



**USF Board of Trustees**

Tuesday, December 8, 2020  
Microsoft Teams - 9:30 AM – 11:30 AM

**A G E N D A**

- I. Call to Order and Comments** Chair Jordan Zimmerman
- II. WOW! Innovative Education** Dr. Cindy Deluca
- III. New Business – Action Items (Minutes and Consent)**
  - a. FL 101 – Approval of Minutes** Chair Zimmerman
    - 1. [September 8, 2020](#)
    - 2. [September 29, 2020](#)
    - 3. [November 24, 2020](#)
  - b. Consent Agenda (FL 102 – FL 107)** Chair Zimmerman

*(BOT committee representatives may address approved items listed below. UFF representative may address any item that relates to terms and conditions of in-unit faculty employment.) Board members should notify the Assistant Corporate Secretary of any items they wish to be pulled from the Consent Agenda 48 hours prior to the meeting. Items pulled will be discussed and voted on separately after the remainder of the consent agenda is approved.*

*Academic and Campus Environment Committee Approved Items*

- [FL 102 – Approval of Tenure as a Condition of Employment](#)
- [FL 103 – Approval of Amendment to USF Regulation 6.0021: Student Code of Conduct](#)
- [FL 104 – Approval of 2019-2020 FIO Annual Report](#)

*Governance Committee Approved Item*

- [FL 105 – Approval of Direct Support Organization Board Members – USF Health Professionals Conferencing Corporation Board of Directors](#)

*Finance Committee Approved Items*

- [FL 106 – Approval of 2021-22 USF Parking System Budget](#)
- [FL 107 – Approval of 2020-21 Fixed Capital Outlay Budget Update](#)

**c. New Business – Action Item**

**FL 108** – Approval of President Currall’s 2019-2020 Evaluation

VC Stephanie Goforth

**d. New Business – Informational Items**

**1.** Develop Guiding Principles to Inform Leadership’s Operational  
Decisions Regarding Strategic Budget Realignment

President Currall

**IV. BOT Roundtable Discussion**

Chair Zimmerman

**V. Adjournment**

Chair Zimmerman

**USF Board of Trustees**  
Full Board Meeting  
Tuesday September 8, 2020  
Microsoft Teams @ 9:30 a.m.  
*Unofficial Minutes*

Chair Jordan Zimmerman convened and welcomed everyone to the regular September meeting of the USF Board of Trustees.

**Chair's Opening Comments**

- Congratulated Dean Glen Besterfield and the Admissions team for bringing in the most talented group of new students in USF's history. The average SAT score was 1312 and GPA was 4.18.
- Reminded the trustees that this Saturday the USF Bulls Football team under Coach Scott's leadership will play against The Citadel at 7pm on ESPN. There will be no fans allowed in the stadium for the first game due to Covid 19. The Chair commended the coaches, players and athletic staff on the work they have done to ensure everyone's safety.
- Chair Zimmerman congratulated President Steve Currall for his leadership during this challenging year with consolidation and the pandemic.
- The Chair thanked Dean Donna Petersen and the Covid 19 Task Force members on their phenomenal work.
- Chair Zimmerman thanked Senior Vice President and Dean Dr. Charles Lockwood and our USF Health doctors, nurses, staff and public health officials, for tremendous work surrounding the pandemic.

**Vice President Cynthia Visot called the roll with the following trustees present:**

Trustee Tim Boaz  
Trustee Sandra Callahan  
Trustee Mike Carrere  
Trustee Stephanie Goforth  
Trustee Michael Griffin  
Trustee Oscar Horton  
Trustee Claire Mitchell  
Trustee Les Muma  
Trustee John Ramil  
Trustee Byron Shinn  
Trustee Charles Tokarz  
Trustee Nancy Watkins

Trustee Jordan Zimmerman

### **President's Report**

Despite on-going challenges, USF continues to make remarkable progress.

USF completed a record-breaking fundraising campaign raising almost \$120 million, exceeding our goal of \$100 million.

USF enrolled the most academically accomplished class in our history.

USF continues to be the fastest rising public university in America as well as the only metropolitan Preeminent research university in the state of Florida.

USF is now unified as one USF.

The President provided a PowerPoint update on national rankings and consolidation. A Principles of Community video was provided.

- COVID-19 Cases Reported by Day per County
- COVID Testing Protocols at USF
- Enrollment Updates
- USF Rankings
- Advantages of Consolidation
- Budget Deliberations
- USF's Legislative Budget Requests FY 2021-2022
- LBR Priorities

Chair Zimmerman had a question relating to the strategic budget deliberations and duplication of positions on all three campuses.

Trustee Oscar Horton question was concerning a 12% reduction in cost for Athletics.

Trustee Mike Carrere had questions concerning faculty needs and requests, also student-to-faculty ratio.

Trustee John Ramil asked about the 30+% of USF students who are eligible for Pell Grants and what is the comparisons to the preeminent peers in the state.

Trustee Tim Boaz had comments related to the student-to-faculty ratio.

## **WOW! Presentation – Information Technology**

Vice President Sidney Fernandes IT presentation highlighted:

- Mission and Vision
- How we work
- Transforming Digital Foundations for the future (Q1-Q3)
- Response to Covid-19
- IT As A Strategic Asset
- Fiscal YR 19-20 Q4
- Fiscal YR 20-21 Q1 Preparing Return to Campus
- Partnerships for Digital Foundation Transformation
- IT as a Strategic Asset

A video was provided: *Flexible Hybrid Course Acquisition of Knowledge*, Judy Genshaft Honors College

Chair Zimmerman questioned how solutions are evaluated and determined.

President Currall congratulated Mr. Fernandes, Senior Vice President David Lechner and their teams on their managerial and technological success.

Trustee Boaz congratulated Mr. Fernandes, and Associate Vice President Cindy DeLuca on an incredible job done to convert classes to online.

Trustee Les Muma commented that Mr. Fernandes and his team accomplished a great deal with a combination of exceptional internal and external talent and partnerships.

Chair Zimmerman thanked Mr. Fernandes and his team for their accomplishments securing the USF infrastructure in order to remain at the forefront of our technology needs.

Mr. Fernandes thanked his team, the Board, USF leadership and their teams for their trust, leadership and support.

## **New Items Business Action**

**FL 101** – Approval of Minutes

June 2, 2020

June 9, 2020

August 19, 2020

Having no changes to the minutes, Chair Zimmerman asked for a motion to approve. Vice Chair Stephanie Goforth moved for approval with a second from Trustee Byron Shinn and the minutes were unanimously approved.

**Consent Agenda (FL 102 – FL 113)**

*Governance Committee Approved Items*

**FL 102** – Approval of President’s Goals

**FL 103** – Approval of DSO Board Member for USF Institute of Applied Engineering

**FL 104** – Approval of DSO Board Members for USF Foundation

**FL 105** – Approval of DSO Board Members for USF Research Foundation

**FL 106**– Approval of Sarasota-Manatee Campus Board Members

*Academics and Campus Environment Committee Approved Items*

**FL 107** – Approval of Tenure as a Condition of Employment

**FL 108** – Approval of Textbook & Instructional Materials Affordability Annual Report

**FL 109** – Approval of USF 2020 SUS Equity Report

*Audit and Compliance Committee Approved Items*

**FL 110** – Approval of Revised Compliance & Ethics Charter

**FL 111** – Approval of Revised Compliance & Ethics Program Plan

**FL 112** – Approval of FY21 Internal Audit Work Plan

*Finance Committee Approved Items*

**FL 113** – Approval of Fixed Capital Outlay Budget

Vice Chair Stephanie Goforth, on behalf of the Governance Committee recommended approval of all items.

Trustee Charles Tokarz, on behalf of the Academics and Campus Environment Committee recommended approval of all items.

Trustee Nancy Watkins, on behalf of the Audit and Compliance Committee recommended approval of all items.

Trustee Michael Griffin, on behalf of the Finance Committee recommended approval of all items.

Chair Zimmerman asked United Faculty of Florida President Dr. Arthur Shapiro if he had comments on the agenda items. Dr. Shapiro commented on how impressive it is that USF continues to function and achieve excellence under the challenging circumstances of COVID-19. He had concerns of the decrease in financial resources. Dr. Shapiro thanked Vice Provost Jim Garey and Senior Vice Provost Dwayne Smith for their cooperation and working closely with the UFF.

Chair Zimmerman asked for a motion to approve the consent agenda. Trustee Griffin moved for approval with a second from Vice Chair Goforth. The consent agenda was approved unanimously.

**New Business – Action Items (FL 114 – FL 116)**

**FL 114 – Approval of DSO Board Members for Finance Corporation**

USF Treasurer Fell Stubbs presented the item. Mr. Stubbs thanked Vice Chair Goforth for allowing him to present the nomination to the full Board instead of the Governance Committee first in the interest of time.

With a recent vacancy, the USF Finance Corporation would like to recommend Ms. Linda Simmons for a term of 4 years to its board.

Ms. Simmons currently serves as President & CEO of Simmons Management Services, Inc. She is a past chair of the USF Foundation and USF Alumni Association. Ms. Simmons is also a founding member and past chair of USF Women in Leadership & Philanthropy. She brings a wealth of experiences having had a successful career in lending and banking prior to joining R.R. Simmons. She was the first woman to be elected President of a Florida chapter of the Associated General Contractors.

Chair Zimmerman asked for a motion to approve. Trustee John Ramil moved for approval with a second from Vice Chair Stephanie Goforth. The motion was approved unanimously.

**FL 115 – Approval of Ratify the 2020-2023 CBA between the USF Board of Trustees and Service Employees International Union (SEIU)**

Associate General Counsel Craig Dawson presented the item.

The proposed contract is for three years with the possibility of one limited reopener in January 2022. The parties are satisfied that the tentative agreement is fair and addresses SEIU notified the University on August 17, 2020, that it has ratified the tentative agreement. Ratification by the Board is required for the new CBA to go into effect.

The parties have tentatively agreed to the following provisions, as categorized below for convenience:

- Standard Provisions Common to USF's Other CBAs
- Provisions Incorporating Existing University Regulations, Policies, and Practices
- Provisions Unique to Adjunct Employment
- Grievance Procedures
- Wages Provision
- Duration of Agreement

Mr. Dawson thanked both bargaining teams for their efforts in reaching an agreement.

Chair Zimmerman asked for a motion to approve. Trustee Muma moved for approval with a second from Trustee Tokarz. The motion as approved unanimously.

### **FL 116 – Approval of 2020-21 Carryforward Spending Plan**

Associate Vice President Nick Setteducato presented the item.

Beginning with FY20, each university board of trustees shall adopt an E&G Carryforward Spending Plan as prescribed by the regulations of the Board of Governors. The university board of trustees-ratified E&G Carryforward Spending Plan for fiscal year 2020-21 must be presented to the Board of Governors for approval by October 1, 2020.

Once approved by the USF Board of Trustees, the plan will be presented to the Board of Governors for approval at their October board meetings. The thoughtful use of carryforward funds will contribute towards the University's strategic initiatives as well as provision funds for appropriate campus and programmatic maintenance.

A power point was presented which covered:

- Objectives
- General Restrictions on use of carry forward
- Guidelines and reporting standards for carry forward enacted
- Four major categories associated with E & G carry forward spending plan
  - Required Reserve (7% of current year E\*G)
  - Encumbrances
  - Restricted
  - Commitments
- Summary of Carry Forward Reporting Categories
- USF E&G Carry Forward Usage by Categories
- Summary

Trustee Boaz had questions concerning the typical year to year amounts as it relates to the summary of carry forward reporting categories.

Chair Zimmerman had questions concerning carry forward funds, the liquidity and having a balanced budget by June 30, 2022.

Trustee Griffin wanted to know if there are any grey areas concerning the use of carry forward funds.

The Board asked General Counsel Gerard Solis for assistance with the formal motion. Mr. Solis recommended that the Board approve the carry forward plan as submitted with the understanding that management will complete an on-going review and bring any changes forward before the Board prior to submission to the BOG on October 1<sup>st</sup>.

With Mr. Solis' recommendation for the motion, Chair Zimmerman asked for a motion to approve. Vice Chair Goforth moved for an approval with a second from Trustee Carrere. The motion was approved unanimously.

### **New Business – Informational Items**

#### **Enrollment Update**

Provost Wilcox presented a PowerPoint with the following highlights:

- Summer and Fall 2020 USF Enrollment and Student Profile
- USF Student Enrollment Summer 2020
- USF Student Enrollment Fall 2020
- USF Student Gross SCH – Summer 2020 (preliminary) and Fall 2020 (Drop/Add)
- USF Student Enrollment: New FTIC Academic Profile Fall 2020 (Drop/ Add Benchmark)
- USF Student Diversity (Drop/Add Benchmark)
- Modify Definitions - On Campus – Off Campus

Provost Wilcox congratulated Admissions Dean Glen Besterfield and his team for landing an unbelievable freshman class this fall.

The Provost also congratulated groups across all campuses, Facilities, IT, Innovative Education, Student Success, all of the college deans and faculty that have come together with one core principle in mind to meet students' academic needs and to support their path to a timely graduation.

#### **Roundtable Discussion**

Trustee Carrere commented on the strategic issue on campus education and virtual learning as it relates to Covid-19. There were comments concerning future expectations.

Provost Wilcox stated that this is a continuing situation that changes day by day. Students eventually would like to get back to campus. Students and faculty members are being surveyed

on their education and teaching throughout the fall semester. The Provost also commented that there is a planning process for spring and summer for continuing uncertainty.

President Currall made comments concerning the higher education marketplace may be shifting to online instruction.

Chair Zimmerman commented on an article that predicted our freshman enrollment could be down next year.

Trustee Claire Mitchell shared a student initiative to encourage our community to practice safe guidelines with a proposed competition between the university and the University of Central Florida,

Trustee Sandy Callahan had a question concerning 52% of the classes on campus and how are we accommodating,

Trustee Ramil made comments pertaining to people looking to disrupt business models during this Coronavirus outbreak and that we should alert and ready to handle any weaknesses.

Having no further business Chair Zimmerman adjourned the Board of Trustees meeting.

**USF Board of Trustees**

Tuesday, September 29, 2020

Microsoft Teams Meeting

Minutes

**Call to Order**

Trustee Zimmerman called the meeting to order at 1:00 p.m. and welcomed everyone to the meeting. He stated that he is aware several of the trustees have other commitments at 1:30 p.m. so he will keep the meeting moving along.

He then asked Dr. Visot to call roll.

**The following trustees present:**

Trustee Tim Boaz

Trustee Sandra Callahan

Trustee Michael Carrere

Trustee Stephanie Goforth

Trustee Michael Griffin

Trustee Oscar Horton

Trustee Claire Mitchell

Trustee Leslie Muma

Trustee John Ramil

Trustee Byron Shinn

Trustee Charles Tokarz

Trustee Nancy Watkins

Trustee Jordan Zimmerman

**New Business – Action Item**

**FL 101 – Approval of UFF/GAU Collective Bargaining Agreement**

Chair Zimmerman introduced Liz Gierbolini from General Counsel to present the item.

Ms. Gierbolini shared that the University of South Florida and UFF/GAU reached a tentative agreement to extend the existing CBA for one year, with some minor revisions. The new contract would be effective upon ratification by both parties and would expire on June 30, 2021. She shared that the Board's standard voting requirements apply to ratification per Board of Trustees Operating Procedures, Article II, F-G.

Ms. Gierbolini shared that the proposed contract is for one year and that both parties are satisfied that the tentative agreement is fair and addresses the interests of the graduate assistants, management, students, and USF community as a whole.

She shared that the parties have tentatively agreed to the several provisions in the agreement, outlining them for the Trustees. They are summarized below for convenience:

**Article 23.2.**

Effective August 2020 to August 2021, the University agrees to pay the health insurance premium—up to a maximum annualized amount of \$2,756.00—for each graduate assistant appointed at .25 FTE or greater who elects coverage under the USF Student Health Insurance Plan during said period. This will result in covered graduate assistants having no increase to the current annual premium they pay for this coverage, as the University will be assuming the entire cost of the premium increase for the August 2020 to August 2021 period.

**Article 2.1.**

- (1) Modified language to clarify that academic year and semester appointments will have the same beginning and ending dates as faculty appointments, except when otherwise modified and mutually agreed to by the University and the employee.
- (2) Clarified the required content of offer letters, to include the same protected categories as the UFF agreement. Offer letter will have a statement that reads: “The University of South Florida is an equal opportunity employer. All employment decisions are made without regard to race, color, marital status, sex, religion, national origin, age, disability, sexual orientation, gender identity and expression, genetic information, or veteran’s status.”
- (3) Added section (r) to the article, to clarify that Graduate Assistants are ordinarily “expected to be on campus to perform the majority of their duties (i.e., teaching, proctoring exams, labs, office hours, face to face meetings, etc.) unless otherwise approved in writing by the appropriate supervisor. This provision is intended to make clear that employees cannot unilaterally decide to either move to a location that is geographically distant from the University and expect to continue performing their duties remotely, nor can employees unilaterally decide to change the format of class, office hours, or conferences to an online environment.

**Article 2.5.**

Included job abandonment as a reason for termination and included a definition of job abandonment. The language also modified the dates by which a non-reappointment notice has to be issued each semester.

**Article 8.**

Revised the nondiscrimination language to include the same protected categories as the CBA between the University and UFF.

**Article 17.**

Included a timeframe when the ratified CBA will be available on USF’s website.

**Article 21.**

This article was modified to reflect the new dates when the CBA is in effect.

With no questions or comments, Trustee Zimmerman moved for approve UFF/GAU Collective Bargaining Agreement. Motion was moved and seconded. Motion was approved unanimously.

Trustee Carrere shared that the labor committee learned more about the role of graduate assistants including that master level students receive @12,000 stipend and doctoral students receive @ \$18,000 stipend, and provide @ \$8,000 tuition waiver. He stated that there is a cost to attract quality graduate students and this will provide them with coverage of health insurance.

Chair Zimmerman is pleased with the results and happy that we have very engaged graduate students.

### **FL 102 – Approval of Revised University E&G Carryforward Spending Plan & 2020-21 Fixed Capital Outlay Budget**

Chair Zimmerman introduced the agenda item by reminding the trustees that at their September 8<sup>th</sup> meeting, both the 2020-21 University carryforward spending plan and the 2020-21 Fixed Capital Outlay Budget were approved. Today's agenda provides corrective updates identified and incorporated into the proposed final submissions required by the Board of Governors by October 1<sup>st</sup>.

Resource Management Analyst Nick Setteducato provided an update which highlighted the changes made to the plan and annual capital outlay budget. The overview covered the following:

- Carryforward spending plan changes within three categories - Encumbrances, Restricted Items and Commitments
- Fixed Capital Outlay Budget for Fiscal Year 2020-21
- Fiscal Year 2020-21 Annual Capital Outlay Budget
- Capital Outlay Projects

Chair Zimmerman commented that its his understanding the adjustments made amount to only a net movement between categories of just under 1 million dollars or .5%.

Trustee Mike Griffin reiterated that management and their team will continue to scrutinize any expenses and share with the trustees regularly.

Trustee Byron Shinn made comments maintaining the campus line assignments as we go into consolidation and that the state will continue to budget based on campus identity. This is important for transparency and provides the community the opportunity to see the investments on each campus.

Chair Zimmerman commented on the importance of timing and full transparency. He shared that they will continue to have brief updates.

Mr. Setteducato continued reminded the trustees that they have the prioritized list of capital outlay projects in the portal. He continued by reviewing the changes to the fixed capital outlay projects. He shared they itemized all projects and changes that were previous approved. He reviewed adjustments, CMMB lab buildout and Southeast Chiller Plant (neglected to itemize these and are not included) some adjustments. He reviewed the changes and shared they updated and corrected numbers left off previously.

The Chair clarified that a total of \$3.5 million was added to reflect both \$400,000 of additional E&G allocated to the previously approved USF central plant project as well as \$3.1 million of minor projects the Board previously approved as part of the 2020-21 Carryforward Spending Plan. The board also approved both the CMMB Lab Buildout (\$2 M) and Southeast Chiller Plant projects (\$4.75M), which are now properly itemized on this report.

Since there were no questions by the trustees, the Chair asked for a motion. Trustee Tim Boaz moved for acceptance and it was seconded by Trustee Mike Carrere. The motion was approved unanimously by all in attendance.

Having no further business, Chair Zimmerman adjourned the Board of Trustees meeting.

**USF Board of Trustees**

Tuesday, November 24, 2020

Microsoft Teams Meeting

Minutes

**Call to Order**

Trustee Zimmerman called the meeting to order at 5:30 p.m. and welcomed everyone to the meeting.

The Chair asked Vice President Cynthia Visot to call roll.

**The following trustees present:**

Trustee Tim Boaz

Trustee Sandra Callahan

Trustee Michael Carrere

Trustee Stephanie Goforth

Trustee Michael Griffin

Trustee Oscar Horton

Trustee Claire Mitchell

Trustee John Ramil

Trustee Byron Shinn

Trustee Charles Tokarz

Trustee Nancy Watkins

Trustee Jordan Zimmerman

**New Business – Action Item**

**FL 101 – Approval Amendment to the 2020-2021 Fixed Capital Outlay Budget**

Chair Zimmerman introduced the agenda item sharing that today staff are requesting the board approve the addition of the Judy Genshaft Honors College building to the Fixed Capital Outlay filing that is submitted to the Florida Board of Governors. The Chair shared that the Foundation has made great strides in fund raising for the building and has succeeded in gaining \$43 million of pledges, with half of the pledged amount received and that adding the project to the Fixed Capital Outlay Budget allows expenditure of funds for the project. The Chair shared that the Beck Group has been selected as the contractor. The Beck Group recently completed the student housing and Davis Hall renovation on the St. Petersburg campus, on time and within budget.

In addition, the Chair shared that the cost of the building, including architect and engineering costs, is appropriately \$49 million. FF&E will be paid by carryforward funds, comprising the majority of the remainder of the project budget. He added that the project represents outstanding value for the university, including addition of much needed academic space, gained largely through philanthropy. The Chair also thanked President Emerita Genshaft and Steve Greenbaum for their generosity, dedication and life-long commitment to USF.

President Currall encouraged the Board to approve the amendment providing the University with much needed academic space and a place for our best and brightest students to study.

Trustee Horton asked about minority subcontractors. Sr. VP Lechner assured Trustee Horton that there are minority subcontractors and that the Office of Supplier Diversity is engaged in the process to ensure contractors bring a diversity of subcontractors onboard. He shared that 30% of the subcontractors are minority owned businesses.

Trustee Ramil asked if by approving this budget we are doing so based upon a current scope and that the scope should not be diluted to stay on budget. He asked for confirmation that by voting the board is approving both, scope and budget. Chair Zimmerman concurred that no changes can be made without board notification. He shared that a project manager was hired that morning who will oversee the project to ensure it is on time and on budget based on the scope.

Trustee Goforth shared with the trustees the good experience St. Petersburg had on their two projects with the Beck Group. She supports the selection and appreciates their commitment to diversity. She found the process to be a good experience with no surprises.

Trustee Griffin thanked the Chair for working with the staff to bring down the original costs and for ensuring that parameters are in place to keep team in check.

Since there were no questions by the trustees, the Chair asked for a motion. Trustee Griffin moved for approval of the budget, scope and schedule and if there are any changes, the trustees should be notified immediately. It was seconded by Trustee Ramil. The motion was approved unanimously by all in attendance.

Having no further business, Chair Zimmerman adjourned the Board of Trustees meeting.

**Agenda Item: FL 102**

**USF Board of Trustees**  
December 8, 2020

**Issue:** Tenure Nomination as a Condition of Employment

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**Proposed action:** Approve Tenure as a Condition of Employment

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**Executive Summary:**

Administrators such as the President, Provost, Deans, Chairs, and senior faculty who are recruited to USF are normally awarded tenure as a condition of employment. These highly qualified individuals usually have earned tenure at their previous institutions, which makes them attractive candidates to USF. In order to attract them, USF must provide a package that is competitive with other nationally and internationally ranked institutions. Tenure upon appointment for qualified candidates, among other things, is a term and condition of the employment package that makes USF an institution of choice.

**Financial Impact:**

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**Strategic Goal(s) Item Supports:**

USF Strategic Plan 2013-2018, Goal II

**BOT Committee Review Date:**

Academic and Campus Environment Work Group – October 28, 2020

**Supporting Documentation Online (please circle):** **Yes** **No**

- Memorandum to Jordan B. Zimmerman, Chair, USF Board of Trustees
- Tenure Nominations as a Condition of Employment
- Faculty Profiles

**Prepared by:** Dwayne Smith, Senior Vice Provost & Dean, Graduate Studies, 813-974-2267



**MEMORANDUM**

**DATE:** November 10, 2020  
**TO:** Jordan B. Zimmerman, Chair  
**FROM:** Steven C. Currall, President  
**SUBJECT:** Tenure as a Condition of Employment Nominations

I am requesting approval by the USF Board of Trustees of the enclosed Tenure as a Condition of Employment Nominations at USF. In nominating these faculty members for tenure, I certify that the requirements and conditions contained in USF Regulations, Policies, and Procedures for the granting of tenure have been met. I am satisfied that the nominee will make a significant professional contribution to USF and the academic community.

Enclosures

**Faculty Nominations for Tenure as a Condition of Employment**  
**USF Board of Trustees Meeting – November 10, 2020**

<u>College</u>	<u>Name</u>	<u>Rank</u>	<u>Department/ School</u>	<u>Degree of Effort*</u>	<u>Previous Institution</u>	<u>Tenure at Previous Institution</u>
Education	Dana Thompson Dorsey, PhD	Associate Professor	Education Leadership & Policy Studies	1.0	University of Pittsburgh	Yes
Education	Willis A. Jones, PhD	Associate Professor	Higher Education & Student Affairs	1.0	University of Kentucky	Yes
Morsani College of Medicine	James Michael Grichnik, MD, PhD	Professor	Dermatology & Cutaneous Surgery	1.0	University of Miami Miller School of Medicine	Yes

\*If less than 1.0 FTE

**University of South Florida**  
**Tenure Nominations as a Condition of Employment**

1

**EDUCATION**

**Dana Thompson Dorsey, PhD**

Dr. Dana Thompson Dorsey will join the College of Education on December 16, 2020 as an Associate Professor in the Department of Education Leadership & Policy Studies. Dr. Thompson Dorsey graduated with a Juris Doctor and a PhD in Education with concentration in Administrative and Policy Studies from the University of Pittsburgh. She also earned a BS in Accounting from Lincoln University of Pennsylvania. Dr. Thompson Dorsey comes to USF from the University of Pittsburgh where she is currently an Associate Professor with tenure in the School of Education's Department of Administrative and Policy Studies. She is also Associate Director of the Center for Urban Education. Previously, Dr. Thompson Dorsey was Assistant Professor in the Department of Educational Leadership and Policy at the University of North Carolina, Chapel Hill. Dr. Thompson Dorsey has taught undergraduate and graduate courses that align well with the programs in Educational Leadership & Policy Studies as well as with the Ed.D. program Educational Innovation. She has served as a member of doctoral committees as well as Major Professor. Dr. Thompson Dorsey's research examines education law and policy, urban education, educational equity and access, and historical and sociopolitical contexts of education. Her work has appeared in high quality journals such as *Educational Administration Quarterly*; *Educational Policy*; *Race, Ethnicity and Education*; *Education and Urban Society*; and *Teachers College Record*. She serves on the editorial boards of *Urban Education* and *Negro Educational Review*, and is an Associate Editor of *The Urban Review* and Co-Editor of *Educational Researcher*. Dr. Thompson Dorsey has disseminated her work at prestigious professional association conferences including the American Educational Research Association (AERA) and the University Council for Educational Administration (UCEA). Dr. Thompson Dorsey has served as a member of the Bill and Melinda Gates Foundation Continuous Improvement for Equity Design Team. She has also served as consultant and professional development trainer for school districts such as the Woodland Hills School District in Pittsburgh; Gateway School District in Monroeville, Pennsylvania; Chatham County Schools in North Carolina; and Chapel Hill Carrboro City Schools in North Carolina. Her work with these school districts has centered on racial equity, cultural bias, and cultural proficiency. The faculty and chair of the Department of Education Leadership and Policy Studies, as well as Interim Dean Judith Ponticell, have endorsed the hiring of Dr. Thompson Dorsey as an Associate Professor with tenure. President Steven C. Currall and Provost Ralph Wilcox concur with this recommendation.

**University of South Florida  
Tenure Nominations as a Condition of Employment**

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**EDUCATION****Willis A. Jones, PhD**

Dr. Willis A. Jones joined the College of Education on August 7, 2020 as Associate Professor in the Department of Higher Education & Policy Studies. Dr. Jones graduated with a Ph.D. in Higher Education Leadership and Policy from Vanderbilt University. He also holds a M.Ed. in Higher Education Administration from the University of Arkansas-Fayetteville, and a B. A. in Sociology from the University of North Texas. Dr. Jones comes to USF from the University of Kentucky in Lexington where he served as a tenured Associate Professor. Dr. Jones has taught multiple courses at the University of Kentucky in both face-to-face and online formats. His courses address topics in higher education and student affairs, as well as research and evaluation methods. Dr. Jones' research focuses on the study of intercollegiate athletics and its influence on organizational and student outcomes, as well as the educational experiences of student-athletes. He has authored 26 peer-reviewed journal publications with three manuscripts currently under review; one co-authored book; and four book chapters with an additional chapter forthcoming. His work has appeared in high quality journals such as *Research in Higher Education*; *Review of Higher Education*; *American Journal of Education*; *Journal of Diversity in Higher Education*; *Journal of Sports Economics*; and *Journal of College Student Development*. His research has been funded by the AccessLex Institute and the Association for Institutional Research, by the American Institutes for Research and the Lumina Foundation, and by the Knight Commission on Intercollegiate Athletics. Dr. Jones' interests in the success of student athletes and in the unique environments of HBCUs and community colleges will bring new opportunities for program development, research, and intercollegiate collaboration. Dr. Jones currently serves as a member of two editorial boards, *Journal of Higher Education Athletics & Innovation* and *Innovative Higher Education*. He previously served as a member of the Editorial Board of the *Journal of College Student Development*. He has also served as ASHE Membership Committee Chair, as member of the Pre-Conference Forum on College Athletics Planning Committee, and as chair of the National Conference Program Committee (Policy, Finance, and Economics). Within the University of Kentucky, Dr. Jones has served as a member of multiple committees, including the Kentucky Retroactive Withdrawal Committee, the University of Kentucky Policy Review Committee, the Faculty Senate, the Faculty Success and Advancement Workgroup, and the Campus Retention Workgroup. The faculty and chair of the Department of Higher Education and Student Affairs, as well as Interim Dean Judith Ponticell, have endorsed the hiring of Dr. Jones as an Associate Professor with tenure. President Steven C. Currall and Provost Ralph Wilcox concur with this recommendation.

**University of South Florida  
Tenure Nominations as a Condition of Employment****3****MORSANI COLLEGE OF MEDICINE****James Michael Grichnik, MD, PhD**

Dr. James Michael Grichnik will join the USF Health, Morsani College of Medicine (MCOM) on January 1, 2021 as Professor and Chair of the Department of Dermatology and Cutaneous Surgery. Dr. Grichnik is a world-renowned expert in the diagnosis and treatment of malignant melanoma, an experienced dermatological cancer researcher, and clinician who specializes in personalized patient care, genetics, and genomics. Dr. Grichnik comes to USF from the Scully-Welsh Cancer Center, Cleveland Clinic, Vero Beach, FL, where he was Director since 2016. He served as Professor with tenure, and Director of the Anna Fund Melanoma Program, at the Miller School of Medicine from 2008 through 2015. He served as Chief of the Frankel Family Division of Melanocytic Tumors with the Department of Dermatology and Cutaneous Surgery from 2013 through 2015, Miller School of Medicine. Dr. Grichnik's academic career began in 1996 where he served as Assistant Professor, and then Associate Professor with tenure with the Department of Medicine at the Duke University Medical Center. Dr. Grichnik obtained a PhD in Cell Biology at Baylor College of Medicine 1988. He earned a MD degree at Harvard Medical School in 1990. His graduate training includes a residency at Duke University Medical Center; an internship with Harvard Beth Israel Hospital; postdoctoral training at Tufts University, and a postdoctoral fellowship at Baylor College of Medicine. Dr. Grichnik has 103 peer-reviewed publications as mostly first or senior author. He has numerous awarded patents, serves on a wide variety of scientific advisory boards, and served as the PI on numerous clinical trials. He has secured funding from the NIH, Duke University, the University of Miami, and numerous associations, foundations, and benefactors, and is a frequent invited speaker at national and international meetings. Dr. Grichnik is an accomplished teacher and mentor, and member of several curriculum committees. The MCOM APT Committee; the Department of Dermatology and Cutaneous Surgery Chair; Dr. Charles Lockwood, VP for USF Health; Provost Ralph Wilcox; President Steven C. Currall all concur to recommend Dr. Grichnik for tenure at the rank of Professor.

**Agenda Item: FL 103**

**USF Board of Trustees**  
December 8, 2020

**Issue:** USF Emergency Regulation 6.0021 Student Code of Conduct

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**Proposed action:** Amendment to Regulation 6.0021 Student Code of Conduct

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**Executive Summary:**

Formal adoption of the amendments incorporated in Regulation E-SF6.002: Regulation E-USF6.002 was adopted as an Emergency Regulation under the Board of Governors Guidelines for Emergency Regulations (BOG Regulation and Development Procedures) to comply with the requirements set forth in recent amendments to the Department of Education's amendment to Title IX, effective August 14, 2020. As required by the BOG Procedures, to transition the Emergency Regulation to a formal Regulation effective until amended or repealed, the University has followed the formal promulgation process which requires final approval by the University BOT. Upon USF BOT approval, the Emergency Regulation E-USF6.0021 will become University Regulation USF6.0021.

**Financial Impact:** N/A

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**Strategic Goal(s) Item Supports:** Goal One: Well-educated and highly skilled global citizens through our continuing commitment to student success.

**BOT Committee Review Date:** BOT ACE Committee: November 10, 2020

**Supporting Documentation Online (please circle):** Yes **No**

**Prepared by:** Patsy Ciaccio, Office of the General Counsel, 813-974-1661

# Student Code of Conduct Revisions

Danielle McDonald, AVP/Dean of Students



## Summary of changes

\*The Regulation was adopted as an Emergency Regulation in August to comply with the DOE August 14 implementing deadline for the TIX changes

- At this time, as per BOG Emergency Regulation process, the Regulation must complete the normal Promulgation which includes formal BOT approval.
- These changes will ensure consistency with USF Policy 0-004.

### \*Technical Changes

- Removed remaining system references to reflect one USF
- Added Health and Safety violation that was mistakenly removed in the previous revision and needed to address COVID-19 violations among other behaviors that impact the health and safety of our campus communities.

## **Definitions:** for cases under the jurisdiction of Policy 0-004

- Definitions of **dating violence, domestic violence, sexual harassment, sexual assault, and stalking** updated to be in compliance with federal Title IX regulations and consistent with USF Policy 0-004.
- **Due process rights for charged student and complainant** updated to be in compliance with BOG and Title IX regulations regarding cases under the jurisdiction of Policy 0-004.

## **Advisors:** for cases under the jurisdiction of Policy 0-004

Language added to further explain the role of the advisor to include:

- Advisors for both the charged and complainant student **must conduct cross-examination** during the live hearing of the other party.
- If either party does not identify an advisor, **one will be appointed** by the University
- If a charged student or complainant does not attend a hearing, **the University will appoint an advisor so cross-examination** can be conducted on their behalf.

## **Formal Hearings:** for cases under the jurisdiction of Policy 0-004

- Timeline to submit information to be considered in a formal hearing updated: to ensure both parties have required amount of time (10 days)per BOG and Title IX regulations to review the information.
- Failure of a complainant, charged student or witness to attend a formal hearing updated to reflect Title IX regulations – if a complainant, charged student, and/or witness fails to appear at a formal hearing the hearing may be held in their absence, and the witness’s statements given prior to the Formal Hearing will not be solely relied upon for determining responsibility by the Hearing Officer/Hearing Body.

## **Appeals:** for cases under the jurisdiction of Policy 0-004

- Additional basis for appeal added: **The Title IX Coordinator, investigators, or Hearing Officer/Hearing Body had a conflict of interest or bias** for or against charged students or complainants generally or the specific charged student, student organization, or complainant that affected the outcome
- Appeals process updated: if the basis of the appeal was a conflict of interest or bias by the Title IX Coordinator, investigators, or Hearing Officer/Hearing Body that affected the outcome, and the Appellate Officer accepts the appeal, the charged student, student organization, or complainant, and in specific cases, the Title IX Coordinator, investigators, and Hearing Officer/Hearing Body will **be provided a copy of the submitted appeal and permitted five (5) days to submit a response to the Appellate Officer, if applicable. The Appellate Officer may request that the case be remanded for a new investigation, Formal Hearing, or modify the sanction(s).**

# Questions





# UNIVERSITY OF SOUTH FLORIDA

## REGULATION

**Number:** E-USF6.0021  
**Title:** Student Code of Conduct  
**Responsible Office:** Student Success

Date of Origin: 9-23-85

Date Last Amended: 8-14-20 (Amended)  
Pending final BOT approval: 12-8-20

Date Last Reviewed: 8-14-20

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### **I. PURPOSE AND INTENT**

***Effective Date and Changes to the Regulation: This Regulation E-USF6.0021 has been adopted as an Emergency Regulation under the Board of Governors Guidelines for Emergency Regulations (BOG Regulation and Development Procedures) to comply with the recent amendments to the Department of Education’s amendment to Title IX which is to be effective on August 14, 2020.***

***The Regulation E-USF6.0021 will replace USF6.0021 and will be effective August 14, 2020 for up to 90 days pending final adoption at the conclusion of the full promulgation period. The Regulation will remain in effect until repealed or amended to respond to comments, new information and changing conditions. Substantive amendments to the Regulation will be communicated through the University’s established promulgation process. (Policy 0-001 Regulation and Policy Development).***

Student Conduct and Ethical Development (further referred to as “SCED” (formerly SRR) supports the goals, mission, values, and visions of the University of South Florida (“University” or “USF”) by promoting responsibility and adherence to the standards of behavior outlined in this Regulation (“Student Code of Conduct” or “Code”).

SCED collaborates with the USF community to advocate for a safe environment that promotes personal accountability and supports student success. SCED facilitates educational opportunities through meaningful interactions with students to encourage their academic, emotional, and professional development. The goal of SCED is to create environments that empower students to engage as ethical citizens in a diverse global society.

### **II. STATEMENT OF REGULATION**

The USF President has designated SCED, or designee, to administer and maintain this Regulation

(“Student Code of Conduct” or “Code”). The Student Code of Conduct describes standards of behaviors that are counteractive to the goals and mission of the University and the process for how the University will hold students and student organizations accountable to these standards of behavior.

### **III. STANDARDS OF BEHAVIOR**

Students and student organizations are responsible for knowing the information, policies, and procedures outlined in the Code. There is an expectation that students and student organizations adhere to the following standards of behavior.

#### **Commitment to Honor**

The Code supports and seeks to put into practice the USF Commitment to Honor. As an ethical community, USF is dedicated to the ideals of excellence in student development, academic learning, scholarship, and research. Each member of this community is expected to accept and live these commitments:

1. I resolve to maintain honor and integrity of the university community in pursuit of student development, academic learning, scholarship and research.
2. I resolve to respect the dignity and intrinsic value of all persons.
3. I resolve to contribute to the progress and greater good of the community.
4. I resolve to strive for excellence and discovery for myself, others, and the University.

#### **Academic Disruption**

Disruptive students in the academic setting hinder the educational process. Instructors have the primary responsibility for managing the classroom environment whether in person or online in accordance with [USF 3.025 Disruption of Academic Process](#). The Disruption of Academic Process Regulation provides the steps an instructor may take to immediately address a student disrupting a class or academic setting including restricting a student from class. If a student disrupts the classroom or academic setting, the instructor should submit a report in writing using the [Student Conduct and Ethical Development Referral Form](#). References to “instructor” include course instructors, faculty, administrators, and staff.

#### **Amnesty**

##### *Medical*

The University encourages students to seek emergency medical assistance when faced with an alcohol and/or drug-related emergency and in any situation where a reasonable person believes medical treatment to be appropriate. Students who seek or receive emergency medical assistance for themselves or students who seek assistance for another student experiencing an emergency related to the consumption of alcohol and/or drugs may qualify for amnesty. Any student who qualifies for amnesty under the [USF 30-004 Medical Amnesty \(Student Reporting\) Policy](#), may not be charged with violations of the Student Code of Conduct as those conduct violations relate to the consumption and/or use of

alcohol and/or drugs. Although students who qualify for amnesty may be exempt from the Student Conduct Process, they may be required to complete educational measures.

### *Hazing*

A student may not be charged with a violation of the Code if the student establishes that, before medical assistance or law enforcement arrived on the scene of the hazing event, the student rendered aid to the hazing victim(s) and establishes all of the following:

1. The student was present at an event where, as a result of hazing, an individual appeared to need immediate medical assistance.
2. The student was the first individual to call 911 or USF Police to report the need for immediate medical assistance.
3. The student provided their own name, the address where the immediate medical assistance was needed, and a description of the medical issue to the 911 or USF Police dispatcher at the time of the call.
4. The student remained at the scene with the individual in need of immediate medical assistance until such medical assistance or law enforcement arrived and that the student cooperated with such personnel at the scene of the incident.

For more information about hazing and hazing amnesty, reference [6.0023 Prohibition of Hazing Regulation](#).

## **IV. APPLICABILITY & AUTHORITY**

The University of South Florida is one institution with branch campuses. An incident will be referred to the campus where the incident occurred or as designated by the director of SCED, or designee.

Students and student organizations are responsible for having read and abiding by the standards of behaviors of the Code. The University reserves the right to make changes to the Code as necessary. The most updated version of all USF policies and regulations can be found at <http://regulationspolicies.usf.edu>.

The Code and Student Conduct Process apply to the behaviors of any student and student organization regardless of location or forum that are inconsistent to the goals and mission of USF. This includes (1) conduct that may present a danger or threat to the health and/or safety of students or others, (2) conduct that adversely affects the University community and/or the pursuit of its mission, (3) and/or conduct that violates state or federal laws. Students and student organizations are responsible for their guests and may be held accountable for their guests' behavior.

The Student Conduct Process is educational and designed to address student and student organization behavior; therefore, the University will address any alleged violations of the Code independently of any

criminal or civil court process. The Student Conduct Process may be carried out prior to, concurrently with, or following civil or criminal proceedings. Determinations made or sanctions(s) imposed as a result of the Student Conduct Process will not be subject to change because criminal charges were dismissed, reduced, or resolved in favor of the charged student. The University is not required to postpone the Student Conduct Process pending the outcome of any civil or criminal case. Student conduct cases that may result in suspension or expulsion must be resolved prior to the awarding of any degree or certificate.

## V. DEFINITION OF TERMS

**Administrative Hold** – A restrictive hold placed on a student’s record at any point in the Student Conduct Process to assure compliance with sanctions or pending the resolution of conduct matters. This hold may impact the ability of a student to register for courses, request academic transcripts, and receive a degree and diploma.

**Advisor** – Any individual chosen by the charged student, student organization, and complainant to accompany the party to meetings related to the Student Conduct Process and to advise the party on the process. For cases under the jurisdiction of Policy 0-004, an advisor will conduct cross-examination for the party at the Formal Hearing; further, the University will appoint an advisor to a party for the purpose of cross-examination if one is not chosen by the party.

**Charge(s)** – Alleged violation(s) of the Student Code of Conduct.

**Charged Student** – Any student who has allegedly violated the Student Code of Conduct. This term may also refer to a student identified as a respondent as defined in USF Policy 0-004.

**Complainant** – Any individual who may have been the subject of sexual harassment, stalking, or violence by the charged student. This may not be the individual who reported the violation(s). This term may also refer to a student identified as a complainant as defined in USF Policy 0-004.

**Conduct Standing** – A student’s status related to University conduct.

**Day** – A day when the University is open for regular business operations. This excludes Saturday, Sunday, legal/University administrative holidays or when the campus is closed for business. For emailed correspondence, the day of delivery is not included in a designated time period.

**Hearing Officer** – University official, as determined by the Director of SCED, or designee, authorized to make decisions about alleged violations of the Student Code of Conduct.

**Impact Statement** – A written statement provided by the charged student and complainant that

explains how the incident has impacted their personal and educational experiences. These statements may be considered in cases of alleged sexual harassment, stalking, and violence.

**Interim Suspension** – An immediate temporary separation from the University. Conditions may include restriction from University premises and participation in academic endeavors, and/or other and University-related activities. Interim suspensions will be expedited through the Student Conduct Process.

**May** – Is used in the permissive sense.

**Member of the University Community** – Any individual who currently employed by the University, any student of the University, and any third party working on University premises or any participant in a University-sponsored program or activity regardless of the location of the program or activity.

**Policy** – All written and published policies and regulations of the University. Reference [USF Regulations and Policies](#) for specific policies and regulations.

**Preponderance of the Evidence** – The evidence/information presented supports the finding that it is more likely than not that the conduct violation occurred. This standard is used in adjudicating all cases through the Student Conduct Process.

**Student** – Any individual admitted, enrolled, or registered for any University course or program, regardless of the medium of the course or program, or degree-seeking status, or when not enrolled or registered for a particular term, who is eligible to enroll in future terms without seeking readmission. A student who withdraws, is academically dismissed after allegedly violating the Student Code of Conduct, or has a continuing relationship with the University is still considered a student. For the purpose of this Regulation, the term “student” may be interchangeable with “student organization” when the term “student organization” is not directly specified.

**Student Organization** – A student group that is officially registered or recognized by the University, including, but not limited to, political groups, social groups, honor and professional societies, fraternities and sororities, and sport clubs.

**Temporary Restrictions** – Actions that SCED may take upon receipt of an incident report or during the Student Conduct Process. These actions may include, but are not limited to, interim suspension, a removal from on-campus housing, no contact orders, restrictions from clubs, events, and organizational activities, and/or restrictions from specific areas on University premises. Temporary restrictions may be amended or lifted throughout the Student Conduct process.

**Transcript Overlay** – Notation on a student’s academic transcript that states the student is not in good conduct standing resulting from suspension or expulsion.

**University** –All campuses of the University of South Florida.

**University Activity or University Program** - Any function or event that is hosted, sponsored, or organized by any University member when acting in their official capacity, group, or organization, including but not limited to, student organizations. This includes, but is not limited to, coursework and other academic activities, education abroad, field trips, retreats, social events, philanthropies, and community service events.

**University Conduct Board** - A panel of faculty, staff, and students who have been trained to participate in the adjudication of student conduct cases.

**University Official** – Any individual the University employs, contracts, or appoints to perform assigned teaching, research, administrative, professional, or other responsibilities (e.g. faculty, staff, administrators, student staff, USF Police).

**University Premises** – Any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University’s educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to that previously described in this paragraph that is owned by the University, but that is controlled by another individual, is frequently used by students, and supports University purposes (e.g., a food or other retail vendor).

**Will** – Is used in the imperative sense.

**Witness** – An individual with direct knowledge about or involvement in an alleged violation of the Student Code of Conduct.

**Written Notice** – The communication of charge(s) sent to the charged student or student organization by e-mail to their official University of South Florida e-mail address, which will be SCED’s primary means of communication with students. This form of communication also includes written notice to a complainant, in specific cases, to their official University e-mail address. The delivery of written notice through the official University email will constitute full and adequate notice under the Code. Students are responsible for all communications delivered to their University email address. Written notice to student organizations will be sent to the email address on file with the University.

## **VI. CONDUCT VIOLATIONS**

The behaviors outlined below are prohibited by this Regulation. The following conduct violations are broadly defined and are not exhaustive in terms.

**Aiding and Abetting** - The prompting, facilitating or encouraging of others to violate standards of behavior.

## **Alcohol**

1. Possession or consumption of alcohol when under the legal drinking age as defined by Florida law.
2. Unlawful sale, distribution, and/or manufacturing of alcohol.
3. Public consumption and/or intoxication according to local ordinance.
4. Hosting or sponsoring a gathering at which the underage consumption of alcohol may or has occurred.
5. Control or operation of any mode of transportation while impaired by alcohol.
6. Use and/or possession of devices with the intent to use for rapid or excessive consumption of alcohol, including but not limited to funnels, ice luges, and beer bongs.
7. Possession and/or use of kegs, coolers, party balls and/or other common source containers.
8. Reporting to class, an organizational meeting or other University event that is specific to the educational mission while under the influence of alcohol.
9. Failure to abide by [30-023 Alcohol Policy](#) and all University protocols, state, and federal laws regarding alcohol.

**Bribery** – Offering or accepting a bribe or inducement that would impinge upon or compromise the integrity of academic work, student performance, or the unbiased and professional duty of faculty, staff, or students of the University.

**Complicity** – To be associated with a violation of any University policy or regulation including, but not limited to, failure to remove oneself from the area or incident where a violation is being committed or attempted.

**Damage to Property** - Destruction or vandalism of University buildings or property, private property, and/or personal property.

**Dating Violence** – Violence, on the basis of sex, committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

## **Disruptive Conduct**

1. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the processes and/or functions of the University or the rights of members of the University community.
2. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the academic environment, and/or failure to abide by [USF 3.025 Disruption of Academic Process](#).

3. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the freedom of movement and speech, and/or academic freedom of any member or guest of the University community.
4. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the student conduct process.
5. Actions and/or behaviors that are disorderly, unruly, and/or disturb the peace.

**Domestic Violence** – Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the state of Florida, or by any other person against an adult or youth complainant who is protected from that person’s acts under the domestic or family violence laws of the state of Florida. To categorize an incident as domestic violence, the relationship between the respondent and complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**Drugs** -Includes, but is not limited to, any narcotic, central nervous system stimulant, hallucinogenic, barbiturate, or other substance treated as such.

1. Misuse or illegal possession of a regulated or controlled substance.
2. Manufacturing, distributing, selling, or attempting to obtain any controlled substance that is prohibited by law.
3. Un-prescribed use, possession, distribution, selling, or attempting to obtain any prescription drug (one’s own or another’s) that is prohibited by laws.
4. Possession of paraphernalia used for the consumption and/or use of drugs that may include, but not limited to bongs, hookahs, rolling papers, baggies, scales, and pipes.
5. Knowingly inhaling or ingesting a substance (e.g. nitrous oxide, glue, paint, etc.) that may alter a student’s mental state.
6. Control or operation of any mode of transportation while impaired by a regulated or controlled substance.
7. Reporting to class, an organizational meeting or other University event that is specific to the educational mission while under the influence of drugs.
8. Failure to abide by [0-610 Drug-Free Workplace Policy](#) and all University protocols, state, and federal laws regarding drugs.

**Failure to Comply** – Failure to comply with an official request or directive of a University Official acting within the scope of their assigned duties. Failure to identify oneself or produce USF identification upon request by a University Official.

**False Information**

1. Knowingly withholding related information or making a false or misleading oral or written statement to the University and/or any University Official.
2. Unauthorized alteration, possession, purchase, forgery, or misuse of any document, record, or instrument to be used as identification or as part of a request for support or excuse from academic assignment or other University service. The University has the right to authenticate or research the reliability of any document provided by a student.
3. Knowingly providing false or misleading information during proceedings under the Student Code of Conduct, including knowingly submitting a false complaint for any University process.
4. Failure to provide complete and accurate responses to the prior conduct section of the admissions application.

**Fire and Safety**

1. Inappropriate activation of any emergency warning equipment or the false reporting of any emergency.
2. Removing, damaging, interfering, or tampering with any fire safety equipment (e.g. smoke detectors, sprinklers, fire alarms).
3. Failure to evacuate during a fire alarm in any University facility or at any University event.
4. Engaging in action(s) that cause or attempt to cause a fire or explosion including but not limited to the release of chemicals or substances that can cause harm to another individual's health.

**Gambling** – Engaging in or offering games of chance for the exchange of money or other gain that may be in violation of Florida laws.

**Harassment** – Conduct that creates an unsafe, intimidating, or hazardous situation that interferes with the ability of a student or employee to study, work, or carry out University functions and are not protected by freedom of expression.

1. Repeated and/or severe aggressive behaviors, including bullying/cyber-bullying, that intimidate or intentionally harm or control another individual physically or emotionally.
2. Failure to abide by [0-007 Diversity and Equal Opportunity: Discrimination and Harassment Policy](#) and all University protocols and federal/state laws regarding discrimination.

**Hazing** - Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of an individual(s) for purposes of initiation and/or admission into, or association with and/or the perpetuation or furtherance of a tradition or ritual of any recognized student organization or non-affiliated organization. The consent or permission of the individual(s) does not eliminate responsibility.

1. Hazing includes, but is not limited to pressuring or coercing an individual(s) into violating state or federal laws; any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of an individual(s);

or any activity that would subject an individual(s) to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of an individual(s). Additionally, any hazing that results in permanent and/or serious bodily injury or death.

2. Soliciting an individual(s) to commit or is actively involved in the planning of any act of hazing.
3. Failure to abide by [6.0023 Prohibition of Hazing Regulation](#) and all University protocols, state, and federal laws regarding hazing.

**Health and Safety** – Conduct non-compliant with University policies, guidelines, or directives related to the health and safety of the University community.

### **Physical Violence**

1. Intentional touching or striking of an individual(s) against their will, or any action causing or attempting to cause potential damage, injury, or harm. This includes, but is not limited to, punching, slapping, scratching, or striking with one's body or with any object.
2. Unintentional touching or striking of an individual(s) against their will, or any action causing or attempting to cause potential damage, injury, or harm that is with conscious disregard for consequences.

**Residence Hall Policies** – Failure to abide by any policy or regulation governing University Housing (e.g. rental agreement, Resident Handbook).

**Retaliation** – Words or action(s) taken against an individual because of the individual's participation in a protected activity that would discourage a reasonable person from engaging in a protected activity. Retaliation may include intimidation, threats, coercion, physical harm and/or adverse employment or educational actions. Protected activity includes an individual's participation in the reporting, investigation, and/or resolution of an alleged violation of the Student Code of Conduct. Additionally, protected activity includes an individual's opposition to policies, practices and/or actions that the individual reasonably believes are in violation of the Student Code of Code. Retaliation may be found even when an underlying report made in good faith was not substantiated. Retaliation may be committed by the charged student, the complainant, or any other individual or group of individuals.

### **Sexual Assault**

1. Any sexual act directed against another individual, without the consent of the complainant, including instances in which the complainant is incapable of giving consent.
2. Incest - non-forcible sexual intercourse, between individuals who are related to each other, within the degrees wherein marriage is prohibited by Florida law.
3. Statutory rape – non-forcible sexual intercourse, with an individual who is under the statutory age of consent as defined by Florida law.

**Sexual Exploitation** – Taking non-consensual or abusive sexual advantage of an individual for their

own benefit or for the benefit of anyone other than the individual being exploited, and that the conduct does not otherwise constitute sexual harassment under this policy. Examples of sexual exploitation include, but are not limited to:

1. Sexual voyeurism (such as observing or allowing others to observe an individual undressing or using the bathroom or engaging in sexual acts, without the consent of the individual being observed).
2. Invasion of sexual privacy.
3. Taking pictures, videos, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another individual to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed individual's consent), including the making or posting of revenge pornography.
4. Prostituting another individual.
5. Engaging in sexual activity with another individual while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other individual of the infection.
6. Causing or attempting to cause the incapacitation of another individual (through alcohol, drugs, or any other means) for the purpose of compromising that individual's ability to give consent to sexual activity, or for the purpose of making that individual vulnerable to non-consensual sexual activity.
7. Misappropriation of another individual's identity on apps, websites, or other venues designed for dating or sexual connections.
8. Forcing an individual to take an action against their will by threatening to show, post, or share information, video, audio, or an image that depicts the individual's nudity or sexual activity.
9. Knowingly solicitation a minor for sexual activity.
10. Engaging in sex trafficking,
11. Creation, possession, or dissemination of child pornography.

**Sexual Harassment** – Conduct on the basis of sex/gender or that is sexual that satisfies one or more of the following:

1. Quid Pro Quo: A USF employee, conditions the provision of an aid, benefit, or service of the University, on an individual's participation in unwelcome sexual conduct. Refer to Policy [0-004 Sexual Misconduct/Sexual Harassment](#).
2. Unwelcome conduct, determined by a reasonable individual, to be so severe, and pervasive, and objectively offensive, that it effectively denies an individual equal access to the University's education program or activity.

**Stalking**- Engaging in a course of conduct directed at a specific individual that would cause a reasonable individual to fear for the individual's safety, or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, course of conduct means two or more acts, including, but

not limited to, acts in which the charged student directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about an individual, or interferes with an individual's property. Reasonable person means a reasonable person under similar circumstances and similar identities to the complainant. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Student Organization Misconduct** – Failure to abide by any University and/or department policy or protocol governing the operation of student organizations, sport clubs, teams, etc.

**Technology** – Improper use of technology hardware or software including but not limited to computers, e-mail, cell phones, video cameras, and drones.

1. Unauthorized downloading or facilitating others to download copyrighted music, films, and other documents without authorization.
2. Non-consensual recording of wire, oral, or electronic communication acquired by any device when such communication is uttered by an individual exhibiting an expectation that such communication is not subject to interception under circumstances justifying such expectation (i.e. an individual has a reasonable expectation of privacy).
3. Failure to abide by [Policy 0-502 Appropriate Use of Information Technology Resources](#).
4. Failure to abide by [Policy 6-036 Unmanned Aircraft \(Drone\) Operations](#).

**Theft** – Taking, attempting to take, or keeping in its possession property or services not belonging to the individual.

**Threats of Violence** - A threat by word or act to do violence to an individual(s).

**Unauthorized Access and/or Use**

1. Unauthorized access or entry to University facilities or any property of any member of the University community without permission.
2. Duplication or use of University keys or access cards without permission.
3. Accessing, duplicating, photographing, altering, and/or misusing any University material (including University intellectual property), files document or record, computer records, software, data files, and similar entities owned or maintained by any member of the University faculty, administration, staff or student body.
4. Misuse of the official University brand to include, but not limited to the logo, mark, monogram, seal, or other graphic identity symbol.

**University Policy and/or Local Ordinance, State, or Federal Law (as determined by the University)** – Failure to adhere or abide by policies, including but not limited to, local ordinance, state law or federal law. Adjudicating by an outside entity is not a prerequisite to a determination of

responsibility by the University.

**Weapons, Firearms, or Explosive Devices** – The illegal possession, storage, use or sale of any weapon (lethal or non-lethal), firearm, ammunition, or any incendiary, explosive or destructive device. This includes, but is not limited to, fireworks, switchblade knives, air soft guns, dangerous chemicals, corrosive and/or biological chemicals or agents as restricted by University policies and/or protocols. This also covers any item used as a weapon to cause actual physical harm or threaten physical harm. Reference [Policy 6-009 Weapons on USF Property](#).

## VII. STUDENT CONDUCT PROCESS

### Filing an Incident Report

A student and student organization's conduct may be reported to SCED by any individual or entity for review of a potential conduct violation(s). A report may be submitted in writing using the designated referral form. Currently the form is the [Student Conduct and Ethical Development Referral Form](#). Incident reports must be submitted within six (6) months following the incident or obtaining knowledge about the incident, whichever is later. Exceptions to this filing time include, but are not limited to, cases involving sexual harassment, dating violence, domestic violence, and stalking and may include other extraordinary cases, as determined by the Director of SCED, or designee.

All reported information will be reviewed by the Director of SCED, or designee, to determine appropriate next steps to include, but are not limited to, further fact gathering, issuance of charges, referral to another department, or an information meeting to determine resolution of the report and potential conduct violations.

### Temporary Restrictions

Temporary restrictions may be issued to ensure a safe environment that promotes personal accountability and supports student success. SCED can issue temporary restrictions to any student and student organization involved in an incident, regardless of whether a determination of potential violations has been made. These may include, but are not limited to, interim suspension, removal from on-campus housing, no contact orders, restrictions from clubs, events, and organizational activities, and/or restrictions from specific areas on University premises. The student and student organization will receive written notice detailing the issued temporary restrictions.

The charged student's enrollment status will remain unchanged pending the outcome of a Formal Hearing, except in cases of interim suspension. The hearing outcome will indicate if enrollment status will be changed between written notice of outcome of a Formal Hearing and the conclusion of an Appeal, if applicable.

### Issuance of Charges

The Director of SCED, or designee, will review the incident report to determine if further fact gathering is necessary or if sufficient information exists for the issuance of charges of violations of the Code. In

general circumstances, a review of the incident report will be completed to make a determination to issue charges or to conduct further fact gathering, if necessary, within fifteen (15) days of receipt of the incident report.

If sufficient information exists, the student and student organization will receive written notice of charges. The written notice will include date, time, and location of the Informational Meeting, as well as the specific charges of violations of the Code, a brief description of the allegation(s), an invitation to attend an informational meeting, and any other detail to prepare for the Student Conduct Process.

### **Informational Meeting**

The charged student or student organization will be invited to attend an Informational Meeting with a Hearing Officer. An informational meeting is an opportunity for the Hearing Officer to explain the Student Conduct Process, due process rights, allegations and charges, and review all available information supporting the charges of violations of the Code. Following the Informational Meeting, the Hearing Officer may collect additional relevant information regarding the incident. The charged student or student organization will receive written notice of and be provided the reasonable opportunity to review any relevant information gathered after the Informational Meeting prior to a Resolution Agreement or Formal Hearing. This is a private meeting and will be closed to spectators, unless otherwise specified (e.g. advisor).

A student or student organization has up to three (3) days after the Informational Meeting to choose a resolution option. If the charged student or student organization fails to select a resolution option, SCED will proceed with scheduling a Formal Hearing. The type of Formal Hearing forum will be determined by the Director of SCED, or designee, based on the severity of charges and/or possible sanctions (e.g. suspension/expulsion).

If the charged student or student organization fails to attend or re-schedule an informational meeting, they will have waived their opportunity to participate in an informational meeting, and SCED will proceed with scheduling a Formal Hearing. The type of Formal Hearing forum will be determined by the Director of SCED, or designee, based on the severity of charges and/or possible sanctions (e.g. suspension or expulsion).

### **Due Process Rights**

#### *Charged Student/ Student Organization*

The charged student and student organization has the following rights during the Student Conduct Process:

1. Written notice of the charges and allegations.
2. A fair and impartial hearing.
3. To be accompanied by an advisor of their choice and expense throughout the Student Conduct

Process. For cases under the jurisdiction of Policy 0-004, the University will appoint an advisor for the purpose of cross-examination during a Formal Hearing, if one is not chosen.

4. The opportunity to review all available information supporting the charges of violations of the Code prior to resolution.
5. The opportunity to present relevant information and witnesses at the Formal Hearing.
6. To not provide self-incriminating testimony. Invoking the right against self-incrimination will not be considered as a negative factor in the decision of the Hearing Officer or Hearing Body.
7. The opportunity to question witnesses and in specific cases, complainants in accordance with the Formal Hearing procedure.
8. To receive written notice of the outcome of the Formal Hearing within five (5) days of the hearing.
9. To submit a written appeal. (*See Appeal*).

*In addition to the above, a charged student has the following rights in cases of alleged sexual harassment, stalking, and violence:*

1. The ability to request alternate arrangements for participation in the Formal Hearing via audio or live-video from another location, and/or to participate in a manner that avoids direct contact with the complainant as long as such participation does not infringe on the charged student's right to question the complainant during the Formal Hearing or infringe on the implementation of Formal Hearing procedure.
2. To submit a written impact statement in advance of the Formal Hearing.
3. To not have prior sexual history considered, except for the testimony offered by the complainant or respondent about their shared sexual history that the panel deems relevant, when determining if a conduct violation has occurred.

#### *Complainant*

A complainant has the following rights during the Student Conduct Process:

1. Written notice of the charge(s) and allegations.
2. A fair and impartial hearing.
3. To be accompanied by an advisor of their choice and expense throughout the Student Conduct Process. For cases under the jurisdiction of Policy 0-004, the University will appoint an advisor for the purpose of cross-examination during a Formal Hearing, if one is not chosen.
4. The opportunity to review all available information supporting the charges of violations of the Code prior to resolution.
5. The opportunity to present relevant information and witnesses at the Formal Hearing.
6. To not provide self-incriminating testimony. Invoking the right against self-incrimination will not be considered as a negative factor in the decision of the Hearing Officer or Hearing Body.
7. The opportunity to question witnesses and the charged student in accordance to the Formal Hearing procedure.
8. To receive written notice of the outcome of the Formal Hearing within five (5) days of the

hearing.

9. To submit a written appeal (*See Appeals*).
10. The ability to request alternate arrangements for participation in the Formal Hearing via audio or live-video from another location, and/or participate in a manner that avoids direct contact with the charged student as long as such participation does not infringe on the complainant's right to question the charged student during the Formal Hearing or infringe on the implementation of Formal Hearing procedure.
11. To submit a written impact statement in advance of the Formal Hearing.
12. To not have prior sexual history considered, except for the testimony offered by the complainant or respondent about their shared sexual history that the panel deems relevant, when determining if a conduct violation has occurred.

#### *Advisor*

The charged student, student organization, and in specific cases, complainant (unless the conduct violation is under the jurisdiction of Policy 0-004) may be accompanied by an advisor of their choice and expense throughout the Student Conduct Process with the following guidelines:

1. The advisor cannot have a potential conflict of interest between the University and/or the case or create an unreasonable conflict with the fair administration of the Student Conduct Process.
2. The advisor may not speak on behalf of, present the case for, serve as a witness, or otherwise participate directly in the Student Conduct Process. If the advisor is an attorney, they must adhere to the same guidelines as any other advisor.
3. It is the student, student organization, and complainant's responsibility to make appropriate arrangements for their advisor to accompany them throughout the Student Conduct Process. The conduct process will not be delayed due to scheduling conflicts of the chosen advisor.
4. The advisor may be dismissed from the Student Conduct Process for failure to adhere to the parameters of their role. This dismissal will not affect the process and all proceedings will continue.

In cases under the jurisdiction of Policy 0.004, the charged student, student organization, and complainant may be accompanied by an advisor of their choice\* throughout the Student Conduct Process. The following pertains to the role of the advisor in these specific cases.

The advisor must conduct cross-examination of the charged student, student organization, complainant, and witness(es). If the charged student, student organization, or complainant does not have an advisor of their choosing present at the Formal Hearing, the University shall appoint an advisor of the University's choosing for the sole purpose of conducting cross-examination. The University cannot guarantee the appointed advisor will be equal to the chosen advisor of the charge student, student organization, or complainant. Specifically, should the charge student, student organization, or complainant's chosen advisor be an attorney, the University is not obligated to appoint an advisor who is an attorney. A party may reject the University's appointment of an advisor, but they may not proceed

without an advisor.

If the party's advisor will not conduct the cross-examination, the University will appoint an advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself.

*\*Choosing an advisor who is also a witness in the Student Conduct Process creates potential for bias and conflict of interest. A charge student, student organization, or complainant who chooses an advisor who is also a witness can anticipate the issues of potential bias will be explored by the Hearing Officer/Hearing Body.*

### **Resolution Options**

A student or student organization has the right to a resolution of any alleged violation of the Code through the Student Conduct Process unless waived as outlined below. The Student Conduct Process provides two resolution options. Cases involving allegations of sexual harassment, stalking, and violence will be resolved by a Formal Hearing conducted by the University Conduct Board, consistent with state and federal guidelines.

### **Resolution Agreement**

(except in cases that could result in separation from the University) Available when the charged student or student organization waives their right to a Formal Hearing and appeal, and requests that the Hearing Officer, conducting the Informational Meeting, determine the findings and applicable sanctions. The Hearing Officer reserves the right to collect additional relevant information to make an informed decision. The meeting will not be audio-recorded, and the written outcome will serve as the official record of the Resolution Agreement. The student or student organization will receive written notice of the Resolution Agreement within five (5) days, except in the case of extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for conduct violations and applicable sanctions.

### **Formal Hearing**

Formal Hearings include two types of forums 1) Administrative Hearing and 2) University Conduct Board.

**Administrative Hearing** - Conducted by a single Hearing Officer who serves as the Hearing Body. If the charged student elects an Administrative Hearing, the charged student waives their right to the University Conduct Board.

**University Conduct Board (UCB)** – Conducted by a panel which serves as the Hearing Body. The UCB consists of two (2) students and one (1) faculty or staff member. A non-voting Hearing Officer will moderate the hearing and be excluded from deliberations. If the charged student elects a University Conduct Board, the charged student waives their right to an Administrative Hearing.

The panel is selected from a pool of trained students, faculty, and staff who are members of the UCB. UCB members go through a formal recruitment, selection, and training process facilitated by SCED.

## **VIII. FORMAL HEARING PROCEDURES**

### **Scheduling**

SCED will make a good-faith effort to schedule Formal Hearings around academic class schedules considering the availability of individuals involved in the hearing procedures and the normal operations of SCED.

### **Hearing Notice**

The charged student or student organization will receive written notice no later than ten (10) days prior to the date of the Formal Hearing. The written notice will include date, time, and location of the hearing, as well as the specific charges of violations of the Code, a brief description of the allegation(s), names of witnesses to be called by the University, a list of information to be used in the hearing, an outline of the Formal Hearing proceeding, and the name(s) of the Hearing Officer and Hearing Body. A complainant will receive similar written notice, as applicable.

### **Witnesses and Relevant Information**

The charged student or student organization can request the participation of additional witness to provide relevant information during a Formal Hearing. The charged student or student organization must provide the names of additional witnesses at least three (3) days prior to the hearing to the Hearing Officer. Acceptance or denial of additional witnesses is at the discretion of the Hearing Officer. Character witnesses or witnesses who cannot provide relevant information regarding the specific incident will not be permitted to participate in the Formal Hearing.

The charged student or student organization, and in specific cases, complainant is responsible for contacting and notifying additional witnesses they request to participate in the Formal Hearing. The Formal Hearing shall not be delayed due to a scheduling conflict of the witness.

In the event a witness is unable to participate in the scheduled Formal Hearing, the witness may submit a written statement at least three (3) days prior to the hearing to the Hearing Officer for consideration. A late witness statement submission will not be considered. The charged student or student organization must be provided an opportunity to respond to the written witness statement. The inability of the charged student or student organization to question a witness who has provided a written statement is not a violation of the charged student or student organization's due process rights. The charged student or student organization has the opportunity to review and respond to the written statement and may offer information to rebut the witness statement and other information presented at the Formal Hearing. If a witness fails to attend the Formal Hearing, their written statement, should one exist, will be considered by the Hearing Body.

For cases under the jurisdiction of Policy 0.004, if a witness(es) fails to appear at the Formal Hearing, the hearing may be held in their absence, and the witness's statements given prior to the Formal will not be solely relied upon for determining responsibility by the Hearing Officer/Hearing Body.

The charged student, student organization, or in specific cases, complainant has the opportunity to review all relevant information to be used in the Formal Hearing supporting the charges of violations of the Code at least ten (10) days prior to the hearing. Relevant records, exhibits, and written statements may be submitted by the charged student or student organization for review and acceptance to the Hearing Officer. Acceptance or denial of information is at the discretion of the Hearing Officer. Any information the charged student, student organization, or in specific cases the complainant intends to use must be submitted to SCED at least five (5) days prior the Formal Hearing, except in cases under the jurisdiction of Policy 0.004, in which the information must be submitted ten (10) days prior to the Formal Hearing.

### **Challenging Impartiality in a Formal Hearing**

The charged student or student organization may challenge the inclusion of any member of the Hearing Body. The challenge must be submitted in writing to the Director of SCED and must detail an actual bias (such as conflict of interest) that would significantly impact their right to a fair and impartial hearing. The challenge must be submitted at least five (5) days prior to the Formal Hearing. The Director of SCED, or designee, will review the challenge and make a final decision that is not appealable.

### **Postponements**

Any request to postpone a Formal Hearing must be submitted in writing to the Director of SCED as least five (5) days prior to the hearing. The request must state the reason(s) for the postponement. The Director of SCED, or designee, will review the request and make a final decision. The University is not required to postpone the Student Conduct Process pending the outcome of any civil or criminal case.

### **Failure to Attend**

If a charged student, student organization and in specific cases, complainant fails to attend a scheduled Formal Hearing, the hearing will occur, and an outcome will be made in their absence.

If a witness(es)/Complainant fail to appear, statements given prior to the Formal Hearing may be reviewed at the Hearing in their absence; however, the statements may not be sufficient to determine a finding of responsibility.

### **General Principles of Formal Hearings**

The following general principles apply to all Formal Hearings regardless of hearing forum. The charged student or student organization and in specific cases, complainant will receive information that outlines the Formal Hearing proceeding prior to the hearing.

1. Formal Hearings are private and will be closed to spectators, unless otherwise specified (e.g. advisor).
2. The burden of proof in a Formal Hearing is on the University. The standard of proof is the

preponderance of the evidence. The finding of responsible or not responsible on the charges is solely based on the information presented at a Formal Hearing.

3. Formal Hearings, excluding deliberations, will be recorded by audio or video. The Formal Hearing may only be recorded by the University and the recording will be the property of the University.
4. Formal Hearings are not subject to the formal rules of evidence and procedures governing criminal and civil court proceedings.
5. A charged student or student organization and in specific cases, complainant have the opportunity to present relevant information.
6. No irrelevant information, including character statements, should be discussed or considered in the Formal Hearing.
7. The Hearing Officer has the discretion to limit the number of witnesses whose testimony may be redundant or not in dispute.
8. The Hearing Officer may limit the length of testimony and may provide advice regarding the scope, direction or tone of questioning.
9. For cases under the jurisdiction of Policy 0.004, all cross-examination of the charged student, student organization, complainant, and witnesses must be conducted directly and orally by the individual's advisor. At the Formal Hearing, before the charged student, student organization, complainant, or witness can respond to a question posed by an advisor, the decision-maker(s) must first determine whether the question is relevant, and if not, explain the basis for disallowing the question.
10. Prior student conduct may only be considered in determining appropriate sanctions.
11. In cases involving multiple charged students, information presented at a Formal Hearing may be used in a related case as long as all Formal Hearing procedures contained within the Code are satisfied.
12. The Hearing Body will make a recommendation of the decision and sanctions to the Hearing Officer. The Hearing Officer may adopt or modify the recommendation of the Hearing Body. If the recommendation is not adopted, the Hearing Officer will include the reason for modifying the recommendation in the Formal Hearing outcome letter.
13. The charged student or student organization and in specific cases, complainant will receive written notice of the formal hearing outcome within five (5) days of the Formal Hearing. The formal hearing outcome will include the determination regarding responsibility for conduct violations and applicable sanctions.

### **Interim Suspension**

An interim suspension is an immediate temporary separation from the University. Conditions may include restriction from University premises, participation in academic endeavors, and University-related activities. Interim suspensions will be expedited through the Student Conduct Process.

An interim suspension may be imposed at the discretion of the Vice President for Student Success, or designee, to ensure one or all of the following:

1. The safety and well-being of members of the USF community or preservation of USF

- property;
2. The student's continued presence or the student organization's continued activities, or use of privileges, is likely to pose an ongoing threat, disruption or interference with the normal operation of USF.

When an interim suspension is imposed, the charged student or student organization will receive written notice to attend a scheduled Informational Meeting with a Hearing Officer. The written notice will include date, time, and location of the meeting, as well as the specific charges of violations of the Code, a brief description of the allegation(s), the conditions of interim suspension, and any other detail to prepare for the Student Conduct Process.

An Informational Meeting will occur (see Informational Meeting) and the Hearing Officer will review available information to determine if the interim suspension will remain, be modified, or lifted. The charged student or student organization will receive written notice two (2) days after the Informational Meeting regarding the status of interim suspension.

If the charged student or student organization fails to attend the Informational Meeting, they will have waived their opportunity to participate in the Informational Meeting, and SCED will proceed with scheduling a Formal Hearing. The type of Formal Hearing forum will be determined based on the severity of charges and/or possible sanctions (e.g. suspension or expulsion).

If a charged student is placed on an interim suspension, but the charged student is subsequently found not responsible for the conduct violation, the University must:

1. Correct any record of the change in enrollment status in the charged student's permanent records, and report in a manner compliant with state and federal laws, and
2. Refund the charged student: a pro rata portion of any charges for tuition and out of-state fees, as appropriate, if the temporary revocation or suspension of the charged student's ability to attend classes lasts for more than ten (10) days.

In cases where the President determines that the health, safety, or welfare of the charged student or the University community is involved, a charged student's privileges within the University, including the ability to attend classes or engage in University activities, may be suspended on an interim basis.

## **IX. BASIS FOR APPEAL AND APPEAL PROCESS**

The charged student or student organization and in specific cases, complainant may appeal in writing the outcome of a Formal Hearing within five (5) days of the date of the Formal Hearing outcome letter. The appeal must be in writing to the Dean of Students, or designee, and the burden of proof rests with the individual or organization appealing to clearly demonstrate the basis for appeal.

### **Basis for Appeal**

The basis for appeal includes:

1. A violation of due process rights or failure of the University to follow the Student Conduct Process established in this Code that substantially affected the outcome.
2. The introduction of new information that was not available and could not be presented at the time of the Formal Hearing. The individual appealing must demonstrate how the new information could have substantially affected the outcome. The outcomes of a criminal or civil case is not considered new information for the purpose of an appeal.
3. The severity of sanction(s) imposed was disproportionate to the responsible conduct violations. Additionally, for cases under the jurisdiction of Policy 0.004:  
The Title IX Coordinator, investigators, or Hearing Officer/Hearing Body had a conflict of interest or bias for or against charged students or complainants generally or the specific charged student, student organization, or complainant that affected the outcome.

An appeal is not a rehearing of the conduct case and will not be accepted simply because the individual is dissatisfied with the outcome of the Formal Hearing.

### **Appeal Process**

The Dean of Students, or designee, will serve as the Appellate Officer for all appeals of the Student Conduct Process. The Appellate Officer will determine if there is sufficient information to substantiate the basis for appeal. If so, the Appellate Officer may either deny the appeal, therefore upholding the original outcome of the Formal Hearing, or do one of the following:

If the basis of the appeal is that there was a violation of due process rights or failure to follow the Student Conduct Process which would have substantially affected the outcome, and the Appellate Officer accepts the appeal, the Appellate Officer may request the case be remanded for a new Formal Hearing.

If the basis of the appeal is new information that could not be presented at the time of the Formal Hearing which would have substantially affected the outcome, and the Appellate Officer accepts the appeal, the Appellate Officer may request that the case be remanded for a new Formal Hearing.

If the basis of the appeal is the severity of sanction(s) imposed was disproportionate to the responsible conduct violations, and the Appellate Officer accepts the appeal, the Appellate Officer may modify the sanction(s).

For cases of sexual harassment, stalking, and violence, if the basis of the appeal is the Title IX Coordinator, investigators, or Hearing Officer/Hearing Body had a conflict of interest or bias for or against charged students or complainants generally or the specific charged student, student

organization, or complainant that affected the outcome, and the Appellate Officer accepts the appeal, the charged student, student organization, or complainant, and in specific cases, the Title IX Coordinator, investigators, and Hearing Officer/Hearing Body will be provided a copy of the submitted appeal and permitted five (5) days to submit a response to the Appellate Officer, if applicable. The Appellate Officer may request that the case be remanded for a new investigation, Formal Hearing, or modify the sanction(s).

Except as required to explain the basis of new information, the review of an appeal is limited to the record of the Formal Hearing and supporting documents.

The charged student or student organization or in specific cases, complainant will receive a written notice of their appeal outcome within ten (10) days of receipt of the appeal, except in extraordinary circumstance as determined by the Dean of Students, or designee. The appeal outcome is the final University decision and there are no further internal University appeals.

A student may seek outside judicial review pursuant to Florida Rule of Appellate Procedure 9.190(b)(3) of a final University decision. If a student seeks a review with the court, a copy of the petition must also be officially served to the University of South Florida Office of the General Counsel at 4202 E. Fowler Avenue, CGS 301, Tampa, Florida 33620-4301.

## **X. SANCTIONS**

Students and student organizations found responsible for conduct violations will be assigned sanctions. Sanctions will be commensurate with the responsible conduct violations considering any mitigating circumstances, including but not limited to the charged student or student organization's prior conduct record. Assigned sanctions may include, but are not limited to:

**Alcohol and/or Substance Use Education Sanctions** - Online educational modules, assessments, and/or meeting with a staff member. The charged student or student organization is responsible for any associated fee(s).

**Assignments/Seminar/Workshops:** Requirement to attend, present, and/or participate in an in-person or online, workshop, module, and/or seminar. Written research assignments, behavioral reflection papers, or other educational activities may also be a requirement. These sanctions are intended to provide a student with opportunities that achieve specific learning objectives such as engaging in meaningful reflection on their behavior and the impact on others. The charged student or student organization is responsible for any associated fee.

**Conduct Probation:** A specified period of time when the charged student or student organization is considered not in good conduct standing with the University. Conduct probation may result in restrictions of privileges and/or activities which may include, but are not limited to, being prohibited

from participating in study abroad, serving in specific student leadership roles (e.g. resident assistant, student government). Conduct probation is a period of reflection on behavior and an opportunity to demonstrate satisfactory citizenship. Further conduct violations while on conduct probation may impact the severity of future sanctions.

**Deferred Suspension:** A specified period of time in which suspension is temporarily withheld pending completion of other sanctions by a specified deadline and the demonstration of satisfactory citizenship. A student or student organization on deferred suspension is considered not in good conduct standing with the University. If the charged student or student organization fails to comply with assigned sanctions, the student or student organization will no longer be on deferred suspension and will be immediately suspended with no further appeal.

**Expulsion:** Permanent separation from the University. The student or student organization is considered not in good conduct standing permanently with the University. The charged student and student organization will not have the ability to return as a student or student organization at any point in time. Expulsion may include a restrictive or no trespass order for all University premises. A transcript overlay will be placed on the charged student's academic transcript and an administrative hold will be permanently placed on the student's account. A record of expulsion will be maintained in the student's permanent conduct file in Student Conduct and Ethical Development.

A student assigned this sanction may forfeit tuition, housing rent and fees, and other University fees. A student will be withdrawn from classes and forfeit academic credit accordingly. Students living in University Housing must contact Housing and Residential Education to determine the financial impact of the cancelled contract.

**Housing Restriction:** A specified period of time in which a student is restricted from living in and/or visiting all USF residential facilities (which may include dining halls), including the Greek Village. If applicable, a student may be financially liable for any costs associated with the restriction from living in on-campus housing as outlined in the Cancellation section of the University Student Housing Agreement or Greek Housing Agreement.

**No Contact Order:** Official directive requesting a student refrain from making contact with another individual(s). Contact may include communication by telephone, in writing, electronically, by third party, or in person both on and off campus.

**Restrictions:** Specific loss of privileges that may limit participation in student activities and University events or access and use of University premises (e.g. athletic teams, leadership positions, certain buildings and/or locations).

**Restitution:** Requirement to reimburse the University and/or an individual for the damage, destruction, or vandalism of University buildings or property, private property, and/or personal property. Restitution will be limited to the actual cost of repair or replacement.

**Suspension:** Separation from the University for a specified period of time. The student or student organization is considered not in good conduct standing during the period of suspension with the University. The student or student organization will not have the ability to return as a student or student organization until the end of the suspension. Suspension may include a restrictive or no trespass order for all University premises. A transcript overlay will be placed on the student's academic transcript, and an administrative hold will be placed on the student's account during the period of suspension. A record of suspension will be maintained in the student's permanent conduct file in Student Conduct and Ethical Development.

A student affected by this sanction may forfeit tuition, housing rent and fees, and other University fees. A student will be withdrawn from classes and forfeit academic credit accordingly. Students living in University Housing must contact Housing and Residential Education to determine the financial impact of the cancelled contract.

**Written Reprimand** – An official notice of conduct that is not in accordance with the University's standards of behavior. Further conduct violations may impact the severity of future sanctions.

#### **XI. AUXILIARY AIDS AND SERVICES**

Students may request reasonable accommodations as required in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. The student must be registered with the USF Students with Disabilities Services office and notify SCED in writing a minimum of three (3) days prior to a meeting or hearing.

#### **XII. PARENTAL NOTIFICATION**

The University considers the student the primary contact for University communications and may restrict communication to the student only. SCED has the discretion to inform any parent or legal guardian of a dependent student under the age of 21 (as provided in [Parental Notification Policy 30-020](#)) when their student has been found responsible for a conduct violation in regard to the use or possession of alcohol or a controlled substance. A student whose parents or legal guardian are to be notified will be informed prior to such notification and given the opportunity to initiate contact with their parents, if and when possible.

#### **XIII. CONDUCT RECORD MAINTENANCE AND RETENTION**

##### **Maintenance**

1. Student and student organization conduct records are maintained in SCED.

2. All student conduct records in all formats (paper, computer, audio, etc.) resulting in formal charges will be kept in compliance with [General Records Schedule GS5](#), but not for less than seven (7) years from the date of the last incident that the charged student or student organization was involved in that resulted in conduct charges.
3. If a student is suspended or expelled, a record of a violation of University regulations and/or policies will be permanently maintained in the student's or student organization's conduct file in SCED and a record of separation may be maintained in the Office of the Registrar.
4. SCED maintains all student conduct records in accordance with the Family Education Rights and Privacy Act (FERPA). SCED will abide by all laws requiring privacy with regard to the Student Conduct Process. In addition, as FERPA does not protect the names of students found responsible for crimes of violence, including forcible sex offenses, or an alleged perpetrator of a non-forcible sex offense when the allegations support a finding that a student has committed a violation of the University's rules or policies, the University may be required to release that information upon a Chapter 119 public record request.
5. A student may choose to sign a release form granting SCED staff permission to discuss information related to the Student's disciplinary file with any individual that the student designates. This form is available in SCED. Although this form may provide access to information to a third party, the student remains the primary responsible party for compliance.
6. Any educational institution requesting conduct information about a current or former University student is required to submit the request in writing. If a non-educational agency is requesting information, those requests must include the signature of the student granting the release of information related to the student's conduct record.
7. Transcripts of recorded hearings will not be prepared or provided by the University. In cases of external legal review that may require a transcript of a recorded hearing, the student or advisor may contact the Office of the General Counsel to arrange for the preparation of the written transcript by a court reporting service on the student's behalf and at the expense of the requestor. The court reporting service will provide the transcript to the Office of the General Counsel, which will perform a confidentiality review of the transcript and redact any confidential or exempt information pursuant to state or federal law. The requestor will be responsible for the cost of the transcript preparation and confidentiality review.

### **Retention**

1. Records resulting in an educational sanction of expulsion or suspension from the University will be permanently maintained in SCED.
2. No personally identifiable record(s) will be kept after a record has been designated for destruction. Statistical data will be maintained but all information that would identify an individual is removed.
3. All paper records will be destroyed by shredding or other similar process. Computer files will be modified in a manner so that only statistical data that cannot identify an individual is kept. Non-paper information (i.e. audio recordings) will be destroyed in a manner that will ensure that the information cannot be traced to any individual or any disciplinary case.

### **Record Expungement**

Record expungement allows a student conduct record on file with SCED to be sealed. This includes all information related to the student's documentation, investigation, hearing, and disposition. In general, when completing background check inquiries, expunged records will not be reported as an incident when the student was found responsible. The student will not need to report the record based on the language/definitions of the requesting institution or agency in a background check that the incident ever occurred. The record will still be used for federal, state, and local University reporting requirements but will not be associated with the student name or student ID.

#### *Eligibility*

A request for expungement will be available for consideration:

1. One year after the resolution of a conduct case,
2. All assigned sanctions have been successfully completed,
3. An expungement has not previously granted, and

The conduct violation(s) did not:

4. Cause personal injury.
5. Cause significant property damage.
6. Include a drug violation that could qualify as a felony charge in the legal system.
7. Disrupt the orderly operation of the University.
8. Violate the firearm, explosives, dangerous chemicals, and ammunition or weaponry regulations of the University.
9. Violate the Sexual Misconduct/Sexual Harassment policy.
10. Result in a suspension or expulsion.

### **Petition Requirements**

A student meeting the eligibility requirements must submit their petition to the Dean of Students, or designee. The student must submit a signed statement explaining the justification for the request, a description of what occurred in the conduct incident, and what they learned from the incident. The statement must also include:

1. Student's name
2. University identification number (U number)
3. E-mail address
4. Phone number
5. Date of incident
6. Incident report number

### **Process**

The Dean of Students, or designee, will review the statement, the conduct record, and any other

pertinent information they choose to request and/or consider. The decision is at the discretion of the Dean of Students, or designee. The student will receive written notice regarding their petition within ten (10) days of receipt of petition. The decision of the Dean of Students, or designee, regarding the expungement of the conduct record is final and not appealable.

#### **XIV. INTERPRETATION AND REVISION**

This Regulation applies to all campuses of the University of South Florida; however, non-substantive procedural modifications to reflect the particular circumstances of each campus are permitted. Any questions about the interpretation of the Code should be directed to any of the following SCED offices:

Tampa campus: <https://www.usf.edu/student-affairs/student-conduct-ethical-development/index.aspx>

St. Petersburg campus: <https://www.stpetersburg.usf.edu/student-life/student-success-center/index.aspx>

Sarasota-Manatee campus: <https://www.sarasotamanatee.usf.edu/campus-life/student-engagement/index.aspx>

The University reserves the right to make changes to the Student Code of Conduct as necessary. The Code shall be reviewed periodically by a committee which shall include student representation under the direction of the Director of SCED.

*History—New 9-23-85, Formerly 6C4-6.021, Amended 5-27-92, 7-26-92, 12-2-92, 12-29-94, 4-11-99, 9-27-05, Formerly 6C4-6.0021 F.A.C., Amended 6-5-08, 6-25-09, 9-22-11, 12-02-13, 1-6-14 (technical), 6-23-14 (technical), 5-14-15 (technical), 8-19-16 (technical), 9-28-18, 4-12-19 effective 5-6-19 (technical), 5-16-19 (technical), 8-26-19 (technical), 6-2-20 (Amended), 8-14-20 (Amended).*

*Consolidation Amendments Effective: 7-1-20*

*Certification: USF certifies that it has followed the Florida Board of Governors Regulation Development Procedure and has a record of written notices, comments, summaries and responses as required.*



# UNIVERSITY OF SOUTH FLORIDA

## REGULATION

**Number:** E-USF6.0021  
**Title:** Student Code of Conduct  
**Responsible Office:** Student Success

Date of Origin: 9-23-85

Date Last Amended: ~~6-2-20 (Amended)~~ 8-14-20 (Amended)

Date Last Reviewed: ~~8-14-20~~ 6-2-20

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### I. PURPOSE AND INTENT

Effective Date and Changes to the Regulation: This Regulation E-USF6.0021 has been adopted as an Emergency Regulation under the Board of Governors Guidelines for Emergency Regulations (BOG Regulation and Development Procedures) to comply with the recent amendments to the Department of Education’s amendment to Title IX which is to be effective on August 14, 2020.

The Regulation E-USF6.0021 will replace USF6.0021 and will be effective August 14, 2020 for up to 90 days pending final adoption at the conclusion of the full promulgation period. The Regulation will remain in effect until repealed or amended to respond to comments, new information and changing conditions. Substantive amendments to the Regulation will be communicated through the University’s established promulgation process. (Policy 0-001 Regulation and Policy Development).

Student Conduct and Ethical Development (further referred to as “SCED” (formerly SRR)) supports the goals, mission, values, and visions of the University of South Florida (“University” or “USF”) by promoting responsibility and adherence to the standards of behavior outlined in this Regulation (“Student Code of Conduct” or “Code”).

SCED collaborates with the USF community to advocate for a safe environment that promotes personal accountability and supports student success. SCED facilitates educational opportunities through meaningful interactions with students to encourage their academic, emotional, and professional development. The goal of SCED is to create environments that empower students to engage as ethical citizens in a diverse global society.

### II. STATEMENT OF REGULATION

The USF President has designated SCED, or designee, to administer and maintain this Regulation (“Student Code of Conduct” or “Code”). The Student Code of Conduct describes standards of behaviors that are counteractive to the goals and mission of the University and the process for how the

28 University will hold students and student organizations accountable to these standards of behavior.  
29

30 **III. STANDARDS OF BEHAVIOR**

31 Students and student organizations are responsible for knowing the information, policies, and  
32 procedures outlined in the Code. There is an expectation that students and student organizations adhere  
33 to the following standards of behavior.  
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37 **Commitment to Honor**

38 The Code supports and seeks to put into practice the USF Commitment to Honor. As an ethical  
39 community, USF is dedicated to the ideals of excellence in student development, academic learning,  
40 scholarship, and research. Each member of this community is expected to accept and live these  
41 commitments:

- 42 1. I resolve to maintain honor and integrity of the university community in pursuit of student  
43 development, academic learning, scholarship and research.
- 44 2. I resolve to respect the dignity and intrinsic value of all persons.
- 45 3. I resolve to contribute to the progress and greater good of the community.
- 46 4. I resolve to strive for excellence and discovery for myself, others, and the University.

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48 **Academic Disruption**

49 Disruptive students in the academic setting hinder the educational process. Instructors have the primary  
50 responsibility for managing the classroom environment whether in person or online in accordance with  
51 [USF 3.025 Disruption of Academic Process](#). The Disruption of Academic Process Regulation provides  
52 the steps an instructor may take to immediately address a student disrupting a class or academic setting  
53 including restricting a student from class. If a student disrupts the classroom or academic setting, the  
54 instructor should submit a report in writing using the [Student Conduct and Ethical Development  
Referral Form](#). References to “instructor” include course instructors, faculty, administrators, and staff.

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57 **Amnesty**

58 *Medical*

59 The University encourages students to seek emergency medical assistance when faced with an alcohol  
60 and/or drug-related emergency and in any situation where a reasonable person believes medical  
61 treatment to be appropriate. Students who seek or receive emergency medical assistance for themselves  
62 or students who seek assistance for another student experiencing an emergency related to the  
63 consumption of alcohol and/or drugs may qualify for amnesty. Any student who qualifies for amnesty  
64 under the [USF 30-004 Medical Amnesty \(Student Reporting\) Policy](#), may not be charged with violations  
65 of the Student Code of Conduct as those conduct violations relate to the consumption and/or use of

66 alcohol and/or drugs. Although students who qualify for amnesty may be exempt from the Student  
67 Conduct Process, they may be required to complete educational measures.

68  
69 *Hazing*

70 A student may not be charged with a violation of the Code if the student establishes that, before medical  
71 assistance or law enforcement arrived on the scene of the hazing event, the student rendered aid to the  
72 hazing victim(s) and establishes all of the following:

- 73 1. The student was present at an event where, as a result of hazing, an individual appeared to need  
74 immediate medical assistance.
- 75 2. The student was the first individual to call 911 or USF Police to report the need for immediate  
76 medical assistance.
- 77 3. The student provided their own name, the address where the immediate medical assistance was  
78 needed, and a description of the medical issue to the 911 or USF Police dispatcher at the time  
79 of the call.
- 80 4. The student remained at the scene with the individual in need of immediate medical assistance  
81 until such medical assistance or law enforcement arrived and that the student cooperated with  
82 such personnel at the scene of the incident.

83 For more information about hazing and hazing amnesty, reference [6.0023 Prohibition of Hazing](#)  
84 [Regulation](#).

85  
86 **IV. APPLICABILITY & AUTHORITY**

87 The University of South Florida is one institution with [multiple-branch](#) campuses. An incident will be  
88 referred to the campus where the incident occurred or as designated by the director of SCED, or  
89 designee.

90  
91 Students and student organizations are responsible for having read and abiding by the standards of  
92 behaviors of the Code. The University reserves the right to make changes to the Code as necessary. The  
93 most updated version of all USF policies and regulations can be found at  
94 <http://regulationspolicies.usf.edu>.

95  
96 The Code and Student Conduct Process apply to the behaviors of any student and student organization  
97 regardless of location or forum that are inconsistent to the goals and mission of USF. This includes (1)  
98 conduct that may present a danger or threat to the health and/or safety of students or others, (2) conduct  
99 that adversely affects the University community and/or the pursuit of its mission, (3) and/or conduct  
100 that violates state or federal laws. Students and student organizations are responsible for their guests and  
101 may be held accountable for their guests' behavior.

102  
103 The Student Conduct Process is educational and designed to address student and student organization

104 behavior; therefore, the University will address any alleged violations of the Code independently of any  
 105 criminal or civil court process. The Student Conduct Process may be carried out prior to, concurrently  
 106 with, or following civil or criminal proceedings. Determinations made or sanctions(s) imposed as a result  
 107 of the Student Conduct Process will not be subject to change because criminal charges were dismissed,  
 108 reduced, or resolved in favor of the charged student. The University is not required to postpone the  
 109 Student Conduct Process pending the outcome of any civil or criminal case. Student conduct cases that  
 110 may result in suspension or expulsion must be resolved prior to the awarding of any degree or certificate.

## 113 **V. DEFINITION OF TERMS**

114 ~~**Administrative Hearing Officer** – A faculty or staff member who has been trained to participate in~~  
 115 ~~the adjudication of student conduct cases.~~

116 **Administrative Hold** – A restrictive hold placed on —a student’s record at any point in the Student  
 117 Conduct Process to assure compliance with sanctions or pending the resolution of conduct matters.  
 118 This hold may impact the ability of a student to register for courses, request academic transcripts, and  
 119 receive a degree and diploma.

121 **Advisor** – Any individual chosen by the charged student, student organization, and complainant to  
 122 accompany the party to meetings related to the Student Conduct Process and to advise the party on the  
 123 process. For cases under the jurisdiction of Policy 0-004, an advisor will conduct cross-examination for  
 124 the party at the Formal Hearing; further, the University will appoint an advisor to a party for the purpose  
 125 of cross-examination if one is not chosen by the party.

126 ~~Any individual chosen by the charged student, student organization, and complainant to advise them~~  
 127 ~~throughout the Student Conduct Process. An individual may not serve in this capacity if their service~~  
 128 ~~would unreasonably conflict with the fair administration of the Student Conduct Process.~~

130 **Charge(s)** – Alleged violation(s) of the Student Code of Conduct.

132 **Charged Student** – Any student who has allegedly violated the Student Code of Conduct. This term may  
 133 also refer to a student identified as a respondent as defined in USF Policy 0-004.

135 **Complainant** – Any individual who may have been the subject of sexual harassment, stalking, or  
 136 violence by the charged student. This may not be the individual who reported the violation(s). This term  
 137 may also refer to a student identified as a complainant as defined in USF Policy 0-004.

139 **Conduct Standing** – A student’s status related to University conduct.

141 **Day** – A day when the University is open for regular business operations. This excludes Saturday,  
 142 Sunday, legal/University administrative holidays or when the campus is closed for business. For emailed

143 correspondence, the day of delivery is not included in a designated time period.

144

145 **Hearing Officer** – University official, as determined by the Director of SCED, or designee, authorized  
146 to make decisions about alleged violations of the Student Code of Conduct.

147

148 **Impact Statement** – A written statement provided by the charged student and complainant that  
149 explains how the incident has impacted their personal and educational experiences. These statements  
150 may be considered in cases of alleged sexual harassment, stalking, and violence.

151

152 **Interim Suspension** – An immediate temporary separation from the University. Conditions may  
153 include restriction from University premises and participation in academic endeavors, and/or other and  
154 University-related activities. Interim suspensions will be expedited through the Student Conduct  
155 Process.

156

157 **May** – Is used in the permissive sense.

158

159 **Member of the University Community** – Any individual who currently employed by the University,  
160 any student of the University, and any third party working on University premises or any participant in  
161 a University-sponsored program or activity regardless of the location of the program or activity.

162

163 **Policy** – All written and published policies and regulations of the University. Reference [USF Regulations](#)  
164 [and Policies](#) for specific policies and regulations.

165

166 **Preponderance of the Evidence** – The evidence/information presented supports the finding that it is  
167 more likely than not that the conduct violation occurred. This standard is used in adjudicating all cases  
168 through the Student Conduct Process.

169

170 **Student** – Any individual admitted, enrolled, or registered for any University course or program,  
171 regardless of the medium of the course or program, or degree-seeking status, or when not enrolled or  
172 registered for a particular term, who is eligible to enroll in future terms without seeking readmission. A  
173 student who withdraws, is academically dismissed after allegedly violating the Student Code of Conduct,  
174 or has a continuing relationship with the University is still considered a student. For the purpose of this  
175 Regulation, the term “student” may be interchangeable with “student organization” when the term  
176 “student organization” is not directly specified.

177

178 **Student Organization** – A student group that is officially registered or recognized by the University,  
179 including, but not limited to, political groups, social groups, honor and professional societies, fraternities  
180 and sororities, and sport clubs.

181

182 **Temporary Restrictions** – Actions that SCED may take upon receipt of an incident report or during the  
183 Student Conduct Process. These actions may include, but are not limited to, interim suspension, a

184 removal from on-campus housing, no contact orders, restrictions from clubs, events, and organizational  
185 activities, and/or restrictions from specific areas on University premises. Temporary restrictions may be  
186 amended or lifted throughout the Student Conduct process.

187

188 **Transcript Overlay** – Notation on a student’s academic transcript that states the student is not in good  
189 conduct standing resulting from suspension or expulsion.

190

191 **University** –All campuses of the University of South Florida.

192

193 **University Activity or University Program** - Any function or event that is hosted, sponsored, or  
194 organized by any University member when acting in their official capacity, group, or organization,  
195 including but not limited to, student organizations. This includes, but is not limited to, coursework and  
196 other academic activities, education abroad, field trips, retreats, social events, philanthropies, and  
197 community service events.

198

199 **University Conduct Board** - A panel of faculty, staff, and students who have been trained to participate  
200 in the adjudication of student conduct cases.

201

202 **University Official** – Any individual the University employs, contracts, or appoints to perform assigned  
203 teaching, research, administrative, professional, or other responsibilities (e.g. faculty, staff,  
204 administrators, student staff, USF Police).

205 **University Premises** – Any building or property owned or controlled by the University within the same  
206 reasonably contiguous geographic area and used by the University in direct support of, or in a manner  
207 related to, the University’s educational purposes, including residence halls; and any building or property  
208 that is within or reasonably contiguous to that previously described in this paragraph that is owned by  
209 the University, but that is controlled by another individual, is frequently used by students, and supports  
210 University purposes (e.g., a food or other retail vendor).

211

212 **Will** – Is used in the imperative sense.

213

214 **Witness** – An individual with direct knowledge about or involvement in an alleged violation of the  
215 Student Code of Conduct.

216

217 **Written Notice** – The communication of charge(s) sent to the charged student or student organization  
218 by e-mail to their official University of South Florida e-mail address, which will be SCED’s primary  
219 means of communication with students. This form of communication also includes written notice to a  
220 complainant, in specific cases, to their official University e-mail address. The delivery of written notice  
221 through the official University email will constitute full and adequate notice under the Code. Students  
222 are responsible for all communications delivered to their University email address. Written notice to  
223 student organizations will be sent to the email address on file with the University.

224

225 **VI. CONDUCT VIOLATIONS**

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227 The behaviors outlined below are prohibited by this Regulation. The following conduct violations are  
228 broadly defined and are not exhaustive in terms.

229

230 **Aiding and Abetting** - The prompting, facilitating or encouraging of others to violate standards of  
231 behavior.

232

233 **Alcohol**

234 1. Possession or consumption of alcohol when under the legal drinking age as defined by Florida  
235 law.

236 2. Unlawful sale, distribution, and/or manufacturing of alcohol.

237 3. Public consumption and/or intoxication according to local ordinance.

238 4. Hosting or sponsoring a gathering at which the underage consumption of alcohol may or has  
239 occurred.

240 5. Control or operation of any mode of transportation while impaired by alcohol.

241 6. Use and/or possession of devices with the intent to use for rapid or excessive consumption of  
242 alcohol, including but not limited to funnels, ice luges, and beer bongs.

243 7. Possession and/or use of kegs, coolers, party balls and/or other common source containers.

244 8. Reporting to class, an organizational meeting or other University event that is specific to the  
245 educational mission while under the influence of alcohol.

246 9. Failure to abide by [30-023 Alcohol Policy](#) and all University protocols, state, and federal laws  
247 regarding alcohol.

248

249 **Bribery** – Offering or accepting a bribe or inducement that would impinge upon or compromise the  
250 integrity of academic work, student performance, or the unbiased and professional duty of faculty, staff,  
251 or students of the University.

252

253 **Complicity** – To be associated with a violation of any University policy or regulation including, but not  
254 limited to, failure to remove oneself from the area or incident where a violation is being committed or  
255 attempted.

256

257 **Damage to Property** - Destruction or vandalism of University buildings or property, private property,  
258 and/or personal property.

259

260 **Dating Violence** – [Violence, on the basis of sex, committed by a person, who is in or has been in a](#)  
261 [social relationship of a romantic or intimate nature with the complainant. The existence of such a](#)  
262 [relationship shall be determined based on the complainant’s statement and with consideration of the](#)  
263 [length of the relationship, the type of relationship, and the frequency of interaction between the persons](#)  
264 [involved in the relationship. For the purposes of this definition, dating violence includes, but is not](#)

265 limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts  
266 covered under the definition of domestic violence. Violence committed by an individual who is or has  
267 been in a social relationship of a romantic or intimate nature with the complainant. The existence of  
268 such a relationship shall be determined based on the complainant's statement and with consideration of  
269 the length of the relationship, the type of relationship, and the frequency of interaction between the  
270 individuals involved in the relationship. Dating violence includes, but is not limited to, sexual or physical  
271 abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of  
272 domestic violence.

273  
274 **Disruptive Conduct**

- 275 1. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the processes and/or  
276 functions of the University or the rights of members of the University community.
- 277 2. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the academic  
278 environment, and/or failure to abide by [USF 3.025 Disruption of Academic Process](#).
- 279 3. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the freedom of  
280 movement and speech, and/or academic freedom of any member or guest of the University  
281 community.
- 282 4. Actions and/or behaviors that disrupt, disturb, impair, or interfere with the student conduct  
283 process.
- 284 5. Actions and/or behaviors that are disorderly, unruly, and/or disturb the peace.

285  
286 **Domestic Violence** – Violence, on the basis of sex, committed by a current or former spouse or  
287 intimate partner of the complainant, by a person with whom the complainant shares a child in common,  
288 or by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate  
289 partner, or by a person similarly situated to a spouse of the complainant under the domestic or family  
290 violence laws of the state of Florida, or by any other person against an adult or youth complainant who  
291 is protected from that person's acts under the domestic or family violence laws of the state of Florida.  
292 To categorize an incident as domestic violence, the relationship between the respondent and  
293 complainant must be more than just two people living together as roommates. The people cohabitating  
294 must be current or former spouses or have an intimate relationship. Conduct that includes asserted  
295 violent misdemeanor or felony offenses committed by the complainant's current or former spouse,  
296 current or former cohabitant, an individual similarly situated under domestic or family violence law, or  
297 anyone else protected under domestic or family violence law.

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300 **Drugs** -Includes, but is not limited to, any narcotic, central nervous system stimulant, hallucinogenic,  
301 barbiturate, or other substance treated as such.

- 302 1. Misuse or illegal possession of a regulated or controlled substance.
- 303 2. Manufacturing, distributing, selling, or attempting to obtain any controlled substance that is

- 304 prohibited by law.
- 305 3. Un-prescribed use, possession, distribution, selling, or attempting to obtain any prescription
- 306 drug (one's own or another's) that is prohibited by laws.
- 307 4. Possession of paraphernalia used for the consumption and/or use of drugs that may include,
- 308 but not limited to bongos, hookahs, rolling papers, baggies, scales, and pipes.
- 309 5. Knowingly inhaling or ingesting a substance (e.g. nitrous oxide, glue, paint, etc.) that may alter
- 310 a student's mental state.
- 311 6. Control or operation of any mode of transportation while impaired by a regulated or controlled
- 312 substance.
- 313 7. Reporting to class, an organizational meeting or other University event that is specific to the
- 314 educational mission while under the influence of drugs.
- 315 8. Failure to abide by [0-610 Drug-Free Workplace Policy](#) and all University protocols, state, and
- 316 federal laws regarding drugs.

317 **Failure to Comply** – Failure to comply with an official request or directive of a University Official

318 acting within the scope of their assigned duties. Failure to identify oneself or produce USF identification

319 upon request by a University Official.

320

321 **False Information**

- 322 1. Knowingly withholding related information or making a false or misleading oral or written
- 323 statement to the University and/or any University Official.
- 324 2. Unauthorized alteration, possession, purchase, forgery, or misuse of any document, record, or
- 325 instrument to be used as identification or as part of a request for support or excuse from
- 326 academic assignment or other University service. The University has the right to authenticate or
- 327 research the reliability of any document provided by a student.
- 328 3. Knowingly providing false or misleading information during proceedings under the Student
- 329 Code of Conduct, including knowingly submitting a false complaint for any University process.
- 330 4. Failure to provide complete and accurate responses to the prior conduct section of the
- 331 admissions application.
- 332

333 **Fire and Safety**

- 334 1. Inappropriate activation of any emergency warning equipment or the false reporting of any
- 335 emergency.
- 336 2. Removing, damaging, interfering, or tampering with any fire safety equipment (e.g. smoke
- 337 detectors, sprinklers, fire alarms).
- 338 3. Failure to evacuate during a fire alarm in any University facility or at any University event.
- 339 ~~3.4.~~ Engaging in action(s) that cause or attempt to cause a fire or explosion including but not limited
- 340 to the release of chemicals or substances that can cause harm to another individual's health.

341 **Gambling** – Engaging in or offering games of chance for the exchange of money or other gain that

342 may be in violation of Florida laws.

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**Harassment** – Conduct that creates an unsafe, intimidating, or hazardous situation that interferes with the ability of a student or employee to study, work, or carry out University functions and are not protected by freedom of expression.

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1. Repeated and/or severe aggressive behaviors, including bullying/cyber-bullying, that intimidate or intentionally harm or control another individual physically or emotionally. ~~and are not protected by freedom of expression.~~

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2. Failure to abide by 0-007 Diversity and Equal Opportunity: Discrimination and Harassment Policy and all University protocols and federal/state laws regarding discrimination.

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**Hazing** - Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of an individual(s) for purposes of initiation and/or admission into, or association with and/or the perpetuation or furtherance of a tradition or ritual of any recognized student organization or non-affiliated organization. The consent or permission of the individual(s) does not eliminate responsibility.

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1. Hazing includes, but is not limited to pressuring or coercing an individual(s) into violating state or federal laws; any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of an individual(s); or any activity that would subject an individual(s) to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of an individual(s). Additionally, any hazing that results in permanent and/or serious bodily injury or death.
2. Soliciting an individual(s) to commit or is actively involved in the planning of any act of hazing.
3. Failure to abide by 6.0023 Prohibition of Hazing Regulation and all University protocols, state, and federal laws regarding hazing.

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369

**Health and Safety** – Conduct non-compliant with University policies, guidelines, or directives related to the health and safety of the University community.

370

**Physical Violence**

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1. Intentional touching or striking of an individual(s) against their will, or any action causing or attempting to cause potential damage, injury, or harm. This includes, but is not limited to, punching, slapping, scratching, or striking with one's body or with any object.
2. Unintentional touching or striking of an individual(s) against their will, or any action causing or attempting to cause potential damage, injury, or harm that is with conscious disregard for consequences.

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379

**Residence Hall Policies** – Failure to abide by any policy or regulation governing University Housing (e.g. rental agreement, Resident Handbook).

380

**Retaliation** – Words or action(s) taken against an individual because of the individual's

381 ~~participation~~individual's participation in a protected activity that would discourage a reasonable person  
 382 from engaging in a protected activity. Retaliation may include intimidation, threats, coercion, physical  
 383 harm and/or adverse employment or educational actions. Protected activity includes an individual's  
 384 participation in the reporting, investigation, and/or resolution of an alleged violation of the Student Code  
 385 of Conduct. Additionally, protected activity includes an individual's opposition to policies, practices  
 386 and/or actions that the individual reasonably believes are in violation of the Student Code of Code.  
 387 Retaliation may be found even when an underlying report made in good faith was not substantiated.  
 388 Retaliation may be committed by the charged student, the complainant, or any other individual or group  
 389 of individuals.

### 390 Sexual Assault

- 392 1. Any sexual act directed against another individual, without the consent of the complainant,  
 393 including instances in which the complainant is incapable of giving consent.
- 394 2. Incest - non-forcible sexual intercourse, between individuals who are related to each other, within  
 395 the degrees wherein marriage is prohibited by Florida law.
- 396 3. Statutory rape – non-forcible sexual intercourse, with an individual who is under the statutory  
 397 age of consent as defined by Florida law.

398  
 399 Sexual Exploitation – Taking non-consensual or abusive sexual advantage of an individual for their  
 400 own benefit or for the benefit of anyone other than the individual being exploited, and that the conduct  
 401 does not otherwise constitute sexual harassment under this policy. Examples of sexual exploitation  
 402 include, but are not limited to:

- 403 1. Sexual voyeurism (such as observing or allowing others to observe an individual undressing or  
 404 using the bathroom or engaging in sexual acts, without the consent of the individual being  
 405 observed).
- 406 2. Invasion of sexual privacy.
- 407 3. Taking pictures, videos, or audio recording of another in a sexual act, or in any other sexually-  
 408 related activity when there is a reasonable expectation of privacy during the activity, without the  
 409 consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing  
 410 another individual to hide in a closet and observe sexual activity, or disseminating sexual pictures  
 411 without the photographed individual's consent), including the making or posting of revenge  
 412 pornography.
- 413 4. Prostituting another individual.
- 414 5. Engaging in sexual activity with another individual while knowingly infected with human  
 415 immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI),  
 416 without informing the other individual of the infection.
- 417 6. Causing or attempting to cause the incapacitation of another individual (through alcohol, drugs,  
 418 or any other means) for the purpose of compromising that individual's ability to give consent to  
 419 sexual activity, or for the purpose of making that individual vulnerable to non-consensual sexual  
 420 activity.
- 421 7. Misappropriation of another individual's identity on apps, websites, or other venues designed for

422 dating or sexual connections.

423 8. Forcing an individual to take an action against their will by threatening to show, post, or share  
424 information, video, audio, or an image that depicts the individual's nudity or sexual activity.

425 9. Knowingly solicitation a minor for sexual activity.

426 10. Engaging in sex trafficking.

427 11. Creation, possession, or dissemination of child pornography.

428  
429  
430 **Sexual Harassment** = Conduct on the basis of sex/gender or that is sexual that satisfies one or more  
431 of the following:

432 1. Quid Pro Quo: A USF employee, conditions the provision of an aid, benefit, or service of the  
433 University, on an individual's participation in unwelcome sexual conduct. Refer to Policy 0-004  
434 Sexual Misconduct/Sexual Harassment.

435 2. Unwelcome conduct, determined by a reasonable individual, to be so severe, and pervasive, and  
436 objectively offensive, that it effectively denies an individual equal access to the University's  
437 education program or activity.

438 1. ~~Sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct~~  
439 ~~of a sexual nature, including sexual violence, intimate partner violence, and stalking. Sexual~~  
440 ~~harassment also includes unwelcome conduct directed at an individual based on the individual's~~  
441 ~~actual or perceived gender or sexual orientation or gender expression that is so sufficiently~~  
442 ~~severe, persistent, or pervasive that it unreasonably interferes with, denies, or limits someone's~~  
443 ~~ability to participate in or benefit from the college's educational program and/or activities. Refer~~  
444 ~~to Policy 0-004 Sexual Misconduct/Sexual Harassment.~~

445 2. ~~**Hostile Environment**—Discriminatory harassment that is so severe or pervasive that it~~  
446 ~~unreasonably interferes with, limits, deprives, or alters the terms or conditions of education (e.g.,~~  
447 ~~admission, academic standing, grades, assignment); employment (e.g., hiring, advancement,~~  
448 ~~assignment); or participation in a University program or activity (e.g., campus housing), when~~  
449 ~~viewed from both a subjective and objective perspective. A hostile environment can be created~~  
450 ~~by pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe~~  
451 ~~the conduct, the less need there is to show a repetitive series of incidents to prove a hostile~~  
452 ~~environment, particularly if the conduct is physical. An isolated incident, unless sufficiently~~  
453 ~~serious, does not amount to Hostile Environment Harassment.~~

454  
455 3. ~~**Non-consensual Sexual Contact**—Any intentional sexual touching, however slight, with any~~  
456 ~~object, by an individual upon another individual that is without consent and/or by force. Sexual~~  
457 ~~contact may include, but is not limited to intentional contact with the breasts, buttocks, groin, or~~  
458 ~~genitals, or touching another with any of these body parts or making another touch you or~~  
459 ~~themselves with or on any of these body parts; any intentional bodily contact in a sexual manner,~~  
460 ~~though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other~~  
461 ~~orifice.~~

463 ~~4. **Non-consensual Sexual Intercourse**—Any sexual penetration, however slight, with any object,~~  
464 ~~by any individual upon another individual that is without consent and/or by force.~~

465 ~~Intercourse includes vaginal penetration by a penis, object, tongue, or finger; anal penetration by~~  
466 ~~a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to~~  
467 ~~mouth contact), no matter how slight the penetration or contact.~~

468  
469 ~~5. **Quid Pro Quo**—Discriminatory harassment where submission to or rejection of unwelcome~~  
470 ~~conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's~~  
471 ~~education (e.g., admission, academic standing, grades, assignment), employment (e.g., hiring,~~  
472 ~~advancement, assignment), or participation in a university program or activity (e.g., campus~~  
473 ~~housing), or is based on power differentials.~~

474  
475 ~~=== **Sexual Exploitation**—Attempting or purposely/knowingly taking non-consensual or abusive~~  
476 ~~sexual advantage of another for an individual's own advantage or benefit, or to benefit or~~  
477 ~~advantage anyone other than the one being exploited. Examples of sexual exploitation, include but~~  
478 ~~are not limited to: Causing the incapacitation of another individual (through alcohol, drugs, or~~  
479 ~~any other means) for the purpose of compromising that individual's ability to give affirmative~~  
480 ~~consent to sexual activity.~~

481 ~~— Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or~~  
482 ~~through electronic means (e.g., Skype, Zoom, or livestreaming of images).~~

483 ~~— Engaging in voyeurism (e.g., watching private sexual activity without the consent of the~~  
484 ~~participants or viewing another individual's intimate parts (including genitalia, groin, breast or~~  
485 ~~buttocks) in a place where that individual would have a reasonable expectation of privacy.~~

486 ~~— Recording or photographing private sexual activity and/or an individual's intimate~~  
487 ~~parts (including genitalia, groin, breasts, or buttocks) without consent.~~

488 ~~— Disseminating or posting images of private sexual activity and/or an individual's~~  
489 ~~intimate parts (including genitalia, groin, breasts or buttocks) without consent.~~

490 ~~— Prostituting another individual.~~

491 ~~— Knowingly exposing another individual to a sexually transmitted infection or virus~~  
492 ~~without the other's knowledge.~~

493 ~~— Exposing one's genitals in non-consensual circumstances.~~

494 ~~— Inducing another to expose their genitals.~~

495 ~~— Sexually based stalking and/or bullying.~~

496 ~~6—~~

497 ~~a. Causing the incapacitation of another individual (through alcohol, drugs, or any other means) for~~  
498 ~~the purpose of compromising that individual's ability to give affirmative consent to sexual activity.~~

499 ~~b. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or~~  
500 ~~through electronic means (e.g., Skype, Zoom, or livestreaming of images).~~

501 ~~e. Engaging in voyeurism (e.g., watching private sexual activity without the consent of the~~  
502 ~~participants or viewing another individual's intimate parts (including genitalia, groin, breast or~~

- 503 ~~buttocks) in a place where that individual would have a reasonable expectation of privacy);~~  
504 ~~d. Recording or photographing private sexual activity and/or an individual's intimate~~  
505 ~~parts (including genitalia, groin, breasts, or buttocks) without consent.~~  
506 ~~e. Disseminating or posting images of private sexual activity and/or an individual's~~  
507 ~~intimate parts (including genitalia, groin, breasts or buttocks) without consent.~~  
508 ~~f. Prostituting another individual.~~  
509 ~~g. Knowingly exposing another individual to a sexually transmitted infection or virus~~  
510 ~~without the other's knowledge.~~  
511 ~~h. Exposing one's genitals in non-consensual circumstances.~~  
512 ~~i. Inducing another to expose their genitals.~~  
513 ~~j. Sexually based stalking and/or bullying.~~

514 —  
515 ~~**Unwanted or Unwelcome Sexually Oriented Attention**—Unwanted or unwelcome sexually-oriented~~  
516 ~~remarks or behaviors, that are so sufficiently severe, persistent, or pervasive, on the part of an individual~~  
517 ~~who knows or ought reasonably to know that such remarks or behavior unreasonably interferes with,~~  
518 ~~denies, or limits someone's ability to participate in or benefit from the University's educational program~~  
519 ~~and/or activities.~~

520 ~~**Stalking**—Engaging in a course of conduct directed at a specific individual that would cause a reasonable~~  
521 ~~individual to fear for the individual's safety, or the safety of others; or suffer substantial emotional~~  
522 ~~distress. For the purposes of this definition, course of conduct means two or more acts, including, but~~  
523 ~~not limited to, acts in which the charged student directly, indirectly, or through third parties, by any~~  
524 ~~action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to~~  
525 ~~or about an individual, or interferes with an individual's property. Reasonable person means a reasonable~~  
526 ~~person under similar circumstances and similar identities to the complainant. Substantial emotional~~  
527 ~~distress means significant mental suffering or anguish that may, but does not necessarily, require medical~~  
528 ~~or other professional treatment or counseling. Engaging in a course of conduct directed at a specific~~  
529 ~~individual that would cause a reasonable individual to fear for the individual's or the safety of others or~~  
530 ~~suffer substantial emotional distress. Course of conduct means two or more acts, including, but not~~  
531 ~~limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method~~  
532 ~~device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, an~~  
533 ~~individual, or interferes with an individual's property. Substantial emotional distress means significant~~  
534 ~~mental suffering or anguish that may, but does not necessarily, require medical or other professional~~  
535 ~~treatment or counseling. A reasonable individual is a person(s) under similar circumstances and with~~  
536 ~~similar identities to the complainant.~~

537 **Student Organization Misconduct** – Failure to abide by any University and/or department policy or  
538 protocol governing the operation of student organizations, sport clubs, teams, etc.

539  
540 **Technology** – Improper use of technology hardware or software including but not limited to  
541 computers, e-mail, cell phones, video cameras, and drones.

- 542 1. Unauthorized downloading or facilitating others to download copyrighted music, films, and  
543 other documents without authorization.  
544 2. Non-consensual recording of wire, oral, or electronic communication acquired by any device  
545 when such communication is uttered by an individual exhibiting an expectation that such  
546 communication is not subject to interception under circumstances justifying such expectation  
547 (i.e. an individual has a reasonable expectation of privacy).  
548 3. Failure to abide by [Policy 0-502 Appropriate Use of Information Technology Resources](#).  
549 4. Failure to abide by [Policy 6-036 Unmanned Aircraft \(Drone\) Operations](#).

550 ~~Stalking – Engaging in a course of conduct directed at a specific individual that would cause a reasonable~~  
551 ~~individual to fear for the individual’s or the safety of others or suffer substantial emotional distress.~~  
552 ~~Course of conduct means two or more acts, including, but not limited to, acts in which the stalker~~  
553 ~~directly, indirectly, or through third parties, by any action, method device, or means follows, monitors,~~  
554 ~~observes, surveils, threatens, or communicates to or about, an individual, or interferes with an individual’s~~  
555 ~~property. Substantial emotional distress means significant mental suffering or anguish that may, but does~~  
556 ~~not necessarily, require medical or other professional treatment or counseling. A reasonable individual~~  
557 ~~is a person(s) under similar circumstances and with similar identities to the complainant.~~

558  
559 **Theft** – Taking, attempting to take, or keeping in its possession property or services not belonging to the  
560 individual.

561  
562 **Threats of Violence** - A threat by word or act to do violence to an individual(s).

563  
564 **Unauthorized Access and/or Use**

- 565 1. Unauthorized access or entry to University facilities or any property of any member of the  
566 University community without permission.  
567 2. Duplication or use of University keys or access cards without permission.  
568 3. Accessing, duplicating, photographing, altering, and/or misusing any University material  
569 (including University intellectual property), files document or record, computer records,  
570 software, data files, and similar entities owned or maintained by any member of the University  
571 faculty, administration, staff or student body.  
572 4. Misuse of the official University brand to include, but not limited to the logo, mark, monogram,  
573 seal, or other graphic identity symbol.

574 **University Policy and/or Local Ordinance, State, or Federal Law (as determined by the**  
575 **University)** – Failure to adhere or abide by policies, including but not limited to, local ordinance, state  
576 law or federal law. Adjudicating by an outside entity is not a prerequisite to a determination of  
577 responsibility by the University. [GM1]

578

579 **Weapons, Firearms, or Explosive Devices** – The illegal possession, storage, use or sale of any  
580 weapon (lethal or non-lethal), firearm, ammunition, or any incendiary, explosive or destructive device.

581 This includes, but is not limited to, fireworks, switchblade knives, air soft guns, dangerous chemicals,  
582 corrosive and/or biological chemicals or agents as restricted by University policies and/or protocols.  
583 This also covers any item used as a weapon to cause actual physical harm or threaten physical harm.  
584 Reference [Policy 6-009 Weapons on USF Property](#).

585

586

## 587 **VII. STUDENT CONDUCT PROCESS**

588

### 589 **Filing an Incident Report**

590 A student and student organization's conduct may be reported to SCED by any individual or entity for  
591 review of a potential conduct violation(s). A report may be submitted in writing using the designated  
592 referral form. Currently the form is the [Student Conduct and Ethical Development Referral Form](#).

593 Incident reports must be submitted within six (6) months following the incident or obtaining knowledge  
594 about the incident, whichever is later. Exceptions to this filing time include, but are not limited to, cases  
595 involving sexual harassment, dating violence, domestic violence, and stalking and may include other  
596 extraordinary cases, as determined by the Director of SCED, or designee.

597

598 All reported information will be reviewed by the Director of SCED, or designee, to determine  
599 appropriate next steps to include, but are not limited to, further fact gathering, issuance of charges,  
600 referral to another department, or an information meeting to determine resolution of the report and  
601 potential conduct violations.

602

### 603 **Temporary Restrictions**

604 Temporary restrictions may be issued to ensure a safe environment that promotes personal  
605 accountability and supports student success. SCED can issue temporary restrictions to any student and  
606 student organization involved in an incident, regardless of whether a determination of potential  
607 violations has been made. These may include, but are not limited to, interim suspension, removal from  
608 on-campus housing, no contact orders, restrictions from clubs, events, and organizational activities,  
609 and/or restrictions from specific areas on University premises. The student and student organization  
610 will receive written notice detailing the issued temporary restrictions.

611

612 The charged student's enrollment status will remain unchanged pending the outcome of a Formal  
613 Hearing, except in cases of interim suspension. The hearing outcome will indicate if enrollment status  
614 will be changed between written notice of outcome of a Formal Hearing and the conclusion of an  
615 Appeal, if applicable.

616

### 617 **Issuance of Charges**

618 The Director of SCED, or designee, will review the incident report to determine if further fact gathering  
619 is necessary or if sufficient information exists for the issuance of charges of violations of the Code. In  
620 general circumstances, a review of the incident report will be completed to make a determination to issue

621 charges or to conduct further fact gathering, if necessary, within fifteen (15) days of receipt of the  
622 incident report.

623

624 If sufficient information exists, the student and student organization will receive written notice of  
625 charges. The written notice will include date, time, and location of the Informational Meeting, as well as  
626 the specific charges of violations of the Code, a brief description of the allegation(s), an invitation to  
627 attend an informational meeting, and any other detail to prepare for the Student Conduct Process.

628

### 629 **Informational Meeting**

630 The charged student or student organization will be invited to attend an Informational Meeting with a  
631 Hearing Officer. An informational meeting is an opportunity for the Hearing Officer to explain the  
632 Student Conduct Process, due process rights, allegations and charges, and review all available  
633 information supporting the charges of violations of the Code. Following the Informational Meeting, the  
634 Hearing Officer may collect additional relevant information regarding the incident. The charged student  
635 or student organization will receive written notice of and be provided the reasonable opportunity to  
636 review any relevant information gathered after the Informational Meeting prior to a Resolution  
637 Agreement or Formal Hearing. This is a private meeting and will be closed to spectators, unless  
638 otherwise specified (e.g. advisor).

639

640 A student or student organization has up to three (3) days after the Informational Meeting to choose a  
641 resolution option. If the charged student or student organization fails to select a resolution option,  
642 SCED will proceed with scheduling a Formal Hearing. The type of Formal Hearing forum will be  
643 determined by the Director of SCED, or designee, based on the severity of charges and/or possible  
644 sanctions (e.g. suspension/expulsion).

645

646 If the charged student or student organization fails to attend or re-schedule an informational meeting,  
647 they will have waived their opportunity to participate in an informational meeting, and SCED will  
648 proceed with scheduling a Formal Hearing. The type of Formal Hearing forum will be determined by the  
649 Director of SCED, or designee, based on the severity of charges and/or possible sanctions (e.g.  
650 suspension or expulsion).

651

### 652 **Due Process Rights**

653

#### 654 *Charged Student/ Student Organization*

655 The charged student and student organization has the following rights during the Student Conduct  
656 Process:

657 ~~1.~~ 1. Written notice of the ~~charges~~ Code charge(s) and allegations.

658 2. A fair and impartial hearing.

659 ~~1.3.~~ 3. To be accompanied by an advisor of their choice and expense throughout the Student

660 Conduct Process. For cases under the jurisdiction of Policy 0-004, the University will appoint an

- 661 [advisor for the purpose of cross-examination during a Formal Hearing, if one is not chosen.](#)  
662 ~~12.4.~~ The opportunity to review all available information supporting the charges of violations of  
663 the Code prior to resolution.  
664 ~~13.5.~~ The opportunity to present relevant information and witnesses at the Formal Hearing.  
665 ~~14.6.~~ To not provide self-incriminating testimony. ~~(This right is not applicable to student~~  
666 ~~organizations).~~ Invoking the right against self-incrimination will not be considered as a negative  
667 factor in the decision of the Hearing Officer or Hearing Body.  
668 ~~15.7.~~ The opportunity to question witnesses and [in specific cases,](#) complainants, ~~in specific~~  
669 ~~cases outlined in the Code;~~ in accordance with the Formal Hearing procedure.  
670 ~~16.8.~~ To receive written notice of the outcome of the Formal Hearing within five (5) days of  
671 the hearing.  
672 ~~17.9.~~ To [submit a written appeal.](#) ~~appeal the decision through the process detailed in the Code~~  
673 ~~(See Appeal).~~

674 *In addition to the above, a charged student has the following rights in cases of alleged sexual harassment, stalking, and*  
675 *violence:*

- 676 1. The ability to request alternate arrangements for participation in the Formal Hearing via audio or  
677 live-video from another location, and/or to participate in a manner that avoids direct contact  
678 with the complainant as long as such participation does not infringe on the charged student's  
679 right to question the complainant during the Formal Hearing or infringe on the implementation  
680 of Formal Hearing procedure.  
681 2. To submit a written impact statement [in advance of the Formal Hearing.](#)  
682 3. To not have prior sexual history considered, except for the testimony offered by the complainant  
683 or respondent about their shared sexual history that the panel deems relevant, when determining  
684 if a conduct violation has occurred.

#### 685 *Complainant*

686 A complainant has the following rights during the Student Conduct Process:

- 687 1. Written notice of the ~~Code~~ charge(s) and allegations.  
688 2. A fair and impartial hearing.  
689 3. To be accompanied by an advisor of their choice and expense throughout the Student Conduct  
690 Process. [For cases under the jurisdiction of Policy 0-004, the University will appoint an advisor](#)  
691 [for the purpose of cross-examination during a Formal Hearing, if one is not chosen.](#)  
692 4. The opportunity to review all available information supporting the charges of violations of the  
693 Code prior to resolution.  
694 5. The opportunity to present relevant information and witnesses at the Formal Hearing.  
695 6. To not provide self-incriminating testimony. ~~(This right is not applicable to student~~  
696 ~~organizations).~~ Invoking the right against self-incrimination will not be considered as a negative  
697 factor in the decision of the Hearing Officer or Hearing Body.  
698 7. The opportunity to question witnesses and the charged student, ~~in specific cases outlined in the~~  
699 ~~Code,~~ in accordance to the Formal Hearing procedure.

- 700 8. To receive written notice of the outcome of the Formal Hearing within five (5) days of the  
701 hearing.
- 702 9. To submit a written appeal~~appeal the decision through the process detailed in the Code~~ *(See*  
703 *Appeals)*.
- 704 10. The ability to request alternate arrangements for participation in the Formal Hearing via audio or  
705 live-video from another location, and/or participate in a manner that avoids direct contact with  
706 the charged student as long as such participation does not infringe on the complainant's right to  
707 question the charged student during the Formal Hearing or infringe on the implementation of  
708 Formal Hearing procedure.
- 709 11. To submit a written impact statement in advance of the Formal Hearing.
- 710 12. To not have prior sexual history considered, except for the testimony offered by the complainant  
711 or respondent about their shared sexual history that the panel deems relevant, when determining  
712 if a conduct violation has occurred.

713 *Advisor*

714 The charged student, ~~student organization, and in specific cases, complainant (unless the conduct~~  
715 violation is under the jurisdiction of Policy 0-004), ~~and complainant~~ may be accompanied by an advisor  
716 of their choice and expense throughout the Student Conduct Process with the following guidelines:

- 717
- 718 1. The advisor cannot have a potential conflict of interest between the University and/or the case  
719 or create an unreasonable conflict with the fair administration of the Student Conduct Process.
- 720 2. The advisor may not speak on behalf of, present the case for, serve as a witness, or otherwise  
721 participate directly in the Student Conduct Process. If the advisor is an attorney, they must  
722 adhere to the same guidelines as any other advisor.
- 723 3. It is the student, student organization, and complainant's responsibility to make appropriate  
724 arrangements for their advisor to accompany them throughout the Student Conduct Process.  
725 The conduct process will not be delayed due to scheduling conflicts of the chosen advisor.
- 726 4. The advisor may be dismissed from the Student Conduct Process for failure to adhere to the  
727 parameters of their role. This dismissal will not affect the process and all proceedings will  
728 continue.
- 729

730 In cases under the jurisdiction of Policy 0.004, the charged student, student organization, and  
731 complainant may be accompanied by an advisor of their choice\* throughout the Student Conduct  
732 Process. The following pertains to the role of the advisor in these specific cases.

733

734 The advisor must conduct cross-examination of the charged student, student organization, complainant,  
735 and witness(es). If the charged student, student organization, or complainant does not have an advisor  
736 of their choosing present at the Formal Hearing, the University shall appoint an advisor of the  
737 University's choosing for the sole purpose of conducting cross-examination. The University cannot  
738 guarantee the appointed advisor will be equal to the chosen advisor of the charge student, student  
739 organization, or complainant. Specifically, should the charge student, student organization, or

740 complainant's chosen advisor be an attorney, the University is not obligated to appoint an advisor who  
741 is an attorney. A party may reject the University's appointment of an advisor, but they may not proceed  
742 without an advisor.

743  
744 If the party's advisor will not conduct the cross-examination, the University will appoint an advisor who  
745 will do so thoroughly, regardless of the participation or non-participation of the advised party in the  
746 hearing itself.

747  
748 \*Choosing an advisor who is also a witness in the Student Conduct Process creates potential for bias and conflict of interest.  
749 A charge student, student organization, or complainant who chooses an advisor who is also a witness can anticipate the  
750 issues of potential bias will be explored by the Hearing Officer/Hearing Body.

### 751 **Resolution Options**

752 A student or student organization has the right to a resolution of any alleged violation of the Code  
753 through the Student Conduct Process unless waived as outlined below. The Student Conduct Process  
754 provides two resolution options. Cases involving allegations of sexual harassment, stalking, and violence  
755 will be resolved by a Formal Hearing conducted by the University Conduct Board, consistent with state  
756 and federal guidelines.

### 757 **Resolution Agreement**

758 (except in cases that could result in separation from the University) Available when the charged student  
759 or student organization waives their right to a Formal Hearing and appeal, and requests that the Hearing  
760 Officer, conducting the Informational Meeting, determine the findings and applicable sanctions. The  
761 Hearing Officer reserves the right to collect additional relevant information to make an informed decision.  
762 The meeting will not be audio-recorded, and the written outcome will serve as the official record of the  
763 Resolution Agreement. The student or student organization will receive written notice of the Resolution  
764 Agreement within five (5) days, except in the case of extraordinary circumstances. Written notice of the  
765 Resolution Agreement will include the determination regarding responsibility for conduct violations and  
766 applicable sanctions.

### 767 **Formal Hearing**

768  
769 Formal Hearings include two types of forums 1) Administrative Hearing and 2) University Conduct  
770 Board.

771  
772  
773 **Administrative Hearing** - Conducted by a single Hearing Officer who serves as the Hearing Body. If the  
774 charged student elects an Administrative Hearing, the charged student waives their right to the University  
775 Conduct Board.

776  
777 **University Conduct Board (UCB)** – Conducted by a panel which serves as the Hearing Body. The  
778 UCB consists of two (2) students and one (1) faculty or staff member. A non-voting Hearing Officer  
779 will moderate the hearing and be excluded from deliberations. If the charged student elects a University

780 Conduct Board, the charged student waives their right to an Administrative Hearing.

781

782 The panel is selected from a pool of trained students, faculty, and staff who are members of the UCB.  
783 UCB members go through a formal recruitment, selection, and training process facilitated by SCED.

784

785

786 **VII.VIII. FORMAL HEARING PROCEDURES**

787 **Scheduling**

788 SCED will make a good-faith effort to schedule Formal Hearings around academic class schedules  
789 considering the availability of individuals involved in the hearing procedures and the normal operations  
790 of SCED.

791

792 **Hearing Notice**

793 The charged student or student organization will receive written notice no later than ~~five-ten~~ **(105)** days  
794 prior to the date of the Formal Hearing. The written notice will include date, time, and location of the  
795 hearing, as well as the specific charges of violations of the Code, a brief description of the allegation(s),  
796 names of witnesses to be called by the University, a list of information to be used in the hearing, an  
797 outline of the Formal Hearing proceeding, and the name(s) of the Hearing Officer and Hearing Body. A  
798 complainant will receive similar written notice, as applicable.

799

800 **Witnesses and Relevant Information**

801 The charged student or student organization can request the participation of additional witness to  
802 provide relevant information during a Formal Hearing. The charged student or student organization  
803 must provide the names of additional witnesses at least three (3) days prior to the hearing to the Hearing  
804 Officer. Acceptance or denial of additional witnesses is at the discretion of the Hearing

805 Officer. Character witnesses or witnesses who cannot provide relevant information regarding the  
806 specific incident will not be permitted to participate in the Formal Hearing.

807

808 The charged student or student organization, and in specific cases, complainant is responsible for  
809 contacting and notifying additional witnesses they request to participate in the Formal Hearing. The  
810 Formal Hearing shall not be delayed due to a scheduling conflict of the witness.

811

812 In the event a witness is unable to participate in the scheduled Formal Hearing, the witness may submit a  
813 written statement at least three (3) days prior to the hearing to the Hearing Officer for consideration. A  
814 late witness statement submission will not be considered. The charged student or student organization  
815 must be provided an opportunity to respond to the written witness statement. The inability of the  
816 charged student or student organization to question a witness who has provided a written statement is  
817 not a violation of the charged student or student organization's due process rights. The charged student  
818 or student organization has the opportunity to review and respond to the written statement and may offer

819 information to rebut the witness statement and other information presented at the Formal Hearing. If a  
820 witness fails to attend the Formal Hearing, their written statement, should one exist, will be considered  
821 by the Hearing Body.

822  
823 For cases under the jurisdiction of Policy 0.004, if a witness(es) fails to appear at the Formal Hearing,  
824 the hearing may be held in their absence, and the witness's statements given prior to the Formal will not  
825 be solely relied upon for determining responsibility by the Hearing Officer/Hearing Body.

826 The charged student, ~~or~~ student organization, or in specific cases, complainant has the opportunity to  
827 review all relevant information to be used in the Formal Hearing supporting the charges of violations of  
828 the Code at least ~~three-ten~~ (10~~3~~) days prior to the hearing. Relevant records, exhibits, and written  
829 statements may be submitted by the charged student or student organization for review and acceptance  
830 to the Hearing Officer. Acceptance or denial of information is at the discretion of the Hearing Officer.  
831 The University has the right to review any information the charged student, student organization, or  
832 in specific cases the complainant intends to use must be submitted to SCED at least ~~three-five~~ (5~~3~~) days  
833 prior the Formal Hearing, except in cases under the jurisdiction of Policy 0.004, in which the information  
834 must be submitted ten (10) days prior to the Formal Hearing.

### 835 836 **Challenging Impartiality in a Formal Hearing**

837 The charged student or student organization may challenge the inclusion of any member of the Hearing  
838 Body. The challenge must be submitted in writing to the Director of SCED and must detail an actual  
839 bias (such as conflict of interest) that would significantly impact their right to a fair and impartial hearing.  
840 The challenge must be submitted at least ~~five~~ three (5~~3~~) days prior to the Formal Hearing. The Director of  
841 SCED, or designee, will review the challenge and make a final decision that is not appealable.

### 842 843 **Postponements**

844 Any request to postpone a Formal Hearing must be submitted in writing to the Director of SCED as  
845 least ~~three-five~~ (5~~3~~) days prior to the hearing. The request must state the reason(s) for the postponement.  
846 The Director of SCED, or designee, will review the request and make a final decision. The University is  
847 not required to postpone the Student Conduct Process pending the outcome of any civil or criminal case.

### 848 **Failure to Attend**

849 If a charged student, student organization and ~~or in specific cases,~~ complainant, ~~in specific cases,~~ fails to  
850 attend a scheduled Formal Hearing, the hearing will occur, and an outcome will be made in their absence.

851  
852 If a witness(es)/Complainant fail to appear, statements given prior to the Formal Hearing may be reviewed  
853 at the Hearing in their absence; however, the statements may not be sufficient to determine a finding of  
854 responsibility.

### 855 856 857 **General Principles of Formal Hearings**

858 The following general principles apply to all Formal Hearings regardless of hearing forum. The charged

859 student or student organization and in specific cases, complainant ~~in specific cases~~, will receive  
860 information that outlines the Formal Hearing proceedings prior to the hearing.

- 861 1. Formal Hearings are private and will be closed to spectators, unless otherwise specified (e.g.  
862 advisor).
- 863 2. The burden of proof in a Formal Hearing is on the University. The standard of proof is the  
864 preponderance of the evidence. The finding of responsible or not responsible on the charges is  
865 solely based on the information presented at a Formal Hearing.
- 866 3. Formal Hearings, excluding deliberations, will be recorded by audio or video. The Formal  
867 Hearing may only be recorded by the University and the recording will be the property of the  
868 University.
- 869 4. Formal Hearings are not subject to the formal rules of evidence and procedures governing  
870 criminal and civil court proceedings.
- 871 5. A charged student or student organization and in specific cases, complainant ~~in specific cases~~,  
872 have the opportunity to present relevant information.
- 873 6. No irrelevant information, including character statements, should be discussed or considered in  
874 the Formal Hearing.
- 875 7. The Hearing Officer has the discretion to limit the number of witnesses whose testimony may be  
876 redundant or not in dispute.
- 877 8. The Hearing Officer may limit the length of testimony and may provide advice regarding the  
878 scope, direction or tone of questioning.
- 879 ~~8.9.~~ For cases under the jurisdiction of Policy 0.004, all cross-examination of the charged student,  
880 student organization, complainant, and witnesses must be conducted directly and orally by the  
881 individual's advisor. At the Formal Hearing, before the charged student, student organization,  
882 complainant, or witness can respond to a question posed by an advisor, the decision-maker(s)  
883 must first determine whether the question is relevant, and if not, explain the basis for disallowing  
884 the question.
- 885 ~~9.10.~~ Prior student conduct may only be considered in determining appropriate sanctions.
- 886 ~~10.11.~~ In cases involving multiple charged students, information presented at a Formal Hearing  
887 may be used in a related case as long as all Formal Hearing procedures contained within the  
888 Code are satisfied.
- 889 ~~11.12.~~ The Hearing Body will make a recommendation of the decision and sanctions to the  
890 Hearing Officer. The Hearing Officer may adopt or modify the recommendation of the Hearing  
891 Body. If the recommendation is not adopted, the Hearing Officer will include the reason for  
892 modifying the recommendation in the Formal Hearing outcome letter.
- 893 13. The charged student or student organization and in specific cases, complainant ~~in specific cases~~,  
894 will receive written notice of the formal hearing outcome within five (5) days of the Formal  
895 Hearing. The formal hearing outcome will include the determination regarding responsibility for  
896 conduct violations and applicable sanctions.

### 897 Interim Suspension

898 An interim suspension is an immediate temporary separation from the University. Conditions may

899 include restriction from University premises, participation in academic endeavors, and University-  
900 related activities. Interim suspensions will be expedited through the Student Conduct Process.

901 An interim suspension may be imposed at the discretion of the Vice President for Student Success, or  
902 designee, to ensure one or all of the following:

- 903 1. The safety and well-being of members of the USF community or preservation of USF  
904 property;
- 905 2. The student's continued presence or the student organization's continued activities, or use of  
906 privileges, is likely to pose an ongoing threat, disruption or interference with the normal  
907 operation of USF.

908  
909 When an interim suspension is imposed, the charged student or student organization will receive written  
910 notice to attend a scheduled Informational Meeting with a Hearing Officer. The written notice will include  
911 date, time, and location of the meeting, as well as the specific charges of violations of the Code, a brief  
912 description of the allegation(s), the conditions of interim suspension, and any other detail to prepare for  
913 the Student Conduct Process.

914  
915 An Informational Meeting will occur (see Informational Meeting) and the Hearing Officer will review  
916 available information to determine if the interim suspension will remain, be modified, or lifted. The  
917 charged student or student organization will receive written notice two (2) days after the Informational  
918 Meeting regarding the status of interim suspension.

919  
920 If the charged student or student organization fails to attend the Informational Meeting, they will have  
921 waived their opportunity to participate in the Informational Meeting, and SCED will proceed with  
922 scheduling a Formal Hearing. The type of Formal Hearing forum will be determined based on the  
923 severity of charges and/or possible sanctions (e.g. suspension or expulsion).

924  
925 If a charged student is placed on an interim suspension, but the charged student is subsequently found  
926 not responsible for the conduct violation, the University must:

- 927 1. Correct any record of the change in enrollment status in the charged student's permanent  
928 records, and report in a manner compliant with state and federal laws, and
- 929 2. Refund the charged student: a pro rata portion of any charges for tuition and out of-state fees, as  
930 appropriate, if the temporary revocation or suspension of the charged student's ability to attend  
931 classes lasts for more than ten (10) days.

932  
933 In cases where the President determines that the health, safety, or welfare of the charged student or the  
934 University community is involved, a charged student's privileges within the University, including the  
935 ability to attend classes or engage in University activities, may be suspended on an interim basis.

936  
937 **VIII.IX. BASIS FOR APPEAL AND APPEAL PROCESS**

938 The charged student or student organization and ~~in specific cases, complainant~~ ~~complainant, in specific~~  
939 ~~cases, as provided in the Code,~~ may appeal in writing the outcome of a Formal Hearing within five (5)  
940 days of the date of the Formal Hearing outcome letter. The appeal must be in writing to the Dean of  
941 Students, or designee, and the burden of proof rests with the individual or organization appealing to  
942 clearly demonstrate the basis for appeal.

### 943 944 945 946 **Basis for Appeal**

947 The basis for appeal includes:

- 948 1. A violation of due process rights or failure of the University to follow the Student Conduct  
949 Process established in this Code that substantially affected the outcome.
- 950 2. The introduction of new information that was not available and could not be presented at the  
951 time of the Formal Hearing. The individual appealing must demonstrate how the new  
952 information could have substantially affected the outcome. The outcomes of a criminal or civil  
953 case is not considered new information for the purpose of an appeal.
- 954 3. The severity of sanction(s) imposed was disproportionate to the responsible conduct violations.  
955 Additionally, for cases under the jurisdiction of Policy 0.004:  
956 The Title IX Coordinator, investigators, or Hearing Officer/Hearing Body had a conflict of  
957 interest or bias for or against charged students or complainants generally or the specific charged  
958 student, student organization, or complainant that affected the outcome.

959 An appeal is not a rehearing of the conduct case and will not be accepted simply because the individual is  
960 dissatisfied with the outcome of the Formal Hearing.

### 961 962 **Appeal Process**

963 The Dean of Students, or designee, will serve as the Appellate Officer for all appeals of the Student  
964 Conduct Process. The ~~A~~ppellate ~~O~~fficer will determine if there is sufficient information to substantiate  
965 the basis for appeal. If so, the Appellate Officer may either deny the appeal, therefore upholding the  
966 original outcome of the Formal Hearing, or do one of the following:

967  
968 If the basis of the appeal is that there was a violation of due process rights or failure to follow the  
969 Student Conduct Process which would have substantially affected the outcome, and the  
970 Appellate Officer accepts the appeal, the Appellate Officer may request the case be remanded for  
971 a new Formal Hearing.

972  
973 If the basis of the appeal is new information that could not be presented at the time of the  
974 Formal Hearing which would have substantially affected the outcome, and the Appellate Officer  
975 accepts the appeal, the Appellate Officer may request that the case be remanded for a new Formal  
976 Hearing.

977  
978 If the basis of the appeal is the severity of sanction(s) imposed was disproportionate to the  
979 responsible conduct violations, and the Appellate Officer accepts the appeal, the Appellate  
980 Officer may modify the sanction(s).

981  
982 For cases of sexual harassment, stalking, and violence, if the basis of the appeal is the Title IX  
983 Coordinator, investigators, or Hearing Officer/Hearing Body had a conflict of interest or bias  
984 for or against charged students or complainants generally or the specific charged student, student  
985 organization, or complainant that affected the outcome, and the Appellate Officer accepts the  
986 appeal, the charged student, student organization, or complainant, and in specific cases, the Title  
987 IX Coordinator, investigators, and Hearing Officer/Hearing Body will be provided a copy of  
988 the submitted appeal and permitted five (5) days to submit a response to the Appellate Officer,  
989 if applicable. The Appellate Officer may request that the case be remanded for a new  
990 investigation, Formal Hearing, or modify the sanction(s).

991  
992 Except as required to explain the basis of new information, the review of an appeal is limited to the  
993 record of the Formal Hearing and supporting documents.

994  
995 The charged student or student organization or in specific cases, complainant, will receive a written  
996 notice of their appeal outcome within ten (10) days of receipt of the appeal, except in extraordinary  
997 circumstance as determined by the Dean of Students, or designee. The appeal outcome is the final  
998 University decision and there are no further internal University appeals.

999  
1000 A student may seek outside judicial review pursuant to Florida Rule of Appellate Procedure 9.190(b)(3) of  
1001 a final University decision. If a student seeks a review with the court, a copy of the petition must also be  
1002 officially served to the University of South Florida Office of the General Counsel at 4202 E. Fowler  
1003 Avenue, CGS 301, Tampa, Florida 33620-4301.

1004

## 1005 **IX.X. SANCTIONS**

1006 Students and student organizations found responsible for conduct violations will be assigned sanctions.  
1007 Sanctions will be commensurate with the responsible conduct violations considering any mitigating  
1008 circumstances, including but not limited to the charged student or student organization's prior conduct  
1009 record. Assigned sanctions may include, but are not limited to:

1010  
1011 **Alcohol and/or Substance Use Education Sanctions** - Online educational modules, assessments,  
1012 and/or meeting with a staff member. The charged student or student organization is responsible for any  
1013 associated fee(s).

1014  
1015 **Assignments/Seminar/Workshops:** Requirement to attend, present, and/or participate in an in-

1016 person or online, workshop, module, and/or seminar. Written research assignments, behavioral  
1017 reflection papers, or other educational activities may also be a requirement. These sanctions are intended  
1018 to provide a student with opportunities that achieve specific learning objectives such as engaging in  
1019 meaningful reflection on their behavior and the impact on others. The charged student or student  
1020 organization is responsible for any associated fee.

1021

1022 **Conduct Probation:** A specified period of time when the charged student or student organization is  
1023 considered not in good conduct standing with the University. Conduct probation may result in  
1024 restrictions of privileges and/or activities which may include, but are not limited to, being prohibited  
1025 from participating in study abroad, serving in specific student leadership roles (e.g. resident assistant,  
1026 student government). Conduct probation is a period of reflection on behavior and an opportunity to  
1027 demonstrate satisfactory citizenship. Further conduct violations while on conduct probation may impact  
1028 the severity of future sanctions.

1029

1030 **Deferred Suspension:** A specified period of time in which suspension is temporarily withheld pending  
1031 completion of other sanctions by a specified deadline and the demonstration of satisfactory citizenship.  
1032 A student or student organization on deferred suspension is considered not in good conduct standing  
1033 with the University. If the charged student or student organization fails to comply with assigned  
1034 sanctions, the student or student organization will no longer be on deferred suspension and will be  
1035 immediately suspended with no further appeal.

1036

1037 **Expulsion:** Permanent separation from the University. The student or student organization is  
1038 considered not in good conduct standing permanently with the University. The charged student and  
1039 student organization will not have the ability to return as a student or student organization at any point in  
1040 time. Expulsion may include a restrictive or no trespass order for all University premises. A transcript  
1041 overlay will be placed on the charged student's academic transcript and an administrative hold will be  
1042 permanently placed on the student's account. A record of expulsion will be maintained in the student's  
1043 permanent conduct file in Student Conduct and Ethical Development.

1044 A student assigned this sanction may forfeit tuition, housing rent and fees, and other University fees. A  
1045 student will be withdrawn from classes and forfeit academic credit accordingly. Students living in  
1046 University Housing must contact Housing and Residential Education to determine the financial impact  
1047 of the cancelled contract.

1048

1049 **Housing Restriction:** A specified period of time in which a student is restricted from living in and/or  
1050 visiting all USF residential facilities (which may include dining halls), including the Greek Village. If  
1051 applicable, a student may be financially liable for any costs associated with the restriction from living in  
1052 on-campus housing as outlined in the Cancellation section of the University Student Housing Agreement  
1053 or Greek Housing Agreement.

1054

1055 **No Contact Order:** Official directive requesting a student refrain from making contact with another  
1056 individual(s). Contact may include communication by telephone, in writing, electronically, by third party,

1057 or in person both on and off campus.

1058

1059 **Restrictions:** Specific loss of privileges that may limit participation in student activities and University  
1060 events or access and use of University premises (e.g. athletic teams, leadership positions, certain  
1061 buildings and/or locations).

1062

1063 **Restitution:** Requirement to reimburse the University and/or an individual for the damage, destruction,  
1064 or vandalism of University buildings or property, private property, and/or personal property. Restitution  
1065 will be limited to the actual cost of repair or replacement.

1066

1067 **Suspension:** Separation from the University for a specified period of time. The student or student  
1068 organization is considered not in good conduct standing during the period of suspension with the  
1069 University. The student or student organization will not have the ability to return as a student or student  
1070 organization until the end of the suspension. Suspension may include a restrictive or no trespass order  
1071 for all University premises. A transcript overlay will be placed on the student's academic transcript, and  
1072 an administrative hold will be placed on the student's account during the period of

1073 suspension. A record of suspension will be maintained in the student's permanent conduct file in

1074 Student Conduct and Ethical Development.

1075

1076 A student affected by this sanction may forfeit tuition, housing rent and fees, and other University fees.  
1077 A student will be withdrawn from classes and forfeit academic credit accordingly. Students living in  
1078 University Housing must contact Housing and Residential Education to determine the financial impact  
1079 of the cancelled contract.

1080

1081 **Written Reprimand** – An official notice of conduct that is not in accordance with the University's  
1082 standards of behavior. Further conduct violations may impact the severity of future sanctions.

1083

#### 1084 ~~X~~.XI. AUXILIARY AIDS AND SERVICES

1085 Students may request reasonable accommodations as required in Section 504 of the Rehabilitation Act  
1086 and the Americans with Disabilities Act. The student must be registered with the USF Students with  
1087 Disabilities Services office and notify SCED in writing a minimum of three (3) days prior to a meeting or  
1088 hearing.

1089

#### 1090 ~~XI~~.XII. PARENTAL NOTIFICATION

1091 The University considers the student the primary contact for University communications and may  
1092 restrict communication to the student only. SCED has the discretion to inform any parent or legal  
1093 guardian of a dependent student under the age of 21 (as provided in [Parental Notification Policy 30-](#)  
1094 [020](#)) when their student has been found responsible for a conduct violation in regard to the use or

28

1095 possession of alcohol or a controlled substance. A student whose parents or legal guardian are to be  
 1096 notified will be informed prior to such notification and given the opportunity to initiate contact with  
 1097 their parents, if and when possible.

1098

1099 **XII.XIII. CONDUCT RECORD MAINTENANCE AND RETENTION**

1100

1101 **Maintenance**

- 1102 1. Student and student organization conduct records are maintained in SCED.
- 1103 2. All student conduct records in all formats (paper, computer, audio, etc.) resulting in formal  
 1104 charges will be kept in compliance with [General Records Schedule GS5](#), but not for less than  
 1105 seven (7) years from the date of the last incident that the charged student or student organization  
 1106 was involved in that resulted in conduct charges.
- 1107 3. If a student is suspended or expelled, a record of a violation of University regulations and/or  
 1108 policies will be permanently maintained in the student's or student organization's conduct file in  
 1109 SCED and a record of separation may be maintained in the Office of the Registrar.
- 1110 4. SCED maintains all student conduct records in accordance with the Family Education Rights  
 1111 and Privacy Act (FERPA). SCED will abide by all laws requiring privacy with regard to the  
 1112 Student Conduct Process. In addition, as FERPA does not protect the names of students  
 1113 found responsible for crimes of violence, including forcible sex offenses, or an alleged  
 1114 perpetrator of a non-forcible sex offense when the allegations support a finding that a student  
 1115 has committed a violation of the University's rules or policies, the University may be required to  
 1116 release that information upon a Chapter 119 public record request.
- 1117 5. A student may choose to sign a release form granting SCED staff permission to discuss  
 1118 information related to the Student's disciplinary file with any individual that the student  
 1119 designates. This form is available in SCED. Although this form may provide access to  
 1120 information to a third party, the student remains the primary responsible party for compliance.
- 1121 6. Any educational institution requesting conduct information about a current or former University  
 1122 student is required to submit the request in writing. If a non-educational agency is requesting  
 1123 information, those requests must include the signature of the student granting the release of  
 1124 information related to the student's conduct record.
- 1125 7. Transcripts of recorded hearings will not be prepared or provided by the University. In cases of  
 1126 external legal review that may require a transcript of a recorded hearing, the student or advisor  
 1127 may contact the Office of the General Counsel to arrange for the preparation of the written  
 1128 transcript by a court reporting service on the student's behalf and at the expense of the requestor.  
 1129 The court reporting service will provide the transcript to the Office of the General Counsel,  
 1130 which will perform a confidentiality review of the transcript and redact any confidential or  
 1131 exempt information pursuant to state or federal law. The requestor will be responsible for the  
 1132 cost of the transcript preparation and confidentiality review.

1133 **Retention**

- 1134 1. Records resulting in an educational sanction of expulsion or suspension from the University will

- 1135 be permanently maintained in SCED.
- 1136 2. No personally identifiable record(s) will be kept after a record has been designated for
- 1137 destruction. Statistical data will be maintained but all information that would identify an
- 1138 individual is removed.
- 1139 3. All paper records will be destroyed by shredding or other similar process. Computer files will be
- 1140 modified in a manner so that only statistical data that cannot identify an individual is kept. Non-
- 1141 paper information (i.e. audio recordings) will be destroyed in a manner that will ensure that the
- 1142 information cannot be traced to any individual or any disciplinary case.

1143 **Record Expungement**

1144 Record expungement allows a student conduct record on file with SCED to be sealed. This includes all

1145 information related to the student's documentation, investigation, hearing, and disposition. In general,

1146 when completing background check inquiries, expunged records will not be reported as an incident

1147 when the student was found responsible. The student will not need to report the record based on the

1148 language/definitions of the requesting institution or agency in a background check that the incident ever

1149 occurred. The record will still be used for federal, state, and local University reporting requirements but

1150 will not be associated with the student name or student ID.

1151

1152 *Eligibility*

1153 A request for expungement will be available for consideration:

- 1154 1. One year after the resolution of a conduct case,
- 1155 2. All assigned sanctions have been successfully completed,
- 1156 3. An expungement has not previously granted, and
- 1157 The conduct violation(s) did not:
- 1158 4. Cause personal injury.
- 1159 5. Cause significant property damage.
- 1160 6. Include a drug violation that could qualify as a felony charge in the legal system.
- 1161 7. Disrupt the orderly operation of the University.
- 1162 8. Violate the firearm, explosives, dangerous chemicals, and ammunition or weaponry regulations
- 1163 of the University.
- 1164 9. Violate the Sexual Misconduct/Sexual Harassment policy.
- 1165 10. Result in a suspension or expulsion.

1166 **Petition Requirements**

1167 A student meeting the eligibility requirements must submit their petition to the Dean of Students, or

1168 designee. The student must submit a signed statement explaining the justification for the request, a

1169 description of what occurred in the conduct incident, and what they learned from the incident. The

1170 statement must also include:

- 1171 1. Student's name

- 1172 2. University identification number (U number)
- 1173 3. E-mail address
- 1174 4. Phone number
- 1175 5. Date of incident
- 1176 6. Incident report number

1177

1178 **Process**

1179 The Dean of Students, or designee, will review the statement, the conduct record, and any other  
1180 pertinent information they choose to request and/or consider. The decision is at the discretion of the  
1181 Dean of Students, or designee. The student will receive written notice regarding their petition within ten  
1182 (10) days of receipt of petition. The decision of the Dean of Students, or designee, regarding the  
1183 expungement of the conduct record is final and not appealable.

1184

1185 **XIII.XIV. INTERPRETATION AND REVISION**

1186

1187 This Regulation applies to all campuses of the University of South Florida; however, non-substantive  
1188 procedural modifications to reflect the particular circumstances of each campus are permitted. Any  
1189 questions about the interpretation of the Code should be directed to any of the following SCED offices:

1190 Tampa: <http://www.usf.edu/srr/page.asp?id=69>

1191 St. Petersburg: <http://www.usfsp.edu/dos/sc/>

1192 Sarasota—Manatee: [http://www.usfsm.edu/campus-life/student-engagement/student-rights-](http://www.usfsm.edu/campus-life/student-engagement/student-rights-and-responsibilities.aspx)  
1193 [and-responsibilities.aspx](http://www.usfsm.edu/campus-life/student-engagement/student-rights-and-responsibilities.aspx)

1194

1195 The University reserves the right to make changes to the Student Code of Conduct as necessary. The  
1196 Code shall be reviewed periodically by a committee which shall include student representation under the  
1197 direction of the Director of SCED.

1198 *History—New 9-23-85, Formerly 6C4-6.021, Amended 5-27-92, 7-26-92, 12-2-92, 12-29-94, 4-11-99, 9-27-*  
1199 *05, Formerly 6C4-6.0021 F.A.C., Amended 6-5-08, 6-25-09, 9-22-11, 12-02-13, 1-6-14 (technical), 6-23-14*  
1200 *(technical), 5-14-15 (technical), 8-19-16 (technical), 9-28-18, 4-12-19 effective 5-6-19 (technical), 5-16-19*  
1201 *(technical), 8-26-19 (technical), 6-2-20, ~~(Amended), 8-14-20.~~*

1202

1203 *Consolidation Amendments Effective: 7-1-20*

1204

1205 *Certification: USF certifies that it has followed the Florida Board of Governors Regulation Development Procedure and*  
1206 *has a record of written notices, comments, summaries and responses as required.*

**Agenda Item: FL 104**

**USF Board of Trustees**  
December 8, 2020

**Issue:** : Florida Institute of Oceanography (FIO)  
Academic Infrastructure Support Organization (AISO) Annual Report 2019-2020

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**Proposed action:** Approval of Annual Report 2019-2020 by Host Institution,  
USF Board of Trustees

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**Executive Summary:**

The 2019-2020 Florida Institute of Oceanography (FIO) Annual Report must be reviewed and approved, consistent with BOG Regulation 10.014 Academic Infrastructure and Support Organizations, which requires approval of AISO Annual Reports by the Board of Trustees of the host institution or its designee.

**Financial Impact:**

None

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**Strategic Goal(s) Item Supports: USF Strategic Plan Goal I**

**BOT Committee Review Date:** November 10, 2020

**Supporting Documentation Online (please circle):**  Yes  No

**Prepared by:** Dr. James Garey, Acting Director, Florida Institute of Oceanography

# Florida Institute of Oceanography Academic Infrastructure Support Organization



Jim Garey, Acting Director of FIO  
USF BOT ACE Committee

November 10, 2020

Hosted by the University of South Florida



The FIO annual report was reviewed by the SUS Council of Academic Vice Presidents October 28, 2020.

**Vision** — To support excellence in marine science, technology and education through infrastructure, programs, information and people.

**Mission** — Florida Institute of Oceanography (FIO) is chartered to provide infrastructure support to facilitate collaborative research and education related to Florida's coastal and ocean environment, and to serve as a coordinating body across academia, state and federal agencies, ocean science organizations and the private sector in addressing new opportunities and problems to be solved through research, education and outreach. FIO is an enabler, a facilitator and coordinator.



Supporting Excellence in Marine Science, Technology and Education

[www.fio.usf.edu](http://www.fio.usf.edu)

# Florida Institute of Oceanography

## Academic Infrastructure Support Organization

### Research Vessel Service in 2019-2020

- Two Active Vessels in the Fleet: R/V Hogarth and R/V Weatherbird
  - 201.5 Total Scheduled ship days including Subsidized Shiptime
  - 80 Total Ship days at Sea
  - 121.5 cancelled due to COVID and various reasons
- Subsidized Shiptime
  - 6 SUS universities
  - 67 granted ship days
  - 20 SUS ship time used

### Keys Marine Lab Service in 2019-2020

- 11 educational groups/2 research groups/ 60 boat trips
- \$600,000 grant from NSF to improve the seawater facility.
- Successful IACUC re-accreditation

### Educational and Research Outreach in 2019-2020

- Oceans Day 2020, GOMOSES Oil Spill, Open Houses, Conference, stemConnect livestreams, 360-degree vessel tours
- FL Restore Act Center of Excellence Program.

# Florida Institute of Oceanography Academic Infrastructure Support Organization

## Challenges in 2019-2020

Organizational Improvements

Maintenance

Safety/Operations

COVID-19



Supporting Excellence in Marine Science, Technology and Education

[www.fio.usf.edu](http://www.fio.usf.edu)

# Florida Institute of Oceanography

## Academic Infrastructure Support Organization

**Reorganized FIO so KML is better integrated.**

Search is underway for a permanent FIO Director

- **Administration and Budget/Grants (5)**
  - **FIO Director**
  - **Assistant Director (Budget/Grants)**
  - **Lab Operations Manager (Budget/Grants)**
  - **Fiscal & Budget Specialist**
  - **Education Outreach Coordinator**
- **Keys Marine Lab (5)**
  - **Assistant Director/KML Director**
  - **Senior Biological Scientist**
  - **Senior Biological Scientist**
  - **Senior Biological Scientist**
  - **Maintenance Tech**
- **Bayboro Operations (4 shore support, 11 crew)**
  - **Marine Superintendent (Assistant Director)**
  - **Marine Operations Manager**
  - **Marine Technologist**
  - **Marine Operations Specialist**
  - **Captain (2)**
  - **Mate (1 + 1 unfilled)**
  - **Chief Engineer (2)**
  - **Assistant Engineer (2)**
  - **Cook/Deckhand (2)**
  - **Deckhand**

**Supporting Excellence in Marine Science, Technology and Education**

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# Florida Institute of Oceanography

## Academic Infrastructure Support Organization

### Maintenance and Expansion

- R/V Hogarth in shipyard for extensive refitting, ~ \$200,000.
- Sea Trials of the R/V Hogarth.
- R/V Weatherbird electrical panel repair, ~ \$50,000.
- R/V Weatherbird engine scheduled maintenance, ~\$40,000.
- New hurricane resistant roof and drainage system for the Keys Marine Lab, ~\$300,000.
- Began expansion of the Keys Marine Lab seawater system funded by the National Science Foundation, ~ \$600,000.

# Florida Institute of Oceanography

## Academic Infrastructure Support Organization

### ***Vessel Safety Standards & Operations Update*** ***hired a Marine Superintendent to oversee ship operations***

*Responding to the four reviews (Oceans360, JMS, USF EH&S, and Great American Insurance) FIO commissioned, the organization has properly addressed organizational and safety issues to provide the highest level of quality and safety to its members.*

- The FIO and vessel crews are Standards of Training, Certification and Watchkeeping (STCW) compliant.
- Ubiquitous maintenance planning – FIO purchased a cloud-based software system to plan, track and maintain oversight of each vessels current, forecasted and required maintenance needs.
- Safety Management Plan - This comprehensive plan is the foundation for all FIO ship operations.
- Next review of FIO marine operations scheduled for winter/spring time of 2020-2021 by the USF Environmental Health and Safety (EH&S) Dept.
- On-going US Coast Guard (USCG) courtesy inspections and training exercises.

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## Academic Infrastructure Support Organization

### COVID-19 Response by FIO

- March 5<sup>th</sup> 2020 – FIO Developed an initial plan to respond to the COVID-19 pandemic.
- March 23<sup>rd</sup> 2020 – FIO ceased educational and scientific operations. Continued vessel maintenance and crew training under USF COVID-19 Task Force restrictions.
- May 2020 - Site evaluation of research vessels and Keys Marine Lab (KML) made by USF Taskforce medical physician, Dr. John Sinnott.
- FIO re-opening plan approved by host institution for limited operations. Action plan and timeline in place to reopen FIO for limited educational and scientific operations by July 10.

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# Florida Institute of Oceanography

## Academic Infrastructure Support Organization

### FIO Balances July 1<sup>st</sup>, 2020

E&G Funds

\$2,176,496

Reserves required for KML

\$250,000 (e.g. hurricane damage)

Reserves for vessel operation

\$150,000 (vessel damage/shipyard)

Carry Forward Funds

\$647,000

Net Auxiliary Funds

FYE cash balance \$165k

Est. Total Loss income due to COVID: \$335k

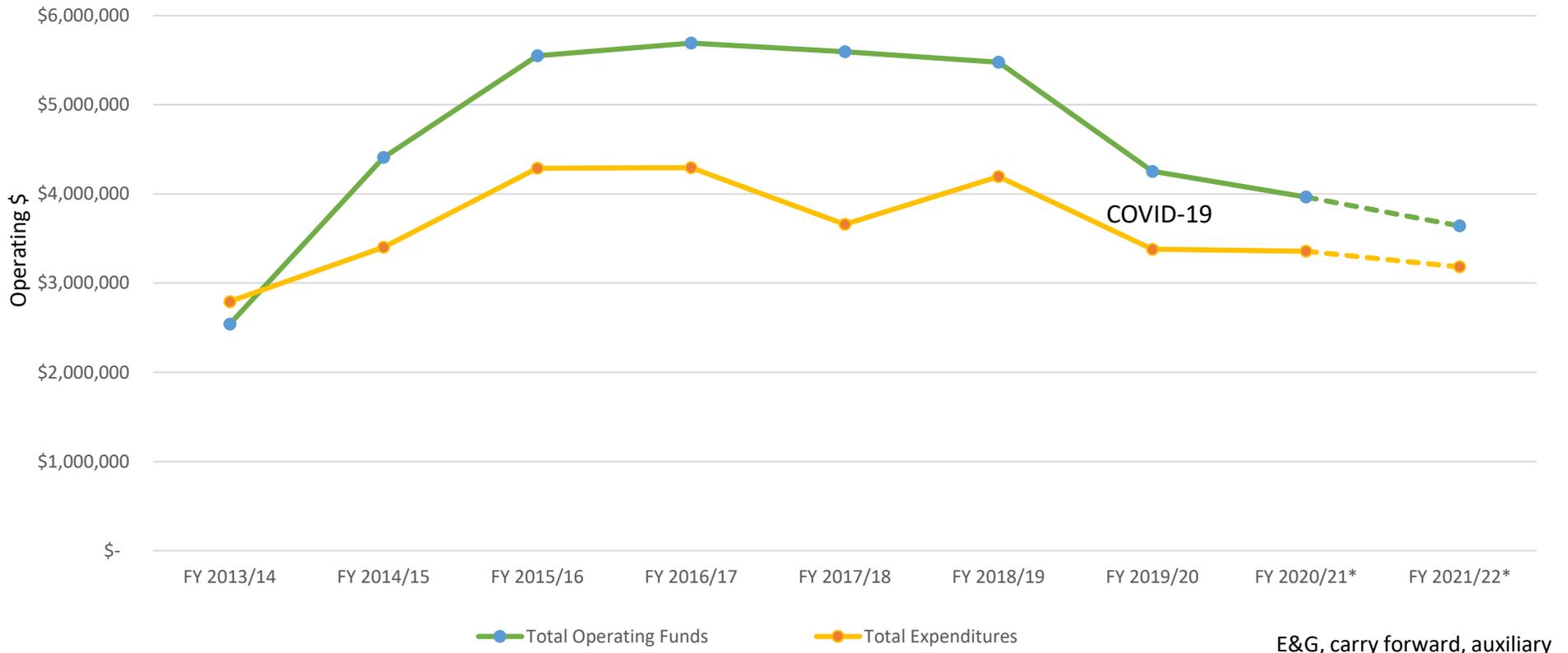
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# Florida Institute of Oceanography Academic Infrastructure Support Organization

FIO Budget Projections  
FIO Multi-Year History and  
Estimated Operating and Expenditures  
All Fund Sources



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# Florida Institute of Oceanography

## Academic Infrastructure Support Organization

### Future

- Permanent Director.
- Continue to respond and recover from the COVID-19 pandemic.
- Expand :
  - Outreach to the scientific and educational community.
  - ship operations to serve more customers.
  - Keys Marine Lab use.
  - Educational operations.
  - Funding opportunities.

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# FLORIDA INSTITUTE OF OCEANOGRAPHY

*Fiscal Year 2019-2020*

## Annual Report

Reviewed by the Council of Academic Vice Presidents, October 28, 2020

Pending Approval by the USF Board of Trustees on December 8, 2020



## FIO 2019/2020 Annual Report

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## FIO Acting Director Foreword

Greetings,

The old adage, “anything can happen” certainly rang true in Fiscal Year 2019-2020. To face the challenges this year brought on by Tropical Storms, needed and extensive vessel repairs, and the COVID-19 pandemic, FIO had to be both dynamic and flexible. We spent the past year restructuring FIO’s safety standards, administrative structure, and visual content, while still supporting the state of Florida’s research needs. It has been a pleasure working with our staff and crew, members, partners, and community to solve the past year’s complex problems as a team.

In order to resume the vital oceanographic research Florida’s institutions undertake, FIO is following the University of South Florida’s (its host institution) phased re-opening plan and was approved for limited operations to resume July 10<sup>th</sup>. To prepare for the scheduled reopening, we worked with medical experts within USF and externally to integrate and adopt guidance from the CDC, UNOLS, the American Bureau of Shipping, and numerous other organizations into a plan that mitigates COVID-19 risks at all FIO facilities. FIO is committed to providing our staff, ship-users, and science parties with a safe and healthy environment. We continue to stay fluid as the conditions surrounding the pandemic change by the day. Up-to-date, FIO-specific guidelines and FAQ’s for staff, ship and laboratory users can be found on FIO’s website: <https://www.fio.usf.edu/about-fio/fio-news/coronavirus-updates/>

FIO underwent a number of enhancements and improvements to meet the recommendations of the various safety reviews (which can be found in Appendix D) FIO commissioned. The state’s research vessels, the R/V Hogarth and R/V Weatherbird II, are fully operational after maintenance, repairs, and advancements at the shipyard in the fall and winter. Additionally, we are positioning the organization to be more agile for FIO members- from having vessels accessible at various ports to visiting campuses for open-house style faculty information sessions, FIO is making strides towards introducing the future oceanographers to the state’s research vessels and laboratory.

Best Wishes,

James Garey, Ph.D.  
Acting Director

## Governance of FIO as an AISO

Established by the Board of Governors (BOG) in 2009 and supported by the SUS Council of Academic Vice Presidents (CAVP), FIO serves the State University System (SUS) by Supporting Excellence in Marine Science, Technology and Education through infrastructure, programs, information and people to its member institutions across Florida.

In November 2018, the BOG revised the AISO regulation 10.014 Academic Infrastructure and Support Organizations, which FIO is mandated to follow. A change in the FIO's By-laws now reflect the following: 'The FIO Executive Committee will consist of five (5) full Council members including the Council Chair and four elected members. **State University System institutions must comprise at least fifty-one percent (51%) of the executive committee and** at least one member of the FIO Executive Committee shall be from the host institution.'

- Eckerd College
- Florida Atlantic University\*
- Florida Department of Environmental Protection
- Florida Agricultural and Mechanical University\*
- Florida Fish & Wildlife Conservation Commission, Fish and Wildlife Research Institute
- Florida Gulf Coast University\*
- Florida Institute of Technology
- Florida International University\*
- Florida Polytechnic University\*
- Florida Sea Grant
- Florida State University\*
- Mote Marine Laboratory
- New College of Florida\*
- Nova Southeastern University
- Smithsonian Marine Station
- University of Central Florida\*
- University of Florida\*
- University of Miami
- University of North Florida\*
- University of South Florida\*
- University of West Florida

Since 2010, FIO's membership has grown to include Associate and Affiliate members whose mission align with FIO and the BOG.

- Clearwater Marine Aquarium
- Hubbs-Seaworld Research Institute
- Jacksonville University
- Roffer's Ocean Fishing Forecasting Services, Inc.
- Sanibel-Captiva Conservation Foundation
- SRI St. Petersburg
- St. Petersburg College
- The Florida Aquarium
- University of South Florida-St. Petersburg

\*State University System institutions

This year, the annual report is structured to outline the 2015-2020 Strategic Plan in part due to the vacant director position. The next director will be expected to focus on the second AISO renewal process and begin the next Strategic Plan to evaluate where FIO needs to go beyond 2020.

### *Personnel*

- The search for FIO's next director started in January and is still in progress, following a delay due to the COVID-19 pandemic.
- As of July 1<sup>st</sup> 2020, FIO's vessels are fully staffed to resume operating research cruises. The only open position regarding ship-side personnel is the first mate for the R/V Hogarth.
- In April 2020, William (Bill) Walsh was hired as the Marine Superintendent, a position that was re-established this year. Bill comes to FIO after completing a 30-year career in the U.S. Coast Guard. He has experience with shipboard operations and fleet management. This position will allow FIO's vessel crews to better focus on conducting safe and efficient operations and the implementation of the new Safety Management System which will guide how the organization conducts and supports research vessel operations.
- KML's Director, Nancy Thompson, retired in early 2020. Cynthia Lewis was appointed acting director.

### *Administrative Reorganization*

FIO has been reorganized to solve several issues. The first is that KML had never been properly integrated into the FIO organization, and the second was that FIO needed a Marine Superintendent to manage ship operations. The previous KML director retired in April 2020 around the same time FIO hired a Marine Superintendent. Currently there is a Director and three Assistant Directors. Assistant Director Cam Ngo handles administrative and financial functions, Assistant Director Bill Walsh manages ship operations as Marine Superintendent, and Assistant Director Cynthia Lewis manages the Keys Marine Lab.

### *Budget Overview*

FIO had recurring operating funds of \$2.1M at the onset of FY 19/20, which included personnel support and the day-to-day operational costs. Additionally, a total of \$1.3M was carryforward to this fiscal year separate from FIO's recurring operating funds. The "carry forward account" supported large expenditures; FIO spent over \$700,000 between the KML's roof renovation, shipyard-based maintenance and repairs for the R/V Hogarth and preventative maintenance for the R/V Weatherbird. The carry-forward funds continued to support safety upgrades (per the safety report in Appendix D) and other expenditure activities in order for the research vessels to be "mission-ready". \$400,000 was set aside from the carry-forward balance for unforeseen expenditures, however, carry-forward funds have been dwindling and reduced amount is anticipated to be available for operations support in the coming fiscal year. The COVID-19 pandemic has caused a reduction in FIO's revenue stream which normally offsets some of the operational expenses incurred by the auxiliary accounts. The pandemic ultimately halted the busiest season for marine research but staff have seized the opportunity to perform preventative maintenance on both the vessels. At KML, staff have been working diligently on the National Science Foundation (NSF) seawater project highlighted in this report.

## Infrastructure & Operations

### *Vessels Safety Report*

To improve FIO's operational efficiencies and ability to provide a safe and reliable marine research platform, USF commissioned four comprehensive reviews- the first of which convened in 2018 and was completed in August, 2019. Each of these reviews focused on safety, material condition and compliance with applicable laws/regulations, as well as policies and best practices regarding safe and compliant operations.

To date, FIO has invested \$405,000 in one-time expenses and \$341,000 in recurring costs to properly address organizational and safety issues. Additionally, emphasis was placed on quality training programs necessary to sustain quality and safe marine research infrastructure. The safety reviews continue to influence how FIO operates and maintains its research vessel fleet. Some of the key improvements include:

- Marine Superintendent hired in April 2020. Fully staffing and preparing the research vessels has been challenging due to moderately high turnover; however, the recent hiring of the Marine Superintendent allows for improved oversight of the vessel operations.
- The FIO and vessel crews are Standards of Training, Certification and Watchkeeping (STCW) compliant.
- Ubiquitous maintenance planning: FIO purchased a cloud-based software system to plan, track and maintain oversight of each vessel's current, forecasted, and required maintenance needs.
- Safety Management System: The comprehensive plan is the foundation upon which all FIO operations and research support sit.

FIO is committed to cyclical internal and external reviews. The next review of FIO marine operations is tentatively set for winter of 2020 by the USF's Environmental Health and Safety Office Director. Additionally, FIO will continue to work with the U.S. Coast Guard to conduct courtesy inspections and training exercises. Full details of the Safety Report can be found in Appendix D.

The onset of the COVID-19 pandemic put FIO's research vessel operations on hold for nearly 90 days. Limited operations are scheduled to resume in July 2020. While much of the FIO staff worked remotely, select groups were granted exceptions, such as the vessel crews, shore-side support personnel, and KML staff, who were critical in maintaining research vessel/marine lab readiness to resume research operations. The COVID-19 quarantine also impacted the State University Subsidized (SUS) ship days program, in which 66 days of ship time were awarded for FY 19/20- 57 days on R/V Hogarth and 9 days on R/V Weatherbird. These cruises will need to be rescheduled in the 2020-21 fiscal year.

### *R/V Hogarth*

The R/V Hogarth was scheduled for 134.5 days and completed 32.5 days at sea in FY 19/20; of which it supported 4 of 57 SUS ship days from the ship time program and 28 chartered days. Nearly 55 days were lost due to COVID-19 and 23.5 days were lost due to inclement weather and shipyard repairs.

The R/V Hogarth started FY19/20 with educational cruises, supporting coursework for the Florida Institute of Technology (FIT). In late summer and fall, the vessel was busy providing support for fisheries work at both University of South Florida (USF) and University of Florida (UF). After the cancellation of scheduled work in Pensacola due to a late season tropical storm (T.S. Nestor), the vessel steamed to Tarpon Springs for shipyard work at Duckworth Steel Boats to facilitate warranty repairs, modifications, and the various upgrades

recommended in several safety reviews. Additionally, several modifications to improve the layout and configuration of the vessel, based on input from the science community, were completed. These modifications included extending the aft frame by 4 feet, a redesign of the starboard frame, and reconfiguration of the berthing compartments. Other modifications included retrofitting the vessel's rudders to work independently with the dynamic positioning system. FIO began working with USF's General Counsel to renegotiate a contract with the dynamic positioning system vendor. The goal is to have the system ready for sea trials and commissioning as soon as possible.

The R/V Hogarth returned from the yard period in April, soon after the statewide and university COVID-19 pandemic restrictions were implemented. The extended time in the shipyard, coupled with the COVID-19 quarantine, limited the R/V Hogarth's time at sea during the last two quarters of the fiscal year. Fortunately, the shipyard maintenance period resulted in many enhancements and improvements.

There was some crew turnover on the R/V Hogarth. The captain departed in April and Assistant Captain, Chris Casey, was promoted to R/V Hogarth Captain. The first mate position has been advertised and FIO anticipates filling the position this summer. The R/V Hogarth welcomes new marine assistant engineer, Andy Kingsley and Alex Martinez the marine cook/deckhand.

### *R/V Weatherbird II*

The R/V Weatherbird II was scheduled for a total of 68.5 days for FY 19/20; of which the vessel completed 39 days at sea prior to operations ceasing due to COVID-19. The Weatherbird started the fiscal year supporting new vessel users, Harris Corporation, in addition to buoy deployment and recovery projects for USF's Ocean Circulation Group. The vessel was temporarily offline in November due to generator room flooding. Repairs were promptly completed and the vessel was back at sea in early December. January saw the vessel return to the western Gulf of Mexico in support of a multi-institutional effort regarding fisheries assessments. The research group included collaborations between USF, Texas A&M University, Louisiana State University and University of Southern Alabama. The vessel successfully completed the work scheduled, despite challenging weather conditions.

Due to the extended time the R/V Hogarth saw at Duckworth Shipyard for repairs, scheduling needs required transferring subsidized SUS ship days to the R/V Weatherbird II. A total of 32.5 subsidized SUS days were scheduled on R/V Weatherbird II, however, only 8 were executed prior to the COVID-19 shutdown. 33.5 charter days were completed on the Weatherbird in FY 19/20. Like the R/V Hogarth, COVID-19 caused 22 cancellations (all SUS) and 5.5 days were lost due to weather in FY 19/20.

The crew of the R/V Weatherbird II have been implementing the recommendations of the operational surveys FIO commissioned. All of the major safety recommendations and many of the worklist items have been completed. Upon successful completion of the R/V Hogarth dynamic positioning system, FIO and the vendor will determine the feasibility of commissioning a DP system on the Weatherbird.

### *R/V Price*

The R/V Price did not operate in FY 19-20 and is being transferred from the FIO fleet to FIO Member, Florida International University.

### *Vessel Days at Sea*

In FY 19/20, FIO's research vessels were set to support the needs of the organizations in the table below:

Successfully Supported	Scheduled but Cancelled due to COVID-19
Florida International University (1 cruise)	Florida International University (2 cruises)
Florida Institute of Technology	New College of Florida
University of South Florida	University of West Florida
Eckerd College (1 cruise)	Eckerd College (2 cruises)
Louisiana State University	Woods Hole Oceanographic Institution
Texas A&M University	
Harris Corporation	
Florida Gulf Coast University	
University of Florida	
University of Southern Alabama	

## Keys Marine Laboratory

The Keys Marine Laboratory (KML) maintains a fleet of four small vessels (18’ to 30’) for education and research activities. During the eight months prior to the COVID-19 quarantine, KML operated 60 boat trips, two-thirds of which were conducted from the 25’ Parkers. The Lab’s 30’ Island Hopper is the primary vessel for larger educational classes. There were 26 boat trips that involved AAUS scientific diving missions, meeting the needs of six different universities and institutions, including three FIO members. Scientific dive missions were conducted for seven different research projects, including Ph.D. sponge research, coral “out-planting survivorship” (Ph.D. project), restoration pilot studies, “in situ” coral spawning, and monitoring efforts to assist Florida’s Reef Resiliency/Disturbance Response Monitoring (FRRP/DRM) Project.

### *Living Laboratory Project*

Since 2009, KML has offered the Living Laboratory, a nearshore benthic monitoring project, to visiting education groups. In FY 19/20, students from FAU’s Marine Ecology class and Ivy Tech’s Research Methods Capstone course, participated in this hands-on field project. Students experienced some of the challenges of working in the marine environment while learning basic marine assessment techniques and species identification. Following their day on the water, students entered data into the Living Lab database, comparing their observations to results from past groups.

### *Seawater System Use and Updates*

Another important component of the KML field station is the state-of-the-art seawater system, previously funded by NSF and FWC. The system has been operating at near-full capacity, pulling water from a shallow seawater well and distributing temperature-controlled water (60-80 gallons per minute) to a variety of 30 experimental tanks and tables. Researchers from nine universities and institutions, including four FIO members and one international university, utilized the system in FY 19/20. Notable projects have included land-based coral spawning of both endangered staghorn corals and several soft coral species, fish grazing behaviors and coral disease transmission (Ph.D. research), induced spawning in long-spined sea urchins, manipulating water temperatures to assess genotypic differences in thermal tolerance in staghorn coral (Ph.D. research), and holding threatened reef-building corals for NOAA’s Coral Rescue project. Additionally, the seawater system supplies water to the tide pool display for educational encounters and outreach events.

In September 2019, KML was awarded \$585,000 from the National Science Foundation (*DBI-1929638: 'Repurposing Infrastructure to Advance State-of-the-Art Research Methods, Keys Marine Lab'*). This NSF award will fund upgrades and improvements to the aging Bay Seawater System on the east end of the property and integrate it with our existing temperature-controlled Well Seawater System. The first stage of the NSF project was to repair, deepen, and resurface the large flow-through 165,000-gallon saltwater pool was completed in June. A second degassing tower and concrete holding tanks are currently in production and expected to be installed in 2020-21. The final phases will include installing heater/chillers and pumps, and the build-out of shaded temperature-controlled seawater tables (50-gal to 1000-gal capacity), with anticipated completion in 2021.

### *IACUC & Permitting*

In the Fall of 2019, KML passed AAALAC re-accreditation as a USF satellite facility for Institutional Animal Care and Use Committee (IACUC), necessary for all vertebrate research conducted at the Lab. During the past year, KML hosted two IACUC projects which utilized our seawater systems. A Clemson University Ph.D. student ran trials on butterflyfish feeding behavior and coral disease transmission. Florida Atlantic University researchers, collaborating with Bonefish Tarpon Trust, successfully collected and held fish in KML's large seawater tanks for their Bonefish Genetic Brood Stock project. Additionally, KML reviewed 25 permits for visiting researchers to ensure compliance with state and federal requirements.

## Programs

### *Subsidized Ship Time*

In FY 19-20, FIO was proud to award a total of 66 subsidized ship days to its state-wide SUS members. The STEM-focused Subsidized Ship Time program provides students with field-based skills and experience obtained from conducting research aboard a research vessel and at the Keys Marine Laboratory. Additionally, the program helps SUS member institutions attract and retain quality undergraduate, graduate and doctoral students. Since 2007, the program has awarded upwards of 1,000 ship days across all of FIO's marine facilities and is one of our most successful programs. The table below details FIO's infrastructure support to its member institutions during this fiscal year:

<b>Institution</b>	<b>Days Awarded</b>	<b>Days Completed</b>	<b>Notes</b>
Florida Gulf Coast University	4	4	
University of West Florida	14	0	3 cruises, 2 totaling 8 days carry over from 2018-2019
Florida Institute of Technology	14	6	6 days carry over from 2018-2019
Florida International University	14	4	cancelled
University of South Florida	12	4	cancelled
Eckerd College	1	1	cancelled
University of Central Florida	1	1	cancelled
New College	7	0	cancelled
<b>Total</b>	<b>67</b>	<b>20</b>	

The variance between days awarded and days executed is attributed to the COVID-19 pandemic which caused FIO to cancel 47 of the awarded subsidized cruises. FIO is fully committed to accommodating vessel users' needs- Fiscal Year 19/20 awardees have been given the option to reschedule canceled cruises during FY 20/21. Once all submissions are reviewed by the FIO Ship Committee, the vessel schedule will be circulated across the FIO consortium.

### *FIO Marine Field Studies Summer Course* (Undergraduate course)

Unfortunately, due to COVID-19 quarantine restrictions, the eighth year of the FIO Field Studies summer course was canceled. The twenty students enrolled did not incur any course charges. The FIO Field Studies Course, a 5-week field-intensive marine studies summer course, is a tightly organized joint effort around the state of Florida that's designed to expose students to various iconic marine habitats. The course is hosted by the University of North Florida (UNF), Florida Atlantic University (FAU) at FIO's Keys Marine Lab, Florida Gulf Coast University (FGCU) at their Vester Field Station, University of South Florida (USF) at their St. Pete Campus, and the University of West Florida (UWF) in Pensacola Bay. The course instructors are experts in various facets of marine science at FIO's member institutions and they lead the students in independent and cooperative research methods with habitat analysis, species identification, and fisheries studies.

### *Graduate Field Studies Course – 1<sup>st</sup> Annual*

In Fall of 2019, FIO, in collaboration with FAU, UF, and USF launched the Graduate Course in Marine Fisheries. Open to graduate studies exclusively, this 3-credit, 3-weekend course is a field-intensive course hosted by FAU's Harbor Branch in Fort Pierce, USF's College of Marine Science in St. Petersburg, and UF's IFAS Nature Coast Biological Station in Cedar Key. The course provided graduate students from the state of Florida with practical field methods and experiences using a wide range of technologies; field evaluation methods of fisheries in estuarine and marine environments; and exposed place-bound professionals to typical field-oriented experiences and methods. Nine university professors, along with various staff from each host institution wrote and administered the lesson plans which placed emphasis on habitat analysis, species identification, and fishery studies. The Graduate Course filled up quickly with 12 students (4 per university) enrolling through the FAU, UF, and USF course catalogs. The FIO Education Committee discussed plans to expand the course in 2021 as the course is currently on a bi-annual schedule.

## RESTORE Act

The Florida RESTORE Act Centers of Excellence Program (FLRACEP), established by the Gulf Coast States Act of 2012, is administered by FIO. With funds managed by the US Department of Treasury, the 15-year, \$26M+ project awards research grant money to Florida institutions and emphasizes ecosystem monitoring, coastal fisheries analysis, and mapping in the Gulf of Mexico as a result of the civil penalties associated with the BP Deepwater Horizon Spill.

In June 2019, FLRACEP's Program Management Team awarded six new established Centers of Excellence grants through FLRACEP's Request for Proposals (RFP) III and one new Center of Excellence in May 2020

through RFP III.5. Three were awarded to the University of Florida (UF), one to Mote Marine Laboratory, one to USF, one to Sanibel Captiva Conservation Foundation (SCCF), and one to the University of Central Florida (UCF). These seven new projects are 2-3 year awards. Under RFPII, Dr. Ernst Peebles' SHELf project underwent a scientific review and the monitoring project was approved by the Program Management Team for renewal.

<b>FLRACEP Centers of Excellence</b>	
Ernst Peebles, Ph.D. RFPII CE: University of South Florida (renewal CE)	“Spawning Habitat and Early-Life Linkages to Fisheries”
Matthew Deitch, Ph.D. RFPIII CE: University of Florida	“Predicting benefits in Panhandle Estuary Systems: A partnership to quantify impacts, stressors, and outcomes using Adaptive Management Frameworks.”
Katherine Mansfield, Ph.D. RFPIII CE: University of Central Florida	“Understanding genomic, behavioral, and microbial drivers of ontogenetic shifts in early sea turtle foraging ecology and habitat use.”
Kelly Sloan RFPIII CE: Sanibel Captiva Conservation Foundation	“After the Tide: Characterizing the Sublethal Effects of a Catastrophic Red Tide on Nesting Sea Turtles.”
Hannah Vander Zanden, Ph.D. RFPIII CE: University of Florida	“Tissue clocks: new methods for aging and decoding sea turtle life histories.”
Randy Wells, Ph.D. RFPIII CE: Mote Marine Laboratory	“Health and movements of Florida’s Gulf Dolphins”
Vincent Lecours, Ph.D. RFPIII.5 CE: University of Florida	“Developing a Standardized Framework for Data Integration and Distribution on the West Florida Shelf”

## Outreach

### *Oceans Day 2020*

Florida Oceans Day 2020 – *Saving Florida’s Oceans and Coasts* took place on February 25<sup>th</sup> at the Florida State Capitol on the 2<sup>nd</sup> floor rotunda. Nineteen Florida institutions participated in the annual event with interactive displays and exhibits. Oceans Day, a collaboration between FIO, the Florida Ocean Alliance (FOA), and Mote Marine Laboratory, is a great opportunity for marine organizations and universities to showcase their research endeavors to state legislators. FIO had two first-time participants this year- the University of Florida’s Whitney Laboratory and Florida State University’s Department of Biological Science.

FIO is working with FOA, Mote, and the state capitol administration to determine a date for Florida Oceans Day 2021.

### *Member Institution Open House Outreach Tours*

In an effort to establish relationships with newly hired faculty and staff within the FIO Consortium, the organization has been giving hour-long presentations and Q&A sessions for its members. FIO's Marine Operations Manager and Communications & Marketing Officer visited three member institutions- FGCU, FSU and FAMU to inform their faculty and staff on the research platforms that FIO provides. Additionally, FIO is offering members who have not utilized the R/V Hogarth or the R/V Weatherbird II, the opportunity to go on a "Sample Cruise". The Sample Cruise is a 2-day, 1-night cruise from Tampa Bay that will showcase the technological and sea-going features the vessels have to offer.

The ultimate goal is to visit all of FIO's member institutions but the initiative was put on hold due to COVID-19 quarantine restrictions. When state universities resume normal operations, FIO will work with its members' council representatives to schedule open house style presentations to newly hired, research focused faculty and staff throughout the state.

### *GOMOSES Conference*

The Gulf of Mexico Oil Spill and Ecosystem Science Conference took place February 3-6 in Tampa at the downtown-based Waterside Marriott. The conference marked the 10-year anniversary of the Deepwater Horizon Oil Spill and highlighted the culmination of research studies conducted and commissioned regarding the impact of the spill.

FIO was a proud sponsor and exhibitor at the conference, offering sample cruises and furnishing researchers with updated vessel specification and rate sheets along with FIO "swag". The GOMOSES Conference was a great opportunity for FIO to introduce conference-going researchers to FIO's services and infrastructure (or research platforms).

### *R/V Bellows Bon Voyage Event*

In late August, 2019, FIO held a ceremony and reception for the R/V Bellows, which was purchased by shipwreck explorers in South Carolina. After 40+ years of service in the FIO fleet for the state of Florida, the R/V Bellows was given a deserving send-off which featured remarks and anecdotes from current and former Bellows crew, leadership, and ship-users.

### *St. Petersburg Science Festival*

The annual St. Petersburg Science Festival, scheduled in October, was cancelled in 2019 due to hurricane warnings. FIO is an annual sponsor and exhibitor, providing ship tours and hands-on learning experiences for the regional celebration's participants which can see upwards of 20,000 people. Held concurrently with Florida Fish and Wildlife's MarineQuest, FIO was prepared to do a Remote Operated Vehicle (ROV) demonstration along with 30-minute tours of the R/V Weatherbird II. The organization looks forward to partnering with Florida Fish and Wildlife Commission and the University of South Florida (USF) to provide the public with STEAM-based learning activities, exhibits, and tours in 2020.

## *KML Open House*

The annual KML Open House drew a crowd of nearly 75 enthusiastic guests who listened to talks on coral and sponge restoration projects, presentations by Superintendent Sarah Fangman on the Florida Keys National Marine Sanctuary Restoration Blueprint, displays of stony coral tissue loss disease (SCTLD) treatments, and viewed some of the holdings in KML's seawater system for the Coral Rescue Project.

## *Florida STEMCONNECT*

In early 2019, FIO registered as a course instructor for virtual livestream presentations to K-12 classrooms across the state of Florida. In the fall, FIO conducted numerous livestream sessions focused on "careers in oceanography" and "life at sea" to hundreds of students who were classroom-based throughout the state. In the spring of 2020, with COVID-19 quarantine restrictions, FIO continued its outreach to STEAM-focused students virtually via the STEMConnect platform. The livestreams focused on vessel technology, day-to-day research activities, and employment opportunities/career tracks and they run for about 30 minutes with a proceeding open forum Q&A session with students.

## Multimedia

### *New Website*

In February, FIO rolled out its brand new website, which features high-resolution photos, enhanced infrastructure pages, metric spotlights, and more. Hosted by USF servers, the site has received praise from FIO members looking for information. The new site also features an upgraded staff bio section, a mailing list signup function, vessel calendars, sliders of topical information, FIO's new online cruise plan, and 360-degree, interactive, virtual tours of the two research vessels and KML. FIO continues to make additions and improvements to the site as the organization aims to be at the forefront of web trends and technologies.

### *Online Cruise Plan*

Developed in conjunction with USF's Information Technology Web Services department, FIO has a new online-based cruise planning system. The system allows ship-users in the FIO Consortium to submit cruise plans directly to FIO via the World Wide Web as opposed to scanning PDF documents and sending Excel spreadsheets via email. The user can input all their requested research cruise specifications, including latitude/longitude, student rosters, courses and grants supported, dietary restrictions, desired equipment and technology and more. The cruise plan allows the data to be centralized in one location which is ideal for metrics reporting regarding the number of students and faculty using the research vessels, the courses and grants the research supports, and geolocations. Included in the cruise plan is a notification process that alerts FIO's administration when plans are submitted, prompting efficient review processes.

### *360-degree ship tours*

Live on the new FIO website, each vessel page contains a 360-degree virtual tour. Clickable with a mouse or viewable in VR goggles, the tours include informational pop-ups that detail the features, technology, and advanced machinery on-board the respective vessels. Ideal for potential ship-users and K-12 school groups

using VR goggles, FIO now allows the public to see inside the engine room which is typically closed off during in-person vessel tours.

### *Social Media*

At the end of FY 18/19, FIO had 1577 followers and a total of 5,006 unique visitors to the organization's Facebook page; at the end of FY 19/20, FIO had 1636 (an increase of 59 users) and a total of 6,148 unique visitors. FIO's Twitter presence was increased, as well- over the past year, @FIOTweet picked up 37 new followers and increased our monthly profile visits.

Regular KML social media postings, such as visiting groups and projects, 'Coral Friday,' and historical vignettes of Long Key and KML, have boosted interest by 50% in the last year with over 750 followers as of this report's publishing.

### *KML In the News*

KML has figured prominently in several high-profile coral-related projects in the news. South Florida's PBS Changing Seas episode "Corals in Crisis" included initial work done on coral disease treatments at KML and was aired in June 2019. KML staff later participated in local premiere viewings and question and answer sessions for the public. "Corals in Crisis" is one of two episodes recently selected for the 2020 Wildlife Conservation Film Festival. After two seasons of successful land-based staghorn coral spawning at KML, the Florida Aquarium (FLAQ) team returned to outplant their new coral recruits on the Florida Reef Tract. Members of the team continue to regularly to monitor survival of these new corals. In August 2019, Florida Aquarium made a major breakthrough, shifting and inducing spawning in pillar coral at their facility in Apollo Beach. These pillar coral brood stock are part of a multi-agency effort to create a living genetic bank for this species and were originally housed and cared for in KML's seawater system. USF's Newsroom: Research and Innovation (Fall 2019 edition) featured an article on KML's supporting role contributing to research saving our oceans. KML has been a base of operations for Dr. Cliff Merz (USF) deploying a new high frequency radar tower and monitoring station in the Middle Keys:

- PBS Changing Seas series: "Corals in Crisis" (June 2019) (<https://www.pbs.org/show/changing-seas/episodes/>)
- Florida Aquarium: Scientists induce spawning of Atlantic coral in lab for first time (Aug 2019) <https://news.cgtn.com/news/2019-08-23/Scientists-induce-spawning-of-Atlantic-coral-in-lab-for-first-time-JosLQY4vEQ/index.html>
- USF Newsroom: Research & Innovation (Fall 2019) Supporting Research that's Helping Save Our Oceans <https://www.usf.edu/news/2019/supporting-research-thats-helping-save-our-oceans.aspx>
- SECOORA: New high frequency radar in Marathon Florida deployed by University of Florida (April 2020) <https://secoora.org/new-high-frequency-radar-in-marathon-florida-deployed-by-university-of-south-florida/>

## APPENDIX A: FIO Bylaws



# Florida Institute of Oceanography

## Council Bylaws

### I. Creation and Administrative Assignment of the Florida Institute of Oceanography

The Florida Institute of Oceanography (FIO) is an Academic Infrastructure Support Organization (AISO) of the State of Florida approved by the State University System (SUS<sup>1</sup>) Council of Academic Vice Presidents (CAVP), ratified by the Presidents and Chairs of the Boards of Trustees of the member organizations and approved by the Florida Board of Governors (BOG). Under a Memorandum of Understanding (MOU) ratified by the member organizations and approved by the BOG, the University of South Florida (USF) assumes the role of host university, with the support of participating universities, for the operation of FIO. FIO administrative offices are housed on the campus of the College of Marine Science in St Petersburg, Florida and fiscal accounting functions are administered by USF and will be overseen by the USF Board of Trustees (BOT).

### II. Purpose and Duties of the FIO

#### Role of FIO

To facilitate access to major marine research and higher educational capabilities and facilities throughout the state, including:

- ✓ The provision and operation of sea-going vessels, marine laboratories and other scientific infrastructure not otherwise available from member institutions.
- ✓ Enabling the recognition of the Florida SUS and the private marine research and higher education Member Institutions of FIO as an intellectual and infrastructure resource for marine science and technology.
- ✓ Maximizing the efficient use of FIO Member Institutions' diverse marine research infrastructure to produce scientific solutions for the benefit of the citizens of Florida.

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<sup>1</sup> The State University System consists of the following institutions: Florida Agricultural and Mechanical University, Florida Atlantic University, Florida Gulf Coast University, Florida International University, Florida State University, New College of Florida, University of Central Florida, University of Florida, University of North Florida, University of South Florida, and University of West Florida

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To facilitate collaboration among FIO Member Institutions, government and the private sector to:

- ✓ Promote marine research and education to establish a pool of future leaders and scientists available to academia, government and the private sector.
- ✓ Enhance public awareness of ocean sciences and its role in ocean resource management.
- ✓ Promote the importance of the coastal ocean to Florida.
- ✓ Leverage public and private investments to increase FIO Member Institutions' capabilities.
- ✓ Inform public policy development and decision-making.

### III. Membership and Governance

The FIO shall consist of the Membership, the FIO Council, the FIO Director and staff, standing and ad hoc committees of the Membership, and a Board of Visitors.

A. Membership. The FIO consists of 30 institutions including the state universities as defined by the Florida Statue Title XLVIII 1000.21 sec (6) and other entities which include faculty, staff, and scientists conducting research and teaching and who may wish to utilize ships, facilities, and other services provided by FIO.

1. Full Members: All SUS members are Full Members of FIO. As an AISO, FIO serves the needs of the SUS. To retain integrity as an AISO, the majority of Full Members needs to be from the SUS, therefore, at least 51% of the Full Membership needs to be SUS institutions. The non-state university full members of FIO are: Eckerd College, Florida Sea Grant College; University of Miami, Rosenstiel School of Marine and Atmospheric Science; Florida Department of Environmental Protection; Florida Fish & Wildlife Conservation Commission, Fish and Wildlife Research Institute; Florida Institute of Technology; Mote Marine Laboratory; Nova Southeastern University; and the Smithsonian Marine Station at Fort Pierce.

If there is a vacancy on the Council for a new non-SUS Full Member, acceptance of the new non-SUS Full Member to the Council will be by a vote of the entire FIO Council at an in-person Council meeting. A 3/4 majority vote is required to accept a non-SUS member as a Full Member.

2. Associate Members: Associate Membership is established for additional non-profit non-SUS organizations with a marine science focus. These include all non-profit entities, such as, but not limited to, colleges, museums, aquariums, and other organizations that fit the Criteria for New Member Applications. Associate Members will promote FIO and provide FIO and its members with access to ships, laboratory facilities, and other ocean and coastal research and education assets (for a fee, if appropriate). Other branch campuses of existing SUS Council Members may become Associate Members, but there can only be one voting (Full) member from any one SUS institution other than the Host University, which has two voting members. All SUS faculty, regardless of whether on a

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main campus or on a branch campus, remain eligible to apply for SUS-subsidized ship time.

3. Affiliate Members: Affiliate Membership is established for for-profit non-SUS organizations with a marine science focus. Affiliate Members will provide FIO and its members financial or in-kind support, use or access to ships, laboratory facilities, and other ocean and coastal research and education assets (at a fee, if appropriate).

Election of New Members. The FIO Council may elect to membership other institutions in the Florida ocean science education and research community that meet the criteria for membership approved by the FIO Council (“New Members”). Criteria for membership will address commitment to the support of shared use facilities; agreement to support legislative budget requests of the FIO as required to maintain and operate these facilities in a safe, efficient and cost-effective manner; commitment to attend all scheduled meetings of the FIO Council and FIO Executive Committee, if appropriate; and completion of assignments in a timely manner as agreed to by the FIO Council or FIO Executive Committee. The FIO Council will evaluate each New Member request individually. All SUS (as defined by the membership of the CAVP) New Members are eligible to be Full Members and will automatically be awarded a seat at the FIO Council. A simple majority vote of Full Members will be required to accept any non-SUS Members as a New Associate or Affiliate Member onto the FIO Council.

Criteria for New Member Applications:

1. Significant presence in Florida, such as an operating facility in the State of Florida.
2. Primary focus is marine science technology, education and/or research.
3. Provide a proposal (written), including documentation of the extent of presence in the State of Florida. Orally present to the FIO Council how the institution will support FIO Council activities.
4. Demonstrate ability to bring tangible support to FIO.

Privileges of FIO Membership

	Full Members	Associate Members	Affiliate Members
Attendance and participation at FIO Council Meetings	Yes	Yes	Yes
Voting privileges on the FIO Council	Yes	No	No
Participate in specific FIO project funding opportunities	Yes	Yes	Yes
Access to subsidized ship time on FIO vessels.	Yes	No	No
Access to at-cost ship time on FIO vessels.	Yes	Yes	No
Access to commercial rates of ship time on FIO vessels.	No	No	Yes

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**B. FIO Council.** The primary function of the FIO Council is advisory to the FIO leadership, including the FIO Director and the Provost of the host institution. The FIO Council will consist of one (1) representative from each member organization and two (2) from the host institution who are active members of the Florida coastal ocean research and education community and who are appointed by its President or CEO or his/her designee. The President or CEO (or his/her designee) of each member organization may also appoint one (1) alternate who may serve in the representative's stead at meetings of the Council, but each institutional member may be represented by only one (1) individual in the deliberations of the Council. Member representatives may be reappointed, but shall not serve more than three (3) consecutive terms unless requested in writing by the appointing official. The foregoing notwithstanding, the second member appointed by the host institution may serve unlimited terms. The FIO Council shall elect a Chair biennially from the membership. The FIO Director together with a representative of the BOG will serve as non-voting, *ex-officio* members. Council members shall have the authority to participate in all activities on behalf of the member organization and Full Members of the Council shall also have authority to cast votes as required. Each institutional member can change a delegate at any time by notifying the FIO Director by written communication.

**C. FIO Director and staff.** The FIO Director shall be appointed by the Provost of the host institution in consultation with the FIO Executive Committee. The FIO Director reports to the Provost of the host institution. The FIO Director or Director designated FIO staff will maintain active contact with FIO member institutions by visiting campuses, scheduling and conducting workshops, conducting needs assessments resulting in priority actions and providing advance knowledge of FIO activities to achieve the goals of the AISO. The FIO Director shall complete an annual report no later than September 1 of each year covering the previous fiscal year (July 1-June 30). The report shall include a summary of activities and accomplishments, provide actual expenditure and position data, and include a work plan for the current fiscal year. Prior to its submission to the Chancellor, no later than October 31 of each year, the report will be distributed to members of the FIO Council for review and comment and will be approved by the Provost of the host institution. Under the FIO Director's guidance, the FIO staff has the primary responsibility for operation and maintenance of the FIO vessels and the Keys Marine Laboratory implementation of the ship schedule, and support for PIs to achieve the research goals; coordination of the education components to achieve the education goals; maintenance of the FIO website; and support for grants and other services provided to member institutions. In the event of a vacancy in the FIO Director position, the FIO Executive Committee shall serve as the search committee, reporting to the Provost and following the customary search process of the host institution.

#### IV. FIO Council Meetings

The FIO Council will meet at least once in person each year and by telephone conference as needed. Agendas for the meetings will be set by the Chair of the FIO Council in consultation with the FIO Director and approved by the Provost of the host institution. A quorum must be present for the Council to take action. A quorum shall consist of no less than half of the full member institutions plus one. All meetings will be conducted according to Roberts Rules of Order.

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Voting. Each Full Member of the FIO Council has one vote. Voting will be decided by a simple majority of Full Member representatives (or designated alternates) present in person, by phone, or by e-mail unless otherwise specified in these by-laws. New Full Member institutions elected to the FIO secure voting privileges upon the appointment of an FIO Council representative as specified in the bylaws, but not before adjournment of the meeting at which they were elected.

Meetings of the FIO Council are open to the public. The President or CEO of each Member of the FIO Council may designate an individual to attend the meetings as an observer and to comment on agenda items but the observer will not have voting privileges.

Minutes of the Meetings. Minutes shall be kept for all regular meetings of the Council and shall be made available by email to the membership within two weeks of each regularly scheduled meeting. Following a period of two weeks for comment and amendment, the minutes shall be approved by email vote of the members and posted on the Council web site.

Staffing of the Council. FIO staff will act as support staff for the Council, organizing meeting logistics, taking minutes and handling communications with the members.

#### V. Standing Committees and Workgroups

Executive Committee. The FIO Executive Committee will consist of five (5) full Council members including the Council Chair and four elected members. **State University System institutions must comprise at least fifty-one percent (51%) of the executive committee and** at least one member of the FIO Executive Committee shall be from the host institution. The executive committee chair shall be a representative of an SUS institution. The FIO Executive Committee will meet at least three times per year and provide administrative oversight of the FIO in cooperation with the FIO Council and the Provost of the host institution. The FIO Director will serve as a nonvoting, ex officio member. The past Chair will serve as a non-voting, ex officio member for one year following the election of the new Chair of the Council. The Board of Governor's representative on the FIO Advisory Council will serve as a non-voting, ex officio member. Written reports of the items discussed and actions taken at meetings will be sent to the FIO Council via email and posted on the FIO website for the benefit of the FIO Council and interested parties. Membership on the Executive Committee will be evaluated biennially. In the event of a vacancy on the Executive Committee, the FIO Council will elect a member to fill the vacancy.

Ship and KML Advisory Committee. The Ship and KML Advisory Committee (SAC) will be elected by the FIO Council and will consist of at least three (3) Council members (with at least one from the host institution) reflecting the geographical diversity of Florida. One member from the KML facility will also serve on this committee as an ex-officio member. The SAC will provide oversight and advice to assure the efficient deployment of FIO research vessels in all of Florida's coastal ocean and adjacent waters, including the Gulf of Mexico, the Straits of Florida, Florida's coastal Atlantic, the Bahamas, and the Caribbean. The SAC will assist the FIO Marine Superintendent with efficient long-term planning to ensure that FIO members will have equitable access to these vessels from Jacksonville to Pensacola. The SAC is also responsible

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for reviewing and awarding subsidized shiptime/KML support through a “request for proposal” process. The SAC will meet at least once annually, in conjunction with the FIO Council meeting or as needed during the RFP review period.

Nominating Committee. A Nominating Committee will consist of three (3) non-Executive Committee Full Members appointed by the Executive Committee. The Nominating Committee will recommend candidates to the FIO Council to serve on the standing and ad hoc committees. The Nominating Committee will meet on an as-needed basis to fill vacancies on the standing and ad hoc committees.

Board of Visitors. The FIO Board of Visitors will have five (5) to nine (9) members appointed by the host institution President, in consultation with the FIO Council and the Council of Academic Vice Presidents (CAVP), for a three (3) year term, to provide broad oversight to the FIO. Members may be reappointed, but shall serve no more than three (3) consecutive terms. Members will represent the overarching oceanographic research and education interests of global, national and Florida-focused entities. The FIO Board of Visitors shall include representatives from the private sector, higher education, government scientific laboratories and agencies, and others as deemed appropriate by the host institution President. The Board of Visitors will report to the Provost of the host institution and the FIO Executive Committee, and will serve as a valued resource to FIO by providing advice on best practices for optimizing the resources of the FIO and member institutions; identifying strategic directions for potential cooperative programming; interfacing with potential funding sources; and representing FIO and the vital importance of oceanographic research to the broader community.

Additional *ad hoc* or special committees may be formed by the Executive Committee with the cooperation of the Council to address particular issues.

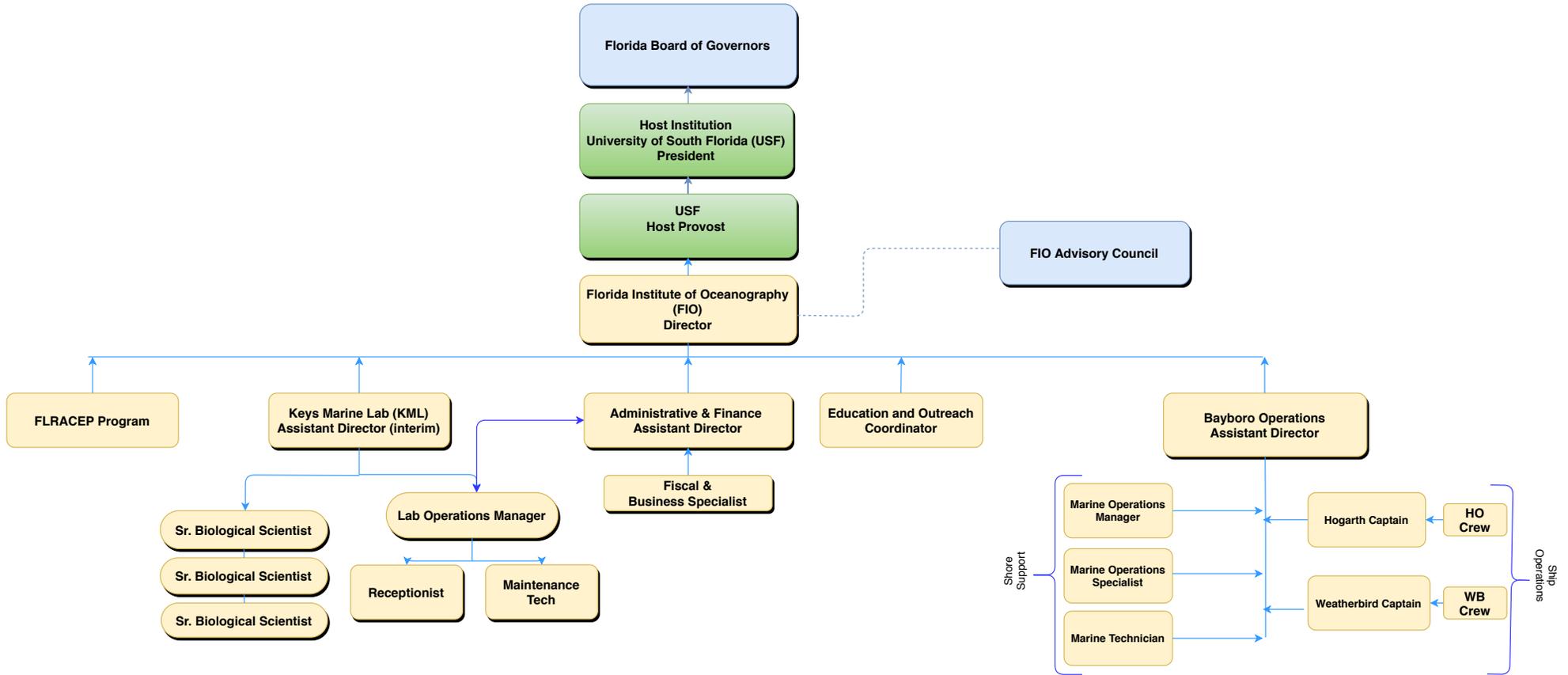
## VI. By-Law Revisions

The bylaws and any proposed revisions shall be reviewed yearly. Council members shall submit any proposed revisions to the Chair of the By-Laws Committee at least 30 days in advance of the FIO Council meeting. The Executive Committee and the Provost of the host institution shall review the proposed revisions prior to a full vote of the Council. Amendment of the bylaws requires a two-thirds vote of the Council.

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APPENDIX B: FIO Organizational Chart

# Florida Institute of Oceanography



**APPENDIX C: FIO Operating Budget Summary**

**FIO 19/20 EOY Projections**

E&G and Carry Forward Summary  
As of June 30, 2020

	E&G			CarryForward			Total Projected E&G and Carry Forward Balances		
	Authorized Budget	Actual Expenditures	Projected EOY Operating 6/30/2020	Authorized Budget	Actual Expenditures	Projected EOY Operating 6/30/2020	Total Authorized Budget	Total Actual Expenditures	Total Projected EOY Operating 6/30/2020
<b>Estimated Projections</b>									
88021- STAFF	\$1,178,878	\$1,051,006	\$80,973	\$0	\$0	\$0	\$1,178,878	\$1,051,006	\$80,973
88022- FACULTY	\$295,167	\$139,244	\$151,622	\$0	\$0	\$0	\$295,167	\$139,244	\$151,622
88027- FRINGE - MATCHING	\$497,965	\$409,025	\$69,637	\$0	\$0	\$0	\$497,965	\$409,025	\$69,637
88029- OTHER BENEFITS	\$500	\$0	\$500	\$0	\$0	\$0	\$500	\$0	\$500
88032- OPS - OTHER	\$60,045	\$29,093	\$30,952	\$30,000	\$0	\$30,000	\$90,045	\$29,093	\$60,952
88100- TRAVEL	\$15,000	\$11,623	\$3,276	\$25,000	\$6,616	\$18,329	\$40,000	\$18,239	\$21,605
88200- TELEPHONE & TELECOMMUNICATIONS	\$2,500	\$2,068	\$432	\$28,224	\$0	\$28,224	\$30,724	\$2,068	\$28,656
88250- CONTRACTUAL SERVICES	\$5,000	\$10,756	-\$5,756	\$80,000	\$30,097	\$49,903	\$85,000	\$40,853	\$44,147
88400- COMPUTER RELATED - MATERIAL, S	\$20,000	\$12,457	\$7,543	\$20,000	\$2,105	\$17,895	\$40,000	\$14,562	\$25,438
88420- MATERIAL, SUPPLIES & EQUIP OTH	\$30,000	\$27,164	\$2,611	\$350,000	\$15,829	\$326,216	\$380,000	\$42,993	\$328,827
88500- UTILITIES, WASTE & FUEL	\$500	\$3,176	-\$2,676	\$0	\$0	\$0	\$500	\$3,176	-\$2,676
88510- REPAIRS/MAINTENANCE/RENOVATION	\$25,000	\$16,885	\$8,115	\$305,000	\$613,738	-\$350,861	\$330,000	\$630,623	-\$342,746
88700- RISK MANAGEMENT INSURANCE	\$10,000	\$92,479	-\$82,479	\$0	\$0	\$0	\$10,000	\$92,479	-\$82,479
88800- OTHER OPERATING EXPENSES	\$34,500	\$22,500	\$12,000	\$120,000	\$5,895	\$114,105	\$154,500	\$28,395	\$126,105
88900- OCO PURCHASES	\$5,000	\$0	\$5,000	\$0	\$0	\$0	\$5,000	\$0	\$5,000
88997- BUDGET REDUCTION RESERVES*	\$0	\$0	\$0	\$400,000	\$0	\$400,000	\$400,000	\$0	\$400,000
(blank)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Grand Total</b>	<b>\$2,180,055</b>	<b>\$1,827,476</b>	<b>\$281,750</b>	<b>\$1,358,224</b>	<b>\$674,280</b>	<b>\$633,811</b>	<b>\$3,538,279</b>	<b>\$2,501,756</b>	<b>\$915,561</b>

\*Required reserves

## APPENDIX D: Marine Operation Safety Report

### MEMORANDUM

**TO:** Dr. James Garey, Ph.D.  
FIO Acting Director

**FROM:** William Walsh  
Marine Superintendent

**SUBJECT:** Florida Institute of Oceanography (FIO) Safety Review FINAL Report

**DATE:** July 01, 2020

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#### I. FIO RESEARCH VESSEL OPERATIONS OVERVIEW

- a. In response to several safety incidents, operational inefficiencies, and the desire to improve FIO's ability to provide safety and reliable marine research availability, FIO with the full support of The University of South Florida convened four safety reviews. These reviews began in 2018 and the final review was conducted in August 2019. Each of these reviews focused on safety, material condition and compliance with applicable laws/regulations as well as policies and practices regarding the safe and compliant operation.
- b. From the 2019 USF report – “the creation of organizational, operational, and administrative processes and procedures as well as training will be vital in enabling a paradigm shift to a “safety first” way of thinking throughout FIO marine operations.”
- c. The above statement summarizes the way forward for FIO. Embracing and making positive change is key to the safety and success of the marine research program. FIO has responded to many of the recommendations, beginning with high priority safety concerns, which has required an investment of \$405,000 in one-time expenses and \$341,000 in recurring costs. These investments addressed organizational and safety issues and provided training and improved support for crew and staff of FIO.

#### II. SUMMARY OF REVIEWS CONDUCTED

- a. December 2018 – The Oceans 360 Group, LLC, (Enclosure 2)
- b. March 2019 - JMS Naval Architect report. Provided a representation of the way FIO Marine Operations are being conducted. (Enclosure 1)
- c. March 2019 – JMS Naval Architects on R/V Hogarth and R/V Weatherbird (Enclosure 3 and 4)
- d. August 2019 – University of South Florida, Director of Environmental Health and Safety. This report was focused on compliance with applicable laws/regulations as well as policies and practices (culture of) regarding the safe/compliant operation of FIO's vessels and supportive shore side operations. (Enclosure 5)
- e. Consolidate list of all findings. (Enclosure 6)

#### III. OVERALL SCOPE and CLASSIFICATION OF REVIEW FINDINGS

- a. Over the course of the past year the recommendations to the extent possible have been developed and implemented. Overall, great strides have been made to improve safety of vessels and their crews and the ability to maintain the vessels. Some of the key changes made thus far, includes.

- i. Marine Superintendent hired in April 2020. The manning of these vessels has in recent past been challenging due to turnover; however, the recent hiring of the Marine Superintendent will allow higher level oversight of the entire program, which in turn will allow the Marine Ops Manager (Rob Walker) to focus on items within his position description.
- ii. FIO and vessel crews are [Standards of Training, Certification and Watchkeeping](#) (STCW) compliant.
- iii. Ubiquitous Maintenance Planning - FIO purchased a cloud-based software system to plan, track and maintain oversight of each vessels current, forecasted and required maintenance needs.
- iv. Safety Management Plan – This comprehensive living document is the foundation upon which all FIO vessel operations and support will be placed upon. Most of the emphasis centers on chapters 7, 8, and 9 as these sections contain and will fulfill most of the recommendations contained in each of the reviews.

<b>Draft Safety Management Plan Contents</b>	<b>General Content Description</b>
Chapter 1: General Objectives	General objectives.
Chapter 2: safety and environmental protection policy	Drugs/Alcohol, Tobacco, Sexual HR, vehicle use, risk management, etc.
Chapter 3: company responsibilities and authority	FIO overview and designated positions.
Chapter 4: Designated Person(s)	Responsibilities and authority of DP and security officer.
Chapter 5: Master’s Responsibility and Authority	Master’s responsibilities and procedures
Chapter 6: Resources and personnel	Manning and general overview of FIO organization, training, and familiarization.
**Chapter 7: Plans for Shipboard Operations	Shipboard operations
**Chapter 8: Emergency Preparedness	Ship emergency and security procedures
Chapter 9: Non-Conformities, Accidents, Hazardous Occurrence	Non-conformity and accident action policy
Chapter 10: Maintenance of Ship and Equipment	Vessel and ship maintenance program
Chapter 11: Safety Management System Documents	Document control
Chapter 12: Company Verification, Review and Evaluation	Internal audit and management/review procedures

IV. OPERATIONAL REVIEWS

- a. The four comprehensive reviews generated nearly 400 findings, many of which were duplicative in nature as the review groups were tasked with similar objectives and in many cases the issues were common across both the R/V Hogarth and R/V Weatherbird. The reviews identified the following findings sorted by the following broad categories.
  - i. Safety – impacts the safety of crew and/or scientist
  - ii. Worklist – routine in nature

- iii. Equipment – significant impact to R/V operations
- iv. Organizational – denotes the review of practices and procedures that impact how efficiently FIO can conduct and maintain R/V operations.

	Safety	Worklist	Equipment	Organizational
JMS	4	337	0	3
Ocean 360	7	0	10	9
Great American	20	0	1	4

- b. The review findings were further refined by assigning the below priorities.
  - i. Immediate – Address immediately
  - ii. High – Requires prompt attention, impact to safety/mission
  - iii. Medium – Nominal impact to safety/mission
  - iv. Low – Routine, no impact to safety/mission

	Immediate	High	Medium	Low
JMS	0	4	56	282
Ocean 360	1	13	8	7
Great American	0	16	3	6

- a. USF Environmental Health and Safety recommendations. Many of the findings in the USF report were also identified in other reviews and have been the subject of ongoing discussions between USF and FIO staff to include;
  - i. Develop standard operating procedures – all plans are in the final review process and are codified in the new Safety Management System manual.
  - ii. Research Vessel Program Administration – being evaluated by the new Marine Superintendent.
  - iii. Onboarding process – being evaluated by the new Marine Superintendent.
  - iv. Organizational structure - being evaluated by the new Marine Superintendent.
  - v. Paperwork management/ documentation – being evaluated by the new Marine Superintendent.
  - vi. Support process (budgeting, shoreside and staff) – being evaluated by the new Marine Superintendent.

V. FIO’S INITIAL FOCUS

- a. FIO immediately focused on the findings that were deemed to be immediate, or a high priority. In addition, FIO also realized that many of the findings could be easily implemented with little effort or cost. Most of the remaining findings are routine in nature and each are being or will be reviewed and acted upon if considered feasible and our insurer, the Great American Insurance Company has been updated on the status of their findings and recommendations.
- b. Below is a summary of the immediate or high priority items that were vigorously addressed.

Report Origin	Category	Priority	Status	Description
Ocean 360	Safety	Immediate	Complete	ALL - Address the procedure for raising and lowering the permanent gangway to incorporate mechanical advantage: lifting and lowering by hand has caused injury. <a href="#">Crews trained on new procedure for lowering and raising permanent gangway.</a>
Ocean 360	Safety	High	Complete	ALL - Ensure safety drills are conducted as required (fire and abandon ship within 24 hrs of departure if more than 25% of crew have not participated on board that particular vessel in the previous month) and each crew member participation in at least one abandon-ship drill and one fire drill every month. <a href="#">Drills were conducted, but their frequency and documentation of completion are now standard across both vessels.</a>
Ocean 360	Safety	High	Complete	ALL- In concert with USF Risk Office, develop safety policies and reporting procedures. The policies should reference the USCG requirements for marine casualties and investigations but should also exceed these reporting requirements to include near-miss reporting, FIO specific reporting, and USF mandated accident reporting procedures. <a href="#">Guidance promulgated 9/2020.</a>
Ocean 361	Safety	High	Complete	ALL - Commit to STCW - 4A. Ensure adequate rest period for watch-keeping personnel. <a href="#">STCW compliant crew rest procedures in place.</a>
Ocean 362	Safety	High	Complete	ALL - Commit to STCW - 4B. Complete Basic Safety (BST) for all crew-including the marine tech, include Bridge Resource Management (BRM) for watchstanders meeting the Officer in Charge of Navigational Watch (OICNW) standards. <a href="#">STCW compliant training requirement is being met.</a>
Ocean 360	Safety	High	Complete	ALL - Commit to STCW - Review practice of late-night departures. <a href="#">Departures and arrivals are now within normal working hours and have been standardized by FIO memo dated 7/1/2029.</a>
Ocean 360	Safety	High	Complete	R/V Hogarth - The straight bore fire nozzles are not practical and there were reports of no firefighting turnout gear aboard. <a href="#">Vari-nozzles were purchased and firefighting ensembles are budgeted for but pend purchase.</a>
Ocean 360	Org	High	Complete	Define clear lines of authority within FIO for ship management (budget/scheduling/performance). <a href="#">New Marine Superintendent is responsible for these areas.</a>
Ocean 360	Org	High	Complete	Add a position of Director, Marine Operations a direct report to Director, FIO with budget authority and supervision responsibility over all marine operations at FIO. <a href="#">Marine Superintendent hired 4/20.</a>

Ocean 360	Org	High	Ongoing	R/V Hogarth - fill permanent shipboard positions with permanent crew. Only use temporary/seasonal (OPS) or contract employees on infrequent basis. Use marine tech/deckhand to complement or as a member of the marine tech pool. Hiring of 1 <sup>st</sup> mate pends and we are establishing a relief pool but the priority will be to transfer crew between the R/Vs as needed before seeking relief help.
Ocean 360	Org	High	Complete	ALL - Repair vessel personnel management practice (policy-by email) which prohibits the crew from sleeping aboard the vessels when in home port (at FIO); it is recommended to allow crew to sleep aboard for the night of arrival when returning after normal working hours or sleep aboard the night before departure. <a href="#">This is permitted on a case by case basis, also time of cruise departures will limit the need to do this.</a>
Ocean 360	Equip	High	Complete	R/V Hogarth - make critical vessel systems operable: Bowthruster control from aft station. <a href="#">System purchased and installed in 10/2018.</a>
Ocean 360	Equip	High	Complete	R/V Hogarth – make critical vessel systems operable: Engine room cooling issue. <a href="#">Faulty sensor replacement corrected issue.</a>
Ocean 360	Equip	High	Complete	R/V Hogarth-make critical vessel systems operable: Restore the crane weight handling safety device. It was disabled (bypassed) in order to keep crane operational. <a href="#">11/2018 crane system restored.</a>
Great American (WB)	Safety	High	Complete	MOB/Lifeboat/Fire safety drills – there does not appear to be any drills being carried out by the command board. <a href="#">Drills were conducted, but their frequency and documentation of completion are now standard across both vessels.</a>
Great American (WB)	Safety	High	Dismissed	Galley – did not have a fixed fire suppression system. <a href="#">Inspector also noted this requirement was met by fire extinguishers in/ near the galley area.</a> Installation of a fire suppression system will require extensive modifications.
Great American (WB)	Safety	High	Complete	Bosun locker – found paint and solvents stored in this locker. Vessel needs to have a proper paint locker.
Great American (WB)	Safety	High	Complete	Electrical wiring – found rigging in the same area of electrical wiring. Can be easily entangled and cause a problem. Rigging needs to be cleared on the area and electrical wiring secured. <a href="#">All wiring has been properly routed and configured.</a>
Great American (HG)	Safety	High	Complete	MOB/Lifeboat/Fire safety drills – there does not appear to be any drills being carried out by the command board. <a href="#">Drills were conducted, but their frequency and documentation of</a>

				completion are now standard across both vessels.
Great American (HG)	Safety	High	Complete	Bosun Locker – found with flammable material in the locker which is also located next to the exhaust stack. Items removed and direction to not store flammable store in this area disseminated.
Great American (HG)	Safety	High	Complete	Forepeak/Bow – emergency escape hatch not clearly marked. Completed in 2020 shipyard period.
Great American (HG)	Safety	High	Pends	Crane – no visible certification on the crane. Completed.
Great American (HG)	Safety	High	Complete	Main galley/Salon Emergency Escape – needs to be clearly marked. Completed in 2020 shipyard period.
Great American (HG)	Safety	High	Complete	Bow thruster hatch – locking latch to prevent accidental closing on user. Completed in 2020 shipyard period.
Great American (HG)	Safety	High	Pends	Aft Crane – no visible certification. Complete.
Great American (HG)	Safety	High	Complete	Lazarette Hatch – requires safety chains to prevent hatch from falling. Completed in 2020 shipyard period.
Great American (HG)	Safety	High	Complete	When open there should be safety chains to prevent someone from falling into the open hatch. Completed in 2020 shipyard period.
Great American (HG)	Safety	High	Complete	Open hatch does not a have latch to prevent accidental closing when in use. Completed in 2020 shipyard period.
Great American (HG)	Safety	High	Complete	The hatch does not have a proper gutter drain system and allows water leakage below. Completed in 2020 shipyard period.
Great American (HG)	Equip	High	Complete	Rudder Posts – leaking seal repaired by shipyard.

## VI. OVERVIEW OF REMAINING ITEMS

- a. Over 364 items were deemed minor maintenance and their implementation is being discussed, budgeted for, prioritized and tracked when appropriate. All tasks deemed a high priority have been completed.
- b. The two R/V Hogarth findings below were not implemented as it was deemed that no further action was required.

Category	Priority	Status	
Safety	Low	No action	The RV does not have survival suits - not required per 46 CFT Subchapter U + W. Suits are not required for historical and planned area of operations; however, we are prepared to purchase should the need arise.
Worklist	Low	Deferred	Verify the propeller pitch and maximum propulsion engine RPM required to reach maximum RPM - Verified by Caterpillar and architect as satisfactory.

VII. HOGARTH

In October 2019, the RV Hogarth went to the yard at Duckworth Steel Boats for 5 month yard period to facilitate warranty repairs, complete modifications, as well as various upgrades recommended in several safety reviews. These improvements included the extension of the aft frame by 4 feet, a redesign of the starboard frame, reconfiguration of the berthing compartments, and outfitting the vessel with a reliable A/C system capable of efficiently cooling the vessel. Other modifications included retrofitting the vessel's rudders to work independently for a planned dynamic positioning system and the repair of the bow thruster which was not working as designed due to a hydraulic valve that prevented the system from operating at full power. The R/V Hogarth returned to FIO in April, and due to the decline in cruise commitments, the crew thoroughly reviewed and exercised all of the RV Hogarth's critical research systems.

VIII. FINAL

The findings of the various reviews are perishable in nature and the snapshot taken in 2019 is due in part to a lot of hard work and persistence not the same snapshot you would see today. While we have sought to vigorously correct and address each of the issues and recommendations, FIO is committed to cyclical internal and external reviews to ensure we operate, train, and maintain the vessels and people we are entrusted with. The next review of FIO marine operations is tentatively due to take place in the winter of 2020 by the Director of USF Environmental Health and Safety Office or his designee. In addition, we will continue to work with the U.S. Coast Guard Captain of the Port to conduct courtesy inspections and training exercises. FIO is committed to strengthening how we support and administer our marine research team and each of our research vessels. Many of the findings refer to the need for a Marine Superintendent, which is complete, and this supervisory position will play a central role in how we formalize the aforementioned partnerships and establish the internal controls necessary to ensure the money spent, thought given to, and many gains made are not forgotten or de-prioritized as time wanes.

For additional information on the Florida Board of Governors, Florida Institute of Oceanography and its Host Institution, please visit:

Florida Board of Governors, [www.fbog.edu](http://www.fbog.edu)

University of South Florida, Host Institution, [www.usf.edu](http://www.usf.edu)

Florida Institute of Oceanography [www.fio.usf.edu](http://www.fio.usf.edu)

**Agenda Item: FL 105**

**USF Board of Trustees**  
December 8, 2020

**Issue:** Direct Support Organization Board Members

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**Proposed action:** Approval of Direct Support Organization Board Member for USF Health Professionals Conferencing Corporation (USF HPCC)

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**Executive summary:**

Per Florida Statute Section 1004.28 and USF System Regulation 13.002, the USF Board of Trustees must approve members of Direct Support Organizations' Boards of Directors.

**USF Health Professionals Conferencing Corporation (USF HPCC) Board of Directors**

**Santiago C. Corrada** is the President and Chief Executive Officer of Visit Tampa Bay. He officially began his position in May of 2013 where he is responsible for providing oversight of all agency activities. He serves as main spokesperson for the tourism and hospitality industry. Mr. Corrada coordinates effective marketing and sales strategies ensuring maximum return on investment. With more than 20 years of public service and management experience, Mr. Corrada previously served as Chief of Staff for the City of Tampa. Additionally, during the Iorio administration, he served as Convention Center, Tourism, Recreation and Cultural Arts Administrator directly overseeing the day-to-day operations of the Tampa Convention Center. Prior to joining the City of Tampa in 2004 as Neighborhood Services Administrator, he served as the Director of Parks and Recreation for the City of Miami. His current Board Affiliations include The Florida Aquarium-Board and Executive Committee, Hillsborough County Hotel Motel Association-Board and Executive Committee, Outback Bowl, Straz Center for the Performing Arts, Tampa Bay History Center, Tampa Bay Hospitality Alliance Board, Tampa Bay Sports Commission, Tampa Hillsborough Film and Digital Media Commission, Tampa Museum of Art, Tampa Theatre, Tampa's Lowry Park Zoo-Board and Executive Committee. He graduated from the University of Miami with a Bachelor Degree in Psychology and Exceptional Student Education as well as a Master in Education.

**Santiago C. Corrada** is eligible for an appointment ending December 8, 2024.

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**Prepared by:** Alexandra Roberson

**Agenda Item: FL 106**

**USF Board of Trustees**  
December 8, 2020

**Issue:** University Auxiliary Facilities with Outstanding Revenue Bonds

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**Proposed action:** Approve Operating Budget for USF Parking Facilities Revenue Bonds, Series 2016A

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**Executive Summary:**

Board of Governors Regulation 9.008 "University Auxiliary Facilities with Outstanding Revenue Bonds," amended June 22, 2017, requires universities with outstanding auxiliary revenue bonds, issued by the Florida Division of Bond Finance, to annually submit a detailed operating budget to the Board of Governors at least ninety (90) days before the beginning of the fiscal year. The USF Parking Facilities Revenue Bonds, Series 2016A, are the only USF bonds subject to this requirement.

BOG Regulation 9.008 also states that the operating budget for University Auxiliary Facilities must be approved by the Board of Trustees before submitting to the Board of Governors. The Operating Budget for the USF Parking Facilities Revenue Bonds is due to the Board of Governors in February 2021 for the fiscal period 2021-2022.

**Financial Impact:**

The FY 2021-2022 Operating Budget for the USF Parking Facilities Revenue Bonds reflects lower revenue in FY 2020-2021, primarily due to reduced permit sales partially offset by reduced expenses, followed by positive operations in FY 2021-2022. The unrestricted funds of \$14M provide support for AA credit ratings. Two voluntary disclosures were recently provided to bondholders and rating agencies describing current operating conditions.

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<b>Strategic Goal(s) Item Supports:</b>	<b>Goal 4: Sound Financial Management</b>
<b>BOT Committee Review Date:</b>	<b>Finance Committee - November 10, 2020</b>
<b>Supporting Documentation Online (please circle):</b>	<b>Yes</b> <b>No</b>
	USF Parking Revenue Bonds, Series 2016A – Income and Expenditure Statement (Operating Budget)
<b>Prepared by:</b>	<b>Fell L. Stubbs, University Treasurer, (813) 974-3298</b>

INCOME AND EXPENDITURE STATEMENT			
UNIVERSITY : University of South Florida			
BOND TITLE : Parking Revenue Bonds: Series 2016A			
AUXILIARY FACILITY (IES) : Parking Garages 1,2,3, & 4			
	2019-20 Actual	2020-21 Estimated	2021-22 Projected
1. REVENUE CARRIED FORWARD			
A. Operating Cash Carried Forward:			
Liquid	17,703,848	17,368,951	14,104,705
Investments	0	0	0
Subtotal:	17,703,848	17,368,951	14,104,705
B. Replacement Reserve Forward:			
Debt Service Reserve	26,778	21,569	16,769
Maintenance & Equipment Reserve	3,190,853	3,342,781	3,342,781
General Reserve	8,349,702	8,585,756	8,605,756
Subtotal:	11,567,333	11,950,106	11,965,306
TOTAL CARRIED FORWARD (A +B):	29,271,181	29,319,058	26,070,011
2. CURRENT YEAR REVENUE / INFLOWS			
* Revenue-Permits/Citations/Other	9,654,596	5,719,300	8,900,000
*Revenue- Transportation Access Fee	2,751,894	3,193,825	3,100,000
Interest Income	177,038	173,690	141,047
Other Income / Inflows	0	0	0
TOTAL CURRENT YEAR REVENUE:	12,583,528	9,086,815	12,141,047
3. SUMMARY OF AVAILABLE REVENUES (1 +2):	41,854,709	38,405,873	38,211,058
4. CURRENT YEAR EXPENDITURES / OUTFLOWS			
Salaries and Matching	4,050,573	3,466,906	3,650,000
Other Personal Services	314,949	300,000	315,000
Operating Expense	4,503,091	4,311,735	4,000,000
Repairs and Maintenance	0	0	0
Debt Service	2,940,330	2,937,910	2,929,280
Repair and Replacement Expense	0	0	0
Operating Capital Outlay	82,258	425,000	150,000
Other Outflows & Transfers Out	875,296	909,511	874,833
TOTAL EXPENDITURES:	12,766,497	12,351,062	11,919,113
5. TRANSFERS TO REPLACEMENT RESERVES			
Debt Service Reserve	0	0	0
Maintenance & Equipment Reserve	151,928	0	150,000
General Reserve	0	0	0
Subtotal:	151,928	0	140,000
6. TRANSFERS FROM REPLACEMENT RESERVES			
Debt Service Reserve	5,209	4,800	4,600
Maintenance & Equipment Reserve	0	0	0
General Reserve	274,941	100,000	100,000
Subtotal:	280,149	104,800	104,600
7. ENDING REPLACEMENT RESERVES (1B +5 -6)			
Debt Service Reserve	21,569	16,769	12,169
Maintenance & Equipment Reserve	3,342,781	3,342,781	3,492,781
General Reserve	8,074,761	8,485,756	8,505,756
Interest Earned on Reserve Balances	515,694	120,000	200,000
Subtotal:	11,954,805	11,965,306	12,210,706
8. ENDING OPERATING CASH (1A +2 -4 -5)	17,368,951	14,104,705	14,186,639
9. SUMMARY OF ENDING REVENUES (7 +8)	29,323,757	26,070,011	26,397,345
<b>* REQUIRED INFORMATION *</b>			
Date budget approved by University Board of Trustees :			
Prepared By : Raymond Mensah		Telephone : 974-0672	
* Revenue as outlined in the Bond Covenants to support the debt servicing of the bonds.			

**UNIVERSITY AXILIARY FACILITIES**  
**NARRATIVE SUPPLEMENT TO INCOME AND EXPENDITURE STATEMENT**  
**TO BE PROVIDED TO BOARD OF GOVERNORS MEMBERS**

1. Do the pledged revenues reported contain any overhead assessments ? If yes, please explain.  
No. The pledge revenues reported do not contain overhead assessments
  
2. Do pledged revenues or expenditures change year over year 10% or more ? If yes, please explain.  
Yes, total revenue changed by more than 10%.  
Decline in revenue due to the shift to remote learning and employees working remotely as a result of COVID19.
  
3. Please explain amounts categorized as "other".  
Expenditures "Other Outflows & Transfers Out" - University overhead assessment expense
  
4. Add lines as needed for additional university comments. This information will be shared with Board of Governors members.

**Agenda Item: FL 107**

**USF Board of Trustees**  
December 8, 2020

**Issue:** 2020/2021 Fixed Capital Outlay Budget Update

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**Proposed action:**

- 1) Approve changes to the 2020/2021 Fixed Capital Outlay Budget
  - 2) Approve related changes to the 2020/2021 E&G Carryforward Budget
- 

**Executive Summary:**

The USF Board of Trustees approved the 2020/2021 Fixed Capital Outlay Budget at the September 8, 2020 Board of Trustees meeting. Since that date, there have been additional recommended changes to the plan. These recommended changes are as follows:

- 1) A change in the cost of the Southeast Chiller Plant – Chiller and Cooling Tower #4 from \$4.75 million to \$4.27 million with the entire amount of the project being initially funded through E&G Carryforward. The related change would also be made to the 2020/2021 E&G Carryforward Budget.
- 2) The addition of a \$1.25 million project for the St. Petersburg campus related to renovations for the Nelson Poynter Memorial Library. This will be entirely funded through donated funds.
- 3) The addition of an \$800,000 project for the St. Petersburg campus related to a Harbor Hall renovation to support the Graphic Arts program. This project will also be entirely funded through donated funds.

**Financial Impact:** The project changes result in a total of \$1.57 million being added to the Fixed Capital Outlay Budget.

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**Strategic Goal(s) Item Supports:** Goals 1, 2, 3 and 4

**BOT Committee Review Date:** Finance Committee - November 10, 2020

**Supporting Documentation Online (please circle):** Yes No

**Prepared by:** Nick Trivunovich, Vice President for Business & Finance and CFO

Campus		Project Title/Name	Total Cost	Funding Source	Prior Approved Amount	Amount
Change	Tampa	Southeast Chiller Plant - Chiller and Cooling Tower #4	4,268,550	Carryforward	2,416,550	4,268,550
				CITF	351,050	-
				Auxiliaires	1,982,400	-
					<u>4,750,000</u>	<u>4,268,550</u>
New	St. Petersburg	Nelson Poynter Memorial Library Renovation	1,250,000	Foundation	-	1,250,000
New	St. Petersburg	Harbor Hall Renovation	800,000	Foundation	-	800,000

Board of Trustees Microsoft Teams Meeting - New Business - Action Items (Consent Agenda)

UNIVERSITY OF SOUTH FLORIDA  
**FIXED CAPITAL OUTLAY BUDGET for Fiscal Year 2020-21**  
 As of July 1, 2020  
 (reference: Section 1013.61, F.S. and Board Reg. 14.003)

CFSP Item #	Category	Project Title/Name	Description	Total Project(s) Cost	Funding Source(s)		Funds Expended to Date	Funds to be Expended this Year	Remaining Balance	Project Timeline		Comments
					Source	Amount				Start Date	Completion Date	
<b>Education &amp; General (E&amp;G) Operating Projects</b>												
		<i>Consolidated line item of all FCO/capitalized projects funded from E&amp;G operating funds, pursuant to Board regulations 14.003(2)(a) and 9.001. No individual project exceeds \$1M. This is a single line item in both Operating and FCO budgets.</i>		\$1,910,170	E&G Operating Funds	1,910,170	469,188	1,440,982	-		Not Applicable	These are current year funds to be spent in the current year.
<b>Minor Carryforward (CF) Projects</b>												
		<i>Consolidated line item of all FCO projects with a cost of less than \$2M funded from E&amp;G CF funds, pursuant to Board regulation 14.003(2)(b). Includes replacement of facilities less than 10,000 gross sf. This is a single line item in both Operating and FCO budgets. For a detailed listing of projects, refer to the E&amp;G Carryforward Spending Plan (CFSP).</i>		\$34,608,295	E&G CF Funds	34,608,295	10,264,498	21,723,111	2,620,687		Refer to detail in Carryforward Spending Plan	
<b>Major Carryforward (CF) Projects</b>												
		<i>Any FCO project funded in whole or in part from CF funds, where total individual FCO project cost exceeds \$2M, pursuant to Board regulation 14.003(2)(c).</i>										
		CMMB Lab Buildout		\$2,000,000	E&G CF Funds	\$2,000,000	\$0	\$1,000,000	\$1,000,000	11/15/2020	6/30/2022	This amount is on CF Plan FCO Tab
		SMC CHTL Expand/Renovate		\$2,175,393	E&G CF Funds	\$2,175,393	\$0	\$0	\$2,175,393	1/1/2021	6/30/2023	This amount is on CF Plan FCO Tab
		Southeast Chiller Plant - Chiller and Cooling Tower #4		\$4,268,550	E&G CF Funds	\$4,268,550	\$0	\$3,333,450	\$935,100	11/15/2020	6/30/2023	This amount is on CF Plan FCO Tab
					CITF	\$0	\$0	\$0	\$0			
					Auxiliaries	\$0	\$0	\$0	\$0			
					Total:	\$4,268,550	\$0	\$3,333,450	\$935,100			
<b>State Appropriated Projects</b>												
		<i>Pursuant to Board Regulation 14.003(12)(d). All FCO projects using funds originally appropriated as FCO funds by the State of Florida, notwithstanding criteria in Board regulation 14.001. Never to be included in the operating budget. Examples, PECO and CITF.</i>										
		Morsani College of Medicine and Heart Health Institute		\$186,308,687	E&G CF Funds	\$9,575,662	\$8,846,308	\$729,354	\$0	8/29/2012	10/30/2020	This amount is on CF Plan FCO Tab - Tampa/Health
					MAJOR PECO	\$110,293,118	\$106,940,001	\$3,353,116	\$0			
					Auxiliaries	\$36,849,094	\$24,305,443	\$637,406	\$11,906,245			
					Foundation	\$22,300,000	\$22,300,000	\$0	\$0			
					DSO	\$7,000,000	\$7,000,000	\$0	\$0			
					C&G	\$90,813	\$90,813	\$0	\$0			
					Total:	\$186,308,687	\$115,786,309	\$4,082,471	\$66,439,907			
		Davis Hall		\$5,100,000	E&G CF Funds	2,000,000	0	2,000,000	0	9/21/2017	12/31/2020	This amount is on CF Plan FCO Tab - St. Petersburg camp
					MAJOR PECO	\$3,100,000	\$800,073	\$2,299,927	\$0			
					Total:	\$5,100,000	\$800,073	\$4,299,927	\$0			
		Wellness Center Complex		\$38,830,066	CITF	\$27,104,347	\$222,951	\$4,000,000	\$22,881,395	4/29/2019	12/31/2022	
					PECO	\$6,424,501	\$4,214,450	\$2,210,051	\$0	multiple	multiple	
					CITF	\$5,301,218	\$592,737	\$4,708,482	\$0	multiple	multiple	
					Total:	\$38,830,066	\$5,030,138	\$10,918,533	\$22,881,395			
<b>Non-Appropriated Projects</b>												
		<i>Pursuant to Board Regulation 14.003(12)(e). All FCO projects that have not directly or indirectly used funds appropriated by the State. Examples include private donations, athletic revenues, federal grants, housing/parking revenue bonds, etc. For the purposes herein, please assume a threshold of \$5M or more for listing projects individually, otherwise consolidate all individual projects under \$5M into one line item.</i>										
		Aggregate Summary of Projects <\$5m		\$701,210	C&G	\$701,210	\$270,661	\$430,549	\$0	multiple	multiple	
		Aggregate Summary of Projects <\$5m		\$17,018,858	Foundation/Philanthropy	\$17,018,858	\$3,941,431	\$13,077,427	\$0	multiple	multiple	
		Aggregate Summary of Projects <\$5m		\$18,055,387	Auxiliaries	\$18,055,387	\$2,324,280	\$10,475,137	\$5,255,969	multiple	multiple	
		Laurel Drive New Entry Ph2		\$6,218,655	E&G CF Funds	\$462,369	\$343,247	\$119,122	\$0	10/27/2017	6/30/2021	This amount is on CF Plan FCO Tab - Tampa
					MINOR PECO	\$1,098,799	\$932,550	\$166,249	\$0			
					Auxiliaries	\$4,657,487	\$4,258,733	\$398,754	\$0			
					Total:	\$6,218,655	\$5,534,529	\$684,126	\$0			
<b>TOTALS:</b>				<b>\$317,195,271</b>		<b>\$317,195,271</b>	<b>\$144,421,108</b>	<b>\$71,465,711</b>	<b>\$101,308,452</b>			

**Notes:**

Pursuant to Regulation 14.003(3), Fixed Capital Outlay projects do not apply to those projects acquired, constructed, and owned by a Direct Support Organization or under a Public Private Partnership. The Fixed Capital Outlay Budget may be amended, subject to the requirements described in Regulation 14.003(4).

Revised 11/3/20

**Agenda Item: FL 108**

**USF Board of Trustees**  
December 8, 2020

**Issue:** President's 2019-2020 Accomplishments Report Evaluation

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**Proposed action:** Approval of President Currall's 2019-2020 Evaluation and Discretionary Performance Based Compensation per 3.6 of the Presidential Contract July 1, 2019-June 30, 2024.

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**Executive Summary:**

Per 3.6 of the president's contract for July 1, 2019-June 30, 2024: "On or before September 30 of each contract year, Dr. Currall shall initiate the evaluation process for the period that began on July 1 of the previous contract year and ended on June 30 of the same by submitting to the Board Chair and Governance Committee a self-appraisal of the President's performance during said period. This appraisal shall address performance related to each of the goals and objectives determined for July 1 through June 30 of the previous contract year.

At a special or regularly scheduled Board meeting after the President has submitted this self-appraisal the Board shall evaluate Dr. Currall's performance for the previous contract year (July 1 through June 30) based on achievement of the mutually agreed upon specified goals and objectives and other mutually agreed criteria. To aid the Board in its performance review, the President agrees to furnish such oral and written reports as may be requested by the Board Chair or Governance Committee Chair.

In addition, per 5.2 of the presidential contract for July 1, 2019-June 30, 2024, the Governance Committee may recommend up to seventy (70)% of the performance based compensation based upon the president's performance with respect to the goals and objectives approved.

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**Supporting Documentation Online:** **Yes**  
President Currall's 2019-2020 Accomplishments Report

**No**



*where excellence and opportunity converge*

President Steven C. Currall  
2019-2020 Accomplishments Report

**UNIVERSITY OF SOUTH FLORIDA**  
Tampa St. Petersburg Sarasote-Manatee



*As we reflect on our past and look forward to our future, it's the convergence of academic excellence and opportunity that will be the hallmark of our next era at USF.*

*President  
Steve Currall*

Steven C. Currall became the seventh president of the University of South Florida on July 1, 2019, bringing three decades of leadership and academic expertise from top research universities, both public and private, in the U.S. and abroad. President Currall's mission is to build on USF's tremendous momentum and foster a campus environment for innovation where USF will relentlessly push forward on both excellence and opportunity.

This report highlights President Currall's accomplishments during his first year at USF. The support of the USF Board of Trustees has been vital to the achievements of USF during the past year. It is with gratitude to the Board that President Currall presents this report.



## A MOMENTOUS YEAR

The challenges of leading a top research university have never been more complex than they are today.

During the 2019-2020 fiscal year, President Curral led successful consolidation of USF's three campuses, articulated new Principles of Community that now serve as the bedrock for One USF, and raised nearly \$120 million in philanthropy. He continues to lead through the complexities resulting from the COVID-19 global public health crisis combined with deep social unrest, making Curral's first year in office one of the most eventful time periods since USF was established in 1956.

Curral dedicated his [first 100 days in office](#) to meeting with students, faculty and leaders across USF's three campuses. He toured various facilities, such as the [USF Health Morsani College of Medicine and Heart Institute](#) in downtown Tampa while it was still under construction.

He immersed himself in surrounding communities to help the university forge an even stronger reciprocal relationship with the region. Shortly after taking office, President Curral led his first commencement ceremony, conferring more than 3,200 degrees to the summer graduating class. He returned to the Yuengling Center on Nov. 14, 2019, where President Curral was [inaugurated as USF's seventh president](#).

During a formal investiture ceremony, he outlined his vision for the university to become a top-25 public research university and become eligible to join the Association of American Universities (AAU), an elite group of 65 North American research institutions.

Upon his arrival at USF in June of 2019, President Curral moved into the Lifsey House with his wife of nearly 30 years, Cheyenne.



## COMMITMENT TO ACADEMIC EXCELLENCE

In 2019, President Currall welcomed [USF's most academically accomplished and largest incoming freshman class](#) of 3,773 students, up 15 percent from the previous year. The group of first-time-in-college students carried an average ACT score of 29 (91st percentile), a 1286 SAT score (85th percentile) and average high school GPA of 4.13. The incoming class included approximately 100 high school valedictorians and salutatorians, along with 34 National Merit Scholars. Total enrollment in fall 2019 was nearly 51,000 students. A commitment to support and enhance academic excellence for all students is among President Currall's highest priorities.

USF Tampa graduate level programs continue to be ranked among the best according to the *U.S. News and World Report* Graduate School Rankings with 10 programs in the top 50. And USF Tampa is ranked #8 in the nation and #3 among all public institutions in the 2020 Princeton Review's Best Graduate Entrepreneurship program rankings.

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FTIC students:

ACT	SAT	HS GPA
<b>29</b>	<b>1286</b>	<b>4.13</b>

**34**  
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Scholars

**515**  
average  
MCAT scores

**#8** in the nation  
**#3** among all public  
institutions

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program

## USF ON THE RISE

In President Currall's first year, USF broke into the top 50 in U.S. News & World Report for the first time. It ranked No. 44 among public universities, a 14-spot climb from the previous year, reaffirming USF's unparalleled trajectory in higher education. Since 2015, USF has jumped 44 spots, coinciding with record-breaking gains in student success.

USF also made its debut in the top five nationally among all private and public "Golden Age Universities," according to U.K.-based *Times Higher Education*. The university is now No. 4, up from No. 7 last year, in the rankings that compare the performance of institutions founded between 1945 and 1966. Relative to all institutions around the world, USF climbed 11 places to No. 27, the most improved of any university in the U.S.

President Currall has prioritized faculty excellence and the support of inventive researchers across the university. With \$405 million in total research expenditures, USF continues to advance on its goal of becoming a top 25 public university for research spending. This long-standing commitment to research, coupled with an emphasis on its societal application and economic impact, has led to USF being ranked 12th worldwide, 5th in the nation and 1st in Florida among public universities for granted U.S. patents according to the Intellectual Property Owner Association. The ranking places USF as a leader among the more than 1,000 academic institutions generating new, novel and useful inventions granted intellectual property protection by the U.S. Patent and Trademark Office with 108 new U.S. utility patents granted in 2019.

USF also placed first in the state compared to other public universities in a series of 10 student success-based metrics established by the Florida Board of Governors. The metrics focus on affordable access, graduating students at a high rate, with minimal debt, and preparing them for high-skilled, high-paying jobs in high-demand fields.





## FACULTY EXCELLENCE

Support for USF faculty as the intellectual lifeblood of the university is a top priority for President Currall. He has built a strong and productive partnership with the Faculty Senate by attending regular meetings and engaging in dialogue.

In 2019, USF faculty received 148 national and international awards. This is the highest recorded number to date, representing a 30% increase from the previous year, and caps a decade of significantly increasing honors recognizing USF faculty excellence in research, teaching, career achievement, and impact on society. Among the awards in calendar year 2019, nine USF faculty were elected Fellows of the American Association for the Advancement of Science (AAAS), placing USF 4th worldwide (for the fifth year in a row) for organizations with the most Fellows elected in a single year. Additionally, 16 USF Faculty were elected Fellows of other professional organizations – an honor reserved for the top scholars in their fields; and early-career and mid-career faculty were also recognized with many awards.

These faculty awards reflect President Currall’s high standard of excellence for the university. Going forward, the president is supporting the development of a plan for faculty success to complement USF’s successful programming for student success.



## FUNDRAISING MOMENTUM

During 2019, President Currall led efforts to raise nearly \$120 million – exceeding an original goal of \$100 million. In spring 2020, he helped establish the [United Support Fund](#), launched in response to COVID-19. Giving related to COVID -19 through the end of the Bulls United in Action campaign was over \$1.1 million.

The president advocated for USF and garnered support from new donors. One of the most significant gifts was a \$10 million donation from the Taneja Family Foundation to name the USF Health Taneja College of Pharmacy, the largest philanthropic gift to a pharmacy school in the State of Florida. As a result, the college will move into the new USF Health Morsani College of Medicine and Heart Institute facility in downtown Tampa. Pharmacy students are expected to start classes there in fall 2021.

President Currall also announced a [\\$1 million partnership](#) between USF and Jabil to establish the USF Jabil Innovation Institute. The institute will catalyze new collaborative efforts in innovative research, community engagement and talent development within the College of Engineering and Muma College of Business. Jabil leased space at the Tampa Bay Technology Incubator in USF's Research Park. The partnership includes \$200,000 in research support and a philanthropic gift of \$800,000 given to the USF Foundation.

Fundraising efforts also included \$5 million toward USF Football's new practice facility, which will be transformational to USF's competitive future.

## INVESTING IN GROWTH

The USF Health Morsani College of Medicine and Heart Institute [officially opened](#) in Water Street Tampa. The 13-story, 395,000-square-foot building is designed to function as a hub for Tampa's downtown medical professionals. Students, researchers and faculty members will benefit from the world-class facility, which includes the latest technology in medical education. The building is also in close proximity to the [USF Health Center for Advanced Medical Learning and Simulation](#) and Tampa General Hospital, USF's primary teaching hospital.



Exterior construction wrapped up on a [new residence hall on the St. Petersburg campus](#). The \$33 million project will expand on-campus housing by 70 percent and provide space for 375 additional students. Completed for fall 2020, the 120,000-square-foot building stands six stories high. A full-service dining hall is expected to open in 2021.

Construction was launched to build a [new state-of-the-art facility in USF's Research Park](#). The 120,000-square-foot building will increase the park's footprint by 34 percent and will bring together researchers, patent officers, entrepreneurs,

financial investors and corporations to enhance technology commercialization and the Tampa Bay region's growing innovation and knowledge economy. President Currall guided the building's design team to ensure the space will meet the demands of contemporary innovation enterprises. The building is targeted to be completed in fall 2021.

USF's Institute of Applied Engineering secured an [\\$85 million, five-year contract with U.S. Special Operations Command](#). The institute will assist the federal government in such fields as autonomous systems, human performance, transportation, cybersecurity, data analytics and sensor technologies. Partnerships such as this advance President Currall's vision for USF's future, where the university helps to address national imperatives, while also providing real-world experience to students.



## GOVERNMENT RELATIONS

President Currall made early and important efforts to solidify key existing relationships with local, state and federal elected officials and begin to build new ones. This is a top priority and essential component for USF's continued growth. During his first year, the president made nine trips to Tallahassee, meeting with state leadership and advocated for USF's legislative priorities. He met with Gov. Ron DeSantis, Lt. Gov. Jeanette Nunez, the leadership of both the Senate and House, members of the Tampa Bay Legislative Delegation and of both chambers' higher

education committees to discuss USF's meteoric rise in the national rankings and how the state legislature can help support USF's aspirations.

Last fall, the president also joined more than 200 students for the annual USF Day at the Capitol where students travel to Tallahassee to learn about Florida's state government and advocate for the university. During the USF Day reception, the president honored USF alumni serving in the Legislature, including state Sen. Joe Gruters, House Speaker-Designate Chris Sprowls and state Reps. James Buchanan, Jackie Toledo and Jennifer Webb.

These advocacy efforts paid off as the Fiscal Year 2020-21 state budget included \$6.45 million to continue the important work being done by Cyber Florida at USF, \$5.5 million in new funding to support the development of the St. Petersburg and Sarasota-Manatee campuses under One USF and over \$7 million for new and improved student health and wellness and other student life facilities across all three campuses and USF Health.

For the first time in many years, the president hosted on-campus events for both of Florida's U.S. Senators, Sen. Marco Rubio and Sen. Rick Scott. The president also traveled to Washington, DC to meet with lawmakers from the Tampa Bay area delegation as well as USF alumni serving in Congress. Those meetings included time spent with Sen. Scott and Reps. Bilirakis, Castor, Crist, Diaz-Balart (USF alumnus), Meadows (USF alumnus and now Chief of Staff to President Trump), Steube, Spano (USF alumnus) and Webster. The visits provided a great opportunity to reiterate USF's past successes and to further collaborate to grow USF's national stature.



## EXCELLENCE AMONG STUDENT-ATHLETES

President Currall's first year included great strides for USF Athletics in competition and in the classroom. Although many sports seasons were altered or canceled because of the pandemic, our talented athletes benefited from experiences on the fields and courts of play. Of note, the USF women's soccer team won the American Athletic Conference championship and then proceeded to advance to the Sweet Sixteen of the NCAA championships for the first time in program history. The USF men's soccer team also qualified for the NCAA championship.



In the classroom, USF student-athletes generated a combined annual GPA over 3.0 for a record fifth straight year and 11 straight semesters. The department registered an 85 percent Graduation Success Rate (GSR) in 2019, just one point shy of the program record and marking the Bulls' sixth straight year with a GSR of 82 percent or better. During the 2020 spring semester, USF student-athletes posted an overall department record GPA of 3.41 as 13 sports set records and a record 285 student-athletes earned Athletics Honor Roll recognition and a record 237 were named to the AAC All-Academic team in 2019-20.

## NEW LEADERSHIP APPOINTMENTS

With a commitment to attracting and retaining top talent at USF, President Currall filled several high-profile positions during his first year. Notably, President Currall approved the reappointment of Provost and Executive Vice President Ralph Wilcox. Provost Wilcox joined USF in 2003 and has been in his current position since 2009. This strategic leadership reappointment will ensure USF's continued trajectory in academic excellence and faculty success.

In another critical appointment, President Currall named [Jay Stroman Senior Vice President of Advancement and Alumni Affairs and CEO of the USF Foundation](#). Stroman came to USF as the result of a national search and with a strong track record of fundraising from the University of Georgia where he served as senior associate vice president for development and alumni relations.

Other key appointments were Brian Ten Eyck, vice president of Executive Affairs and chief of staff, Chris Garvin, dean of the College of the Arts, Thomas Frazer, dean of the College of Marine Science, Allison Crume, associate vice president and dean of Undergraduate Studies, and Mike McConnell as the executive director of Cyber Florida. As former U.S. Navy vice admiral and former director of the National Security Agency, McConnell brings an extensive military and intelligence background that will help further Cyber Florida's mission of positioning the state as a national leader in cybersecurity.

Jeff Scott signed a five-year contract as USF's new head football coach after serving at Clemson University, one of the nation's most dominant football programs and two-time College Football Playoff National Champions, where he was co-offensive coordinator and a wide receiver coach.



## COMMUNITY ENGAGEMENT

Throughout his first year, President Currall began to engage with Tampa Bay's community of students, alumni, business partners and leaders by representing USF at many local events. He threw out the first pitch during USF Day with the Tampa Bay Rays. He and his wife Cheyenne joined the USF marching band at the annual Gasparilla Parade of Pirates, a Tampa Bay tradition since 1904. They also rode the Zamboni during the annual USF Lightning Night at Amalie Arena.



As a thought leader in the field of organizational innovation, President Currall delivered an address to thousands of entrepreneurs and investors at the 2020 Synapse Summit held in downtown Tampa where he emphasized the importance of innovation and regional partnerships for job growth and patent production. The first USF president to speak at the summit, the president outlined a platform of ideas that would strengthen the university's economic impact in the region, which is currently estimated at \$5 billion.

Currall's leadership is being felt throughout Tampa Bay, serving on boards for Moffitt Cancer Center, Tampa Bay Partnership and the Tampa Innovation Partnership.

In his first year, President Currall was recognized with a number of honors and awards:

- ▶ Fellow, Royal Society of the Arts of the United Kingdom (Society for the Encouragement of Arts, Manufactures and Commerce)
- ▶ Commissioner, National Commission on Innovation and Competitiveness Frontiers, U.S. Council on Competitiveness
- ▶ Honorary Member, National Academy of Inventors
- ▶ Editorial Board, "Technology and Innovation"
- ▶ Honorary Fellow, International Academy of Nanobiotechnology
- ▶ Co-Chair, Florida High Tech Corridor Council



*USF students and faculty represent a microcosm of our global society: a fascinating fabric of individuals with an innumerable range of experiences, perspectives and ideas.*

*President Steve Currall*

## PRINCIPLES OF COMMUNITY

One of President Currall's first-year initiatives was to develop [USF's Principles of Community](#). He formed a task force chaired by Dean Charles Adams comprising a broad cross-section of university faculty, staff, and students to craft the principles. They outline the university's commitment to inclusion, civility, open expression, evidence-based deliberations and vigorous debate. These values reinforce the leadership and responsibility of USF to create a compassionate society in which all members of the community are treated with respect.

The Principles of Community have guided the university in addressing several critical areas in 2019-2020, including the pandemic and its related financial impact and efforts to address systemic racism and civil justice. Further, they reflect a climate of belongingness at USF that fosters student well-being and academic success.



## LEADING THROUGH CRISIS

It would have been hard to imagine the extraordinary challenges we would face this year as a university community, state and nation. President Currall has navigated the historic conditions created by a global health crisis and periods of intense social unrest in communities across the nation.

As the threat of the new coronavirus intensified, President Currall transitioned USF to remote instruction following spring break in March 2020. He then worked with more than 100 university leaders and public health experts to develop a cohesive plan to return to campus. Currall appointed Dean Donna Petersen as the chair of the university's Covid-19 Task Force.

On June 23, 2020, the Florida Board of Governors approved [USF's plan for a careful and phased return to campus](#). The four-phase plan prioritized the health and well-being of the USF community and allowed USF to continue to deliver high-quality academic programs and services.

Responding to community needs, dozens of coronavirus-related research projects by USF faculty received funding through a newly established [USF COVID-19 Rapid Response Grant Program](#).

President Currall's leadership and support throughout the COVID-19 crisis have been wide-reaching. Early on, he visited USF Health-run coronavirus testing sites and advocated for students and faculty volunteering their time to produce personal protective equipment. He also hosted several virtual town hall discussions,



reassuring the USF community that his leadership is present at every step of the way. He has worked with community partners to emphasize a campaign of personal responsibility, especially among students.

The president continues to lead USF through the effects of the pandemic with an evidence-based approach to decision-making. Public health data are reviewed regularly in consultation with members of his Executive Policy Group, his COVID-19 Task Force and his leadership team.

Beginning in May 2020, President Currall responded to events happening across the nation reflecting systemic racism by urging the USF community to pause and consider the university's role in being a force for positive change. Again guided by the Principles of Community, President Currall followed up with a commitment to take action to address anti-racism.

To that end, President Currall is working diligently to help develop programs that raise awareness of how race impacts attitudes and behaviors. He is developing innovative avenues to enhance diversity in recruitment, development, retention and rewards. He's also supported the USF Office of Supplier Diversity in promoting the participation of Black-owned businesses as vendors to the university.





## HISTORIC CONSOLIDATION TAKES EFFECT

On July 1, 2020, the [University of South Florida's three campuses consolidated into one, accredited university](#). This followed the plan's approval from the Southern Association of Colleges and Schools Commission on Colleges, the regional accrediting agency that oversees higher education in the southern United States.

The intent of the president's listening tour in his first 100 days was to more deeply understand the unique features of the Tampa, St. Petersburg and Sarasota-Manatee campuses. President Currall oversaw multiple campuses in two of his previous university leadership positions. Thus, he grasped the importance of understanding and promoting the differentiated features of each campus, how they contribute to their specific geographical regions, and how they can be aligned to advance the strategic vision of a unified university.

Consolidation has united USF's campuses in Tampa, St. Petersburg and Sarasota-Manatee into one integrated curriculum with a single set of academic policies and procedures.

The president sees One USF as a unique opportunity to leverage our geographical location and distinct alignment across Tampa, St. Petersburg and Sarasota-Manatee. Students from across all three campuses will benefit from a wider selection of courses and advanced degree programs and access to renowned faculty, resources, and scholarships. Faculty will benefit from greater opportunities to collaborate on research across campuses and traditional disciplines.

And being One USF under President Currall's leadership makes USF a strong candidate for additional state investment, which will provide a dramatic return on investment to the state, nation, and importantly, across the entirety of the Tampa Bay region.



## STRATEGIC RENEWAL AND FINANCIAL STEWARDSHIP

President Currall has begun the process of mapping out a fresh vision and plan for USF's strategic renewal. In his second year, President Currall will reveal the details of his plan, which will include steps to ensure sound financial stewardship such as steps to rebalance financial allocations to enhance support for academic excellence and to strengthen both faculty and student success. Although work to address USF's financial model began in 2019 – before the pandemic emerged – the financial and economic ramifications of COVID-19 on the university, the region and our state have been significant.



As President Currall wrote to the campus, "Rising to meet a challenge is not new to USF. We have worked together through the enormous complexities of consolidation to deliver on a state mandate for reunification of our campuses. We emerged as One USF – the nation's fastest rising university over the past decade according to *U.S. News and World Report* – with a focus on greater opportunities for our campuses and community and a clear mission to support the success of all students. And, through a spirit of partnership, we will redouble our efforts to invest in new and impactful ways to be of service to our region and state as a university where excellence and opportunity converge."





# PRINCIPLES of COMMUNITY

*Established March 24, 2020*

**We the students, alumni, faculty, staff, and administrators of the University of South Florida unite as a community to propel the success of "One USF."**

We celebrate our accomplishments and respect our complex differences. We commit ourselves to shaping the future in a community that cherishes justice, accessibility, and meaningful participation by all of its members. USF starts with US. In this spirit, we state the following Principles of Community:

## Excellence with Equity

We affirm the value of excellence. Our essential pursuit of truth and wisdom depends upon fairness and equity. We recognize that individual and collective experience entails a responsibility to ensure that every member of our community has the opportunity to succeed.

## Diversity with Inclusion

We affirm the value of diversity, individual dignity, equity, and our common humanity. Diversity of lived experiences, thought, and values enriches our lives and our whole university community. We seek the intentional inclusion of the broadest possible range of these perspectives essential to a university with local, state, national, and global impact.

## Freedom with Responsibility

We affirm the value of academic freedom and the inherent value of people's right to express themselves responsibly, freely, safely, and with civility. We reject the degrading acts of bullying, violence, harassment, and discrimination as they undermine the community we aspire to be.

## Dialogue with Respect

We affirm the value of evidence and seek perspectives to foster productive communication, dialogue, and constructive disagreement. We listen respectfully and reject language that demeans any member of the community. We embrace differences by learning through open debate in a spirit of curiosity.

## Transparency with Accountability

We affirm the value of a clear and transparent working and learning environment that promotes honesty, fairness, and trust. We commit our time, talents, and resources to building a culture of caring that promotes the integrity of our relationships and the sustainable well-being of the entire community. We are personally responsible, always, for treating each other with respect, candor, and accountability.

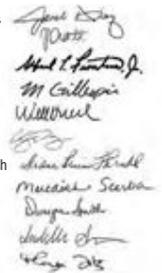
President Steven C. Currall created the Principles of Community Task Force to develop essential aspirational principles collaboratively and with input from students, alumni, faculty, staff and administrators across the USF community. The President appointed Dean Charles Adams as Chair of the Task Force and USF Ombuds Steven Prevaux as Facilitator.

**These Principles of Community have been endorsed on this the 24th day of March 2020, by the following:**

- Dr. Steven C. Currall, President and Professor
- Dr. Ralph Wilcox, Provost and Executive Vice President
- Dr. Charles Adams, Dean, Judy Genshaft Honors College, Chair
- Dr. Raymond Arsenaault, USF St. Petersburg Faculty Senate President
- Dr. Timothy Boaz, USF Tampa Faculty Senate President
- Ms. Roberta "Bobby" Collins, President of the Administrative Advisory Council
- Dr. Deirdre Cobb-Roberts, Associate Professor and Program Coordinator, Social Foundations of Education
- Dr. Michael Cross, Director of Undergraduate Research
- Ms. Britney Deas, USF Tampa Student Government President



- Dr. Jacob Diaz, Regional Assistant Vice Chancellor for Student Success and Dean of Students
- Ms. Jadzia "Jazzy" Duarte, USF St. Petersburg Student Government President
- Dr. Alfred "Tom" Frontera, USF Morsani College of Medicine Faculty Council President
- Dr. Michael Gillespie, USF Sarasota-Manatee Faculty Senate President
- Mr. Bill McCausland, Vice President and Executive Director, USF Alumni Association
- Dr. Corey Posey, USF Sarasota-Manatee Diversity, Equity and Inclusion Officer
- Dr. Diane Price Herndl, Professor and Chair, Women's & Gender Studies and Professor, English
- Ms. Meredith Scerba, Senior Associate Athletic Director
- Dr. Dwayne Smith, Senior Vice Provost and Dean, Office of Graduate Studies
- Ms. Isabelle Starmer, USF Sarasota-Manatee Student Government President
- Dr. Maya Troyt, Professor, Civil and Environmental Engineering



\*The USF Principles of Community set forth aspirational ideals and expectations for campus interactions both in person and in virtual formats. Members of our community should treat each other with respect and dignity, refrain from displays of inappropriate anger or intimidating conduct, shun epithets or abusive language, and find effective means to

disagree, to persuade and to inform through rational discussion. The Principles of Community are not official University of South Florida Regulation or Policy; nor do they alter the terms and conditions of existing collective bargaining agreements, the Student Code of Conduct, or departmental or professional codes of conduct.

## Informational Agenda Item

### USF Board of Trustees

December 8, 2020

**Issue:** The University has benefited from the Board of Trustees development and approval of guiding principles to implement complex initiatives, such as with Consolidation. Similar governance level guiding principles are requested to inform the University's strategic budget realignment.

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**Proposed Action:** Informational

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**Executive Summary:** As part of the University of South Florida Consolidation, the Board of Trustees developed and approved guiding principles to serve as reference points for leadership in implementing the complexities of the consolidation process at the operational level. These guiding principles were tailored to Consolidation, but remained aligned with USF's mission, aspirations and strategic goals, which were also approved by the Board.

Consistent with this past governance practice and the deliberations of the Governance Committee on November 10, 2020, the Board is asked to develop and approve guiding principles to inform leadership's decisions regarding strategic budget realignment. The Board's approval of guiding principles is not intended to serve as approval of final decisions regarding strategic budget realignment, which will be presented to the Board separately through regular processes.

This is an informational item for Board consideration. Implementation of the guiding principles is contingent on Board approval on Friday.

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**Strategic Goal(s) Item Supports:** USF Goal Nos. 2, 3 and 4

**Committee Review Date:** NA

**Prepared by:** Gerard D. Solis, General Counsel