Florida Gulf Coast University Board of Trustees
September 21, 2010

SUBJECT: Regulation: FGCU-PR9.003 Animal Control

PROPOSED BOARD ACTION

Approve amendments to FGCU-PR9.003, Animal Control.

BACKGROUND INFORMATION

In accordance with the Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees, as adopted July 21, 2005, the Florida Gulf Coast University Board of Trustees is required to approve the promulgation of any University regulations or changes to existing regulations. The University has reviewed Regulation: FGCU-PR9.003, Animal Control, and proposes changes to the regulations. The changes are administrative or minor in scope, but do allow for an exception for approved University program animals.

The proposed changes are supported by FGCU Police Chief Steven Moore, Director of Public Safety and University Police Department.

Supporting Documentation Included: (1) Notice and Text of Regulation FGCU-PR9.003

Prepared by: Director of Public Safety Chief Steven Moore

Legal Review by: General Counsel Vee Leonard (August 3, 2010)

Submitted by: Vice President for Administrative Services and Finance Joe Shepard
FLORIDA GULF COAST UNIVERSITY
NOTICE OF REGULATORY ACTION
August 5, 2010

REGULATION TITLE:
Animal Control

REGULATION NO.:
FGCU-PR9.003

SUMMARY:
This regulation updates the current regulation Animal Control.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

LAW IMPLEMENTED:
Board of Governors Regulation 1.001

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, University Police

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Dr. Joseph Shepard, Vice President of Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE AUGUST 20, 2010 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: AUGUST 5, 2010
A. (1) General: 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.

(2) Animal Control Restrictions:

B. (a) ANIMAL CONTROL

1. No person shall disturb, harm or molest any wildlife which is found on campus.

2. The keeping or bringing of pets on campus, except under an approved University program and for certified guide or service animals, is prohibited.

C. ANIMAL RELOCATION AND REMOVAL

1. The relocation, or removal and/or destruction of wildlife from the University shall be accomplished by officers of the Florida Game and Fresh Water Fish Commission or persons who are licensed and authorized by those agencies to handle the relocation or removal of wildlife from campus.

2. (b) 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.

(c) The keeping or bringing of pets on campus, except for guide animals, is prohibited.

D. (3) No person shall disturb, harm or molest any wildlife which is found on campus. Any VIOLATION OF REGULATION

A student or employee who is found to have engaged in any such act violation of this regulation shall be subject to disciplinary action discipline under Regulations FGCU-PR5 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–PR5.016 or the Collective Bargaining Agreement, as applicable,
and/or 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 for violations of federal or state law. (Sections 372.0725, 828.12, F.S.)