
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<td>6.</td>
<td>Expand the number of internships, co-op educational, and practicum experiences for students to remain as competitive as FGCU is in the job market.</td>
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<td>7.</td>
<td>Achieve institutional efficiencies to maximize institutional financial resources. For example: decrease transaction costs, streamline administrative procedures, and explore re-organization of academic and/or support units.</td>
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<td>8.</td>
<td>Create new and/or refine existing programs to further align with areas of strategic importance defined by the state of Florida that lead to high-wage and high-demand jobs that will attract higher quality students to FGCU, and reduce the need for students to transfer out to other institutions.</td>
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<td>9.</td>
<td>Identify alternate revenue streams needed to ensure success of the 2016-2021 Strategic Plan connecting the most talented faculty, staff, and students to expand upon the University’s existing strengths and areas of distinctiveness.</td>
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<td>10.</td>
<td>Examine and pursue new possible alternative revenue streams (e.g. faculty practice health clinics) to augment the financial resources available to the university; thus, increasing the state’s return on investment that will allow FGCU to become more competitive with peer and aspirational institutions.</td>
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STRENGTHS AND OPPORTUNITIES (within 3 years)

What are your core capabilities, opportunities and challenges for improvement?

The principal strengths of FGCU include its successful outcomes (STEM degrees, Excellence in Health Professions, Employment in well paying jobs following graduation). FGCU further defines itself through the success of its graduates; its focus on teaching, learning, and scholarly activities; commitment to sustainable growth; emphasis on institutional efficiency, especially related to classroom and building utilization; engagement with its community; the quality of its facilities and classrooms; location in the heart of Southwest Florida; potential to grow strategically; expanding technology; its academic support resources; entrepreneurial spirit and regional economic impact. Another key strength for FGCU is the development of the 2016-2021 strategic plan. The plan will focus on the following Pillars:

Pillar # 1 – Academic Excellence
Pillar # 2 – Entrepreneurship
Pillar # 3 – Health Sciences
Pillar # 4 – Emerging Pre-eminence

FGCU’s biggest challenges in the immediate future is improving student success especially as measured by timely graduation, especially the 4-year graduation rate, decreasing the number of college dropouts, limiting the number of transfer students and recruiting a higher achieving student. Furthermore, FGCU faces considerable challenges in physical space available for classroom delivery. However, an opportunity addressing the extreme space limitations to deliver high quality education was realized with preliminary funding appropriated from the 2015-16 legislative session for the planning phase of Academic Building 9. If the needed remaining capital appropriations become available and construction is completed, this will drastically address the current space limitations and further position FGCU for continued success in the areas identified. Furthermore, expanding the start and end of the class day by 30 minutes has allowed 80 + new course section offerings. It will be imperative to ensure the availability of new section times are strategically aligned with the courses required by students to ensure the timely graduation of students.

Over the next 5 years, FGCU aims to position itself in the SUS as an aspirational and forward-thinking institution that delivers high quality education with a great return on investment to all stakeholders and is adaptable to the needs of Florida. This is evidenced in the key initiatives of the 2016-2021 strategic plan, especially the Pillars of Academic Excellence, Entrepreneurship and Health Sciences. FGCU has immense synergies to accomplish and attain the ambitious goals outlined in the following Key Initiatives and Investments section.
KEY INITIATIVES & INVESTMENTS (within 3 years)

Describe your top three key initiatives for the next three years that will drive improvement in Academic Quality, Operational Efficiency, and Return on Investment.

Foundational to the three key initiatives is student success and career attainment. FGCU will begin to focus on an aspirational pillar of emerging preeminence, through major initiatives as well as capitalizing on current areas of strength, FGCU aims to be ambitious in the beginning to make progress in these benchmarks to allow for an opportunity of positioning within the SUS. We recognize we have to start somewhere, and thus will begin to address the criteria that define an institution of emerging pre-eminence, especially the metrics related to student success. This is a long-term objective that will not be met in the period covered by this Work Plan, but the benchmarks of pre-eminence will guide continuing incremental efforts in an effort to distinguish FGCU among its peers and guide the institution’s future goals and aspirations.

Objective 1: Recruitment of More Academically Well Prepared Students

Objective 2: Improve 4 year and 6 year Graduation Rates

Objective 3: Increase Research Productivity

1. Academic Excellence: This remains as the central focus of teaching, learning, and scholarship at FGCU as well as the primary impetus for developing new and refining academic programs at FGCU. The primary goal within academic excellence is to enhance the 4-year graduation rate of FGCU students to ensure a more efficient time to degree. Each of the five academic colleges will continue to place an emphasis on developing programs in strategic areas of importance throughout the region, the state, and nation. In the next 3 years, FGCU will look to refine existing programs and develop innovative undergraduate and graduate programs addressing areas of strategic need.

FGCU will focus on transitioning the highly successful Honors Program into an Honors College which will provide a significant step towards attracting higher achieving students to FGCU as well as retaining our students so that we can significantly improve our 4 year graduation rate. Through the Honors College, FGCU will also integrate learning experiences for all students that focus on employability and success after graduation. Support resources will expand to connect students with clinical, internship, practical, and civic engagement experiences that supplement the curriculum and produce graduates with the skills most desired by future employers and advanced academic programs.

Curricular development and scholarship will include water quality and resources management and a focus on interdisciplinary programs to address water quality infrastructure which is deteriorating, increasing clean water availability (including desalinization), expanding water treatment options, and waste water management. Economic research will assess impacts of interventions or consequences of no intervention. Business law will examine the legal structures of how water is currently managed and how laws might be changed to secure positive outcomes for business and the community.
Public health will focus on environmental health policy issues that must be addressed. The faculty and students based at the Vester Marine Field Station and the Coastal Watershed Institute will provide research essential to ensuring our fishing and tourism industries and will provide practical feedback to the efficacy of efforts to improve fresh water quality and its coastal and estuarine impacts. FGCU has the ability to channel strengths to address this challenge across dimensions of engineering, economics, law, public health, marine and coastal studies, and education. Furthermore, expertise in water resources and water quality will be obtained from the Department of Environmental and Civil Engineering. Specialized laboratory research facilities will be utilized at the newly constructed Emergent Technologies Institute (ETI).

2. **Entrepreneurship:** At FGCU entrepreneurship combines the skills of creative thinking, thoughtful planning, perseverance, sound communication both orally and in writing, and business acumen that can be applied, not just to business opportunities, but to any challenge. With small businesses comprising the majority of job growth in the United States, entrepreneurial skills become essential. Entrepreneurial skills are also highly prized by larger businesses. FGCU proposes to establish a Center of Entrepreneurship that will serve as the epicenter of fostering, and establishing all new entrepreneurial efforts on campus as an entrepreneurial dimension will be infused in the undergraduate education experience of all our students. Leadership for expanded entrepreneurship education across FGCU will come from the Lutgert College of Business and the U.A. Whitaker College of Engineering. The newly opened Emergent Technologies Institute (ETI) contains an advanced machine shop and two large project studios designed specifically to support enhanced product prototype development activities for FGCU students enrolled in entrepreneurship courses.

3. **Health Science:** FGCU will capitalize on its existing strengths in offering undergraduate and graduate degree programs in Nursing and Rehabilitation Sciences within the College of Health Professions and Social Work (CHPSW) and look to expand its portfolio of programs by initiating the process and examining the feasibility of establishing a School of Dental Medicine and School of Pharmacy. These areas meet existing significant state and nationwide demands, while also allowing FGCU to further establish itself as the University in the SUS of FL in preparing outstanding clinicians. By integrating with the existing, highly successful CHPSW the concept to form the College of Dental Medicine and Health can be actualized. FGCU is uniquely positioned to establish an integrated academic medical campus to deliver programs in dental medicine and pharmacy in addition to its current extensive offerings in Nursing, Behavioral Health, Rehabilitation Sciences, and its Physician Assistant Studies program that will begin in Summer 2017. Creation of an academic medical campus in close proximity to a thriving economic center can address Southwest Florida’s continuously emerging needs for citizens across their lifespan (pediatric to geriatric) to receive comprehensive oral health care and pharmaceutical treatment. Similar to the economic impact created by the establishment of FGCU, this biomedical corridor would serve as another economic catalyst which will diversify the current economic sectors within Southwest Florida. The College of Arts and Sciences has strengths in its music therapy program that can also contribute to expanding the health sciences pillar at FGCU. The Lutgert College of Business and the CHPSW also are planning a Business Analytics and Health Informatics undergraduate degree program that will also compliment the clinically-oriented programs that currently exist.
The opportunities for our faculty to engage in clinical and translational research within these areas: of dental medicine, pharmaceutical sciences, would partner well with existing research in being performed in nursing and the rehabilitation sciences.

Collectively, FGCU would be only the second University in the Florida SUS to offer both programs in dental medicine and pharmacy. The College of Dental Medicine and Health will provide a collaborative educational experience rooted in inter-professional education and practice whereby student, patient and faculty learning occurs. These educational programs and experiences of students will be focused in an integrated care model that will be: 1) focused in primary care 2) service-based and centered on community practice that is collaborative with other health care disciplines. The College’s faculty will serve as educational leaders, innovative researchers, and scholarly practitioners to partner with clinicians and providers to address the changing demands of health care. FGCU can provide leadership in the state of Florida among health care providers and other stakeholders to advance oral health and pharmaceutical care for individuals in a patient-centered approach. These programs would collaborate with current areas of academic excellence that exist in the CHPSW: Nursing (BSN, MSN, DNP), Rehabilitation Sciences (Physical Therapy – DPT, Occupational Therapy - MSOT, Athletic Training – BSAT) as well as newly established programs in Physician Assistant Studies (MPAS) and Public Health (BSPH). The CHPSW currently contains the following academic units: 1) School of Nursing 2) Department of Rehabilitation Sciences 3) Department of Health Sciences 4) Department of Social Work and 5) Department of Counseling.
### PERFORMANCE BASED FUNDING METRICS

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</thead>
<tbody>
<tr>
<td>Percent of Bachelor’s Graduates Enrolled or Employed ($25,000+)</td>
<td>65.6%</td>
<td>64.2%</td>
<td>66%</td>
<td>67%</td>
<td>68%</td>
<td>69%</td>
</tr>
<tr>
<td>within the U.S. One Year After Graduation</td>
<td>2012-13</td>
<td>2013-14</td>
<td>2014-15</td>
<td>2015-16</td>
<td>2016-17</td>
<td>2017-18</td>
</tr>
<tr>
<td>Median Wages of Bachelor’s Graduates Employed Full-time</td>
<td>$35,300</td>
<td>$35,200</td>
<td>$37,000</td>
<td>$37,500</td>
<td>$38,200</td>
<td>$39,000</td>
</tr>
<tr>
<td>Cost per Bachelor’s Degree Costs to the University</td>
<td>$29,390</td>
<td>$30,080</td>
<td>$29,980</td>
<td>$30,280</td>
<td>$30,580</td>
<td>$30,880</td>
</tr>
<tr>
<td>FTIC 6 year Graduation Rate for full- and part-time students</td>
<td>48.8%</td>
<td>43.0%</td>
<td>45%</td>
<td>47%</td>
<td>50%</td>
<td>53%</td>
</tr>
<tr>
<td>Academic Progress Rate FTIC 2 year Retention Rate with GPA&gt;2</td>
<td>71.7%</td>
<td>73.5%</td>
<td>74%</td>
<td>75%</td>
<td>76%</td>
<td>77%</td>
</tr>
<tr>
<td>Bachelor’s Degrees Awarded Within Programs of Strategic Emphasis</td>
<td>45.2%</td>
<td>44.7%</td>
<td>47%</td>
<td>48%</td>
<td>49%</td>
<td>50%</td>
</tr>
<tr>
<td>University Access Rate Percent of Fall Undergraduates with a Pell grant</td>
<td>35.0%</td>
<td>33.8%</td>
<td>36%</td>
<td>37%</td>
<td>38%</td>
<td>39%</td>
</tr>
<tr>
<td>Fall 2013</td>
<td>Fall 2014</td>
<td>Fall 2015</td>
<td>Fall 2016</td>
<td>Fall 2017</td>
<td>Fall 2018</td>
<td></td>
</tr>
<tr>
<td>Graduate Degrees Awarded Within Programs of Strategic Emphasis</td>
<td>63.6%</td>
<td>60.2%</td>
<td>62%</td>
<td>64%</td>
<td>66%</td>
<td>68%</td>
</tr>
<tr>
<td>BOG METRIC: Percent of Bachelor’s Degrees Without Excess Hours</td>
<td>72.3%</td>
<td>75.9%</td>
<td>76%</td>
<td>77%</td>
<td>78%</td>
<td>79%</td>
</tr>
<tr>
<td>UBOT METRIC: Bachelor’s Degrees Awarded to Minorities</td>
<td>452</td>
<td>504</td>
<td>524</td>
<td>544</td>
<td>564</td>
<td>584</td>
</tr>
</tbody>
</table>

Note: Metrics are defined in appendix. For more information about the PBF model visit: [http://www.flbog.edu/about/budget/performance_funding.php](http://www.flbog.edu/about/budget/performance_funding.php).
### Teaching & Learning Metrics

(from 2025 System Strategic Plan that are not included in PBF or Preeminence)

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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>2. Freshmen in Top 10% of Graduating High School Class</td>
<td>15% Fall 2014</td>
<td>13% Fall 2015</td>
<td>14% Fall 2016</td>
<td>15% Fall 2017</td>
<td>16% Fall 2018</td>
<td>17% Fall 2019</td>
</tr>
<tr>
<td>4. Time to Degree for FTICs in 120hr programs</td>
<td>4.5 2013-14</td>
<td>4.5 2014-15</td>
<td>4.2 2015-16</td>
<td>4.2 2016-17</td>
<td>4.1 2017-18</td>
<td>4.0 2018-19</td>
</tr>
<tr>
<td>12. Percent of Undergraduate FTE in Online Courses</td>
<td>16% 2013-14</td>
<td>18% 2014-15</td>
<td>19% 2015-16</td>
<td>20% 2016-17</td>
<td>25% 2017-18</td>
<td>30% 2017-18</td>
</tr>
<tr>
<td>16. Percent of Bachelor’s Degrees in STEM &amp; Health</td>
<td>30% 2013-14</td>
<td>31% 2014-15</td>
<td>32% 2015-16</td>
<td>33% 2016-17</td>
<td>34% 2017-18</td>
<td>35% 2018-19</td>
</tr>
<tr>
<td>18. Percent of Graduate Degrees in STEM &amp; Health</td>
<td>35% 2013-14</td>
<td>37% 2014-15</td>
<td>38% 2015-16</td>
<td>39% 2016-17</td>
<td>40% 2017-18</td>
<td>41% 2018-19</td>
</tr>
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</table>

### IMPROVING METRICS

<table>
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<th>X of 10</th>
<th>X of 10</th>
</tr>
</thead>
</table>

DRAFT 5/6/2016
Institution Specific Goals (optional)
To further distinguish the university’s distinctive mission, the university may choose to provide additional narrative and metric goals that are based on the university’s own strategic plan.

Narrative Goals.

1. Florida Gulf Coast University’s Quality Enhancement Plan, a required plan by regional accreditation to enhance student learning and successes, FGCUScholars: Think. Write. Discover, strengthens undergraduate student learning by helping students develop stronger writing, critical thinking, and information literacy skills as students work to become scholars within their major. FGCUScholars supports student research, creative endeavors, and scholarly activities as ways to enhance and professionalize student skills in writing, critical thinking, and information literacy. These skills are foundational to successful lives that also lead to rewarding careers. To demonstrate the highest achievement in scholarship resulting from high-quality writing, critical thinking and information literacy, FGCU plans to increase the number of undergraduate students publishing their research or presenting their creative endeavors.

2. A prominent goal of FGCU is to increase student success. This can be measured in several ways, but one measure that FGCU will focus on in the next 4 years is the 4-year graduation rate. Currently the 4-year graduation is 21%. Over the next 4 years, FGCU will increase 4-year graduation rates by xx%.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Not Collected</td>
<td>11</td>
<td>15</td>
<td>20</td>
<td>25</td>
<td>30</td>
<td></td>
</tr>
</tbody>
</table>
## ENROLLMENT PLANNING

### Planned Headcount Enrollment by Student Type (for all students at all campuses)

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>UNDERGRADUATE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FTIC</td>
<td>8,725</td>
<td>9,351</td>
<td>9,652</td>
<td>9941</td>
<td>10165</td>
<td>10393</td>
<td>10627</td>
</tr>
<tr>
<td>AA Transfers¹</td>
<td>1,948</td>
<td>1,864</td>
<td>1,850</td>
<td>1900</td>
<td>1943</td>
<td>1986</td>
<td>2031</td>
</tr>
<tr>
<td>Other²</td>
<td>2,081</td>
<td>1,986</td>
<td>2,074</td>
<td>2100</td>
<td>2147.25</td>
<td>2196</td>
<td>2245</td>
</tr>
<tr>
<td>Subtotal</td>
<td>12,754</td>
<td>13,201</td>
<td>13,576</td>
<td>13941</td>
<td>14255</td>
<td>14575</td>
<td>14903</td>
</tr>
<tr>
<td><strong>GRADUATE</strong>³</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Master’s</td>
<td>863</td>
<td>838</td>
<td>834</td>
<td>840</td>
<td>907</td>
<td>989</td>
<td>1078</td>
</tr>
<tr>
<td>Research Doctoral</td>
<td>48</td>
<td>64</td>
<td>52</td>
<td>60</td>
<td>63</td>
<td>66</td>
<td>71</td>
</tr>
<tr>
<td>Professional Doctoral</td>
<td>76</td>
<td>95</td>
<td>94</td>
<td>100</td>
<td>110</td>
<td>121</td>
<td>139</td>
</tr>
<tr>
<td>Subtotal</td>
<td>987</td>
<td>997</td>
<td>980</td>
<td>1000</td>
<td>1080</td>
<td>1176</td>
<td>1288</td>
</tr>
<tr>
<td><strong>UNCLASSIFIED</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.S. Dual Enrolled</td>
<td>21</td>
<td>25</td>
<td>28</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td>Other⁴</td>
<td>312</td>
<td>240</td>
<td>240</td>
<td>200</td>
<td>212</td>
<td>227</td>
<td>245</td>
</tr>
<tr>
<td>Subtotal</td>
<td>333</td>
<td>265</td>
<td>268</td>
<td>215</td>
<td>228</td>
<td>244</td>
<td>263</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>14,074</td>
<td>14,463</td>
<td>14,824</td>
<td>15156</td>
<td>15563</td>
<td>15995</td>
<td>16454</td>
</tr>
</tbody>
</table>

Notes: This table reports the number of students enrolled at the university by student type categories. The determination for undergraduate, graduate and unclassified is based on the institutional class level values. Unclassified refers to a student who has not yet been formally admitted into a degree program but is enrolled. The student type for undergraduates is based on the Type of Student at Time of Most Recent Admission. The student type for graduates is based on the degree that is sought and the student CIP code. (1) Includes AA Transfers from the Florida College System. (2) Undergraduate – Other includes Post-Baccalaureates who are seeking a degree. (3) Includes Medical students. (4) Unclassified – Other includes Post-Baccalaureates who are not seeking a degree.

### Planned FTE Enrollment by Method of Instruction (for all students at all campuses)

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</thead>
<tbody>
<tr>
<td><strong>UNDERGRADUATE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distance (80-100%)</td>
<td>1,597</td>
<td>1,774</td>
<td>2,055</td>
<td>2393</td>
<td>2510</td>
<td>2670</td>
<td>2850</td>
</tr>
<tr>
<td>Hybrid (50-79%)</td>
<td>214</td>
<td>138</td>
<td>87</td>
<td>125</td>
<td>131</td>
<td>150</td>
<td>160</td>
</tr>
<tr>
<td>Traditional (0-50%)</td>
<td>8,572</td>
<td>9,030</td>
<td>9,289</td>
<td>9220</td>
<td>9303</td>
<td>9400</td>
<td>9500</td>
</tr>
<tr>
<td>Subtotal</td>
<td>10,384</td>
<td>10,943</td>
<td>11,431</td>
<td>11738</td>
<td>11944</td>
<td>12220</td>
<td>12510</td>
</tr>
<tr>
<td><strong>GRADUATE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distance (80-100%)</td>
<td>230</td>
<td>217</td>
<td>225</td>
<td>300</td>
<td>310</td>
<td>324</td>
<td>343</td>
</tr>
<tr>
<td>Hybrid (50-79%)</td>
<td>103</td>
<td>63</td>
<td>19</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>Traditional (0-50%)</td>
<td>573</td>
<td>580</td>
<td>593</td>
<td>518</td>
<td>520</td>
<td>522</td>
<td>524</td>
</tr>
<tr>
<td>Subtotal</td>
<td>906</td>
<td>859</td>
<td>837</td>
<td>823</td>
<td>836</td>
<td>853</td>
<td>875</td>
</tr>
</tbody>
</table>

Note: Full-time Equivalent (FTE) student is a measure of instructional activity that is based on the number of credit hours that students enroll. FTE is based on the standard national definition, which divides undergraduate credit hours by 30 and graduate credit hours by 24. Distance Learning is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both (per 1009.24(17), F.S.). Hybrid is a course where 50% to 79% of the instruction is delivered using some form of technology, when the student and instructor are separated by time or space, or both (per SUDS data element 2052). Traditional refers to primarily face to face instruction utilizing some form of technology for delivery of supplemental course materials for no more than 49% of instruction (per SUDS data element 2052).
**ENROLLMENT PLANNING (continued)**

**Planned FTE Enrollment Plan by Student Level**

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td><strong>STATE FUNDABLE</strong></td>
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<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td><strong>RESIDENT</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOWER</td>
<td>5,816</td>
<td>5,533</td>
<td>5,588</td>
<td>5,714</td>
<td>5,843</td>
<td>5,974</td>
<td>6,109</td>
<td>6,246</td>
<td>2.04%</td>
</tr>
<tr>
<td>UPPER</td>
<td>4,926</td>
<td>5,297</td>
<td>5,429</td>
<td>5,656</td>
<td>5,704</td>
<td>5,847</td>
<td>5,993</td>
<td>6,143</td>
<td>2.50%</td>
</tr>
<tr>
<td>GRAD I</td>
<td>633</td>
<td>611</td>
<td>617</td>
<td>623</td>
<td>637</td>
<td>651</td>
<td>666</td>
<td>681</td>
<td>1.83%</td>
</tr>
<tr>
<td>GRAD II</td>
<td>139</td>
<td>141</td>
<td>145</td>
<td>149</td>
<td>154</td>
<td>157</td>
<td>161</td>
<td>166</td>
<td>2.75%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>11,514</strong></td>
<td><strong>11,582</strong></td>
<td><strong>11,780</strong></td>
<td><strong>12,052</strong></td>
<td><strong>12,338</strong></td>
<td><strong>12,630</strong></td>
<td><strong>12,929</strong></td>
<td><strong>13,236</strong></td>
<td><strong>2.25%</strong></td>
</tr>
<tr>
<td><strong>NON RESIDENT</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOWER</td>
<td>377</td>
<td>523</td>
<td>533</td>
<td>544</td>
<td>555</td>
<td>566</td>
<td>577</td>
<td>590</td>
<td>2.04%</td>
</tr>
<tr>
<td>UPPER</td>
<td>192</td>
<td>214</td>
<td>218</td>
<td>223</td>
<td>227</td>
<td>232</td>
<td>237</td>
<td>242</td>
<td>2.08%</td>
</tr>
<tr>
<td>GRAD I</td>
<td>22</td>
<td>28</td>
<td>29</td>
<td>32</td>
<td>33</td>
<td>35</td>
<td>37</td>
<td>39</td>
<td>5.67%</td>
</tr>
<tr>
<td>GRAD II</td>
<td>15</td>
<td>14</td>
<td>15</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
<td>4.83%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>606</strong></td>
<td><strong>779</strong></td>
<td><strong>795</strong></td>
<td><strong>814</strong></td>
<td><strong>831</strong></td>
<td><strong>849</strong></td>
<td><strong>869</strong></td>
<td><strong>890</strong></td>
<td><strong>2.25%</strong></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOWER</td>
<td>6,193</td>
<td>6,056</td>
<td>6,122</td>
<td>6,258</td>
<td>6,398</td>
<td>6,540</td>
<td>6,686</td>
<td>6,836</td>
<td>2.04%</td>
</tr>
<tr>
<td>UPPER</td>
<td>5,118</td>
<td>5,511</td>
<td>5,647</td>
<td>5,788</td>
<td>5,931</td>
<td>6,078</td>
<td>6,230</td>
<td>6,385</td>
<td>2.48%</td>
</tr>
<tr>
<td>GRAD I</td>
<td>655</td>
<td>639</td>
<td>646</td>
<td>655</td>
<td>670</td>
<td>686</td>
<td>703</td>
<td>720</td>
<td>2.01%</td>
</tr>
<tr>
<td>GRAD II</td>
<td>154</td>
<td>155</td>
<td>160</td>
<td>165</td>
<td>170</td>
<td>174</td>
<td>179</td>
<td>184</td>
<td>2.95%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>12,120</strong></td>
<td><strong>12,360</strong></td>
<td><strong>12,575</strong></td>
<td><strong>12,865</strong></td>
<td><strong>13,169</strong></td>
<td><strong>13,479</strong></td>
<td><strong>13,797</strong></td>
<td><strong>14,125</strong></td>
<td><strong>2.25%</strong></td>
</tr>
<tr>
<td><strong>NOT STATE FUNDABLE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>LOWER</td>
<td>69</td>
<td>96</td>
<td>98</td>
<td>99</td>
<td>101</td>
<td>103</td>
<td>106</td>
<td>108</td>
<td>2.08%</td>
</tr>
<tr>
<td>UPPER</td>
<td>50</td>
<td>75</td>
<td>76</td>
<td>78</td>
<td>80</td>
<td>82</td>
<td>83</td>
<td>85</td>
<td>2.17%</td>
</tr>
<tr>
<td>GRAD I</td>
<td>22</td>
<td>23</td>
<td>24</td>
<td>26</td>
<td>29</td>
<td>32</td>
<td>35</td>
<td>39</td>
<td>9.03%</td>
</tr>
<tr>
<td>GRAD II</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>7</td>
<td>7</td>
<td>8</td>
<td>8</td>
<td>9</td>
<td>7.50%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>147</strong></td>
<td><strong>199</strong></td>
<td><strong>204</strong></td>
<td><strong>210</strong></td>
<td><strong>217</strong></td>
<td><strong>225</strong></td>
<td><strong>233</strong></td>
<td><strong>241</strong></td>
<td><strong>3.21%</strong></td>
</tr>
</tbody>
</table>

Note: Full-time Equivalent (FTE) student is a measure of instructional activity that is based on the number of credit hours that students enroll. FTE is based on the US definition, which divides undergraduate credit hours by 30 and graduate credit hours by 24. Note*: The Planned Annual Growth Rate is a compounded rate based on the following formula: (2021-22 value divided by the 2016-17 value) to the (1/5) exponent minus one.
ACADEMIC PROGRAM COORDINATION

New Programs for Consideration by University in AY 2016-17
The S.U.S. Council of Academic Vice Presidents (CAVP) Academic Program Coordination Work Group have reviewed these programs as part of their on-going coordination efforts.

<table>
<thead>
<tr>
<th>PROGRAM TITLES</th>
<th>CIP CODE 6-digit</th>
<th>AREA OF STRATEGIC EMPHASIS</th>
<th>OTHER UNIVERSITIES WITH SAME PROGRAM</th>
<th>OFFERED VIA DISTANCE LEARNING IN SYSTEM</th>
<th>PROJECTED ENROLLMENT in 5th year</th>
<th>PROPOSED DATE OF SUBMISSION TO UBOT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BACHELOR’S PROGRAMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informatics</td>
<td>11.0104</td>
<td>STEM</td>
<td>None</td>
<td>No</td>
<td>30</td>
<td>4/2017</td>
</tr>
<tr>
<td>Construction Management</td>
<td>15.1001</td>
<td>STEM</td>
<td>FAMU,FIU,UF,UNF</td>
<td>No</td>
<td>30</td>
<td>4/2017</td>
</tr>
</tbody>
</table>

MASTER’S, SPECIALIST AND OTHER ADVANCED MASTER’S PROGRAMS

DOCTORAL PROGRAMS

New Programs for Consideration by University in 2017-19
These programs will be used in the 2017 Work Plan list for programs under consideration for 2017-18.

<table>
<thead>
<tr>
<th>PROGRAM TITLES</th>
<th>CIP CODE 6-digit</th>
<th>AREA OF STRATEGIC EMPHASIS</th>
<th>OTHER UNIVERSITIES WITH SAME PROGRAM</th>
<th>OFFERED VIA DISTANCE LEARNING IN SYSTEM</th>
<th>PROJECTED ENROLLMENT in 5th year</th>
<th>PROPOSED DATE OF SUBMISSION TO UBOT</th>
</tr>
</thead>
<tbody>
<tr>
<td>BACHELOR’S PROGRAMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supply Chain Management</td>
<td>52.0203</td>
<td>STEM</td>
<td>FPU,UNF,UWF</td>
<td>No</td>
<td>30</td>
<td>4/2018</td>
</tr>
<tr>
<td>Real Estate</td>
<td>52.1501</td>
<td>None</td>
<td>FAU,FIU,FSU,UCF,UF,USFT</td>
<td>No</td>
<td>75</td>
<td>4/2019</td>
</tr>
</tbody>
</table>

MASTER’S, SPECIALIST AND OTHER ADVANCED MASTER’S PROGRAMS

<table>
<thead>
<tr>
<th>PROGRAM TITLES</th>
<th>CIP CODE 6-digit</th>
<th>AREA OF STRATEGIC EMPHASIS</th>
<th>OTHER UNIVERSITIES WITH SAME PROGRAM</th>
<th>OFFERED VIA DISTANCE LEARNING IN SYSTEM</th>
<th>PROJECTED ENROLLMENT in 5th year</th>
<th>PROPOSED DATE OF SUBMISSION TO UBOT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational Technology</td>
<td>13.0501</td>
<td>STEM</td>
<td>FAU,FSU,UCF,UWF</td>
<td>Yes</td>
<td>50</td>
<td>4/2019</td>
</tr>
<tr>
<td>Biology</td>
<td>26.0101</td>
<td>STEM</td>
<td>FAMU,FAU,FIU,FSU,UCF,UF,USFT,UWF</td>
<td>No</td>
<td>45</td>
<td>4/2019</td>
</tr>
<tr>
<td>Health Administration</td>
<td>51.0701</td>
<td>HEALTH</td>
<td>FAMU,FAU,FIU,UF,UNF,USFT</td>
<td>Yes</td>
<td>75</td>
<td>4/2018</td>
</tr>
<tr>
<td>Athletic Training</td>
<td>51.0913</td>
<td>HEALTH</td>
<td>FIU,USFT</td>
<td>Yes</td>
<td>18</td>
<td>4/2018</td>
</tr>
</tbody>
</table>

DOCTORAL PROGRAMS

<table>
<thead>
<tr>
<th>PROGRAM TITLES</th>
<th>CIP CODE 6-digit</th>
<th>AREA OF STRATEGIC EMPHASIS</th>
<th>OTHER UNIVERSITIES WITH SAME PROGRAM</th>
<th>OFFERED VIA DISTANCE LEARNING IN SYSTEM</th>
<th>PROJECTED ENROLLMENT in 5th year</th>
<th>PROPOSED DATE OF SUBMISSION TO UBOT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational Therapy</td>
<td>51.2306</td>
<td>HEALTH</td>
<td>None</td>
<td>No</td>
<td>30</td>
<td>April 2019</td>
</tr>
</tbody>
</table>
## STUDENT DEBT & NET COST

### Student Debt Summary

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45%</td>
<td>47%</td>
<td>49%</td>
<td>46%</td>
<td>46%</td>
</tr>
<tr>
<td>Average Amount of Debt</td>
<td>$16,710</td>
<td>$17,770</td>
<td>$21,390</td>
<td>$23,040</td>
<td>$24,540</td>
</tr>
</tbody>
</table>

*for Bachelor’s who have graduated with debt

### NSLDS Cohort Year

<table>
<thead>
<tr>
<th>NSLDS Cohort Year</th>
<th>2008-11</th>
<th>2009-12</th>
<th>2010-13</th>
<th>2011-14</th>
<th>2012-15 Preliminary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Loan Cohort Default Rate (3rd Year)</td>
<td>7%</td>
<td>8%</td>
<td>6%</td>
<td>4.7%</td>
<td>6%</td>
</tr>
</tbody>
</table>

### Cost of Attendance

(for Full-Time Undergraduate Florida Residents in the Fall and Spring of 2015-16)

<table>
<thead>
<tr>
<th></th>
<th>TUITION &amp; FEES</th>
<th>BOOKS &amp; SUPPLIES</th>
<th>ROOM &amp; BOARD</th>
<th>TRANSPORTATION</th>
<th>OTHER EXPENSES</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>ON-CAMPUS</td>
<td>$6,318</td>
<td>$1,200</td>
<td>$9,424</td>
<td>$1,700</td>
<td>$1,700</td>
<td>$20,342</td>
</tr>
<tr>
<td>AT HOME</td>
<td>$6,318</td>
<td>$1,200</td>
<td>$3,364</td>
<td>$1,700</td>
<td>$1,700</td>
<td>$14,282</td>
</tr>
</tbody>
</table>

### Estimated Net Cost by Family Income

(for Full-Time Undergraduate Florida Residents in the Fall and Spring of 2015-16)

<table>
<thead>
<tr>
<th>FAMILY INCOME GROUPS</th>
<th>FULL-TIME RESIDENT UNDERGRADUATES HEADCOUNT</th>
<th>PERCENT</th>
<th>AVG. NET COST OF ATTENDANCE</th>
<th>AVG. NET TUITION &amp; FEES</th>
<th>AVG. GIFT AID AMOUNT</th>
<th>AVG. LOAN AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below $40,000</td>
<td>1858</td>
<td>23%</td>
<td>$8,938</td>
<td>$1,750</td>
<td>$10,067</td>
<td>$3,688</td>
</tr>
<tr>
<td>$40,000-$59,999</td>
<td>751</td>
<td>9%</td>
<td>$12,995</td>
<td>$3,654</td>
<td>$5,813</td>
<td>$4,020</td>
</tr>
<tr>
<td>$60,000-$79,999</td>
<td>567</td>
<td>7%</td>
<td>$15,118</td>
<td>$4,898</td>
<td>$3,606</td>
<td>$5,279</td>
</tr>
<tr>
<td>$80,000-$99,999</td>
<td>534</td>
<td>7%</td>
<td>$15,814</td>
<td>$4,843</td>
<td>$3,043</td>
<td>$5,315</td>
</tr>
<tr>
<td>$100,000 Above</td>
<td>1380</td>
<td>17%</td>
<td>$16,596</td>
<td>$4,950</td>
<td>$2,598</td>
<td>$5,446</td>
</tr>
<tr>
<td>Not Reported</td>
<td>2858</td>
<td>36%</td>
<td>n/a</td>
<td>$5,490</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7948</td>
<td>100%</td>
<td>$8,340</td>
<td>$2,289</td>
<td>$3,815</td>
<td>$2,921</td>
</tr>
</tbody>
</table>

Notes: This data only represents Fall and Spring financial aid data and is accurate as of March 31, 2016. Please note that small changes to Spring 2015 awards are possible before the data is finalized. **Family Income Groups** are based on the Total Family Income (including untaxed income) as reported on student FAFSA records. **Full-time Students** is a headcount based on at least 24 credit hours during Fall and Spring terms. **Average Gift Aid** includes all grants and scholarships from Federal, State, University and other private sources administered by the Financial Aid Office. Student waivers are also included in the Gift Aid amount. Gift Aid does not include the parental contribution towards EFC. **Net Cost of Attendance** is the actual average of the total Costs of Attendance (which will vary by income group due to the diversity of students living on- & off-campus) minus the average Gift Aid amount. **Net Tuition & Fees** is the actual average of the total costs of tuition and fees (which will vary by income group due to the amount of credit hours students are enrolled) minus the average Gift Aid amount (see page 16 for list of fees that are included). **Average Loan Amount** includes Federal (Perkins, Stafford, Ford Direct, and PLUS loans) and all private loans. ‘Not Reported’ represents the students who did not file a FAFSA. The bottom-line **Total/Average** represents the average of all full-time undergraduate Florida residents (note*: the total Net Cost of Attendance does not include students who did not report their family income data.)
UNIVERSITY REVENUES

University Revenues *(in Millions of Dollars)*

<table>
<thead>
<tr>
<th>EDUCATION &amp; GENERAL</th>
<th>2014-15</th>
<th>2015-16</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Main Operations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Funds</td>
<td>$ 64.4</td>
<td>$ 72.4</td>
</tr>
<tr>
<td>Tuition</td>
<td>$ 57.2</td>
<td>$ 59.2</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$ 121.6</td>
<td>$ 131.6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OTHER BUDGET ENTITIES</th>
<th>2014-15</th>
<th>2015-16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auxiliary Enterprises</td>
<td>$ 47.6</td>
<td>$ 48.0</td>
</tr>
<tr>
<td>Contracts &amp; Grants</td>
<td>$ 11.4</td>
<td>$ 13.2</td>
</tr>
<tr>
<td>Local Funds</td>
<td>$ 41.8</td>
<td>$ 41.6</td>
</tr>
<tr>
<td>Faculty Practice Plans</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
</tbody>
</table>

Note: State funds include recurring and non-recurring General Revenue funds, Lottery funds appropriated by the Florida Legislature. Actual tuition includes base tuition and tuition differential fee revenues for resident and non-resident undergraduate and graduate students net of waivers. Source: Tables 1A & 1E of the annual Accountability Report.
# University Tuition, Fees and Housing Projections

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tuition:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Tuition - (0% inc. for 2016-17 to 2019-20)</td>
<td>$105.07</td>
<td>$105.07</td>
<td>$105.07</td>
<td>$105.07</td>
<td>$105.07</td>
<td>$105.07</td>
<td>$105.07</td>
</tr>
<tr>
<td>Tuition Differential</td>
<td>$36.38</td>
<td>$36.38</td>
<td>$36.38</td>
<td>$36.38</td>
<td>$36.38</td>
<td>$36.38</td>
<td>$36.38</td>
</tr>
<tr>
<td>Total Base Tuition &amp; Differential per Credit Hour</td>
<td>$141.45</td>
<td>$141.45</td>
<td>$141.45</td>
<td>$141.45</td>
<td>$141.45</td>
<td>$141.45</td>
<td>$141.45</td>
</tr>
<tr>
<td>% Change</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Fees (per credit hour):</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Student Financial Aid</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
</tr>
<tr>
<td>Capital Improvement</td>
<td>$6.76</td>
<td>$6.76</td>
<td>$6.76</td>
<td>$6.76</td>
<td>$6.76</td>
<td>$6.76</td>
<td>$6.76</td>
</tr>
<tr>
<td>Activity &amp; Service</td>
<td>$11.50</td>
<td>$11.50</td>
<td>$11.50</td>
<td>$11.50</td>
<td>$11.50</td>
<td>$11.50</td>
<td>$11.50</td>
</tr>
<tr>
<td>Athletic</td>
<td>$17.54</td>
<td>$17.54</td>
<td>$17.54</td>
<td>$17.54</td>
<td>$17.54</td>
<td>$17.54</td>
<td>$17.54</td>
</tr>
<tr>
<td>Transportation Access</td>
<td>$8.70</td>
<td>$8.70</td>
<td>$8.70</td>
<td>$8.70</td>
<td>$8.70</td>
<td>$8.70</td>
<td>$8.70</td>
</tr>
<tr>
<td>Technology</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
<td>$5.25</td>
</tr>
<tr>
<td>Green Fee (USF, NCF, UWF only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Life &amp; Services Fee (UNF only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marshall Center Fee (USF only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Affairs Facility Use Fee (FSU only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Fees</strong></td>
<td>$64.24</td>
<td>$64.24</td>
<td>$64.24</td>
<td>$64.24</td>
<td>$64.24</td>
<td>$64.24</td>
<td>$64.24</td>
</tr>
<tr>
<td><strong>Total Tuition and Fees per Credit Hour</strong></td>
<td>$205.69</td>
<td>$205.69</td>
<td>$205.69</td>
<td>$205.69</td>
<td>$205.69</td>
<td>$205.69</td>
<td>$205.69</td>
</tr>
<tr>
<td>% Change</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Fees (block per term):</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Activity &amp; Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Athletic</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation Access</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Affairs Facility Use Fee (FSU only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>List any new fee proposed</td>
<td></td>
<td></td>
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<tr>
<td><strong>Total Block Fees per term</strong></td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
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<td>% Change</td>
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</tr>
<tr>
<td><strong>Total Tuition for 30 Credit Hours</strong></td>
<td>$4,191.00</td>
<td>$4,191.00</td>
<td>$4,191.00</td>
<td>$4,191.00</td>
<td>$4,191.00</td>
<td>$4,191.00</td>
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</tr>
<tr>
<td><strong>Total Fees for 30 Credit Hours</strong></td>
<td>$1,927.20</td>
<td>$1,927.20</td>
<td>$1,927.20</td>
<td>$1,927.20</td>
<td>$1,927.20</td>
<td>$1,927.20</td>
<td>$1,927.20</td>
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<tr>
<td><strong>Total Tuition and Fees for 30 Credit Hours</strong></td>
<td>$6,118.20</td>
<td>$6,118.20</td>
<td>$6,118.20</td>
<td>$6,118.20</td>
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<tr>
<td><strong>Out-of-State Fees</strong></td>
<td></td>
<td></td>
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<tr>
<td>Out-of-State Undergraduate Fee</td>
<td>$604.58</td>
<td>$604.58</td>
<td>$604.58</td>
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<td>$604.58</td>
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<tr>
<td>Out-of-State Undergraduate Student Financial Aid</td>
<td>$30.21</td>
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<td>$30.21</td>
<td>$30.21</td>
<td>$30.21</td>
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<tr>
<td><strong>Total per credit hour</strong></td>
<td>$634.79</td>
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<tr>
<td><strong>Total Tuition for 30 Credit Hours</strong></td>
<td>$22,328.40</td>
<td>$22,328.40</td>
<td>$22,328.40</td>
<td>$22,328.40</td>
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<tr>
<td><strong>Total Fees for 30 Credit Hours</strong></td>
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<tr>
<td><strong>Total Tuition and Fees for 30 Credit Hours</strong></td>
<td>$25,161.90</td>
<td>$25,161.90</td>
<td>$25,161.90</td>
<td>$25,161.90</td>
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<tr>
<td><strong>Housing/Dining</strong></td>
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<tr>
<td>$ Change</td>
<td>$9,612.48</td>
<td>$9,869.00</td>
<td>$9,869.00</td>
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<td>% Change</td>
<td>2.0%</td>
<td>2.7%</td>
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</tbody>
</table>
# DEFINITIONS

## Performance Based Funding

<table>
<thead>
<tr>
<th>Metric</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Bachelor's Graduates Enrolled or Employed ($25,000+)</td>
<td>This metric is based on the percentage of a graduating class of bachelor’s degree recipients who are enrolled or employed (earning at least $25,000) somewhere in the United States. Students who do not have valid social security numbers and are not found enrolled are excluded. Note: This data now non-Florida employment data. Sources: State University Database System (SUDS), Florida Education &amp; Training Placement Information Program (FETPIP) analysis of Wage Record Interchange System (WRIS2) and Federal Employment Data Exchange (FEDES), and National Student Clearinghouse (NSC).</td>
</tr>
<tr>
<td>Median Wages of Bachelor's Graduates Employed Full-time in Florida One Year After Graduation</td>
<td>This metric is based on annualized Unemployment Insurance (UI) wage data from the fourth fiscal quarter after graduation for bachelor’s recipients. UI wage data does not include individuals who are self-employed, employed out of state, employed by the military or federal government, those without a valid social security number, or making less than minimum wage. Sources: State University Database System (SUDS), Florida Education &amp; Training Placement Information Program (FETPIP), National Student Clearinghouse.</td>
</tr>
<tr>
<td>Average Cost per Bachelor’s Degree</td>
<td>For each of the last four years of data, the annual undergraduate total full expenditures (includes direct and indirect expenditures) were divided by the total fundable student credit hours to create a cost per credit hour for each year. This cost per credit hour was then multiplied by 30 credit hours to derive an average annual cost. The average annual cost for each of the four years was summed to provide an average cost per degree for a baccalaureate degree that requires 120 credit hours. Sources: State University Database System (SUDS), Expenditure Analysis: Report IV.</td>
</tr>
<tr>
<td>Six Year FTIC Graduation Rate</td>
<td>This metric is based on the percentage of first-time-in-college (FTIC) students who started in the Fall (or summer continuing to Fall) term and had graduated from the same institution within six years. Source: Accountability Report (Table 4D).</td>
</tr>
<tr>
<td>Academic Progress Rate</td>
<td>This metric is based on the percentage of first-time-in-college (FTIC) students who started in the Fall (or summer continuing to Fall) term and were enrolled full-time in their first semester and were still enrolled in the same institution during the Fall term following their first year with a grade point average (GPA) of at least 2.0 at the end of their first year (Fall, Spring, Summer). Source: Accountability Report (Table 4B).</td>
</tr>
<tr>
<td>University Access Rate</td>
<td>This metric is based the number of undergraduates, enrolled during the fall term, who received a Pell-grant during the fall term. Unclassified students, who are not eligible for Pell-grants, were excluded from this metric. Source: Accountability Report (Table 3E).</td>
</tr>
<tr>
<td>Bachelor's Degrees within Programs of Strategic Emphasis</td>
<td>This metric is based on the number of baccalaureate degrees awarded within the programs designated by the Board of Governors as ‘Programs of Strategic Emphasis’. A student who has multiple majors in the subset of targeted Classification of Instruction Program codes will be counted twice (i.e., double-majors are included). Source: Accountability Report (Table 4H).</td>
</tr>
<tr>
<td>Graduate Degrees within Programs of Strategic Emphasis</td>
<td>This metric is based on the number of graduate degrees awarded within the programs designated by the Board of Governors as ‘Programs of Strategic Emphasis’. A student who has multiple majors in the subset of targeted Classification of Instruction Program codes will be counted twice (i.e., double-majors are included). Source: Accountability Report (Table 5C).</td>
</tr>
</tbody>
</table>
## BOG Choice Metrics

### Percent of Bachelor's Degrees Without Excess Hours

This metric is based on the percentage of baccalaureate degrees awarded within 110% of the credit hours required for a degree based on the Board of Governors Academic Program Inventory. 

Note: It is important to note that the statutory provisions of the “Excess Hour Surcharge” (1009.286, FS) have been modified several times by the Florida Legislature, resulting in a phased-in approach that has created three different cohorts of students with different requirements. The performance funding metric data is based on the latest statutory requirements that mandates 110% of required hours as the threshold. In accordance with statute, this metric excludes the following types of student credits (ie, accelerated mechanisms, remedial coursework, non-native credit hours that are not used toward the degree, non-native credit hours from failed, incomplete, withdrawn, or repeated courses, credit hours from internship programs, credit hours up to 10 foreign language credit hours, and credit hours earned in military science courses that are part of the Reserve Officers’ Training Corps (ROTC) program). Source: State University Database System (SUDS).

## UBOT Choice Metrics

### Bachelor's Degrees Awarded to Minorities

This metric is the number, or percentage, of baccalaureate degrees granted in an academic year to Non-Hispanic Black and Hispanic students. This metric does not include students classified as Non-Resident Alien or students with a missing race code. Source: State University Database System (SUDS).

## Key Performance Indicators

### Teaching & Learning Metrics

<table>
<thead>
<tr>
<th>Metric</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freshmen in Top 10% of HS Graduating Class</td>
<td>Percent of all degree-seeking, first-time, first-year (freshman) students who had high school class rank within the top 10% of their graduating high school class. As reported by the university to the Common Data Set (C10).</td>
</tr>
<tr>
<td>Professional/Licensure Exam First-time Pass Rates</td>
<td>The number of exams with first-time pass rates above and below the national or state average, as reported in the annual Accountability report, including: Nursing, Law, Medicine (3 subtests), Veterinary, Pharmacy, Dental (2 subtests), Physical Therapy, and Occupational Therapy.</td>
</tr>
<tr>
<td>Average Time to Degree for FTIC in 120hr programs</td>
<td>This metric is the number of years between the start date (using date of most recent admission) and the end date (using the last month in the term degree was granted) for a graduating class of first-time, single-major baccalaureates in 120 credit hour programs within a (Summer, Fall, Spring) year.</td>
</tr>
</tbody>
</table>

### FTIC Graduation Rates

#### In 4 years (or less)
As reported in the annual Accountability report (table 4D), First-time-in-college (FTIC) cohort is defined as undergraduates entering in fall term (or summer continuing to fall) with fewer than 12 hours earned since high school graduation. The rate is the percentage of the initial cohort that has either graduated from or is still enrolled in the same institution by the fourth academic year. Both full-time and part-time students are used in the calculation. The initial cohort is revised to remove students, who have allowable exclusions as defined by IPEDS, from the cohort.

### Bachelor’s Degrees Awarded
This is a count of baccalaureate degrees awarded as reported in the annual Accountability Report (Table 4G).

### Graduate Degrees Awarded
This is a count of graduate degrees awarded as reported in the Accountability Report (Table 5B).
Bachelor’s Degrees Awarded To African-American and Hispanic Students

Non-Hispanic Black and Hispanic do not include students classified as Non-Resident Alien or students with a missing race code – as reported in the Accountability Report (table 4I). Students who earn two distinct degrees in the same term are counted twice – whether their degrees are from the same six-digit CIP code or different CIP codes. Students who earn only one degree are counted once – even if they completed multiple majors or tracks. Percentage of Degrees is based on the number of baccalaureate degrees awarded to non-Hispanic Black and Hispanic students divided by the total degrees awarded - excluding those awarded to non-resident aliens and unreported.

Adult (Aged 25+)
Undergraduates Enrolled

This metric is based on the age of the student at the time of enrollment (not upon entry). Age acts as a surrogate variable that captures a large, heterogeneous population of adult students who often have family and work responsibilities as well as other life circumstances that can interfere with successful completion of educational objectives.

Percent of Undergraduate FTE Enrolled in Online Courses

Full-time Equivalent (FTE) student is a measure of instructional activity that is based on the number of credit hours that students enroll. FTE is based on the US definition, which divides undergraduate credit hours by 30. Distance Learning is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both (per 1009.24(17), F.S.).

Percent of Bachelor’s Degrees in STEM & Health

The percentage of baccalaureate degrees that are classified as STEM by the Board of Governors in the SUS program inventory as reported in the annual Accountability Report (Table 4H).

Percent of Graduate Degrees in STEM & Health

The percentage of baccalaureate degrees that are classified as STEM by the Board of Governors in the SUS program inventory as reported in the annual Accountability Report (Table 5C).
Student Debt Summary

Percent of Bachelor’s Recipients with Debt
This is the percentage of bachelor’s graduates in a given academic year who entered the university as a first-time-in-college (FTIC) student and who borrowed through any loan programs (institutional, state, Federal Perkins, Federal Stafford Subsidized and unsubsidized, private) that were certified by your institution - excludes parent loans. Source: Common Dataset (H4).

Average Amount of Debt for Bachelor’s who have graduated with debt
This is the average amount of cumulative principal borrowed (from any loan program certified by the institution) for each native, FTIC bachelor’s recipient in a given academic year that graduated with debt – see metric definition above. This average does NOT include students who did not enter a loan program that was certified by the institution. Source: Common Dataset (H5).

Student Loan Cohort Default Rate (3rd Year)
Student loan cohort default rate (CDR) data includes undergraduate and graduate students, and refers to the three federal fiscal year period when the borrower enters repayment and ends on the second fiscal year following the fiscal year in which the borrower entered repayment. Cohort default rates are based on the number of borrowers who enter repayment, not the number and type of loans that enter repayment. A borrower with multiple loans from the same school whose loans enter repayment during the same cohort fiscal year will be included in the formula only once for that cohort fiscal year. Default rate debt includes: Federal Stafford Loans, and Direct Stafford/Ford Loans – for more information see: http://ifap.ed.gov/DefaultManagement/CDRGuideMaster.html.

<table>
<thead>
<tr>
<th>Year Published</th>
<th>Borrowers in the Numerator</th>
<th>2-Yr Time Period (Numerator)</th>
<th>1-Yr Time Period (Denominator)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>Borrowers who entered repayment in 2010 and defaulted in 2010, 2011 or 2012</td>
<td>10/01/2010 to 9/30/2012</td>
<td>10/01/2010 to 9/30/2010</td>
</tr>
<tr>
<td>2012</td>
<td>Borrowers who entered repayment in 2012 and defaulted in 2012, 2013 or 2014</td>
<td>10/01/2012 to 9/30/2014</td>
<td>10/01/2012 to 9/30/2012</td>
</tr>
<tr>
<td>2013</td>
<td>Borrowers who entered repayment in 2013 and defaulted in 2013, 2014 or 2015</td>
<td>10/01/2013 to 9/30/2015</td>
<td>10/01/2013 to 9/30/2013</td>
</tr>
<tr>
<td>2015</td>
<td>Borrowers who entered repayment in 2015 and defaulted in 2015, 2016 or 2017</td>
<td>10/01/2015 to 9/30/2017</td>
<td>10/01/2015 to 9/30/2015</td>
</tr>
</tbody>
</table>
ITEM: __9__

Florida Gulf Coast University Board of Trustees
May 10, 2016

SUBJECT: Florida Gulf Coast University Building Naming Request

PROPOSED BOARD ACTION

Approve the renaming of the Broadcast Building to the Myra Janco Daniels Public Media Center

BACKGROUND INFORMATION

Per Board of Governors’ policy, the FGCU Board of Trustees must approve the naming of a building for consideration of a philanthropic gift. In recognition of a $3 million pledge from Myra Janco Daniels, the FGCU administration requests the Broadcast Building (current home of WGCN public radio and television) be renamed the Myra Janco Daniels Public Media Center.

Supporting Documentation Included: Memo of request detailing the proposed gift from Myra Janco Daniels to the Florida Gulf Coast University Foundation.

Prepared by: Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau

Legal Review by: Vice President and General Counsel Vee Leonard (May 9, 2016)

Submitted by: Vice President for University Advancement and Executive Director of FGCU Foundation Chris Simoneau
TO: Florida Gulf Coast University Board of Trustees  

FROM: President Wilson G. Bradshaw  

SUBJECT: Building Naming Request – for Philanthropy  

DATE: May 6, 2016  

Pursuant to Board of Governors regulation 9.005, the naming of a University building in honor of a significant contribution requires the approval of the FGCU Board of Trustees. I would like to formally request the naming of a University building, effective June 15, 2016.

Florida Gulf Coast University and the FGCU Foundation are currently in the middle of a $100 million fundraising campaign, and within that campaign, there are five areas of focus. One area is Community and Regional Impact, with a campaign goal of $10 million. One of the strongest ways that FGCU interacts with and engages our community is through its oversight of the region’s public radio and television station, WGCU. The station is located on FGCU’s campus within the Broadcast Building, one of the oldest facilities on property. There is also a large radio tower located just north of the solar field.

I seek your permission to rename the Broadcast Building in consideration of a substantial philanthropic gift from a member of our local community. Through an irrevocable testamentary trust, Myra Janco Daniels of Naples will provide $3 million in support of WGCU. The funds will be used to strengthen and enhance the programs emanating from the Broadcast Building, and will be put into an endowment within the FGCU Foundation to benefit arts and cultural programming on WGCU in perpetuity. This gift will be the single largest gift in WGCU’s history. The broadcast building will be renamed the Myra Janco Daniels Public Media Center.

The amount is consistent with our desired contribution for this one story building on campus. A special event to formally announce this gift will be held on June 15, 2016. Approval of this naming is required for the Foundation and WGCU to proceed with releasing invitations, ordering signage, and coordinating special guests for the event.

Thank you for your consideration of this request.