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Non-Immigrant - A foreign national seeking to enter the U.S. temporarily and for a specific purpose. Once in the U.S., they are restricted to the activity or reason for which their visa was issued. Individuals with certain non-immigrant visas are eligible to establish residency for tuition purposes in Florida. Individuals with non-immigrant visas must provide evidence that: (1) he or she is in an eligible visa category with a date of departure that is not during the term for which the student will be enrolled; (2) if the student is a dependent, the parent must also be in an eligible visa category. Refer to Guidelines on Florida Residency for Tuition Purposes, Appendix C – Documentation for Eligible Aliens to determine visa category eligibility.

Unauthorized Aliens- A foreign national who lives in the U.S. without the required documentation may not be eligible to establish residency for tuition purposes in Florida. However, a dependent child who is a United States citizen may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parents.

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100 Updates to College Procedures Manual
In order to change or update an existing procedure or to create a new procedure, the following shall take place:

1. The individual requesting a new or revised procedure will draft the procedure and forward to the Vice President Academic Affairs.

2. The Vice Presidents shall review, revise and approve requests for procedures.

3. Any procedure requiring Presidential approval shall be referred for his review.

4. Upon approval, the Vice President Academic Affairs will ensure the publication of the approved procedures.

5. Procedures will be reviewed and update as needed. All procedures will be reviewed at least every three (3) years.
101 Mission Statement

OVERVIEW
The College has established a clearly define, comprehensive, and published mission state that is specific to the College and appropriate for higher education. The mission addresses teaching and learning, and public service. (SACSCOC R 2.1)

101.1 Vision
Eastern Florida State College is committed to being our community’s center for quality teaching and lifelong learning.

101.2 Mission
To engage our diverse population in quality, accessible, learning opportunities which successfully meet individual and community needs Eastern Florida State College fulfills its mission by offering the following:

- Specified baccalaureate degree programs through formal written agreements between the college and other regionally accredited postsecondary educational institutions or with the college for the purpose of meeting district, regional or statewide workforce needs.
- Undergraduate studies and Associate Degrees for students pursuing a Baccalaureate Degree delivered in traditional face-to-face classes, partially online classes and online classes.
- Technical and vocational training for Associate Degrees and Certificates to enter the workforce, improve professional skills and develop new competencies.
- Instructional support services such as advising and career guidance.
- Activities supporting cultural enrichment, economic development, sports, wellness and quality of life.
- Workshops and classes for personal growth, developmental instruction and lifelong learning.

101.3 Updating the Mission Statement
The Board of Trustees will review the mission statement with the routine review of BOT governance policies to ensure that the statement is current and comprehensive, accurately guides the College’s operations, and is communicated to the constituents of the College. (SACSCOC R 4.2.a). The mission statement is included on the official website and college catalog and student handbook.
The curriculum of the College will be directly related and appropriate to the mission and goals of the institution and the diplomas, certificates, or degrees awarded. (SACSCOC R 9.1)
Overview of Responsibilities of the President

The College has a governing board consisting of five (5) Trustees with have specific authority over the College. These authorities are delineated in BOT Governance policy 2.1. (SACCSCOC R 4.1.a; R4.1.b;4.1.c; and R4.1.d) The Board of Trustees have delegated overall executive leadership and management of the college to the President as chief executive officer.

102.1 Responsibilities of the President

The President, whose primary responsibility is to the college has the following responsibilities: (SACSCOC R5.1 and R4.1.e)

1. The President is responsible to ensure that the College has degree-granting authority from the Florida State Board of Education. This information is posted on the College’s web site. (SACSCOC R 3.1.a)

2. The President will schedule meetings of the Board of Trustees per the Board’s direction, provide all required public notices for such meetings and insure the timely development and distribution of Board agenda materials and will act as Secretary of the Board.

3. The President will insure that appropriate recordings and minutes are maintained on file in accordance with Florida Statutes.

4. The President will be responsible for all property, both real and personal, which belongs to the college, including obtaining, managing, leasing and disposing of such property in accordance with Florida Statutes. (SACSCOC R4.3)

5. The President will establish, organize and provide for the operation of the College. (SACSCOC R4.3)

6. The President shall have the authority and obligation to establish and implement rules and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, suspend, remove or terminate personnel within the laws and rules of the State Board of Education and in accordance with policies specified by the College Board of Trustees.

7. The President is expected to keep the Board of Trustees adequately informed regarding the college’s financial condition and stability through monthly financial summaries (SACSCOC R4.3).

8. The President will insure that all correspondence to the members of the Board of Trustees includes all pertinent information and reflects the position of the total college
and will direct that all correspondence with the Board from students and employees of the college be submitted through the Office of the President.

9. The President is responsible to ensure a clear and appropriate distinction, in writing and practice, between the policy-making functions of the Board of Trustees and the responsibility of the administration and faculty to administer and implement policy. (SACSCOC R4.2.b).

10. The President has responsibility for, and administrative and fiscal control over, the College’s intercollegiate athletics program. (SACSCOS R5.2.a and R5.2.b)

11. The President controls the College’s fund-raising activities and any institution-related entities. (SACSCOC R5.2.c and R5.3)
103  Overview of the Organizational Structure of the College
The College, through the President, has established a clearly defined and published organizational structure that delineates responsibility for the administration of policies. (SACSCOC R10.4 in part) The organizational structure is established to encourage shared governance.

103.1 Organizational Charts
An organizational chart will be available for the college community electronically on the Eastern Florida State College website.

103.2 Executive Council
The Executive Council is the senior executive organization that may include the Vice Presidents, Associate Vice Presidents, Provosts and faculty representatives. Other staff will be included as ad hoc members when there is a need to do so.

103.3 Shared Governance
Eastern Florida State College supports the philosophy of shared governance. To that end, both faculty and students are encouraged to make recommendation concerning decisions affecting the college and community. The students are represented through elected officials in the Student Government Affairs program on each campus. The faculty is represented through participation in various councils and committees as established by the Eastern Florida State College Collective Bargaining Agreement.

103.4 College Policies and Procedures
College employees are expected to comply with published board of trustee policies and college procedures. Both policy and procedure manuals are available electronically on the college’s intranet website.

103.5 College Committees or Councils
In addition to the faculty established councils and committees identified in the Collective Bargaining Agreement, the President may establish long-term or short-term committees as needed to serve as a forum for discussion and recommendations.
104  Overview of College Wide Administration
The College has a clearly defined and published organizational structure that delineates responsibility for the administration of policies and supports the mission, goals and priorities of the College. The organizational structure is available on the College website.

The College has qualified administrative and academic officers with the experience and competence to lead the institution. Job descriptions are available through Human Resources (SACSCOC S 5.4)

Certain campus-based administrators have college-wide responsibility for specialized areas or disciplines.

104.1 The President
The President of Eastern Florida State College is the Chief Administrative Officer of the College and also serves as Secretary to the District Board of Trustees. The President provides resources and recommendations to the Board on college matters and oversees the implementation of the Board’s operational directives. The President is responsible for long-term planning for the college. He supervises the annual budget and monitors the operating expenditures of the College, ensuring financial accountability to the Board. He is responsible for directing the work of all college personnel including the selection and evaluation of the effectiveness of faculty and staff. The President is the appointed custodian of all college property. The President serves as the college’s official advocate to the community, and community-based organizations, and ensures that the College’s total operation is carried out within the scope and intent of state statutes.

104.2 Vice Presidents
Vice Presidents will be appointed by the President to fulfill the mission of the college. Vice Presidents will be assigned college-wide functions, as needed, to ensure:

1. Vice President Business and Technical Services - This position is responsible for the business operations of the College, including budget development, financial planning and reporting, purchasing and accounting, financial aid, purchasing and payroll functions. Business operations also include recruitment services, technical services, facilities planning and maintenance, foundation and various direct support organizations. The requirements of this position include education and work experiences related to business and college operations, budget management and supervision.

2. Vice President Academic and Student Affairs - This position is responsible college-wide for student services and academic affairs programs and initiatives. The leadership,
coordination and management of the college-wide academic services includes curriculum and program development and planning and assessment of effectiveness, strategic planning, programmatic and regional accreditation, accountability assessments of the College’s instructors, administrative, and educational support units and compliance with strategic and accountability plans of the Florida College System and supervision of each campus, learning center and eLearning. Student services includes oversight/leadership for campus-based and college-wide student services, enrollment management, minority programs, registrar, testing, student publications, coordinating student activities and student disciplinary/appeal processes. The requirements of this position include education and work experiences related to academic and college operations, budget management and supervision.

3. Vice President External Affairs - This position is responsible for managing the Public Safety Institutes, Athletics, Legal Services, Legislative Affairs, Risk Management, Student Union Operations, Child Development Centers/Lab Schools, Grants Department, Career Centers, and Veterans Services. It is also responsible for Collegewide Security and emergency management. The position assists the President in interagency relationships. The requirements of this position include education and managerial work experiences in public safety and public service.

104.3 Associate Vice Presidents
Associate Vice Presidents will be assigned to work with the Vice Presidents as necessary to ensure the timely and effective implementation of college initiatives and will have college-wide areas of responsibility. Associate Vice Presidents are responsible for the administration of college-wide services related to their assigned areas of responsibility. They participate in budget preparation, recommendations for staff hiring and evaluation and operational management of their assigned areas of responsibility. In addition, they assist in the development of enrollment management initiatives, student publications and the scheduling of classes. Associate Vice Presidents will be appointed by the President.

104.4 Directors and Deans
Directors and deans will be assigned to work with the Vice Presidents as necessary to ensure the timely and effective implementation of college initiatives and will have college-wide areas of responsibility over specific programs or units within the college. Deans are responsible for the administration of college-wide student and academic services related to specific programs and have additional operational authority as designated by their supervising administrator. They participate in budget preparation, recommendations for staff hiring and evaluation. In addition, they assist in the development of enrollment management initiatives, student publications and the scheduling of classes. Directors and deans will be appointed by the President.

104.5 Associate Director Enrollment Management
The associate director works with the Associate Vice President for Enrollment Management to ensure appropriate student support for incoming and current students related to academic preparedness, advising and retention of students. The Associate director will be appointed by the President.
105 Overview of Campus/Division Administration
The College has a clearly defined and published organizational structure that defines responsibility for the administration of policies and supports the mission, goals and priorities of the College. The organizational structure is available on the College Website.

The College has qualified administrative and academic officers with the experience and competence to lead the institution. Job descriptions are available through Human Resources. (SACSCOC R6.1 and R.6.2.b)

105.1 Provosts
Provosts are academic officers of the campuses/division and report to the Vice President Academic and Student Affairs. They provide leadership for all areas of their assigned campus, including student or public activities scheduled on their respective campus. They are responsible for the development of instructional programs at the campus or program level. They supervise administrative and instructional personnel, coordinate with the Vice Presidents, direct the provision of essential services to each campus, oversee budgets, and provide a liaison with the community surrounding the campus or division.

105.2 Associate Provosts
Associate Provosts are responsible for the administration of campus-based student services in coordination with the advisement, admissions, student campus coordinators and college-wide student services staff. They are responsible for the learning labs, career planning, and administration of student discipline and student activities. The Associate Provosts participate in budget preparation, recommendations for staff hiring and evaluation. In addition, they assist in the development of enrollment management initiatives, student publications and the scheduling of classes.

105.3 Faculty
The general duties of the Eastern Florida State College faculty are outlined in the UFF Collective Bargaining Agreement. Faculty may be assigned additional duties for the following administrative duties according to the United Faculty of Florida (UFF) Collective Bargaining Agreement. For each major in a degree program, the institution assigns responsibility for program coordination, as well as for curriculum development and review, to persons academically qualified in the field. (SACSCOC R6.2.c).

105.3.1 Department Chairs and Program Managers are faculty who provide campus or program instructional leadership, coordination and support for their assigned areas. Chairs coordinate assigned budgets and schedules, assist faculty as needed. The function as a liaison to administration and do not directly supervise other faculty.
105.3.2 Program Coordinators serve as a liaison between the full-time and part-time faculty and the administration with emphasis on retention and success of all students including those receiving development education. They also assist faculty with the implementation of any changes in the academic-discipline and curriculum development. They do not have budgetary responsibilities or directly supervise other faculty.

105.3.3 Cluster Chairs are faculty who oversee academic curriculum development on multiple campuses or engage the public in programs directly related to the mission of the College. They are a liaison to administration and meet together as the Academic Affairs Council. They do not directly supervise other faculty.

105.4 Student Support Personnel
The institution provides a sufficient number of qualified staff—with appropriate education or experience in the student affairs area—to accomplish the mission of the institution. (SACSCOC R12.2). Of the support staff include:

105.4.1 Advisors, Career and Technical Specialists provide assistance to students in the areas of general college information, course selection, academic advising, scheduling, career planning, retention, student life and matriculation to baccalaureate programs in a case management approach.

105.4.2 Admissions staff help students understand the process of transition to college and admission criteria. They process and enter all admissions records into the student database, and works with college administration to develop, implement, and evaluate enrollment policies and goals for the institution. Each of the four campus admissions and records offices are supervised by a Director of Campus Admissions and Records. The Director, College-wide Admissions oversees all of the admissions processes for traditional and international students.

105.4.3 Recruitment staff actively meet with potential students in the community to discuss the educational opportunities at the College and to assist the student in the completion of their application. They communicate needs to the student, admissions, registrar and advisors.

105.4.4 Financial Aid staff are available to assist the student with questions related to financial aid. This office also administers scholarships that may be available to our students. They communicate with the student, advisors and associate provosts.

105.4.5 Director of Student Life is responsible for planning and implementing student activities on the assigned campus and assisting other Directors as needed on additional EFSC campuses. This position will serve and advise the Student Government Association and coordinate students clubs and organizations, as well as other aspects of student life on campus. Additionally, this position will advise students as needed during peak registration times and summer terms. They communicate with the students, faculty, department chair, associate provosts and provosts.

105.4.6 Career Center Coordinators assist students and other designated clients through all phases of their career development. In addition, the Career Center provides leadership to the institution on career development concerns and develops relationships with employers and external constituencies. They oversee the cooperative education opportunities for students in specific technical programs that have the co-operative education component.
106 Overview of Technology and Internet Ethics and Acceptable Use

The College’s use of technology enhances student learning and is appropriate for meeting the objectives of its programs. Students have access to and training in the use of technology. (SACSCOC R11.3 in part)

106.1 Relationship with the Mission and Goals of Eastern Florida State College

In support of Eastern Florida State College’s mission, the college provides information technology for use by its students, faculty, and staff. All users are expected to conduct themselves in a manner that reflects respect for the rights of others and protects the integrity of data, equipment, software licenses, and information technology. Use of the college's computers and network must at all times be consistent with lawful and ethical behavior and in compliance with international, federal, state, and local law, the State Board of Education Rules for Community Colleges, and all other policies and procedures of the college. Access to the college’s information technology by faculty, staff, students, and community users is a privilege extended for the purpose of academic endeavors and other pursuits in support of and consistent with the educational objectives of Eastern Florida State College. Additionally, there is no expectation of privacy by employees, students, or others when using email or Internet communications when such communications occur over the Eastern Florida State College provided network, connection or equipment or other college provided information technology. Information Technology includes use of computers, computer systems, workstations, peripheral equipment (such as modems, terminals and printers), and related hardware and software, data sets, storage devices (such as DVD’s, CD-ROMS and hard or soft drives), networks, servers, Internet access, the college’s website and web pages, email and systems, and learning management systems.

106.2 Technology Security Goals

Eastern Florida State College is also committed to the safeguard the confidentiality, integrity and availability of all information assets of the institution to ensure that all regulatory and operation requirements are fulfilled. The college is also committed to ensure that all regulatory and operation requirements are fulfilled. The overall security goals for the information security are as follows:

- Ensure compliance with all applicable laws, regulations and guidelines.
- Comply with requirements for confidentiality, integrity and availability.
- Establish controls for protecting the college’s information and information systems against theft, abuse, intrusion and other forms of harm and loss.
- Motivate administrators and employees to maintain ownership of all information technology assets in order to minimize security incidents.
• Ensure the college is capable of continuing service in the event of a security incident or other major disaster.
• Ensure the protection of personal data.
• Ensure that all external service providers comply with the college’s information security needs and requirements.
• Ensure flexibility and an acceptable level of security for accessing information systems from both on and off campus.

106.3 Security Strategy
Eastern Florida State College’s current business strategy and framework for risk management are the guidelines for the identifying, assessing evaluating and controlling information related risks through the establishment and maintenance of the Information Security procedures.

Security procedures and guidelines will act as support to ensure that security of all Eastern Florida State College systems is at the highest it can be while still allowing for the efficient completion of all administrative tasks, learning and teaching. These procedures include (but not limited to) password procedures, continuity plans, backup procedures, defense against malicious code or activities, system and information access control, incident management, reporting, and audit compliance.

The term information security is related to the following basic concepts:
• Confidentiality – the property that information is not available or disclosed to unauthorized individuals, entities or processes.
• Integrity – the property of safeguarding the accuracy and completeness of assets.
• Availability – the property of being accessible and usable upon demand by an authorized and authenticated entity.

Some of the most critical needs of the systems supporting Eastern Florida State College activities are availability and reliability of the network, infrastructure and services. While Eastern Florida State College is an open access, public record institution it will in certain situations prioritize confidentiality over availability and reliability in the event of a breach or intrusion. Every user of the college’s information system will comply with this information security policy/procedure. Violation of this policy and relevant security requirements will therefore constitute a breach of trust between the user and Eastern Florida State College may have consequences for employment or student attendance.

106.4 Acquisition of Privileges
Students, faculty, and staff may be provided Internet access or other information technologies using an account assigned to them by the college. Students, faculty, and staff are responsible for any activity originating from their accounts which they can reasonably be expected to control. Accounts and passwords may not, under any circumstances, be used by persons other than those to whom they have been assigned by the account administrator. In cases when unauthorized use of accounts or resources is detected or suspected, the account owner should change the password and report the incident to the appropriate department or personnel. The college reserves the right to review any material on user accounts for purposes of maintaining security, server space, and compliance with acceptable use policies. The college may require
users to limit or refrain from specific uses if such use interferes with the efficient operations of the college-wide system.

Users will complete the appropriate annual security awareness program to keep their security privileges. Security breaches or the misuse of security privileges are to be reported immediately to the Security Incident Committee and the Associate Vice President, Information Technologies. The Security Incident Committee will review and report their findings to the appropriate college personnel for further consideration.

106.5 Eastern Florida State College Responsibility and Liability
The college has no control over the information accessed through the Internet and is not responsible for the Internet's content. The Internet should be used with discretion and in compliance with this Technology and Internet Ethics and Acceptable Use Policy (AUP). The college may deny use of its information technology to persons under the age of 15.

106.6 Adherence to other Policies and Procedures
Any use of Eastern Florida State College information technology for illegal, inappropriate, or obscene purposes, or in support of such activities, is prohibited. Engagement in such prohibited activities may result in suspension, termination or revocation of access to information technology, internet privileges, user account, or other sanctions as deemed appropriate.

Users must not utilize computing resources to gain unauthorized access to remote computers or networks to impair or damage the operations of Eastern Florida State College’s computers, networks, terminals or peripherals. This includes but is not limited to blocking communication lines, intercepting or sniffing communications, and running, installing, or sharing virus programs. Deliberate attempts to circumvent data protection or other security measures is prohibited and may be subject to other penalties and disciplinary action as set forth herein or within any other college policies or procedures. Eastern Florida State College security procedures will be adhered to with regards to all information technology.

The college recognizes that defining immoral or unethical uses of the Internet is highly subjective. In cases where use of information technology is questionable, the college may review such cases to determine compliance with this AUP. Examples of illegal, immoral, or unethical uses of the college Internet computers include, but are not limited to:

- Deliberately using or accessing materials that are profane, offensive, or obscene to the reasonably prudent person.
- Using inflammatory or derogatory language.
- Libeling or slandering remarks.
- Any actions that place secure data at risk (i.e. FERPA and/or HIPPA violations).
- Activities connected with any attempt to overthrow the government of the United States.
- Any actions of malicious intent
- Violating the conditions of the State of Florida Education Code dealing with student's rights or privacy.
- Reposting or otherwise disseminating personal communications without the author's consent.
• Using an EFSC computer to actively engage in procuring or transmitting material that is in violation of sexual harassment, pornographic or creating a hostile workplace.

• Creating or causing security breaches or disruptions of network communication. Security breaches includes accessing data of which the employee is not an intended recipient. Disruption includes but is not limited to, port scanning, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

• Executing any form of network monitoring which will intercept data not intended for the employee’s host, unless this activity is a part of the employee’s normal job/duty.

• Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's network connection, via any means, locally or via the Internet/Intranet/Extranet.

• Circumventing established College software security procedures or obtaining information system access and passwords which one is not entitled.

• Unauthorized alteration or removal of college hardware or software.

• Unauthorized access, alteration or destruction of College owned data or software.

• Connecting or installing personal or non-College owned hardware or software to the college network without prior approval.

• Purposely attempting to gain access to information technology through the use of hacking or other unapproved means.

• Purposely violating any Eastern Florida State College Information Security Procedures.

• Other actions that are not in accordance with The Code of Ethics and Principles of Professional Conduct of the Education Profession of Florida.

Any student, faculty, staff, or community user who improperly utilizes or accesses Eastern Florida State College’s information technology (hardware and or software) and in the course of improper access or utilization causes any damage, loss of service or interruption of services due to willful or negligent behavior, may be liable for all direct and consequential damages resulting from such willful or negligent misuse.

Additionally, all students, faculty, staff, and community users must comply with federal and state laws, college rules and policies, and the terms of applicable contracts including software licenses while using the college’s information technology resources. Examples of applicable laws, rules and policies include the laws of libel, privacy, copyright, trademark, Florida Computer Crimes Act, the Electronic Communications Privacy Act and the Computer Fraud and Abuse Act, all other international, federal, state and local laws, including the Florida State Board of Education Rules for Community Colleges, and the college's sexual harassment policy and student code of conduct and all Eastern Florida State College Information Security Procedures. Users who engage in electronic communications with persons in other states or countries or on other systems or networks may also be subject to the laws of those jurisdictions and the rules and policies of those other systems and networks.
Any student, faculty, staff, or community user utilizing the printing function of any standalone or networked computer must comply with all departmental policies and procedures regarding such printing function. This includes, but may not be limited to, all limitations on the number of pages printed and or payment for the cost of such printing.

106.7 Copyright
Current technology easily allows users to duplicate and distribute copyrighted video images, audio recordings and other digital materials. The receipt of, possession of, or distribution of copyrighted material without the permission of the copyright holder is prohibited and is in violation of the laws of the United States (Title 17, U.S. Code). Violators of copyright law could be subject to felony charges in state or federal court and may also be sued by the copyright holder in civil court. Additionally, such improper use may be a violation of the EFSC’s student code of conduct and may amount to actionable plagiarism. Users are responsible for any consequences of copyright infringement and the college disclaims any liability or responsibility resulting from such use.

All software loaded on campus computers must be licensed by the college. Faculty, staff, students, and community users are prohibited from downloading software to individual campus computers or servers; if found, unlicensed software will be removed, and access to campus computing resources may be suspended and/or terminated.

The Digital Millennium Copyright Act of 1998 requires the college to file with the Copyright Office a designation of an agent to receive notifications of claimed infringement. The college’s agent is listed at http://www.copyright.gov/onlinesp/list.

106.8 Email
For purposes of this document, email includes point-to-point messages, listserves, and any electronic messaging involving computers and computer networks. The College provided email is the official email account for faculty and staff. EFSC Titan Mail is the official email account for students. Students are responsible for accessing their email accounts and retrieving all communications sent to the students from the college.

The College has adopted email protocol and procedures which are routinely outlined in student publications. The use of the EFSC provided Course Management System’s (i.e. Canvas) communication tools, also requires adherence to all protocols and procedures for the use of email. Organizational email accounts, including those used by student organizations, are held to the same standards as those for individual use by other students, faculty, or staff. Email is also generally subject to the Florida Public Records Law to the same extent as it would be on paper. Examples of inappropriate and unacceptable uses of email may include but are not limited to:

- Chain mail that misuses or disrupts resources - email sent repeatedly from user to user, with requests to send to others
- Abusive, threatening, obscene, pornographic, harassing, or hate mail
- Willful introduction of virus or virus hoaxes
- Spamming or junk mail or other disseminations that may fail to otherwise accurately identify the sender
• Any use of web-based or other communication tools that otherwise violates the Family Education Rights & Privacy Act (FERPA) or the Health Insurance Portability and Accountability Act of 1996 (HIPAA)
  
  o Do not include social security numbers (SSN), IDs or names in the subject lines of an email. The SSN or IDs should not be included in an email at all.
  
  o If you receive an email with this information, remove it from the subject line before forwarding or responding

106.9 Personal or Commercial Use
College provided informational resources are not to be used by anyone for commercial purposes or for personal financial or other gain. Occasional personal use of college information technology resources for other purposes is permitted when it does not consume a significant amount of those resources, does not interfere with the performance of the faculty or staff's job, and is otherwise in compliance with this policy. Further limits may be imposed upon personal use in accordance with normal supervisory procedures concerning the use of college equipment.

106.10 Policy Monitoring and Passwords
The college does not routinely monitor an individual's use of the college's information technologies. However, the college employs various measures to protect the security of its information technology resources and its users' accounts. Users should be aware that the college does not provide security and confidentiality when using its computer technology. Users should therefore engage in "safe computing" practices by establishing appropriate access restrictions for their accounts, guarding their passwords and routinely changing all passwords. The normal operation and maintenance of the college's computing resources require the backup and caching of data and monitoring usage patterns. The college may also monitor the activity and accounts of specific users in the event of a complaint relating to this policy or possible security breach.

Access to certain college systems requires the use of usernames and passwords. Many of these systems require the user to periodically change passwords as outlined in the Information Security Procedures.

Security of student and financial records on EFSC systems is a highly regulated environment. All users must adhere to the following rules to maintain the security of records and to ensure an accurate audit trail:

• Never provide your username, B number, and password to another user. By doing so, the audit trail is broken, and you may be held accountable for actions in the system you did not perform. If someone has forgotten their username, B number and/or password, contact the college's technical support desk. If you don't have an account and need access, contact your supervisor. Users allowing other faculty and staff to use their username, B number, and password will have their access removed.

• Never leave written evidence of your username, B number, and password around the office or workspace.
106.11 Implementation
Technology and Internet ethics and acceptable use policies and procedures will be implemented as follows:

- A full version of the Technology and Internet Ethics and Acceptable Use Policy and procedures will be placed in the Eastern Florida State College Library Resources on the college’s intranet.
- An abbreviated version of the Technology and Internet Ethics and Acceptable Use Policy will be placed in the faculty and student handbooks. A notice will also be placed in these handbooks indicating where a complete copy of the Internet ethics and acceptable use policies and procedures may be obtained.
- www.easternflorida.edu
- Information Security Procedures are maintained within the Information Technologies district office.

106.12 Review of AUP
In order to ensure that the policies and procedures regarding the use of technology and the Internet by faculty, staff, students, and community users represent a contemporary application of this technology, and to accommodate the change process, the college’s Information Technology Department will review this AUP annually.

106.13 Data Classification and Security
Enterprise-level administrative data is an asset owned by Eastern Florida State College. The college will protect the integrity and confidentiality of all enterprise-level administrative data and all user-developed data sets and systems that may have access to this data regardless of the environment to which it resides or the form that it may take.

Data will be classified, and appropriate security measures will be implemented commensurate with their value, sensitivity and risk.

106.14 Security Incident Response
Information security breaches or security violations should be reported immediately to the Information Technology department Associate Vice President to allow for the expedient response as outlined in the Information Security Procedures.

106.15 Privacy, Access and Security
Eastern Florida State College respects the privacy of all visitors to the college’s websites as permitted by law. This policy covers the use and collection of any information from these visits as well as the protection of that information.

There are four types of information that the college’s website may collect during your visit. These are network traffic logs, website visit logs, cookies, and information voluntarily provided.

In the course of ensuring network security and consistent service for all users, Eastern Florida State College employs software programs to monitor network traffic, identify unauthorized access or access to nonpublic information, detect computer viruses and other software that might damage college computers or the network, and monitor and tune the performance of the college network. In the course of such monitoring, these programs may detect such information
as e-mail headers, addresses from network packets, and other information. Information from these activities is used only for the purpose of maintaining the security and performance of the college's networks and computer systems. Personally identifiable information from these activities is not released to external parties without your consent unless required by law.

Eastern Florida State College's web sites routinely collect and store information from online visitors to help manage those sites and improve service. This information includes the pages visited on the site, the date and time of the visit, the internet address (URL or IP address) of the referring site, the domain name and IP address from which the access occurred, the version of browser used, the capabilities of the browser, and search terms used on our search engines. This site makes no attempt to identify individual visitors from this information: any personally identifiable information is not released to external parties without your consent unless required by law.

Cookies are pieces of information stored by your web browser on behalf of a web site and returned to the web site on request. This site may use cookies for two purposes: to carry data about your current session at the site from one web page to the next, and to identify you to the site between visits. If you prefer not to receive cookies, you may turn them off in your browser, or may set your browser to ask you before accepting a new cookie. Some pages may not function properly if the cookies are turned off. Unless otherwise notified on this site, we will not store data, other than for these two purposes, in cookies. Cookies remain on your computer, and accordingly we neither store cookies on our computers nor forward them to any external parties. Unless otherwise notified on this site, we do not use cookies to track your movement among different web sites and do not exchange cookies with other entities.

The college’s website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses “cookies”, which are text files placed on your computer to analyze how users use this site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity, user demographics, and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google’s behalf. Google will not associate your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

In the course of using these web sites, you may choose to provide us with information to help us serve your needs. For example, you may send us electronic mail (through a mailer or a web form) to request information, you may sign up for a mailing list, or you may send us your address so we may send you an application or other material. Any personally identifiable information you send us will be used only for the purpose indicated. Requests for information will be directed to the appropriate staff to respond to the request and may be recorded to help us update our site to better respond to similar requests. We will not sell, exchange or otherwise distribute your personally identifiable information without your consent, except to the extent required by law. We do reserve the right to work with third-party vendors, to host this information solely for the purposes intended and in accordance with this policy. We do not retain the
information longer than necessary for normal operations. Each web page requesting information discloses the purpose of that information. If you do not wish to have the information used in that manner, you are not required to provide it. Please contact the person listed on the specific page, or listed below, with questions or concerns on the use of personally identifiable information.

Eastern Florida State College web sites and subsites may provide links to other World Wide Web sites or resources. We do not control these sites and resources, do not endorse them, and are not responsible for their availability, content, or delivery of services. In particular, external sites are not bound by the college's online privacy policy; they may have their own policies or none at all.

106.16 College-wide Social Media
Social networks have been adopted by the College to communicate with others. They provide real-time ways to connect with those who share common interests. These guidelines and procedures (Section 106.16 of EFSC Procedures Manual) have been created to provide a road map for the appropriate use of social media by the faculty, staff and students of Eastern Florida State College.

They apply to all forms of social media and communication technology used on behalf of the College, affect all employees and students, plus individuals who use College computer resources and expressly prohibit conduct through social media that is considered illegal or against Eastern Florida State College policies or professional standards.

Sections of these guidelines pertaining to the permissible use of social media and permissible use of graphics, including EFSC logos and other branding, also apply to employees while using personal social media accounts outside of regular work hours, insofar as the use of social media may affect an individual's responsibility as a member of the Eastern Florida State College community.

Violations may result in disciplinary or legal actions by the College.

106.16.1 Eastern Florida State College Official Social Media Platforms

Provisions
EFSC has established an official College presence on multiple social media platforms including, but not limited to: Facebook, Twitter, Instagram, YouTube, LinkedIn, Snapchat, Pinterest, Blogs and Flickr.

These official accounts are maintained and monitored by the EFSC Communications Department, which reserves the right to remove any postings to social media accounts that may be considered offensive, libelous or that do not adhere to the policies of the College.

To see a list of additional EFSC accounts, browse the Social Media Directory, found online at http://www.easternflorida.edu/news-events/social-media/.

Use of Social Media by Faculty, Staff and Students
Only EFSC employees authorized by their departments and/or serving as sponsors of student organizations may use social media networking to conduct College business. An appropriate individual will be designated the primary moderator for each account and assigned responsibility
for its content. In addition to the primary moderator, the Communications Department must be
granted administrative level access to all College social media accounts.

While students are permitted to author content for EFSC social media accounts, they are not
permitted to serve as account administrators.

**Process of Obtaining or Reporting an Account**

Those wishing to create a social media account on behalf of the College must first contact the
Communications Department for approval. If approved, the Communications Department will
create the account and ensure it complies with EFSC’s branding standards before scheduling a
brief training session for the account moderator and any additional content authors. During this
session, participants will learn tips and best practices for utilizing the different capabilities of the
relevant platform.

If you have an existing social media account associated with EFSC, it must be reported to the
Communications Department and the Communications Department must be granted
administrative access so as to ensure it complies with these guidelines and procedures.

**Logos, Branding and the Permissible Use of Graphics**

Unless specific branding is required by an outside, affiliated or parent organization, EFSC social
media accounts are only permitted to use branding that has been approved by the
Communications Department.

All EFSC department and student social networking platforms must include or link to the
required disclaimer, found on the College website at [http://www.easternflorida.edu/news-
events/social-media/disclaimer.cfm](http://www.easternflorida.edu/news-events/social-media/disclaimer.cfm).

Graphics, videos and other content not specifically generated by the College, including content
retrieved from a search engine, are not to be used on EFSC social media accounts without
express legal permission. Contact the Communications Department if you require help obtaining
an appropriate form of media.

**General Rules for Posting**

Account moderators should always consider their message, audience and goal. When posting,
remember the following:

- Protect the College’s institutional voice and reputation: Posts should support the
  College in a professional tone and with good taste. While online, faculty, staff and
  students should always be mindful that they are representatives of the College.

- Maintain confidentiality: Do not post confidential or proprietary information about
  EFSC, its students or its employees. Get permission before posting photos or videos
  of individual students. Internet postings should respect copyright, privacy, fair use,
  financial disclosure and other applicable laws.

- Be accurate and precise: Verify facts before you post. Use proper spelling,
  punctuation and grammar.

Content should be posted frequently to keep accounts current. Accounts that are not being used
regularly will be deactivated or deleted.
Deleting Inappropriate Social Media Content
Account moderators are responsible for hiding or deleting inappropriate posts made by external social media users and third parties. These include, but are not limited to:

- Derogatory language including any use of language that discriminates based on race, sex, sexual orientation, ethnicity or religion
- Threats made by any third party regarding the safety of an institution or individual
- Slander or libel against an individual
- Inappropriate or incriminating images depicting vandalism, sexual harassment, underage drinking, drug use, gang affiliation, obscene language or pornography
- Content that violates state or federal law, such as FERPA
- Partisan political activity
- Online gambling
- Selling of goods or services for personal financial profit

This list is not all-inclusive; use sound judgment to determine what is appropriate. Prior to removing the inappropriate content, please take a screenshot and report it to the Communications Department.

Contacting the Communications Department
If you need to create or report a social media account or have questions related to social media at EFSC, please contact a member of the Communications Department for assistance:

- Katie Monfet, Assistant Manager, Web & Social Media, 321-433-7418, monfetk@easternflorida.edu
- Catherine Harwood, Manager, Web & Social Media, 321-433-5931, harwoodc@easternflorida.edu

106.17 Accessible Technology Procedure
Eastern Florida State College, a public institution established by the State of Florida, is committed to providing equal educational opportunities and an environment that fosters respect for all members of the College community. This procedure has the goal of promoting an accessible learning environment that is free of discrimination, harassment, and retaliation. In accordance with this procedure, Eastern Florida State College is committed to providing access and reasonable accommodations in its services, programs, activities, education and employment for all individuals.

Eastern Florida State College strives to ensure that the electronic and information technology (EIT) that is purchased, created, used, or maintained by the College is accessible in accordance with applicable law, which includes Sections 504 and 508 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended. Consequently, the College requires that all software and web-based technologies are evaluated for compliance with accessibility standards as a fundamental criteria for the acquisition and use of these educational materials. (SACSCOC 10.6)

This policy aligns with:
- Eastern Florida State College’s Procedure 302.6 Compliance with Americans with Disabilities Act
- Florida Statutes: § 1000.05, § 1001.64, § 1001.65, § 1009.41
- Section 504 of Rehabilitation Act of 1973
1. **Definitions.** The term "electronic and information technologies" or "EIT" shall include all information provided through the College’s website, online learning and course management systems, and curriculum, institutional and administrative data systems.

2. **Scope.** This policy shall apply to all staff, faculty, and third parties providing EIT to or on behalf of the College.

3. **Implementation.** The Vice President for Academic and Student Affairs/CLO, the Vice President of Operations, and the campus Provosts will be responsible for implementing this procedure pursuant to a phased-in implementation schedule. Compliance with this procedure will be prioritized based on academic, research and administrative needs, resource constraints and technology limitations.

4. **Procurement of Technology.** EIT that is procured by the College is expected to be compliant with the accessibility criteria as defined by the Web Content Accessibility Guidelines (WCAG) Level 2.0, the internationally accepted standard of accessibility. Vendors should provide detailed information about the accessibility of their product using a conformance report, such as a Voluntary Product Accessibility Template (VPAT). Vendors’ claims should be independently verified and provide a starting point for a thorough discussion about the accessibility of the product.

If ultimately the best product for meeting a particular need is one that fails to fully meet accessibility requirements, vendors should be asked to provide a specific timeline for the remediation of accessibility problems and provide guidance to the College in the development of a plan to provide alternate access to individuals who may be impacted by the identified issues.

At a minimum, vendors are expected to make a commitment to address their accessibility problems. As a condition of the purchasing agreement, language should be included as an addendum to the purchasing contract that documents the nature of the agreement and specifies how satisfactory progress on identified accessibility issues will be measured.
Accreditation, Planning and Assessment

The College maintains institutional and programmatic accreditation by engaging in ongoing, comprehensive, and integrated research-based planning that (a) focus on institutional quality and effectiveness and (b) incorporate a systematic review of institutional goals and outcomes consistent with its mission. The institution publishes accreditation status and regularly informs accrediting agencies of changes. (SACSCOC R7.1, 7.2, 14.1)

Planning and Assessment

EFSC will assess programmatic and college-wide learning outcomes to maintain compliance with national and programmatic accreditation. These processes will follow SACSCOC core requirements 7.1 “The institution engages in ongoing, integrated, and institution-wide research-based planning and evaluation processes that (a) focus on institutional quality and effectiveness and (b) incorporate systematic review of institutional goals and outcomes consistent with its mission. It includes a systematic review of institutional mission, goals, and outcomes including educational goals, administrative support services, educational support services, research and community/public service. The purpose of this planning will be to affect a continuing improvement in institutional quality, and to demonstrate that EFSC is effectively accomplishing its mission.

Quality Enhancement Plan

Through its ongoing planning and evaluation process, EFSC will develop a Quality Assessment Plan (QEP) that addresses key issues related to student achievement and success. Engaging the wider academic community and addressing one or more issues that contribute to institutional improvement, the plan should be focused and succinct. The QEP describes a carefully designed course of action that addresses a well-defined topic or issue(s) related to enhancing student learning. The College develops a QEP that:

1. has a topic identified through its ongoing, comprehensive planning and evaluation processes;
2. has broad-based support of institutional constituencies;
3. focuses on improving specific student learning outcomes and/or student success;
4. commits resources to initiate, implement, and complete the QEP; and
5. includes a plan to assess achievement.

Representation of Accreditation Status

Eastern Florida State College accurately represents its accreditation status in accordance with the Commission requirements and publishes that status within the EFSC College Catalog, EFSC Student Handbook, and on the EFSC website. In addition to being available in these
locations, the statement is linked on the EFSC Consumer Information at EFSC web page and in the footer of all pages on the EFSC website. (SACSCOC 14.1)

In each of these locations, the following statement is available:

Eastern Florida State College is accredited by the Southern Association of Colleges and Schools (SACSCOC) Commission on Colleges to award baccalaureate and associate degrees, as well as specialized certificate programs. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Eastern Florida State College.

The institution also (a) represents itself accurately to all U.S. Department of Education recognized accrediting agencies with which it holds accreditation and (b) informs those agencies of any change of accreditation status, including the imposition of public sanctions (SACSCOC 14.4). To keep appropriate agencies informed of any change in accreditation states, the College will:

1. Annually send a letter to notify SACSCOC and all programmatic accrediting agencies of accreditation statuses;
2. Provide updates via letter to SACSCOC and all programmatic accrediting agencies when there are any changes in accreditation status;

The letter should outline any changes or newly achieved accreditation. The letter will also include appropriate information about EFSC that may include its purpose, authority, and governance. Background about EFSC related to finances, programs, and personnel may also be noted.
108 Substantive Changes

Eastern Florida State College will notify the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) of changes in accordance with the Commission’s substantive change policy and, when required, seek approval prior to the initiation of changes. The purpose of this documentation is to ensure that all substantive changes are reported to the Commission in a timely fashion. (SACSCOC R14.2)

108.1 Definition

Substantive change is a significant modification or expansion of the nature and scope of the college. Under federal regulations, substantive change includes:

- Any change in the established mission or objectives of the institution.
- Any change in legal status, form of control, or ownership of the institution.
- The addition of courses or programs that represent a significant departure, either in content or method of delivery, from those that were offered when the college was last evaluated.
- The addition of courses or programs of study at a degree or credential level different from that which is included in the institution’s current accreditation or reaffirmation.
- A change from clock hours to credit hours.
- A substantial increase in the number of clock or credit hours awarded for successful completion of a program.
- The establishment of an addition location geographically apart from the main campus at which the institution offers at least 50 percent of an educational program.
- The establishment of a branch campus.
- Closing a program, off-campus site, branch campus or institution.
- Entering into a collaborative academic arrangement such as a dual degree program or a joint degree program with another institution.
- Acquiring another institution or a program or location of another institution.
- Adding a permanent location at a site where the institution is conducting a teach-out program for a closed institution.
- Entering into a contract by which an entity not eligible for Title IV funding offers 25% or more of one or more of the accredited institution’s programs.

108.2 Glossary of Terms

a. Branch campus - a location of an institution that is geographically apart and independent of the main campus of the institution. A location is independent of the main campus if the location is permanent in nature; offers courses in educational programs leading to a degree, certificate, or other recognized educational credential; has its own faculty and administrative or supervisory organization and has its own budgetary and hiring authority.
b. Degree completion program – a program typically designed for a non-traditional undergraduate population such as working adults who have completed some college-level course work but have not achieved a baccalaureate degree. Students in such programs may transfer in credit from courses taken previously and may receive credit for experiential learning. Courses in degree completion programs are often offered in an accelerated format or meet during evening and weekend hours, or may be offered via distance learning technologies.

c. Distance education - a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. Instruction may be synchronous or asynchronous. A distance education course may use the internet; one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; audio conferencing; or video cassettes, DVD’s, and CD-ROMs if used as part of the distance learning course or program.

d. Dual degree – separate program completion credentials each of which bears only the name, seal, and signature of the institution awarding the degree to the student.

e. Educational program – a coherent course of study leading to the awarding of a credential (i.e., a degree, diploma or certificate).

f. Geographically separate - an instructional site or branch campus that is located physically apart from the main campus of the institution.

g. Joint degree - a single program completion credential bearing the names, seals, and signatures of each of the two or more institutions awarding the degree to the student.

h. Modified prospectus - a prospectus submitted in lieu of a full prospectus for certain designated substantive changes. When a modified prospectus is acceptable, the Commission specifies requested information from the institution.

i. Notification - a letter from an institution’s chief executive officer, or his/her designated representative, to SACSCOC President summarizing a proposed change, providing the intended implementation date, and listing the complete physical address, if the change involves the initiation of an off-campus site or branch campus. The policy and procedures for reporting and review of institutional substantive change are outlined in the document —Substantive Change for Accredited Institutions of the Commission on Colleges.

j. Significant departure – a program that is not closely related to previously approved programs at the institution or site or for the mode of delivery in question. To determine whether a new program is a significant departure, it is helpful to consider the following questions:

- What previously approved programs does the institution offer that are closely related to the new program and how are they related?
- Will significant additional equipment or facilities be needed?
- Will significant additional financial resources be needed?
- Will a significant number of new courses will be required?
- Will a significant number of new faculty members will be required?
- Will significant additional library/learning resources be needed?
k. Teach-out agreement - a written agreement between institutions that provides for the equitable treatment of students and a reasonable opportunity for students to complete their program of study if an institution, or an institutional location that provides fifty percent or more of at least one program offered, ceases to operate before all enrolled students have completed their program of study. Such a teach-out agreement requires SACSCOC approval in advance of implementation.

l. Teach-out plan - a written plan developed by an institution that provides for the equitable treatment of students if an institution, or an institutional location that provides fifty percent or more of at least one program, ceases to operate before all students have completed their program of study, and may include, if required by the institution's accrediting agency, a teach-out agreement between institutions. Teach-out plans must be approved by SACSCOC in advance of implementation.

108.3 Procedures for Reporting: An Overview
There are three procedures for addressing the different types of substantive changes included in this document:

• Procedure One for the Review of Substantive Changes Requiring Notification and Approval Prior to Implementation

• Procedure Two for the Review of Substantive Changes Requiring Only Notification Prior to Implementation

• Procedure Three for Closing a Program, Site, Branch Campus or Institution.

• The reporting procedure and the timeline for submission to the Southern Association of Colleges and Schools Commission on Colleges is included in Appendix A.

• The following five types of substantive changes require on-site Commission committee review within six months of implementation: addition of off-site campus at which a student can earn at least 50 percent of the credit toward an educational program; initiation of a branch campus, initiation of a change in governance/ownership with a change in control, initiation of a merger/consolidation, initiation of coursework, credit certifications, or degrees at a different level than currently approved by the Commission.

108.4 Procedures for notification of need for change documentation
1. Any request for a new program or specialization will be referred to the New Program Development Committee for an initial review.

2. Any curriculum changes that meet the qualifications listed in Appendix B, MUST be reported to the Office of Planning and Assessment by the Academic Affairs Council (AAC) chair at the time recommendations for approval are made.

3. The AAC chair will submit curriculum recommendations to the administrative liaison who will also review the proposed curriculum for substantive changes and forward such recommendations to the Office of Planning and Assessment and Vice President.

4. Curriculum changes will be reviewed and approved by the Provost Council per AAC curriculum procedures.
5. The Office of Planning and Assessment will initiate the documentation required for the SACSCOC with assistance from the Provost Council and AAC as needed. If the substantive change prompts any change or updates to institutional or programmatic accreditation the College will notify SACSCOC and programmatic accrediting agencies of these changes as outlined in SOP 107.3.

6. Changes that may initiate outside of the AAC process such as branch campus closures or initiations will be referred to the Executive Council by the appropriate administrator or Provost for discussion. Such changes will be discussed with the AAC and final recommendations made to the President. The Office of Planning and Assessment will prepare the necessary documentation.

108.5 Closing a Program, Instructional Site, Branch Campus or an Institution
If EFSC decides to close an educational program, approved instructional site, branch campus, or the entire institution:

1. EFSC will teach out currently enrolled students; no longer admit students to programs; and terminate the program, operation of the instructional site or a branch campus after students have graduated.

2. If the closing of a program, instructional site, or a branch campus change prompts any change or updates to institutional or programmatic accreditation the College will notify SACSCOC and programmatic accrediting agencies of these changes as outlined in SOP 107.3.

108.6 Reporting Various Types of Substantive Changes (see table)

<table>
<thead>
<tr>
<th>Types of Change</th>
<th>Procedure or Policy</th>
<th>Prior Notification Required</th>
<th>Documentation and Time Frame for Contacting SACSCOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiating coursework or programs at a different level</td>
<td>Procedure 1</td>
<td>No</td>
<td>Application for Level Change</td>
</tr>
<tr>
<td>than currently approved</td>
<td></td>
<td></td>
<td>Due dates:</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>March 15 (for June review)</td>
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<td></td>
<td></td>
<td></td>
<td>September 1 (for December review)</td>
</tr>
<tr>
<td>Initiating off-campus sites where student can obtain</td>
<td>Procedure 1</td>
<td>No</td>
<td>Due dates:</td>
</tr>
<tr>
<td>50% or more credits toward a program (including but not</td>
<td></td>
<td></td>
<td>January 1 for 7/1-12/31</td>
</tr>
<tr>
<td>limited to Early College High School, dual enrollment</td>
<td></td>
<td></td>
<td>implementation July 1 for 1/1-6/30</td>
</tr>
<tr>
<td>programs offered at a high school, and certificate</td>
<td></td>
<td></td>
<td>implementation</td>
</tr>
<tr>
<td>programs that are not at employer’s request and not on</td>
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<tr>
<td>short notice)</td>
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<td></td>
<td></td>
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<tr>
<td>Expanding at current degree level (significant departure</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>from current programs)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Types of Change</td>
<td>Prior Notification Required</td>
<td>Prior Approval Required</td>
<td>Documentation and Time Frame for Contacting SACSCOC</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
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</tr>
</tbody>
</table>
| Expanding program offerings at previously approved off-campus sites by adding programs that ARE significantly different from current programs at the site AND at the institution | No                          | Yes                     | Due dates: January 1 for 7/1-12/31 implementation July 1 for 1/1-6/30 implementation  
Copy of signed agreement, contact information for each institution, and additional details on non-SACSCOC institution(s) involved. See Policy. |
| Initiating degree completion programs                                           |                             |                         |                                                      |
| Initiating a branch campus (See definition of “branch campus” on p. 3 of this document.) |                             |                         |                                                      |
| Initiating distance learning by offering 50% or more of the first program for the first time |                             |                         |                                                      |
| Relocating a main or branch campus                                             |                             |                         |                                                      |
| Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides 25% or more of an educational program offered by the SACSCOC accredited institution |                             |                         |                                                      |
| Initiating dual or joint degrees involving program expansion (significant departure) or initiating a new site where student can obtain 50% or more credits toward a program | No                          | Yes                     | Due dates:  
Acceptance of notification, copy of signed agreement, contact information for each institution, and additional details on non-SACSCOC institution(s). See Policy. |
| Initiating dual or joint degree with at least one institution not accredited by SACSCOC | At least 6 months prior to implementation | Yes                     |                                                      |
| Initiating a program or courses delivered through cooperative academic arrangement | At least 6 months prior to implementation | No                      | Acceptance of notification, copy of signed agreement, contact information for each institution/entity |
| Initiating a direct assessment competency-based program                         | Yes – Screening Form        | Yes                     | Submit “Screening Form” with letter of notification. If Prospectus is required, Due dates:  
March 15 (for June review)  
September 1 (for December review)  
(See SACSCOC Policy: “Merger/Consolidation, Acquisition, Change of Ownership, and Change of Governance, Control, Form, or Legal Status – Substantive Change for SACSCOC Accredited Institutions) |
| Initiating a merger/consolidation with another institution                     | Yes:  
December 15 (for June review); June 1 (for December review) | Yes                     |                                                      |
<p>| Changing governance, ownership, control, or legal status of an institution      |                             |                         |                                                      |</p>
<table>
<thead>
<tr>
<th>Types of Change</th>
<th>Procedure or Policy</th>
<th>Prior Notification Required</th>
<th>Prior Approval Required</th>
<th>Documentation and Time Frame for Contacting SACSCOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquiring an institution or location (including programs) of another institution</td>
<td></td>
<td></td>
<td></td>
<td>Policy Statement”</td>
</tr>
<tr>
<td>Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing</td>
<td></td>
<td></td>
<td></td>
<td>Due dates: March 15 (for June review); September 1 (for December review)</td>
</tr>
<tr>
<td>Initiating a certificate program at a new off-campus site at employer’s request and on short notice (previously approved program)</td>
<td>Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Cover Sheet Modified prospectus Contact Commission Staff.</td>
</tr>
<tr>
<td>Initiating a certificate program that is a significant departure from previously approved programs at employer’s request and on short notice</td>
<td></td>
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<tr>
<td>Adding a site under a U.S. military contract for a previously approved program</td>
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<tr>
<td>Altering significantly the length of a program</td>
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<tr>
<td>Altering significantly the educational mission of the institution</td>
<td></td>
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</tr>
<tr>
<td>Changing from clock hours to credit hours</td>
<td>Procedure 1</td>
<td>No</td>
<td>Yes</td>
<td>Justify reasons for change, indicate calculation of equivalency, and other pertinent information</td>
</tr>
<tr>
<td>Moving an off-campus instructional site (serving the same geographic area)</td>
<td>Procedure 2</td>
<td>Yes</td>
<td>No</td>
<td>Letter of notification with old address, new address, and implementation date</td>
</tr>
<tr>
<td>Initiating dual or joint degrees with other SACSCOC accredited institution(s)</td>
<td>See SACSCOC Policy “Agreements Involving Joint and Dual Academic Awards”</td>
<td>At least 6 months prior to implementation</td>
<td>No</td>
<td>Acceptance of notification, copy of signed agreement and contact information for each institution. See Policy.</td>
</tr>
<tr>
<td>Initiating programs or courses offered through contractual agreement or consortium</td>
<td>Procedure 2</td>
<td>Yes</td>
<td>No</td>
<td>Letter of notification and copy of signed agreement</td>
</tr>
<tr>
<td>Types of Change</td>
<td>Procedure or Policy</td>
<td>Prior Notification Required</td>
<td>Prior Approval Required</td>
<td>Documentation and Time Frame for Contacting SACSCOC</td>
</tr>
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</tr>
<tr>
<td>Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides less than 25% of an educational program offered by the SACSCOC accredited institution</td>
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</tr>
<tr>
<td>Initiating off-campus sites where student can obtain 25-49% of credits toward a program (including but not limited to Early College High School, dual enrollment programs offered at a high school, and certificate programs that are not at employer’s request and not on short notice)</td>
<td>Procedure 2</td>
<td>Yes</td>
<td>No</td>
<td>Letter of notification Including street address and implementation date</td>
</tr>
<tr>
<td>Initiating distance learning by offering 25-49 of the first program for the first time</td>
<td></td>
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</tr>
<tr>
<td>Closing a program, approved off-campus site, branch campus, or institution where the institution plans to teach out its own students</td>
<td>Procedure 3</td>
<td>Yes</td>
<td>Yes</td>
<td>Description of teach-out plan included with letter of notification</td>
</tr>
<tr>
<td>Closing a program, approved off-campus site, branch campus, or institution where the institution plans contracts with another institution(s) to teach-out students (Teach-out Agreement)</td>
<td>Procedure 3</td>
<td>Yes</td>
<td>Yes</td>
<td>Description of teach-out plan, copy of signed teach-out agreement(s) detailing terms included with notification</td>
</tr>
<tr>
<td>Initiating a certificate program at employer’s request and on short notice using existing approved courses and location</td>
<td>NA</td>
<td>No</td>
<td>No</td>
<td>NA</td>
</tr>
<tr>
<td>Initiating certificate program (not at employer’s request and not on short notice) using existing approved courses and location</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Initiating off-campus sites (including Early College High School and dual enrollment programs offered at the high school) where student can obtain 24% or less of credits toward a program</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Types of Change</td>
<td>Procedure or Policy</td>
<td>Prior Notification Required</td>
<td>Prior Approval Required</td>
<td>Documentation and Time Frame for Contacting SACSCOC</td>
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<td>--------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Expanding program offerings at previously approved off-campus sites by adding approved programs that ARE NOT significantly different from current programs at the site</td>
<td></td>
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</tr>
<tr>
<td>Expanding program offerings at previously approved off-campus sites by adding approved programs that ARE significantly different from current programs at the site but NOT at the institution</td>
<td></td>
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</tr>
<tr>
<td>Initiating distance learning by offering 24% or less of any program for the first time</td>
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</tbody>
</table>
108.7 Unreported Substantive Change
Unreported substantive changes requiring prior notification or prior approval come to the attention of the Commission through two means: (1) information discovered by the institution or by the Commission between periods of formal review by the Commission and (2) information discovered during an off-site or an on-site review by the Commission. The procedure for handling such unreported substantive changes is as follows:
   a. Upon discovery, the institution formally notifies the SACSCOC President of the unreported substantive change. The letter of notification must include the date of the original implementation of the change. A completed prospectus or application should accompany the letter for any unreported substantive change.
   c. Adding correspondence education courses or programs that are significantly different from those that were initially approved for the institution or site.
   d. Initiating programs/courses delivered through contractual agreement or a consortium
   e. Moving an approved off-campus instructional site within the same geographic area to serve essentially the same pool of students.
   f. Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides less than 25 percent of an educational program offered by the accredited institution.

108.8 Required Components of the Prospectus
1. Abstract
2. Determination of need for the change/relationship to mission/planning and approvals for the change
3. Required information for the specific change
4. Faculty Qualifications
5. Library and Learning Resources
6. Student Support Services
7. Physical Resources
8. Financial Support
9. Description of Institutional Evaluation and Assessment Processes for the change

108.9 SACSCOC Non-Significant Departure
The College will determine with any curriculum change whether or not the proposed courses and/or programs are considered to be materially from existing courses or programs in content or method of delivery. The College will document that determination.

1. Prior to the development of a new program will be developed by faculty, the faculty will present the program plan to the New Program Development Committee for initial assessment of significant or non-significant departure from existing programs.
2. Guiding Questions in the review of the initial documentation include?
   • What closely related courses or programs do you have and how are they related?
   • What significant equipment or facilities will be needed for the new program?
   • What significant costs will the College incur?
   • Will there be a significant number of new courses? Rule of thumb is no more than 33%
   • Will new faculty be required to write or teach the curriculum based on expertise needed not related to the number of new students enrolled?
   • What additional Library resources will be needed?
3. Upon curricular approval by Curriculum Development Committee (CDC) and the Academic Affairs Council (AAC), the sponsoring faculty member or cluster will complete the Non-significant departure form.
4. Once approved through CDC and AAC, the non-significant departure form shall be sent to Provost Council for review and approval.
5. The Non-significant Change form and supporting documentation will be maintained electronically.
109 Overview College-Wide Media and Communication

Eastern Florida State College has designated the office of College-wide Communications as the contact for the news media and coordinating the release of information to the public.

109.1 Release of information to the news media
The Communications Department assists all college departments, the EFSC Foundation, EFSC Athletics, student clubs and organizations and individuals with the news media and is responsible for ensuring compliance with this policy.

The news media is defined as print publications, online web sites, blogs and TV stations.

Should a member of the media call, email or stop in person on any of the college’s four campuses, the following procedures should be followed:

- Direct the reporter to the Communications Office. Do not answer inquiries.
- Immediately contact the Communications Office by calling or emailing the Associate Vice President of Communications, (321) 432-7017 or the Executive Director of Communications, (321) 432-7022. Forward to the Communications Office, all information such as media contact name, phone number, email address and topic of the proposed news story.
- The Communications Office will determine whether the inquiry will be approved for response, contact the media representative and coordinate with the appropriate EFSC faculty or staff any interviews or photography that may be needed to assist with the story.

The following are the ONLY people authorized to speak on behalf of the college on issues of institutional policy or subjects generating public interest:

- The President or his designee
- The Associate Vice President of Communications

109.2 Social Media
The Communications Department is responsible for maintain social medial communication. Refer to Procedure 107.11, College-wide Social Media

109.3 Student Academic information
The College publishes academic policies on the college web site that adhere to principles of good educational practice. These policies are disseminated to students, faculty, and other
interested parties through publications that accurately represent the programs and services of the institution. (SACSCOC R10.1)

http://www.easternflorida.edu/admissions/registrars-office/

109.3.1 Academic policies/procedures
The College publishes admissions policies on the college web site consistent with its mission. (SACSCOC R10.5 in part). Information provided includes criteria for evaluating, awarding, and accepting credit for transfer, experiential learning, credit by examination, advanced placement, and professional certificates that is consistent with the College mission and ensures that course work and learning outcomes are at the collegiate level and comparable to the institution’s own degree programs. The institution assumes responsibility for the academic quality of any course work or credit recorded on the institution’s transcript. (SACSCOC R10.8)

http://www.easternflorida.edu/admissions/registrars-office/credit-evaluation/

109.3.2 Requirements for graduation
The College publishes requirements for its undergraduate programs, including its general education components. These requirements conform to commonly accepted standards and practices for degree programs. (SACSCOC R9.7 in part)

http://www.easternflorida.edu/admissions/admission-requirements.cfm
http://web12.easternflorida.edu/catalog/current/

109.3.3 Student Rights and Responsibilities
The College publishes a clear and appropriate statement of student rights and responsibilities and disseminates the statement to the campus community. (SACSCOC R12.3)


109.3.4 Accreditation Status
The College represents its accredited status accurately and publishes the name, address, and telephone number of the Commission in accordance with the Commission requirements and federal policy. At least once annually, the College SACSCOC Liaison provides (SACSCOC R14.1 in part). See SOP 107.3

http://www.easternflorida.edu/administration-departments/institutionaleffectiveness/accreditation-sacs/
http://www.easternflorida.edu/academics/consumer-information.cfm

109.3.5 Student Complaints
The College has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. (SACSCOC R12.4)
# Eastern Florida State College Procedures Manual

## Title: Diversity and Equity Complaint Procedure

**Number:** 200

<table>
<thead>
<tr>
<th>Legal Authority: FS 295.07, 295.085, 1000.05, 1001.64, 1001.65, FAC 6A-14.060, Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, Genetic Information Nondiscrimination Act of 2008 (GINA); ADA; Vocational Education Program Guidelines, Sections IV-VIII; Title IX of Education Amendments of 1972 Board Policy Governance: 300.3; 500.1, 800</th>
<th>Page: 1 of 9</th>
</tr>
</thead>
</table>

### 200 OVERVIEW DIVERSITY AND EQUITY COMPLAINT PROCEDURE

The College has procedures for addressing written student complaints and follows those procedures when resolving student complaints. Student complaints need to be addressed in a fair and professional manner, and the policies and procedures governing student complaints need to be well publicized and provide clear and consistent guidelines for their resolution. These procedures are publicized in the Student Handbook and on the College website. The College maintains a record of complaints received by the institution. (SACSCOC R12.4)

### 200.1 Complaint/Grievance Procedure

Eastern Florida State College is dedicated to providing a nondiscriminatory environment which promotes equal access, equal educational opportunity and equal employment opportunity to all persons regardless of age, race, national origin, color, ethnicity, genetic information, religion, sex, gender, sexual orientation, pregnancy, disability, marital status, veteran status, ancestry or political affiliation in its programs, activities, or employment.

Inquiries regarding the College’s Equal Opportunity Policies, including Title IX (gender discrimination) and Section 504 of the Americans with Disabilities Act (disabled discrimination), and equity issues in general may be directed to:

Ms. Darla Ferguson, Chief Equity and Diversity Officer, Cocoa Campus, Building 2, Room 103, 1519 Clearlake Road, Cocoa, FL 32922, telephone 321-433-7080 or email fergusond@easternflorida.edu,

or

Lt. Mark Renkens, Security & Title IX Compliance Coordinator, Melbourne Campus, Building 10, Room 215, 3865 North Wickham Road, Melbourne, FL 32935, telephone 321-433-7180 or email renkensm@easternflorida.edu.

Official representatives of the College to include supervisors, staff and faculty are required to report all complaints or concerns regarding unwelcome sexual conduct and/or non-consensual sexual contact, including sexual harassment, sexual violence, dating violence, domestic violence, sexual assault/sexual battery, and stalking to the Chief Equity and Diversity Officer or to their supervisor immediately. The complainant’s desire to keep the matter confidential does not exempt employees from this directive. Failing to report these matters in a timely basis is a serious offense and will most likely result in disciplinary action.
Inquiries regarding veterans’ programs may be directed to the Office of Veterans Affairs, Student Services Center/Administration Building 1, Room 140, 3865 North Wickham Road, Melbourne, Florida 32935; 321-433-7880 or the Office of Veterans Affairs, Ralph M. Williams Student Center, Building 11, Room 113, 1519 Clearlake Road, Cocoa, FL 32922; 321-433-7880.

200.2 Definitions

Complaint. A complaint is a verbal or written claim or charge against the administrative staff, a faculty or staff member, a student, or a third party (who may be a volunteer, customer, vendor, contractor, member of the public, or an individual acting in an official capacity for EFSC), stating facts which constitute a misapplication of, misrepresentation of, deviation from, or violation of a specific law, regulation, College policy or procedure, or an existing contract. A written complaint can be hardcopy or email.

Complainant. Anyone who feels that he/she has been injured in some fashion by unfair treatment (on the part of a student, an employee, a third party, or under any of the College policies, procedures, programs or activities) or by discrimination or harassment (on the basis of age, race, national origin, color, ethnicity, genetic information, religion, sex, gender, sexual orientation, pregnancy, disability, marital status, veteran status, ancestry or political affiliation, or any other factor prohibited under federal, state and local civil rights laws, rules and regulations) and who is filing a complaint/grievance with the Office of Equity & Diversity (Equity Officer) for the College.

Respondent. The individual against whom a complaint has been alleged by a complainant.

Discrimination. Discrimination is the unlawful and intentional act of unfair or unequal treatment of individuals who are similarly situated.

Employment Discrimination. Discrimination occurs in the employment context when an employer treats one or more employees less favorably than others because of age, race, national origin, color, ethnicity, genetic information, religion, sex, gender, sexual orientation, pregnancy, disability, marital status, veteran status, ancestry or political affiliation, or any other factor prohibited under federal, state and local civil rights laws, rules and regulations or in retaliation for a complaint made against the employer (“whistleblower”). Employment discrimination can take the form of an adverse action that affects an employee economically like, failure to hire or to promote, demotion, suspension, termination, or loss of benefits.

Hostile Work Environment. Employment discrimination can also take the form of a hostile work environment (workplace harassment), like verbal or physical harassment, or it can occur when an employer fails to reasonably accommodate a qualified employee with a disability. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a learning or work environment that would be intimidating, hostile, or offensive to a reasonable person.

Grievance. A grievance is a formal verbal or written statement initiated by a complainant that relates to a circumstance which is believed to be:

- A misapplication of, a misrepresentation of, a deviation from, or a violation of a specific law, regulation, College policy/procedure, or an existing contract by administrative staff, a faculty or staff member, a student, or a third party (who may be a volunteer, customer, vendor, contractor, member of the public, or an individual acting in an official capacity for EFSC) that is against a student, a College employee (staff, faculty, or administration), or a member of the public.
• An arbitrary, improper or discriminatory practice that results in unjust treatment of an employee (staff, faculty, or administrator), a student, or a member of the public by administrative staff, a faculty or staff member, a student, or a third party (who may be a volunteer, customer, vendor, contractor, member of the public, or an individual acting in an official capacity for EFSC.

Harassment. Harassment is unwelcome conduct that is based on race, color, gender (including pregnancy), religion, national origin, disability, age (40 or older), disability, and/or genetic information. Harassment becomes unlawful when enduring the offensive conduct becomes a condition of continued class attendance, employment, or the conduct is severe or pervasive enough to create a learning or work environment that a reasonable person would consider intimidating, hostile, or abusive.

The harasser can be the victim's instructor, a supervisor, a supervisor in another area, an agent of the employer, a co-worker/colleague, or a non-employee. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

200.3 Forms of harassment
Sexual Harassment is defined as unwelcome conduct of a sexual nature, including but not limited to:
• Unwelcome sexual advances,
• Requests for sexual favors,
• Other verbal, nonverbal, visual, or physical conduct of a sexual nature, such as acts of sexual violence,
• Other offensive behavior directed toward an individual because of or on account of the individual’s sex or sexual orientation, whether by a person of the same or opposite gender, when either:
  o Submission to, rejection of, or toleration of such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, education, or participation in a College program or activity, or is used as a basis or factor in decisions affecting an individual’s employment, education, or participation in a College program or activity (“Quid Pro Quo Sexual Harassment”); or
  o Such conduct creates a Hostile Environment.

Please refer to Procedure 800.10(Q) for a detailed explanation of terms, definitions, and conduct guidelines.

Stalking is defined as engaging in a repetitive course of conduct (e.g. repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method) directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

For a more thorough definition of stalking, please see Procedure 800.10(Q)(9).

Racial Harassment is defined as unwelcome conduct relating to an individual’s race or color which unreasonably interferes with an employee’s or student’s status or performance by
creating an intimidating, hostile, or offensive working or educational environment. Harassment on the basis of race or color includes offensive or demeaning treatment of an individual, where such treatment is based typically on prejudiced stereotypes of a group to which that individual may belong. It includes, but is not limited to, objectionable epithets, threatened or actual, physical harm or abuse, racial slurs, comments or manner of speaking, negative references to racial customs or other intimidating or insulting conduct directed against the individual because of his/her race or color.

In addition, the College treats discrimination by students or employees or resulting from institutional policies motivated by anti-Semitic intent in an identical manner to discrimination motivated by race. For these purposes, the term "anti-Semitism" includes a certain perception of the Jewish people, which may be expressed as hatred toward Jewish people, rhetorical and physical manifestations of anti-Semitism directed toward a person, his or her property, or toward Jewish community institutions or religious facilities.

Examples of anti-Semitism include:

- Calling for, aiding, or justifying the killing or harming of Jews, often in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective, especially, but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the State of Israel, or even for acts committed by non-Jews.
- Accusing Jews as a people or the State of Israel of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or the alleged priorities of Jews worldwide, than to the interest of their own nations.

Examples of anti-Semitism related to Israel include:

- Demonizing Israel by using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis, drawing comparisons of contemporary Israeli policy to that of the Nazis, or blaming Israel for all inter-religious or political tensions.
- Applying a double standard to Israel by requiring behavior of Israel that is not expected or demanded of any other democratic nation, or focusing peace or human rights investigations only on Israel.
- Delegitimizing Israel by denying the Jewish people their right to self-determination and denying Israel the right to exist.

However, criticism of Israel that is similar to criticism toward any other country may not be regarded as anti-Semitic.

Nothing herein shall be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution, or the State Constitution, and nothing herein shall be construed to conflict with federal or state discrimination laws.
Religious Harassment consists of unwelcome physical or verbal conduct which is related to an individual’s religion or creed when the conduct has the effect of creating an intimidating, hostile, or offensive working or academic environment. Harassment on the basis of religion includes derogatory comments regarding surnames, religious traditions, religious clothing, or religious slurs or graffiti.

National Origin Harassment consists of unwelcome physical or verbal conduct which is related to an individual's national origin when the conduct has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment. Harassment on the basis of national origin includes negative comments regarding surnames, manner of speaking, custom, language, or ethnic slurs.

Disability Harassment consists of unwelcome physical or verbal conduct relating to an individual’s disability when the conduct has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment.

Sexual Orientation Harassment consists of unwelcome physical or verbal conduct relating to an individual’s sexual orientation when the conduct has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment. Harassment on the basis of sexual orientation includes unwelcome verbal, written or physical conduct, directed at the characteristics of a person’s sexual orientation such as negative name calling or imitating mannerisms.

200.4 Responsibility
All EFSC employees and students have the responsibility to report and prevent discrimination and/or harassment whenever they experience or witness a violation. Employees and students have the responsibility to inform the harasser directly that the conduct is unwelcome and must stop. Employees and students should also report harassment immediately in order to prevent its escalation.

The College has a responsibility to prevent harassment and, if it occurs, to take appropriate action.

Refusal to cooperate with the Equity Officer during a grievance investigation could result in disciplinary action, expulsion, or termination. Violations of confidentiality requirements may be independent grounds for disciplinary action.

A Special Note to Faculty, Supervisors, and Other Persons in Positions of Power: Harassment occurs when a person who is in a position of trust or authority engages in behaviors or creates conditions that are perceived as inappropriate, unwanted and/or that are non-reciprocal. Sexual harassment, in particular, can occur when an unwelcome personal element is introduced into what should be a sex neutral situation.

Because of the difference in authority between faculty and students and supervisors and employees, a faculty member or supervisor cannot be certain that a personal relationship is truly welcome or consensual. Members of the College should be aware that whatever differences in status exist, as between supervisor and employee, or faculty member and student, abuses of status may take the form of sexual harassment. Charges of sexual harassment may arise even when romantic or amorous relationships exist that are apparently consensual. Should such a relationship result in a subsequent charge of sexual harassment, the claim that the relationship is or was consensual will not be an adequate defense. Moreover, other individuals may be affected by such relationship. Those who abuse, or appear to abuse, their position violate their
responsibility to the College. The College expects employees to be aware of the potential for problems and conflicts of interest.

200.5 Equity Officer Role
The role of the Equity Officer is not to serve as advocate for either the complainant or the respondent, but to resolve the differences between the parties involved or to assist the complainant through either the informal or the formal process.

200.6 Confidentiality
Due to the nature of the allegation and information received, all information regarding harassment will be kept in confidence to the greatest extent practicable and appropriate under the circumstances. The Equity Officer, who will conduct the investigation, may require the cooperation of other employees or students at the College. Only those individuals necessary for the investigation and resolution of the complaint shall be given information about the situation in question. The College cannot, however, guarantee that the identity of the complainant will be concealed from the accused harasser. When reasonable, the College will consider requests for separation of the primary parties during the investigation.

In order to ensure that a complete investigation of harassment claims can be conducted, it may be necessary for the College to disclose to others portions of the information provided by the complainant. The College will make every effort to honor any complainant's or respondent's request that the College not disclose certain information provided, consistent with the College's obligation to identify and to correct instances of harassment, including sexual harassment. All parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.

200.7 Action in the Event of Discrimination or Harassment
Anyone who feels that they have been injured in some fashion by unfair treatment (on the part of a College student, an employee, or a third party, or under any of the College policies, procedures, programs or activities) or by discrimination or harassment (on the basis of age, color, gender or gender preference, religion, national origin, race, political affiliation, marital status, veteran status, or physical or mental disability) has the right to initiate informal and/or formal grievance procedures. The informal process is not a mandatory step in order to access the formal process.

200.8 Informal Process
The College encourages individuals to discuss issues and attempt to work out differences in an equitable manner. This would require that the complainant confront the respondent, whether he/she is a co-worker, a supervisor, a fellow student, a member of the faculty, or a third party (who may be a volunteer, customer, vendor, contractor, member of the public, or an individual acting in an official capacity for EFSC). This verbal discussion is defined as the informal process with respect to any act that may be construed as discrimination or harassment. The informal process is intended to encourage a satisfactory resolution to a complaint at the earliest possible time.

An individual who believes that he/she is the recipient of discrimination or harassment should file a complaint with the Equity Officer. This will require that the complainant contact the Equity Officer and complete a grievance input form, identifying himself/herself and the respondent, identifying the date(s) that the incident(s) took place and the place(s) of the alleged discriminatory action(s), describing the alleged incident(s) and identifying the resolution sought.
Once the Equity Officer receives a complaint, he/she has ten (10) business days to contact the respondent’s immediate supervisor (if an employee) or the appropriate College official (if a student) and arrange for the immediate supervisor to attempt to resolve the differences between the complainant and the respondent. The Equity Officer will monitor the progress of the grievance resolution and, if no satisfactory resolution is achieved within the allotted time frame, escalate the matter to the Associate Provost/Dean (for student complaints) or to the respective Vice President (for employee complaints). The Associate Provost/Dean will have ten (10) business days to attempt to resolve the differences between the parties. The Associate Provost/Dean may also consult the immediate supervisor of the alleged discriminating party.

The Associate Provost/Dean or Vice President and the Equity Officer will document the complaint, including the allegation, the settlement attempts, and any resolution reached and provide copies of this information to the immediate supervisor of the alleged discriminating party and to the Supervising Administrator.

200.9 Formal Process

Overview. If the Informal Process does not yield an acceptable resolution for the individual student, the employee (staff, faculty, or administrator), or member of the public, or if the Informal Process is bypassed, the College Equity Officer will initiate the Formal Grievance Process. Utilizing the information gathered during the Informal Process or in the Formal Process request, the Equity Officer has ten (10) business days from completion of the Informal Process to investigate and analyze further the grievance (interview complainant, witnesses, respondent; research legal aspects) and forward the findings to the Supervising Administrator. The Equity Officer will also forward a copy of the complaint/grievance information to the Office of the President. The Supervising Administrator has ten (10) business days to resolve this matter.

If the Supervising Administrator cannot resolve the issue, the Equity Officer has fifteen (15) business days to convene a three member Hearing Panel, consisting of one person each from complainant peer group, respondent peer group, College administration. Appointed members of the Hearing Panel shall be limited to full-time employees and full-time students. The Hearing Panel shall convene the hearing, calling together interested parties, witnesses and other parties deemed necessary as advisors. They will obtain, review and analyze all relevant records, documents, etc. and submit a recommendation to the Equity Officer.

Note: At any point in time, if due process requires further investigation, a written notice will be sent to the complainant and the respondent.

After the close of the hearing, the Equity Officer has five (5) business days to prepare a report outlining each issue the panel considered, the summaries of important evidence brought to bear on the issue, the conclusions, and the recommendation and to communicate the outcome in writing to the complainant and all involved parties.

Investigation Process. The College will consider every claim of harassment or discrimination on an individual basis. In order to ensure an adequate, reliable, and impartial investigation, the Equity Officer:

- will meet with complainant as soon as possible for both schedules within the 10 days and the complainant shall be primarily responsible for his/her presentation;
- will meet with the respondent to allow for an explanation of the respondent’s position;
- will conduct interviews with the witnesses when relevant to the case, including witnesses that interested/involved parties have suggested;
• will review all interview information with equal fairness to complainant, respondent, and all witnesses;
• will recall witnesses or call additional new witnesses as deemed necessary or helpful to reach a fair decision;
• will include only evidence relevant to the case (when/if/as available);
• will not discuss the case with anyone outside of the investigation process in order to preserve confidentiality;
• will apply the preponderance of evidence standard during this process in order to prove or disprove the allegation or violation;
• will submit a written report at the conclusion of the investigation which will contain:
  o the purpose of the hearing,
  o the issues considered,
  o a summary of the testimony and evidence presented,
  o findings of fact discovered during the investigation,
  o recommendation for final disposition of the case.

200.10 Appeal Process
If the complainant is not satisfied with the decision of the Hearing Panel, he/she must contact the Equity Officer in writing to request an appeal within five (5) business days of complainant's receipt of reported findings.

The Equity Officer will forward the appeal request and case file to the President within 5 business days of receipt of complainant's appeal.

The President will make the final determination within five (5) business days of receipt of the appeal from the Equity Officer.

Within five (5) business days of receiving the President's decision, The Equity Officer will inform the complainant and respondent of the President's decision in writing.

200.11 Discrimination/Harassment Prevention
The College will take steps to prevent recurrence of any discrimination and to correct any discriminatory effects on the complainant and others, if appropriate.

200.12 Retaliation
Anti-discrimination laws prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or for opposing employment practices that they reasonably believe discriminate against individuals and are in violation of antidiscrimination laws. It is illegal and contrary to College policy for an individual to engage in retaliatory conduct, whether directly or indirectly, against a person who files a harassment and/or discrimination complaint or who gives testimony during an investigation of a complaint.

Retaliatory conduct adversely and unjustifiably affects another's terms and conditions of employment, educational experience, quality of life, and that is motivated by intent to cause harm because of the targeted individual's involvement in a harassment and/or discrimination complaint. Retaliation against an individual for reporting any type of harassment or for participating in an investigation is prohibited by the College policy and state and federal laws. The College will investigate and discipline any retaliation committed by the accused harasser by
way of irresponsible, malicious, or unfounded complaints up to and including termination and/or expulsion.

Any employee, student, or member of the public who believes that retaliatory actions have been taken against him/her for involvement in a harassment and/or discrimination complaint may seek a solution through the College Equity Officer.

200.13 False Allegations
It is a violation of this procedure for anyone to knowingly make false accusations of harassment or discrimination. The College recognizes that injury can be done to both the complainant and the respondent, and both have rights that must be protected. Those making false accusations of harassment or discrimination will be disciplined. Failure to prove a claim is not equivalent to a false allegation.

200.14 Notification Requirements
The College will include this procedure in Student Handbooks, Full-time and Adjunct Faculty Handbooks, New Employee Orientation Presentations, Class Schedules, similar handbooks issued for other employees, and any other appropriate College-sponsored publication and will provide basic steps of due process available to the complainant.

200.15 References
The College hopes that such situations involving cases of harassment and/or discrimination can be resolved internally and in everyone’s best interest; however, a complainant is free to present his/her allegations to outside governmental agencies such as:

- Florida Department of Education (for students)
  Division of Florida Colleges
  325 West Gaines Street, Suite 1544, Tallahassee, FL  32399-0400
  Phone:  850-245-9468
- U.S. Equal Employment Opportunity Commission (EEOC)
  Miami Tower, 100 SE 2nd Street, Suite 1500, Miami, FL  33131
- Office for Civil Rights Email:  www.ed.gov/ocr/complaintintro.html
201 OVERVIEW OF COMPLAINT AND GRIEVANCE PROCEDURE (SACSCOC R12.4)

The College has procedures for addressing written student complaints and follows those procedures when resolving student complaints. Student complaints need to be addressed in a fair and professional manner, and the policies and procedures governing student complaints need to be well publicized and provide clear and consistent guidelines for their resolution. These procedures are publicized in the Student Handbook and on the College website. The College maintains a record of complaints received by the institution. (SACSCOC R12.4)

201.1 Complaint/Grievance Procedure

Eastern Florida State College in compliance with the Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC) recognizes the value of information provided by students, employees and others in determining whether the College’s performance is consistent with accreditation standards. The College ensures that the grievance procedures and standards are appropriate and fair and are applied appropriately and consistently. They are also well published. The Eastern Florida State College, Board of Trustees Governance Manual section 400.3 addresses student rights and responsibilities. The process is outlined in the EFSC Procedure Manual section 419 Student Comportment.

201.2 Informal Process

The College encourages individuals to discuss issues and attempt to work out differences in a non-confrontational manner. This informal process is defined as the verbal discussion between the student and the staff or faculty member most closely associated with the concern. The informal process is intended to encourage a satisfactory resolution to a complaint at the earliest possible time; however, the informal process is not a mandatory step in order to access the formal process.

201.2.1 Student Ombudsman

The Student Life Coordinator on each campus is the designated student ombudsman for that campus. The student ombudsman acts as a neutral third party who helps students address problems or concerns and explore solutions in an informal manner, including problems or concerns related to access to courses and credit granted toward a degree. The student ombudsman does not have any authority to make decisions or take official action on behalf of the College and is not a substitute for following proper channels. Communications with the student ombudsman are “off the record” and do not put the College on official notice of a problem. If a student wishes to place the College on official notice of a problem, the student ombudsman can provide information about how to do so. Disclosures to the student ombudsman are private except where sexual misconduct, certain crimes, imminent threats, or
other extenuating circumstances are involved. The student ombudsman follows no prescribed sequences of steps, and does not participate in any formal processes. The student ombudsman does not advocate for or against any particular party and cannot give legal advice nor assist a student represented by legal counsel.

The Student Ombudsman WILL:

- Notify students about opportunities for assistance or appeal.
- Listen and discuss questions, issues, and concerns.
- Help develop and evaluate various options to address concerns.
- Answer questions or help find others who can develop and evaluate options to address concerns.
- Explain College policies and procedures.
- Facilitate communication between and among individuals.
- Advise individuals about steps to resolve problems informally.
- Advise individuals about formal administrative options.
- Mediate disputes to seek "win-win" resolution of problems.
- Make appropriate referrals when informal options do not work.
- Point out patterns of problems/complaints to administrators.

The Student Ombudsman WILL NOT:

- Replace or circumvent existing channels.
- Direct any College office to change a decision.
- Make decisions for the student.
- Set aside rules, regulations, policies, or procedures.
- Participate in formal grievance, complaint, or conduct processes.
- Make decisions for College faculty or administration.
- Determine "guilt" or "innocence" of those accused of wrongdoing.
- Impose sanctions on students.
- Receive official notice for the College about issues or problems.
- Give legal advice or assist students represented by legal counsel.

Students may request assistance from a student ombudsman by contacting the Student Life Coordinator on campus. Online students should contact the Student Life Coordinator on the Titusville campus. Alternatively, students may request assistance from the student ombudsman by e-mail: student-ombudsman@easternflorida.edu.

The student ombudsman is accountable to the Vice President of Academic and Student Affairs/CLO as the designee of the President.

The Equity Officer is the designated ombudsman for staff, faculty and adjuncts.

201.3 Written Student Complaints
Eastern Florida State College provides a process whereby a student can submit a complaint or a concern, in writing, to be addressed by the appropriate college official. The procedure broadly defines the kinds of issues that can be addressed using the process and details the steps leading to a resolution. Students have the right to seek resolution on academic, administrative or student services related concerns through formal and informal processes.
A written complaint is defined as any written correspondence, including emails, but does not include concerns received verbally.

1. The informal process for written student complaint is a direct review and resolution by the College representative with the best knowledge of the situation. Students are encouraged to resolve their academic concerns directly with their faculty member, their administrative concerns with the Office of the Associate Provost/Dean on their respective campus, student services related concerns with the Advising Coordinator or Director, Campus Admissions and Records, and financial aid concerns with the financial aid office.

2. Concerns related to potential discrimination or equity are first addressed by the equity officer. Procedure 200 addresses equity and discrimination concerns.

3. A log of written student concerns is filed electronically with the specifics of the concern and the resolution. This log is used for periodic assessment of processes and measures of institutional effectiveness. Examples of potential student concerns include but are not limited to: academic issues, financial issues, administrative issues, and discipline related to the student code of conduct.

4. Students are encouraged to consult with the Advising Coordinator on any campus of the College to determine student rights and College processes that may assist the students in the resolution of their concerns.

201.4 Student Bill of Rights and Responsibilities
Eastern Florida State College students are both citizens and members of the academic community. As citizens, students enjoy freedom of speech, peaceful assembly, and the right to petition. As a member of the academic community, they are subject to the obligations which are theirs by virtue of this membership. When students attend the college, they become subject to its jurisdiction. Students are expected to conduct themselves in a responsible manner in all areas of campus life. By enrolling, they pledge to obey the rules and regulations of the College and are responsible for observing all Board of Trustees’ Policies and Procedures.

201.5 Student Code of Conduct
Any student who accepts the privilege extended by the laws of Florida of attending Eastern Florida State College gives his or her consent to the policies of the College, the State Board of Education, and the laws of Florida.

This Code of Conduct broadly applies to conduct occurring either on or off campus that substantially disrupts or interferes with the College’s programs or mission, a civil and safe environment conducive to learning and inquiry, or the rights of other students and College employees to be secure and to be let alone. It applies to conduct that actually causes such disruption or interference, or that is reasonably forecasted to do so.

Student Code of Conduct proceedings are intended to be prompt, fair and impartial. The formal rules governing criminal or civil courts, including the rules of evidence, are not applicable to these proceedings. However, except for interim action (see 201.5.2 below), no disciplinary sanction may be imposed on a student unless and until the student has been notified in writing of the alleged violation(s) and afforded a meaningful opportunity to be heard. While students shall be afforded the opportunity to be heard, proper decorum is expected and required at all times. Abuses may result in the immediate termination of any proceeding and additional charges under the Code of Conduct.
The College may impose discipline for violation of, or an attempt to violate, any of the standards of conduct set forth in Appendix A, except for allegations of Sexual Misconduct, which shall be processed in accordance with College Procedure 800.10 (Sexual Misconduct – Campus Sexual and Gender-Based Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking).

The preponderance-of-the-evidence standard (i.e., more likely than not) shall be used in determining whether a student has violated the Student Code of Conduct.

For purposes of this procedure, the term “student” shall mean:

- All persons enrolled in one or more EFSC courses, including on-campus courses or virtual (eLearning, online, hybrid) courses, and continuing education courses, even if they are also enrolled as students in another educational institution;
- All persons who are not officially enrolled at EFSC for a particular term, but have a continuing relationship with EFSC or intend to enroll in a future term, including without limitation persons enrolled in the spring and fall semesters who engage in misconduct during the summer, and students who are first time enrollees, or applicants, who engage in misconduct prior to the time of enrollment; and
- Student groups and organizations may be held collectively responsible when violations of the code by those associated with the group or organization have received approval, express or implied consent, or encouragement of the group or organization or of the group’s or organization’s leaders or officers.

This definition also includes persons who may have committed violations of the Code of Conduct while a student but may no longer be actively enrolled at EFSC.

For purposes of this procedure, references to “day(s)” shall mean calendar day(s), while references to “business day(s)” shall mean Monday through Thursday. Relevant timeframes are held in abeyance during any official breaks, closures, or holiday observances.

Level of disciplinary sanctions related to violations of the Code of Conduct include, but are not limited to: verbal/written warning, disciplinary censure, disciplinary probation, financial disciplinary probation, suspension, and/or expulsion. A complete list of disciplinary sanctions is set forth in Appendix B.

Students with a good faith scheduling conflict may request a continuation of any noticed proceeding if such request is submitted in writing to the presiding College official not less than 24 hours prior to the scheduled proceeding. If a student fails or refuses to attend any scheduled proceeding, the student consents to the presiding College official conducting the proceeding in the student’s absence. Students are responsible to arrange for the presentation of any relevant information and witnesses on their behalf. The College cannot compel any person to attend any proceeding on behalf of a student. The presiding College official shall have the authority to exclude irrelevant or cumulative information, and to limit the number of live witnesses in order to avoid unreasonable delays where the testimony is irrelevant or cumulative.

Students may have an advisor (one person) in attendance for any proceeding. Any advisor serves at the student’s own expense and initiative (the College is not responsible for recommending or providing an advisor for any student). A person may not serve as an advisor if
their service would unreasonably conflict with or disrupt the fair administration of the matter under consideration, as determined by the presiding College official. An advisor’s main role is to advise the student. A student may consult with an advisor at any time, provided such consultation does not disrupt or unreasonably delay the proceeding. Absent a disability, all students must speak for themselves during any proceeding; an advisor cannot speak for the student, present the student’s case, serve as a witness, or otherwise participate directly in the proceeding unless specifically requested by the presiding College official. If an advisor does not adhere to their defined role, they may be removed from the proceeding in the presiding College official’s sole discretion. Students must provide the identity of any advisor, as well as a signed FERPA waiver, to the presiding College official at least 2 business days prior to the proceeding, which will not be adjourned or continued due to a claimed scheduling conflict of the student’s chosen advisor.

Any action taken against a student pursuant to College Procedure 201.7 (Trespass on College Property) does not prohibit any proceeding under the Student Code of Conduct based on the same or other alleged misconduct by the student. Trespassed students may not appear in person at any proceeding under the Student Code of Conduct, but will be afforded the opportunity via teleconference to be heard and present relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student’s position.

Except as provided herein, proceedings under the Student Code of Conduct may not be recorded (audio or video), televised, live-streamed, or otherwise electronically or telephonically disseminated or captured without the express written consent of the presiding College official.

Deviations from this procedure shall not invalidate a proceeding or resulting decision, except where such deviation has clearly resulted in significant prejudice to an accused student or to the College.

The College President has designated the Vice President for Academic and Student Affairs/CLO to authorize a student’s suspension or expulsion in accordance with this procedure.

201.5.1 Conduct Process

Alleged violations of the Student Code of Conduct will be generally processed as follows:

1. **Preliminary Review.** Upon receipt of information alleging conduct by a student that may violate any provision of the Student Code of Conduct, the matter shall be referred to the Associate Provost/Dean (or their designee) for the campus upon which the student is primarily enrolled, who will conduct a preliminary review to determine the appropriate course of action.

2. **No Action.** If the Associate Provost/Dean (or their designee) determines that the alleged conduct does not require disciplinary action under the Student Code of Conduct, the matter may be closed, subject to the right of the College to reopen it at any time for good cause.

3. **Notice of Charges.** If the Associate Provost/Dean (or their designee) determines that the alleged conduct warrants disciplinary action under the Student Code of Conduct, he or she will prepare and serve the student with a written Notice of Charges, which shall include at a minimum the following:
a. General description of the alleged conduct giving rise to the charge(s);
b. General description of the information supporting the charge(s) and sources of the information;
c. Specific section(s) of the Student Code of Conduct alleged to have been violated;
d. List of possible disciplinary sanctions (see Appendix B);
e. Date, time, and place of the Conduct Meeting or Suspension/Expulsion Hearing (see subsections 5 and 6 below);
f. Notice that the student may inspect the information supporting the charge(s) no later than 48 hours prior to the Conduct Meeting or Suspension/Expulsion Hearing; and
g. If the Associate Provost/Dean (or their designee) determines the alleged conduct could reasonably result in a suspension or expulsion, the Notice of Charges will clearly notify the student of such a possibility, and the matter will be set for a Suspension/Expulsion Hearing pursuant to subsection 6 below (rather than a Conduct Meeting).

The student consents to the College’s service of the Notice of Charges by any of the following means: (1) hand delivery to the student; (2) email to student’s College email account and first class mail (postage prepaid) to last physical address provided by the student to the Office of the Registrar; or (3) certified mail (return receipt requested) to last physical address provided by the student to the Office of the Registrar.

4. Informal Resolution. Students who wish to resolve the matter informally (rather than through a formal Conduct Meeting or Suspension/Expulsion Hearing) may submit a written statement to the Associate Provost/Dean (or designee) acknowledging responsibility for all charged violations within 7 days of service of the Notice of Charges. Upon receipt, the student will be given an opportunity to be heard on the issue of sanctions before determining any sanctions. There is no right to appeal decisions rendered through informal resolution. If the student does not elect informal resolution, the matter will proceed to a Conduct Meeting or a Suspension/Expulsion Hearing as appropriate.

5. Conduct Meeting and Appeal. A Conduct Meeting will proceed as follows: the Associate Provost/Dean (or their designee) will review the Notice of Charges with the student, explain the student’s rights and options, give the student a reasonable opportunity to inspect the information supporting the charge(s), and allow the student to ask any questions. The student will then be asked to admit or deny responsibility for the charged violation(s).

a. If the student admits responsibility for the charged violation(s), the Associate Provost/Dean (or their designee) shall afford the student an opportunity to be heard on the issue of sanctions before determining any sanctions.

b. If the student denies responsibility as to any charged violation(s), the Associate Provost/Dean (or their designee) shall afford the student an opportunity to be heard on the charged violation(s) and present any relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student’s position. This may occur during the same meeting or at a subsequent meeting(s) at the sole discretion of the Associate Provost/Dean (or their designee). The Associate Provost/Dean (or their designee) shall also afford the student an opportunity to be heard on the issue of sanctions. Upon conclusion of the Conduct Meeting, the
Associate Provost/Dean (or their designee) shall consider all available and relevant information and decide whether the student is responsible for the charged violation(s) based upon a preponderance-of-the-evidence standard of review. If the Associate Provost/Dean (or their designee) finds the student responsible on one or more charges, he or she will also determine the appropriate sanctions. The decision of the Associate Provost/Dean (or their designee) shall be communicated in writing to the student via the student’s College email address within 7 days of the conclusion of the Conduct Meeting, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The decision of the Associate Provost/Dean (or their designee) shall constitute the College’s final agency action, unless the student timely appeals the decision to the Provost (or Dean’s immediate supervisor) in accordance with the following section.

c. If a student is found responsible on one or more charges, no later than 7 days after service of the decision, the student may submit a written appeal (using this form: http://www.easternflorida.edu/admissions/documents/student-conduct-code-appeal.pdf) of the decision and/or imposed sanctions to the Provost (or Dean’s immediate supervisor). A student’s appeal may only be based upon one or more of the following: (1) improper procedures that materially affected the result; (2) newly discovered information or evidence that was not reasonably available at the time of the Conduct Meeting through the exercise of diligence by the student, and that would have a materially altered the result; or (3) the sanction imposed was inappropriate for the violation(s). The Provost (or Dean’s immediate supervisor) shall consider the merits of an appeal only on the basis of the above listed grounds for appeal. A student’s dissatisfaction with the result is not a valid ground for appeal. Any sanctions imposed will not be stayed during the appellate process, as the original result and sanction are presumed correct. Students may not present any oral argument on appeal unless specifically requested by the Provost (or Dean’s immediate supervisor), who may affirm the original result, alter the finding(s) of responsibility, alter the sanctions, or remand the matter for further Conduct Meeting proceedings. Within 14 days of the student’s submission of the written appeal, the Provost (or Dean’s immediate supervisor) shall inform the student in writing of the outcome of the appeal via the student’s College email address, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The appeal decision of the Provost (or Dean’s immediate supervisor) shall constitute the College’s final agency action, unless the matter is remanded to the Associate Provost/Dean (or their designee) for further Conduct Meeting proceedings.

6. Suspension/Expulsion Hearing and Appeal. If the Associate Provost/Dean (or their designee) finds the alleged conduct, if substantiated, could reasonably result in the student’s suspension or expulsion from the College, the matter shall be referred to the Provost (or Dean’s immediate supervisor) for a Suspension/Expulsion Hearing, which may be recorded (audio or video) or transcribed at the sole discretion of the College. The College President waives the 14 day notice of hearing requirement for any Suspension/Expulsion Hearing for purposes of Section 120.81(1)(h), Florida Statutes. Any recordings or transcripts will be the property of the College. A Suspension of Expulsion Hearing will proceed as follows: the Provost (or Dean’s immediate supervisor) will review the Notice of Charges with the student, explain the student’s rights and options, give the student a reasonable opportunity to inspect
the information supporting the charge(s), and allow the student to ask any questions. The student will then be asked to admit or deny responsibility for the charged violation(s).

a. If the student admits responsibility for the charged violation(s), the Provost (or Dean’s immediate supervisor) shall afford the student an opportunity to be heard on the issue of sanctions before determining any sanctions. If the Provost (or Dean’s immediate supervisor) determines that a suspension or expulsion is warranted, they will make such recommendation to the Vice President for Academic and Student Affairs/CLO. Otherwise, the Provost (or Dean’s immediate supervisor) shall determine the appropriate sanction(s).

b. If the student denies responsibility as to any charged violation(s), the Provost (or Dean’s immediate supervisor) shall afford the student an opportunity to be heard on the charged violation(s) and present any relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student’s position. The Provost (or Dean’s immediate supervisor) shall also afford the student an opportunity to be heard on the issue of sanctions. Upon conclusion of the hearing, the Provost (or Dean’s immediate supervisor) shall consider all available and relevant information and decide whether the student is responsible for the charged violation(s) based upon a preponderance-of-the-evidence standard of review. If the Provost (or Dean’s immediate supervisor) finds the student responsible, he or she will then determine whether a suspension or expulsion is warranted, and if so, the Provost (or Dean’s immediate supervisor) will make such a recommendation to the Vice President for Academic and Student Affairs/CLO. Otherwise, the Provost (or Dean’s immediate supervisor) shall determine the sanction(s). The Provost’s (or Dean’s immediate supervisor’s) decision shall be communicated to the student via the student’s College email address within 7 days of the hearing, unless extenuating circumstances that resulted in a delay are communicated in writing. The Provost’s (or Dean’s immediate supervisor’s) decision shall constitute the College’s final agency action, unless a suspension or expulsion is recommended, or the student timely appeals the decision to the Vice President for Academic and Student Affairs/CLO in accordance with the following section.

c. If a student is found responsible on one or more charges, no later than 7 days after service of the decision, the student may submit a written appeal (using this form: http://www.easternflorida.edu/admissions/documents/student-conduct-code-appeal.pdf) of the decision and/or imposed sanctions to the Vice President for Academic and Student Affairs/CLO. A student’s appeal may only be based upon one or more of the following: (1) improper procedures that materially affected the result; (2) newly discovered information or evidence that was not reasonably available at the time of the Conduct Meeting through the exercise of diligence by the student, and that would have a materially altered the result; or (3) the sanction imposed was inappropriate for the violation(s). The Vice President for Academic and Student Affairs/CLO shall consider the merits of an appeal only on the basis of the above listed grounds for appeal. A student’s dissatisfaction with the result is not a valid ground for appeal. Any sanctions imposed will not be stayed during the appellate process, as the original result and sanction are presumed correct. Students may not present any oral argument on appeal unless specifically requested by the Vice President for Academic and Student Affairs/CLO, who may affirm the original result, alter the finding(s) of responsibility, alter
the sanctions, or remand the matter for further Suspension/Expulsion Hearing proceedings. Within 14 days of the student’s submission of the written appeal, Vice President for Academic and Student Affairs/CLO shall inform the student in writing of the outcome of the appeal via the student’s College email address, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The appeal decision of Vice President for Academic and Student Affairs/CLO shall constitute the College’s final agency action (if the student is not recommended for suspension or expulsion), unless the matter is remanded for further Suspension/Expulsion Hearing proceedings.

d. If a recommendation for suspension or expulsion is not appealed, or is affirmed on appeal, the Vice President for Academic and Student Affairs/CLO, as the designee of the College President, may authorize the student’s suspension or expulsion. The decision will be communicated to the student within 7 days via the student’s College email address, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The decision of the Vice President for Academic and Student Affairs/CLO, as the designee of the College President, shall constitute the College’s final agency action.

201.5.2 Interim Action

1. **Interim Action.** The Associate Provost/Dean (or their designee), in consultation with other appropriate College officials, may at any time determine that interim action is necessary to protect the health, safety, or general welfare of the College community. If at any point the Associate Provost/Dean (or their designee) reasonably forecasts that a student poses an imminent threat of harm to themselves or the health, safety, or general welfare of the College community or property the Associate Provost/Dean (or their designee), in consultation with appropriate College officials, may impose interim action(s) on the student, including without limitation:

   a. Restrictions on contact with certain individuals via any mode of in person, verbal, written, electronic or social media communications;
   b. Restrictions on entry and/or access to College property, places, facilities, or equipment;
   c. Restrictions on class attendance;
   d. Restrictions on, or suspension from, participation in any College-sponsored program, activity, event, organization, club, athletic team (varsity or club), or competition;
   e. Temporary suspension; and/or
   f. Placement of a hold on future registration.

2. Implementation of Interim Action and Appeal. Implementation of interim action requires the student be notified as soon as reasonably practical upon the imposition of any interim action. The notice shall state the basis for the interim action and that the student will have the opportunity to inspect all information which provided the basis for the interim action. A written notice shall be sent to the student’s College email account and to the last physical address provided by the student to the Registrar’s Office. The College may also communicate the determination verbally to the student and concurrently deliver the written notice as described above. The student shall have 2 business days from the date of notification to appeal the interim action (not including the date of issuance). The student’s appeal of the interim action must be made in writing (using this form: [http://www.easternflorida.edu/admissions/documents/student-conduct-code-appeal.pdf](http://www.easternflorida.edu/admissions/documents/student-conduct-code-appeal.pdf)) to
the Vice President of Academic and Student Affairs/CLO and must be based upon one of the following grounds:

a. An egregious error pertaining to the student's involvement; or
b. A contention that the violation, even if proven, does not poses an imminent threat of harm to themselves or the health, safety, or general welfare of the College community or property, and thus does not warrant interim action(s).

Any appeal of the interim action will be heard within 10 business days of receipt of the appeal, which may be delayed due to a semester break, closing of the College, or other extenuating circumstances. The outcome shall be communicated to the student via the student's College email address within 3 business days of hearing the appeal.

If it is determined by that the interim action was not warranted, the student's status will be reinstated and the conduct process will continue in accordance with the Student Code of Conduct. If the student does not appeal the interim action, or if the interim action is affirmed on appeal, the interim action will remain in effect until conclusion of the conduct process.

201.5.3 Appeal of Final Agency Action
A student may seek judicial review of the College's final agency action pursuant to Florida Rule of Appellate Procedure 9.190(b)(3), by filing a petition for certiorari review with the appropriate circuit court within 30 days of the College's final agency action. Students who seek review with the court must provide a copy of the petition to the Office of the College President within 1 business day of filing.

Appendix A: Student Code of Conduct
This code of conduct relates to all actions disruptive or otherwise harmful to the educational process and includes both physical and virtual (online) educational communities and communications. Violation of the standard of conduct herein will be considered a disciplinary matter and treated in accordance with procedures of due process and with respect of the right and welfare of all members of the College community. Standards of conduct for which students are subject to disciplinary action, such as suspension or expulsion from EFSC, include, but are not limited to, those described below:

1. Academic Dishonesty - Cheating, plagiarism and any other misrepresentation of work are prohibited. Students who are found to be in violation of this standard may receive severe sanctions including a failing grade in their respective course and, depending on the circumstances, possible expulsion from Eastern Florida State College.

2. Aiding or Facilitating – No student may aid, facilitate, assist, support, promote, or otherwise encourage the commission of any conduct or behavior prohibited by this Student Code of Conduct. In addition, students witnessing any prohibited conduct or behavior must report same to appropriate College officials in a timely manner.

3. Alcoholic Beverages - Alcoholic beverages are prohibited on the campuses of Eastern Florida State College and at any College-sponsored activity or event unless approved in advance by the President. Students found to be in possession without prior approval, or unlawfully in possession or under the influence of alcoholic beverages while on campus or at a College-sponsored activity or event is subject to discipline including suspension or expulsion. Sanctioning a student for conduct prohibited by this section is not conditioned upon the student being cited or convicted in a court of law.

4. Animals - Animals are not permitted on any property owned or controlled by the College unless they meet the definition of “service animal” under federal and state law, are an

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approved accommodation by the Office of Student Access for Improved Learning (SAIL), or are part of an approved course or presentation. See also Sections 203.5 and 203.6 of the College Procedures Manual.

5. **Arson** - No student shall commit or aid in the intentional commission of an act which results in fire being ignited that causes damage or is intended to cause damage, to the property of the College or to the property of any other person.

6. **Assault and/or Battery** - No student shall threaten or inflict bodily harm or discomfort on another.

7. **Breach of Peace** - Conduct or expression on College owned or controlled property which disrupts the orderly functioning of the College or is lewd, indecent or obscene is prohibited. Cellular telephones and audible pagers should only be used outside of classrooms.

8. **Children on Campus** - Because of potential disruptiveness to the learning environment, non-enrolled children are not permitted to visit a class in session or a lab. Non-enrolled children will not be permitted to remain in the common areas of College buildings without adult supervision. Only registered students are allowed to sit in class.

9. **College-sponsored Activities and Events** - Use of College facilities must be approved by the proper College authority. All College-sponsored activities and events, e.g., outdoor concerts, student rallies, outside speakers, etc. are subject to any limitations and provisions established by the appropriate College official.

10. **Conduct** - Conduct or expression that is considered, disruptive, lewd, indecent or obscene is prohibited.

11. **Contracting or Representation in the Name of the College** - Students, including those acting as officers within any of the Student Government Association or clubs, are prohibited from contracting in the name of Eastern Florida State College and may not claim to be official representatives of the College. Students will not endorse a product in a manner which implies an official endorsement by the College.

12. **Cosmetology Prohibited Act** - Student cosmetology services shall be performed only in the lab under the supervision of an instructor. All services must be approved in advance by the instructor. Services shall not be performed in restrooms, hallways, or other areas. Students are expected to adhere to the professional standards associated with licensure expectations. **Florida Statute 477.0263** - Cosmetology services shall be performed only by licensed cosmetologists in licensed salons. **Florida Statute 477.0265. Prohibited acts.** It is unlawful for any person to engage in the practice of cosmetology or a specialty without an active license as a cosmetologist or registration as a specialist issued by the department pursuant to the provisions of this chapter.

Any person who violates any provision of this section commits a misdemeanor of the second degree, punishable as provided in §.775.082 or §.775.083.

13. **Damage or Destruction of Property** - Accidental damage, vandalism or malicious damage to property belonging to Eastern Florida State College or others may require restitution from the person(s) responsible for such damage and/ or may result in disciplinary action.

14. **Defamation, Threats and Extortion** - Verbal or written communication which exposes any individual or group to hatred, contempt, or ridicule and thereby injures the person, property, or reputation of another is prohibited.

15. **Disruption** - In accordance with F.S. 1006.61 (1): "Any person who accepts the privilege extended by the laws of this state of attendance at any public postsecondary educational institution shall, by attending such institution, be deemed to have given his or her consent to the policies of that institution, the State Board of Education, and the laws of this state. Such policies shall include prohibition against disruptive activities at public postsecondary educational institutions."
Students who intentionally act to impair, interfere with or obstruct the orderly conduct, process and functions of the College, either on or off campus, shall be subject to appropriate disciplinary action by College authorities. Disruptive conduct shall include, but not be limited to, the following:

a. Violence against or endangerment of any member or guest of the College community.

b. Deliberate interference with academic freedom and freedom of speech (including not only disruption of a class but also interference with the freedom of any speaker invited by any section of the College community to express his/her views).

c. Theft or willful destruction of College property.

d. Forcible interference with the freedom of movement of any member or guest of the College.

e. Participation in a disturbance of the peace or unlawful assembly.

f. Obstruction of the normal process and activities essential to the College community.

Orderly demonstrations of points of view by signs, etc., which are neither vulgar nor profane are not considered disorders.

16. **Distribution or Sale of Literature or Goods** - Distribution or sale of literature or goods on the campuses must be conducted in accordance with all applicable College policies and procedures.

17. **Dress and Appearance** - Students are expected to maintain standards of personal appearance and dress which are conducive and appropriate to the maintenance of health, welfare and safety for themselves and for their associates in the community. Dress worn by students must be of sufficient quality and quantity to properly cover and protect the body, including shirt and shoes.

18. **Duplication of Keys** - Duplication of College keys is prohibited.

19. **Failure to Pay Financial Obligations** - The College may initiate disciplinary proceedings against a student who has allegedly refused to pay or failed to pay a debt he/she owes to the College. If a student fails to pay the College an amount due, disciplinary action may be initiated. College transcripts will not be issued to any student who has not satisfied all financial obligations to the College. Students will not be allowed to register for classes until account is cleared.

20. **Falsification of Records** - Falsification of College records, including, but not limited to, admission, registration, disciplinary and health records, by forgery or other means of deception, is prohibited.

21. **Firearms, Weapons, Fireworks, Explosives**

   **A. Introduction**

   EASTERN FLORIDA STATE COLLEGE is committed to maintaining an educational and workplace environment that is free of violence. The College further recognizes the existence of extensive legislative acts and constitutional provisions pertaining to the rights and obligations of those who own or possess firearms, specifically those addressing the right to carry, store, and transport firearms on one’s person and within motor vehicles.

   **B. Authority**

   1. While on College grounds or facilities or at College-sponsored activities and events, students, staff, faculty, administration, employees, and invitees, hereinafter referred to as “person”, are prohibited from introducing, exhibiting, possessing, using, storing, buying or selling weapons, firearms, destructive devices, or explosives. [§790.001; §790.115, F.S. (2017)]

   2. Exceptions: The following circumstances shall not be a violation of this policy/procedure:

       a. It is lawful and is not a violation of Florida Statute or EASTERN FLORIDA STATE COLLEGE policy/procedure 803 for a person 18 years of age or older to possess a
concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private vehicle (conveyance), without a carry license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing in this policy prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use. [§790.115; §790.25; §790.251, F. S. (2017)]
b. A firearm in the possession of a law enforcement officer who is authorized to possess the firearm whether on or off duty, by the employing law enforcement agency.
c. A firearm in the possession of an Armed Security Officer, as defined by College policy and procedure.

22. Gambling - Gambling is prohibited on the campuses of Eastern Florida State College.
23. Hazing - Hazing in any form on campus or at any College sponsored activity is prohibited.
24. Harassment – Any conduct that amounts to discriminatory harassment of another is prohibited.
25. Identification of Students - Students are required to present proper identification when requested by authorized College officials. Any misrepresentation, alteration or misuse of identification is prohibited. In addition, students are required to obtain a College-issued identification card as soon as practicable upon enrollment.
26. Illegal Drugs and Controlled Substances - The College cannot protect students from state and federal drug abuse laws and will cooperate fully with law enforcement agencies. All applicants for admission to Eastern Florida State College shall certify in writing that they will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during enrollment at EFSC according to the College’s Drug-Free Policy. This means that students:
   • Will not use, possess, purchase, solicit, sell, manufacture, distribute, or deliver (or possess with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs.
   • Will notify the College within five (5) business days of any conviction for any offense occurring on or away from campus relating to the possession, sale, purchase, delivery, use, manufacture or distribution of illegal drugs or controlled substances.
   • Has read, understood and will obey the College’s Drug-Free Policy. Applicants who refuse to sign the drug-free certification may be refused admission to the College. If an applicant cannot agree to accept the above conditions for admission to the College, he or she may be offered counseling which may include information as to where to obtain rehabilitative services. The statement of certification will be considered a legal contract between the student and the College and such contract will be considered broken upon commission of an offense relating to the use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery (or possession with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs. A student who commits a drug-related offense on campus or while in attendance at a College event will be sanctioned up to and including suspension or expulsion. A student who is tested positive for an illegal drug or controlled substance during screening for College-related programs or for program-related clinical experiences will also be sanctioned up to and including suspension or expulsion.
Medical Marijuana in Florida. Despite the provisions of Article X, Section 29 of the Florida Constitution, as well as applicable Florida Statutes and implementing F.A.C. Rules, marijuana remains a controlled substance under federal law, and continues to be prohibited by the College. Thus, any member of the College community who meets the definition of “qualified patient” under §381.986(1), Florida Statutes, shall continue to abide by federal law as it relates to marijuana, as well as any and all applicable College policies and procedures.

Sanctioning a student for conduct prohibited by this section is not conditioned upon the student being cited or convicted in a court of law. See also #32.

27. Intellectual Property Rights - The College promotes an academic environment that encourages and rewards the creative efforts and innovative spirit of its students. The College, therefore, does not claim ownership rights to the intellectual property created by students in the scope of their attendance except where the student has utilized substantial resources of the College in the development of the work that goes beyond resources commonly provided to students for production of publications or class projects. Intellectual property is meant to include both traditional forms of intellectual property such as student publications, class projects and student papers, as well as non-traditional intellectual property such as CD-ROMS, computer programs, TV courseware or other electronically recorded materials. All such intellectual property remains the property of the authoring student. However, the College retains an interest in said property by virtue of the College's assistance and support for its development, production and dissemination and, therefore, shall have reasonable access to and use of the intellectual property for such purposes as student evaluation and reproduction in exercising their administrative duties.

28. Interference with College Guests - The College may initiate disciplinary actions for any interference with the freedom of movement of any guest of the College.

29. Misuse of Emergency Equipment - Fire escapes, designated ground-level doors, fire hoses, extinguishers and alarm equipment are to be used only in emergencies. Tampering with or misuse of these emergency devices, as well as blocking fire exits or impeding traffic in any way, is prohibited.

30. Obeying Reasonable Orders of College Officials - Students are required to comply with reasonable requests or orders by authorized College officials or representatives acting on the part of the College. This requirement includes reasonable requests for students to meet appointments in administrative offices and at disciplinary investigations and hearings.

31. Outside Speakers - Speakers may be invited to address a campus audience by a recognized student organization and the Student Government Association. These invitations must be approved by the Associate Provost or Provost.

32. Public Laws - Any act by a student which constitutes a charge of a violation of public law, occurring either on or off campus, may establish cause of legal and/or disciplinary action by the College. However, if a student is later found to be not guilty of all related charges in a court of law, the College may reconsider any disciplinary sanctions imposed at the request of the student.

33. Providing False Information - No student shall knowingly give false or perjured testimony in any College investigation or proceeding. No student shall knowingly give false information to a College official or show reckless disregard for truth.

34. Recognition of Student Groups - In order to be classified as a student organization, established, recognized procedures must be met and approved by the Provost.

35. Retaliation – No student may retaliate against a person or group who makes a report or complaint, cooperates with an investigation, or otherwise assists College officials in the
enforcement of this Student Code of Conduct or any other College policy or procedure. Retaliation includes intimidation, threats, harassment, and other adverse actions.

36. **Search and Seizure** – With reasonable suspicion, College officials may conduct a search of a student’s person or property for the purpose of obtaining information or evidence incident to a violation or suspected violation of the law or this Student Code of Conduct. If necessary, local law enforcement may be contacted for follow up.

37. **Sexual Misconduct** – No student shall commit any act or form of Sexual Misconduct prohibited by Section 800.10 of the College Procedures Manual. Any allegations of Sexual Misconduct shall be processed in accordance with that section.

38. **Smoking** – Smoking – Consumption of any tobacco products and electronic cigarettes is strictly prohibited within all College work areas, including conference rooms, classrooms, restrooms, stairwells, and hallways. Smoking is also prohibited in any vehicle (to include golf carts) the College owns, hires, or leases. Smoking on College property will only be allowed at designated smoking areas. Employees, students, and visitors may use designated smoking areas only. Proper disposal of smoking material in the ash urns provided is required.

39. **Theft or Other Abuse of Computer Time, including but not limited to:**
   a. Unauthorized entry into a file to use, read, change contents or for any other use.
   b. Unauthorized transfer of a file or unauthorized copying of licensed products.
   c. Unauthorized use of another individual's identification and password.
   d. Use of computer facilities including laptop and wireless access to interfere with the work of another student, faculty member or College official.
   e. Use of computing facilities including laptop and wireless access to send obscene or abusive messages.
   f. Use of computer facilities including laptop and wireless access to interfere with the normal operations of the College computing system.
   g. Use of computing facilities including laptop and wireless access to download obscene materials.
   h. Violation of other established computer lab policies or laptop computer loan agreements.

40. **Theft, Unauthorized Possession and/or Sale of Property** Students involved in theft, unauthorized possession and/or sale of property not belonging to them are subject to College disciplinary action as well as to arrest and prosecution by legal authorities. Students are required to make full restitution. Students in possession of property owned or controlled by the College (i.e., the bookstore, library, audio-visual department, athletic department) or by another person, without authorization or payment for such property, will be subject to College disciplinary action.

41. **Threat to any College Guest** - The active threat of violence against any guest of the College is strictly forbidden.

42. **Unauthorized Use of College Facilities** - The unauthorized use of, or entry into, any College facilities (i.e., classrooms, labs, athletic fields), whether by force or not, is prohibited.

43. **Unauthorized Recordings** – The unauthorized use of recordings including, but not limited to, the recording of personal conversations, meetings, or activities; use of a camera, video, phone, or other device to record another person or group without expressed permission or prior authorization; recording of classes or academic lectures. **EXCEPTION:** Academic accommodation per approval and permission through the Student Access for Improved Learning (SAIL).

44. **Use of College Mail Services** - Use of College mail services is limited to official business of the College or College-sponsored or approved College-related organizations. Students must receive approval from the campus Associate Provost Office in order to use College mail services.
45. **Use of Vehicles** - Riding bicycles in hallways, in buildings, or on walkways is prohibited. Motorized vehicles, roller skating and skateboarding are prohibited in areas other than designated roadways on the campuses of Eastern Florida State College. **EXCEPTION:** Motorized vehicles for handicapped persons may be used on walkways and in buildings.

46. **Violation of Probationary Status** - A student, who is alleged to have violated the Code of Conduct, while being subject to disciplinary or final disciplinary probation, may be charged with the separate offense of violating disciplinary probation.

47. **Violations of Law** - Federal and state law, respective county and city ordinances, and all College and Board of Trustees rules, regulations, policies, and procedures will be strictly enforced.

**Appendix B: Disciplinary Sanctions**

A list of disciplinary sanctions (F.S. 1006.62) that may be imposed in cases of violation of the Student Code of Conduct follows:

1. **Expulsion.** Mandatory separation from the College with no promise of future re-admission. A student who has been expelled is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College. The Provost will present recommendations for expulsion to the President, or his designee. Only the President, or his designee, may authorize an expulsion.

2. **Suspension.** Mandatory separation from the College for a period of time as specified in the order of suspension. A student who has been suspended is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College during the suspension. The student may re-enroll at the College when the suspension order has elapsed. The Provost will present recommendations for suspension to the President. Only the President or his designee may authorize a suspension.

3. **Temporary Suspension.** The Associate Provost or Provost may temporarily suspend any student when: (1) the student is ordered by an administrator, officer or faculty member to cease or desist any activity which disrupts the orderly operation of the College and (2) the student persists in activity which is disruptive after receiving the warning and order. The Associate Provost or Provost shall determine whether or not the suspension shall continue until a hearing is held on the merits of the respective case. A student on temporary suspension is barred from visiting privileges and class attendance at any of the campuses or centers of Eastern Florida State College.

4. **Final Disciplinary Probation.** A disciplinary sanction serving notice to a student that the behavior is in flagrant violation of College standards and that the following conditions exist:
   a. The sanction is for the remainder of the student’s attendance at the College.
   b. Another conviction of a violation of the Student Code of Conduct will result in the imposition of the minimum sanction of suspension.

5. **Disciplinary Probation.** A disciplinary sanction serving notice to a student that the student’s behavior is in serious violation of College standards and that continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation.

6. **Disciplinary Censure.** A disciplinary sanction serving notice to a student that the student’s behavior has not met College standards. This sanction remains in effect for the duration of one complete semester. Future violations of the Student Code of Conduct, if occurring while disciplinary censure is in effect, could result in more serious disciplinary sanctions.

7. **Restitution.** Reimbursement for damage to, or misappropriate use of, property of the College or other persons. Reimbursement may take the form of rendering repair or compensating for damages.
8. **Restriction or Revocation of Privileges.** Temporary or permanent restrictions and/or loss of privileges, including but not limited to: (1) contact or interaction with other members of the College community; (2) access to, use of, or physical presence in specified areas of a campus or other property owned or controlled by the College; (3) participation in any College-sponsored program, activity, event, organization, club, athletic team, or competition; or (4) College-related employment, service, or assignments.

9. **Community Service.** A student may be required to complete work assignments or other service to the College community.

10. **Educational or Counseling Assignment.** A student may be assigned sanctions, educational or supportive in nature, to aid in his/her development and better understanding of his/her choices. The student will be given a definite time frame for each assignment and is expected to complete assignments within that time frame in order to avoid further conduct action.

11. **Withholding of diplomas, transcripts, or other records.**

12. **Transcript notations.**

13. **Verbal or written warning or reprimand.**

14. **Other action as deemed appropriate.**

201.6 **Student Appeal Procedures**

There are several types of student appeals at Eastern Florida State College. Check below for information and procedures for each type. In any appeal, the burden of persuasion lies with the student, as the original result(s) shall be presumptively reasonable and appropriate. In the event a student has been trespassed from college property, any appeals will be processed in accordance with Section 201.7.

**Code of Conduct Appeals**
The process for Student Code of Conduct appeals is set forth throughout Section 201.5 (using this form). Refer to that section for details. Any disciplinary sanctions will not be held in abeyance during the appellate process.

**Definitions:**

- **Academic Appeals:** Academic appeals are any appeals concerning final grade or final activity within the classroom.

- **Administrative Appeals:** Administrative appeals include issues with administration, registration, and late withdrawals due to medical problems or other extenuating circumstances.

- **Financial Appeals:** There are two kinds of Financial Appeals:
  - **Tuition Refunds or Credits** - Students may appeal through the campus Associate Provost or Academic Dean for a refund, tuition credit, or exemption to full cost tuition.
  - **Hardship appeals for financial assistance** - related to awarding of Federal, state, institutional or private financial assistance. Students are required to have completed a FAFSA for the term being appealed.

**Procedure for submitting an appeal**

1. Prior to submitting the formal appeal form, students must address the concern as soon as possible in a non-confrontational manner with the appropriate faculty or staff member.

   - **Academic:** Discuss with instructor. If not resolved, discuss with Department Chair
   - **Administrative:** Discuss with campus Associate Provost or workforce related Dean
- **Tuition Refund or Credit:** Apply for the tuition refund/credit with the Associate Provost or workforce related Dean, must fill out the “College wide Tuition Refund/Credit Request Form.” Documentation must be provided with the form in order for it to be processed.
- **Hardship appeals for financial assistance:** Students are required to have completed a FAFSA for the term being appealed. Discuss specific hardship concerns with Office of Financial Aid staff member.

2. If not resolved through step 1, the student may submit a formal appeal form with attached documentation to the appropriate office.

- **Academic/Administrative/Tuition Refund or Credit:** Associate Provost or workforce related Dean.

Appeal forms, as well as additional information regarding the appeal process, are available through the Associate Provost's/ Dean's office. Appeals will only be accepted within two years from the date of the incident or issue on which the appeal is based.

- **Hardship appeals for financial assistance:** Submit Financial Hardship Appeal form through the Office of Financial Aid.

3. If the concern is not resolved at step 2,

- For academic or administrative concerns, the student may request in writing, through the Associate Provost/Dean's office, a review by the Provost/Associate Vice President. The request must be received within ten days of student notification of the resolution and must contain additional documentation that is pertinent to the appeal. The decision of the Provost/Associate Vice President is final.
- For Financial concerns, the student may request an appeal to the Student Financial Appeals Committee (SFAC). The SFAC is comprised of the EFSC Controller, Director of Financial Aid, Registrar, and Advising Coordinator. The SFAC will evaluate the student's need, academic and financial history with EFSC, as well as the student's compliance and responsiveness to college financial aid policies and procedures. The SFAC will make recommendations to the Chief Financial Officer. The decision of the Chief Financial Officer is final.

4. If the student feels that the established procedures were violated, the student may request an administrative review by the Vice President of Academic and Student Affairs/CLO. This is NOT a re-trial of the incident, but a procedural review. The request for administrative review must be made in writing through the Associate Provost/Dean's immediate supervisor within five days of receiving notification of the resolution.

Distance Education students who have completed the internal institutional grievance process and the applicable state grievance process may appeal non-instructional complaints to the Florida State Authorization Reciprocity Agreement (FL-SARA) Postsecondary Reciprocal Distance Education Coordinating (PRDEC) Council. For additional information on the complaint process, please visit the [FL-SARA Complaint Process Page](#).

Inquiries regarding the College’s Equal Opportunity Policies, including Title IX (gender discrimination) and Section 504 of the Americans with Disabilities Act (disabled discrimination) and equity issues in general may be directed to Ms. Darla Ferguson,
201.7 Trespass on College Property

A. For good cause and in accordance with applicable law, the College may prohibit any person from entering or remaining on College property by the issuance of a trespass notice pursuant to Chapter 810, Florida Statutes.

B. The decision to issue a trespass notice will generally be made by Chief of Security or designee, and will be in effect for all campuses and properties belonging to Eastern Florida State College after consideration of the following:
   1. Whether the person poses an ongoing threat of harm, or causes substantial disruption of or interference with the normal operations of the College; and
   2. Whether the issuance of a trespass notice is necessary to protect the health, safety, or general welfare of the College community, or to preserve or protect College property.

The Chief of Security or designee will notify the Campus Provost (for matters involving students) or the AVP of Human Resources (for matters involving employees) as soon as possible after trespassing an individual.

C. In matters involving students with disabilities or perceived disabilities, the Chief of Security or designee, when assessing whether a student poses a significant risk to the health or safety of themselves or others, shall conduct an individualized and objective assessment using his or her reasonable judgment based upon current medical information or the best available objective evidence to ascertain the following:
   1. The nature, duration, and severity of the risk; and
   2. The probability that the potential harm will actually occur; and
   3. Whether reasonable modifications of policies, practices, or procedures will significantly mitigate the risk.

If a student is registered with SAIL, the Chief of Security or designee, when determining whether to issue the student a trespass notice, may consult with SAIL representatives and shall be deemed to have a legitimate educational interest in all of the student’s education records (including medical records) maintained by SAIL.

D. Immediate Appeal – Students. Trespassed students may request an immediate review of the College’s decision to issue a trespass notice, subject to the following:
   1. The appeal shall be made in writing (using this form: http://www.easternflorida.edu/admissions/documents/trespass-appeal-form.pdf) to the Vice President of Academic and Student Affairs/CLO (e-mail is sufficient) within two (2) business days of the date of issuance of the trespass notice (not including the date of issuance), and shall be based upon at least one of the following:
      a. An egregious error pertaining to the student’s involvement; or
b. The student does not pose an ongoing threat of harm to the health, safety or general welfare of the College community, or to College property.

2. The student shall have the burden of proof by clear and convincing evidence.

3. The Vice President of Academic and Student Affairs/CLO will determine the College official(s) who will hear the appeal, who may be or include the Vice President of Academic and Student Affairs/CLO.

4. The student may be required to be evaluated by a mental health provider selected by the College before hearing or considering any request. The individual may be required to sign a release of information allowing the College’s selected mental health provider to provide a summary of findings and recommendation to the presiding College official(s).

5. The student will be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances (the student will not be allowed to appear in person as a result of being trespassed from College property).

6. Prior to rescinding any trespass, the presiding College official(s) shall consult with the Vice President overseeing the Security Department to ensure awareness of all updated safety and security concerns involving the individual in question.

7. The appeal will be completed within ten (10) business days of receipt of the request, which may be delayed due to a semester break, closing of the College, or other extenuating circumstances.

8. The student shall be notified of the outcome within three (3) business days of decision.

9. If the student does not request an immediate appeal, or if the trespass notice is affirmed after immediate appeal, the trespass will remain in effect indefinitely until further notice.

E. Requests for Reconsideration. Trespassed persons may request reconsideration of a trespass notice within one (1) year of the date of issuance, subject to the following:

1. The request shall be made in writing (using this form: http://www.easternflorida.edu/admissions/documents/trespass-appeal-form.pdf) to the Vice President of Academic and Student Affairs/CLO (e-mail is sufficient), and shall be based upon at least one of the following:
   a. The person does not pose a threat of harm to himself or herself or the College community or to College property;
   b. The person is unlikely to cause future disruption or interference with normal College operations; or
   c. Other good cause exists to reconsider the trespass notice.

2. The trespassed person shall have the burden of proof by clear and convincing evidence.

3. The Vice President of Academic and Student Affairs/CLO will determine the College official(s) who will hear the request, who may be or include the Vice President of Academic and Student Affairs/CLO.

4. The trespassed person may be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances (the person will not be allowed to appear as a result of being trespassed from College property). However, the presiding College official(s) may demand the trespassed person provide additional information and/or submit to medical and/or mental health evaluation(s) at the trespassed person’s own expense by a mental health provider selected by the College before hearing or considering any request. The individual may be required to sign a release of information allowing the College’s selected mental health
provider to provide a summary of findings and recommendation to the presiding College official(s).

5. If the trespassed person desires to attend classes in an upcoming term, requests must be made at least thirty (30) days prior to the start of such term.

6. Prior to rescinding any trespass, the presiding College official(s) shall consult with the Vice President overseeing the Security Department to ensure awareness of all updated safety and security concerns involving the individual in question.

7. If a trespassed person does not request reconsideration within one (1) year of the date of issuance, or if the trespass notice is affirmed after hearing a request for reconsideration, the trespass will remain in effect indefinitely until further notice. Timely made requests for reconsideration (i.e. made within 1 year of the date of issuance) which are denied will not be considered again until the expiration of one (1) year from the date of denial (and only if a new request is made).

F. Trespassed students may be administratively withdrawn from any currently enrolled courses at the discretion of the administration and/or may have an administrative hold placed on their accounts.

G. The issuance of a trespass notice to any student does not prohibit the commencement of, or hold in abeyance, any disciplinary proceedings under the Student Code of Conduct.
202 Inventory
The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2) The Property Accounting Office is charged with keeping a current inventory for all college equipment or furniture (and for all items purchased with federal grant funds) costing over $1000.00. The office is also responsible for regularly initiating data input to the master inventory list and providing the college staff with inventory information.

202.1 Accountability
Each new property custodian will conduct a physical inventory to compare with the existing master inventory. Any discrepancies should be noted on the inventory list.

On an annual basis, the Property Accounting Office will perform, with the assistance of college personnel, a physical verification of the master inventory list. College property, under the following guidelines, may be taken off campus:

- The use of the property must be for College business (personal use is not authorized);
- The College property must be promptly returned at the end of the approved period of use;
- The appropriate form must be completed, signed by the employee and supervisor, and forwarded to the Property Accounting Office.

A College-employee who removes college-owned property from the Campus for unauthorized personal use will be subject to appropriate disciplinary action.

202.2 Inventory Receipt
Each item of college equipment and furniture to be inventoried is assigned a permanent EFSC inventory control number in the Central Receiving Department. The item is then added to the master inventory list, tagged and delivered to the department that ordered it.

202.3 Inventory Transfers
When inventoried items are to be transferred from one college account to another, the original property custodian and the new property custodian will complete a Property Transfer Form and send it to the Property Accounting Office for entry into the master inventory.

Inventoried property which is to be lent to the county schools must be processed through the Office of Property Accounting and approved by the Supervising Administrator.
When tagged college property (listed in the master inventory list) is lost or stolen, it is the responsibility of the property custodian to report such to the Property Accounting Office, as well as to the Office of Security.

202.4 Inventory Deletions
When a tagged item (or group of items) of college property is deemed no longer serviceable (or surplus), the Property Accountant will be responsible for properly disposing of such items in accordance with authorized property disposal procedures.

202.5 Items with Salvageable Parts
When a Property Custodian estimates the value of an item to be less than $100.00, that person may submit a written request to the Property Accountant to remove usable spare parts. Once the usable parts have been removed, the Property Custodian will deliver any parts remaining (including the item’s college decal/tag) to the Property Accountant for processing during the next audit of major property items to be declared surplus.

202.6 Discardable Items
Non-salable items (with Board approval) will be offered to the local not-for-profit organizations in exchange for an acknowledging receipt and property pick-up. Items which are refused by the not-for-profit organization will be discarded in the college dumpster. The Property Accountant will witness and record all such incidents of property disposal.

202.7 Computer Equipment
Computer equipment may be offered for sale at Fair Market Value via asset salvage firms approved for use by College management.

For computer systems or parts that are deemed to be surplus and targeted either for sale or another disposal path, information technologies technicians will certify that hard drives and other memory elements have been cleaned of all data prior to disposal. Computers will be sold with only an operating system. No other software will be included.

Computer equipment is offered for sale “as is” and “where is” without recourse to the college. No warranties are implied and no technical support will be provided by the college. Sale of computer equipment shall be final with no refunds granted.

202.8 Other Equipment
An item (or group of items) which is estimated by the Property Accountant to be currently worth a minimum of $100.00 will be offered for public sale via asset salvage firms approved for use by college management.
203 OVERVIEW OF USE OF COLLEGE FACILITIES
The College exercises appropriate control over all its physical resources by obtaining, sustaining, and maintaining physical resources for achieving our mission. The College employs qualified staff empowered to provide systems and procedures for adequate checks, balance and control over assets. (SACSCOC R13.6 in part)

203.1 Priorities
College facilities and equipment will be utilized according to the following priorities:

1. The college instructional program
2. The college activity program
3. Outside groups and organizations

Eastern Florida State College, being community oriented, may offer the use of its facilities by responsible groups and individuals from outside the college subject to the above priorities. The College does, however, reserve the right to deny use of its facilities to any group or individual without showing cause.

203.2 Usage Fees
The College does establish and maintain a Board of Trustees approved price list for facility use by outside organizations. A publication listing the current fees charged by the College is found in the Office of the Vice President for Financial and Technical Services.

203.3 Smoking
Smoking of any tobacco products and electronic cigarettes are strictly prohibited within all College work areas, including conference rooms, classrooms, restrooms, stairwells and hallways. Smoking is also prohibited in any vehicle (to include golf carts) the College owns, hires, or leases. Smoking on College property will only be allowed at the following designated smoking areas:

Definitions.

- Smoking refers to inhaling, exhaling, burning, or carrying any heated cigar, cigarette, pipe, or any other lighted tobacco or plant product, as well as to carrying any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.

- Tobacco products include all forms of tobacco including, but are not limited to, cigarettes, cigars, pipes, loose tobacco, water pipes, hookahs, and smokeless tobacco products. Smokeless tobacco products include, but are not limited to, snuff, chewing
tobacco, smokeless pouches, or other forms of loose-leaf tobacco. Electronic cigarettes or other devices for nicotine delivery are also prohibited. The only exception to this procedure is the use of a nicotine product approved by the FDA for tobacco-cessation therapy.

EFSC property includes any building or structure, satellite location, athletic field, parking lot or any other facility or outdoor property that is owned, leased, or contracted by the College as well as to any vehicle owned, leased, or contracted by the College.

**COCOA**
- Parking lots only and at ash urns located in designated areas outside of buildings

**PALM BAY**
- Southwest covered alcove between buildings 1 and 3 and at ash urns located in designated areas outside of buildings

**TITUSVILLE**
- Front of Building 1 near the bike rack and between buildings 1 and 3 and at designated ash urns located in designated areas outside of buildings

**MELBOURNE**
- Ash urns are located in designated areas outside of the following buildings:
  - North side of Building 1
  - West side of Building 5
  - West side of Building 8 (gazebo)
- Ash urns located in designated areas outside of building

Ash urns must be established a minimum of 25 feet away from all entrances to buildings and sufficiently far enough away from windows to avoid smoke entering a building. Employees, students and visitors may use designated smoking areas only. Proper disposal of smoking material in the ash urns provided is required.

Student violators of this procedure will be subject to the Student Code of Conduct. Employees will be subject to verbal and/or written reprimand.

### 203.4 Alcoholic Beverages

Consumption of alcoholic beverages in college facilities is prohibited. Exceptions to this policy may be approved by the President.

### 203.5 Service Animals in College Facilities

Eastern Florida State College (EFSC) is committed to providing reasonable accommodations to persons with disabilities. The College aligns its duties under Section 504 of the Rehabilitation Act, the Americans with Disabilities Amendment Act (ADAAA), ADA Title II Code of Federal Regulations § 35.136 and Florida Statute § 413.08; 413.081.

Persons with disabilities may be accompanied by working service animals on the campuses of Eastern Florida State College and at all College-sanctioned activities. In addition, service animals in training are allowable consistent with the provisions of Florida Statute and this EFSC procedure. It is highly recommended that students who wish to be accompanied by a service animal on campus make a request or register through the Student Access for Improved Learning (SAIL) office.

When it is not obvious what service an animal provides, only limited inquiries are allowed. College personnel are only permitted to ask two questions:
1) Is the dog a service animal required because of a disability?, and
2) What work or task has the dog been trained to perform?
Personnel cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Definitions

- **Service Animals.** According to the ADA, service animals are defined as “dogs that are individually trained to do work or perform tasks for individuals with disabilities” (American Disability Act (ADA)(2010). Florida Statute defines a service animal as “an animal that is trained to perform tasks for an individual with a disability. These tasks include activities such as guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects or performing other task” [§ 413.08 (2) (d), Fla. Stat. (2015)]. While the ADA specifically defines service animals as “dogs,” it may be allowable under special circumstances to consider a miniature horse as a reasonable accommodation of the above referenced Florida Statute.

- **Service Animals in Training.** According to Florida Statute, “any trainer of a service animal, while engaged in the training of such an animal, has the same rights and privileges with respect to access to public facilities and the same liability for damage as is provided for those persons described in subsection (3) accompanied by service animals” [§413.08(8), Fla. Stat. (2015)].

- **Other Support Animals.** There are other support animals that are not considered service animals but may be allowable as a reasonable accommodation, at the discretion of the College. These include animals that are used to provide therapeutic contact or emotional support. The request for the utilization of these animals on campus needs to be referred to the Office for Student Access for Improved Learning (SAIL). The request will be reviewed and a determination will be made if this is an allowable accommodation.

- **Handler.** For the purpose of the policy the handler is the individual with disabilities who requires the service animal. It may also be the individual who is training the pre-service animal on campus.

- **Care or supervision.** A public entity is not responsible for the care or supervision of a service animal.

- **Inquiries.** According to the Code of Federal Regulations, “a public entity shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. A public entity may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. A public entity shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, a public entity may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability.
(e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability)” [28CFR1.35(2015)].

203.6 Other Animals on College property
Animals which are part of an approved presentation may be allowed if appropriate prior approval.

Approval is granted by the Institutional Animal Care and Use Committee (IACUC).

An electronic copy of the form may be obtained by contacting the Clinical Coordinator, Veterinary Technology Program who serves as recording secretary for the committee.

Completed protocols should be submitted, via electronic mail, to the Clinical Coordinator, Veterinary Technology Program. The IACUC will review requests in accordance with the Animal Welfare Act and USDA guidelines.

Request for presence of animals on campus in conjunction with special events must be submitted and reviewed prior to the event date. A General Statement about Animals on Campus is required and must include:

• A statement as to why animal is on campus
• A statement as to where animal is on campus
• A description of the animal (name, species/breed, age, etc.)
• The name and address of the *Responsible party/owner (*Responsible includes liability)
• A statement as to how animal needs will be met, i.e.; food, water, shelter, etc.

The request for presence of animals on campus in conjunction with special events does not require an Animal Use Approval Form. The general statement may be submitted, via electronic mail, to the Clinical Coordinator for Veterinary Technology Programs. The requestor should also submit a signed hard copy and documentation of Health and Rabies immunization to Veterinary Technology/Health Sciences, Cocoa Campus.

Also refer to Procedure 201, Complaint and Grievance Procedure, Appendix A: Student Code of Conduct, 601 Community Use Facilities, 602.9 Public Forums and 606 Demonstrations on College Property.

203.7 Parking
Faculty, staff and students parking on the EFSC campuses are required to post an official parking decal on their automobile(s). Decals are available at various locations depending on the campus. Faculty, staff and students are expected to park only in their designated parking areas. All parking areas are designated by color:

• Temporary Permits: Temporary handicapped parking permits can be obtained from the county tag agency or the county tax collector’s office.
• Permanent Decals: Students and staff with disabilities wishing to park in the handicapped parking spaces must obtain a state issued permanent handicapped parking placard. The placard can be obtained through the county tag agency or the local county tax collector’s office.
OVERVIEW OF PROCUREMENT RESPONSIBILITIES

The College demonstrates a sound financial base and a pattern of financial stability to provide the foundation for accomplish the College’s mission and the scope of programs and services offered at Eastern Florida State College. (SACSCOC R13.1 and R13.2)

204.1 Procurement Services Office

The Procurement Services Office is responsible for the purchase of all goods and services required by the College. Purchases are made as economically as possible and may involve the formal or informal bidding process or taking advantage of State or other public entity contracts. General responsibilities include:

1. Determine the most appropriate and effective method of acquisition for each request for purchase; protect the College against unfair or unethical trade practices.
2. Develop and maintain the most effective procurement practices and procedures. Abide by Florida Statutes 287.057, State Board of Education Administration Rule 6A-14.0734, and applicable federal laws and regulations on all purchases.
3. Determine procurement method according to the dollar thresholds outlined in Florida Statute 287 and State Board of Education Rule 6A-14.0734.
4. Manage the College’s bidding process including preparation, advertisement, opening, tabulating, analyzing, posting, and recommending award/rejection to the President and/or the District Board of Trustees.
5. Promote fair and open competition, in accordance with Federal and State laws.
6. Avoid all conflicts of interest or the perception thereof in business dealings with suppliers, vendors, contractors, clients, and financial partners.
7. Develop and maintain a vendor database which lists sources of commodities.
8. Maintain an accurate file of all purchases and related documents.
9. Approve all justifications for single/sole source specifications.
10. Provide department assistance in the preparation of specifications, procurement of samples, or trial equipment as needed.
11. Determine new and better ways of meeting the needs of all College departments.
12. Ensure that the highest purchasing standards and ethics are maintained by procurement staff and employees involved in any bid/proposal preparation, contract negotiations, proposal evaluations or other areas in the procurement process.
204.2 Financial Managers
Financial Managers should ensure that when purchase requests are submitted, budgeted funds are available. Unless otherwise necessary for completion of assigned duties, all personal computer equipment must meet prescribed standards and/or vendors as approved by the College.

204.3 Procurement Constraints
Employees, in discussions with vendors, are not to commit themselves or the College for the purchase of any materials or services. The Procurement Services Office does not issue prepayment for materials, nor does it assume payment responsibility for materials purchased without a properly authorized purchase requisition and purchase order. Unauthorized purchases by employees will not be paid for with college funds but the employee will be held personally and financially liable for all charges incurred and may face termination, fines or imprisonment. When technical information is needed, Procurement Services should be kept informed of any exchange of information between the vendor and college personnel.

Florida Statutes prohibit, unless through sealed bid, all College employees from selling goods to the College. The College further prohibits college employees from selling goods to any College direct support organization (DSO), unless approved by the President.

204.4 Conflict of Interest
A “conflict of interest” entails a conflict between the private interests and public duty of a college employee, in which the employee has private interests which could improperly influence the performance of their official duties and responsibilities.

When engaged in doing business with the public, EFSC employees will abide by Florida Statute “Standards of conduct for public officers, employees of agencies, and local government attorneys” [(§112.313, Fla. Stat. (2015)] and will maintain the highest ethical standards in interactions with public and private vendors in matters relating to procurement.

“No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the officer or employee or the officer’s or employee’s spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer’s or employee’s spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer’s or employee’s own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision.”

All procurement staff and employees involved in any bid/proposal preparation, evaluation committees of bids or proposals, contract negotiations, purchasing or other business dealings with suppliers, shall avoid all conflicts of interest or the perception thereof, undue influences and favoritism situations with College suppliers. This includes, but is not limited to, a prohibition on any College employee soliciting, provoking, or considering gifts or donations from suppliers to the College or its Foundation as part of the evaluation or award process of a College purchase.
Acceptance of gifts, goods, or services before, during or after the procurement process and during the management of any subsequent contract is prohibited and can be cause for termination.

Committee members selected to participation in the solicitation evaluation process:

1. Will possess the technical expertise to evaluate the RFP/Bid.
2. Have access to a procurement staff to answer any procedural questions
3. Sign a Declaration of Absence or Conflict of Interest Form stating they do not have a conflict of interest in performing their duty.
Declaration of Absence of Conflict of Interests

Title of BID/RFP: ______________________

I, the undersigned _____________________

____appointed to the evaluation committee   ____appointed to monitor the operations
____given the responsibility of assessing selection criteria
____authorized to amend part of the contract for the abovementioned public contract,

declare I am aware of Chapter 112.313 of the Florida Statutes, which states that:

“No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the officer or employee or the officer’s or employee’s spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer’s or employee’s spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer’s or employee’s own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision.”

Where such a risk exists, the person in question shall refrain from such action and shall refer the matter to the procurement staff by delegation who shall confirm in writing whether a conflict of interests exists. Where a conflict of interests is found to exist, the person in question shall cease all activities in the matter. The procurement staff by delegation shall personally take any further appropriate action.

I hereby declare that, to my knowledge, I have no conflict of interests with regard to the bidders/proposers who have

____applied to participate in this procurement procedure
____submitted a solicitation for this procurement

whether as individuals or members of a consortium, or the subcontractors proposed.

To the best of my knowledge, there are no facts or circumstances, past or present, or that could arise in the foreseeable future, which might call into question my independence in the eyes of any party.

I confirm that if I discover or should it become apparent during the course of the

____selection /criteria    ____evaluation process
____performance of or amendment to the contract

that such a conflict exists or has arisen, I will declare it immediately to the committee and if a conflict of interests is found, I will cease to take part in the evaluation process and all related activities.

I will not disclose any confidential information that is revealed to me or that I have discovered. Specifically, I agree to hold in trust and confidence any information or documents disclosed to me or discovered by me or prepared by me in the course of or as a result of the evaluation and I agree that it will be used only for the purposes of this evaluation and will not be disclosed to any third party. I also agree not to retain copies of any written information supplied.
204.5 Procedures
The primary function of Procurement Services is to purchase the supplies, materials, equipment and services required by EFSC and to ensure that maximum value is obtained for each dollar spent. The Procurement Services Office shall assist respective EFSC departments in ascertaining the appropriate quality, quantity, and type of materials from the best purchasing sources in order to best serve the interests of the College.

The procedures contained herein are applicable to all EFSC departments, regardless of the source of funding.

Purchase Orders

1. Purchase orders, generated by Procurement Services, are the prime tool of the college for buying goods and services. PO’s, as they are commonly called, can be generated electronically or by a paper purchase requisition. Once the purchase requisition has been completed, online or paper, it is forwarded to the financial manager to approve. If funds are available and the document is correct, a purchase order will be generated.

2. A purchase order is a legally binding contract which authorizes the supplier to ship and Invoice for the materials and/or services as specified. The purchase formalizes all terms and conditions of a transaction. Purchases shall be made only with proper authorization utilizing one of the following procurement documents: Purchase Order; Contract; Check Request; Purchasing Card. If a purchase order is no longer valid, contact the purchasing or A/P department to have it cancelled. Encumbrance will be closed so budget money is not affected.

The Director of Procurement, Manager of Procurement, Chief Financial Officer, Vice President of Financial & Technical Services, President or his//her designee, are authorized to sign contracts and purchase orders pursuant to State Board of Education Rule 6A-14.0734(2).

3. Requests to access, input or approve requisitions in BANNER must be submitted via email to the Director of Purchasing. The director will schedule any training needed and upon completion, the user will be given access to the appropriate BANNER modules.

4. Purchasing cards can be used to purchase materials and supplies totaling less than $1,000. P-Card Training is required prior to the issue of a purchasing card. Rules pertaining to the purchasing card are strictly enforced.

Purchase Requisition

This procedure defines the process for preparing requisitions to a company and supplemental materials to be included with a requisition to support the purchase request. Purchasing services from an individual may require the use of an Other Personnel Services (OPS) Agreement.
1. The purchase requisition process:
   a. The INDEX used to procurement the items/service should contain enough funds. Funding Manager’s authorized signature should appear on the document calculate sufficient time to receive materials or service
   b. Attach any quotes or other documents from the vendor to the purchase requisition then send the documents to the Procurement Services Office.
   c. If this is a new vendor, email/fax the new vendor packet to the designated company representative to complete and return to Procurement.
   d. Contact the Procurement if the purchase will be >$4,000.
   e. If the amount requires a bid to be issued pursuant to the College's Purchasing Rule, the purchasing office shall develop the bid documents as required. As soon as the, bid is approved a purchase order will be issued and a copy provided to the originating department/division.
   f. Based upon information on the purchase requisition, the Procurement Services Office will process the request and a purchase order will be issued.
   g. After a purchase order is issued, any change or cancellation must be approved by the purchasing office. This is accomplished by the submission of a "Request for Purchase Order Change" form.

2. Purchase Requisition Descriptors:

   A complete description of items must be provided. Purchase requisitions should include the following:
   a. Vendor’s name, address, and B-Number
   b. "Ship To" address
   c. Requestor’s name, campus, department, building/room and telephone number
   d. Dimensions, size or capacity (stated in minimum/maximum parameters)
   e. INDEX and account code used to fund the procurement
   f. Full description of item/service: Brand name, model number, state contract number
   g. Cost of item/service, unit of measure, quantity, total cost
   h. Any other pertinent information that further describes the item, material or service

3. Vendors:

Vendor must be approved by the Procurement Services Office before staff, students, or faculty can purchase items/services from their business by purchase order. If a vendor cannot be found in the BANNER vendor database then contact the Procurement Services Office with the vendor’s business information or provide the vendor with the New Vendor Application Packet, located on the procurement webpage, to complete.
Upon receipt of the completed New Vendor Application from the vendor, the procurement staff will verify the vendor’s application and provide a B-Number for use by employees.

### 204.6 Procurement Cost Thresholds

Wherever feasible vendors within and outside of the College district will be notified and afforded the opportunity to do business with the College. The following price information and approvals must be obtained for purchases in the amounts indicated. Limits are based on the Category Thresholds outlined in Florida Statute 287.017 as of this writing.

<table>
<thead>
<tr>
<th>Category</th>
<th>Threshold</th>
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<tbody>
<tr>
<td>One</td>
<td>$20,000</td>
</tr>
<tr>
<td>Two</td>
<td>$35,000</td>
</tr>
<tr>
<td>Three</td>
<td>$65,000</td>
</tr>
<tr>
<td>Four</td>
<td>$195,000</td>
</tr>
<tr>
<td>Five</td>
<td>$325,000</td>
</tr>
</tbody>
</table>

1. **State Funds Thresholds:**

Excluding construction services, procurement processes are defined and governed by the dollar size of the purchase commitment in question. Pursuant to 287.057(8) FS, commitments may not be split so as to avoid these requirements and, indeed, where possible, requests should be combined and competitively solicited by the Procurement Services Office. The dollar size categories are as follows:

- **Purchases less than $8,000 ($3,500 using Federal Dollars)**
  - a. The requesting department is encouraged to propose a vendor source keeping in mind the College goal of seeking the best value for the goods or services needed. A telephone or fax confirmation naming the vendor and price to the Procurement Services Office will suffice. All are strongly encouraged to include M/WBE/SDVBE vendors listed in the College’s vendor database when contacting prospective suppliers.

- **Purchases from $8,000 and <$20,000 – (>3,500 - $10,000 using Federal Dollars)**
  - b. Using the College’s approved vendor database as a reference, the requesting department will obtain a fax, email or telephone quote from at least (2) two of these vendors, for the desired commodity or service. In those rare instances when multiple vendors do not exist, the requestor must document the situation on the Vendor Quotation Form. All are strongly encouraged to include M/WBE/SDVBE vendors listed in the College’s vendor database when contacting prospective suppliers.

- **Purchases from $20,000 and <$65,000 (>10,000 using Federal Dollars)**
  - c. The Procurement Services Office shall process a Request to Quote (RTQ) for the required product or service. The Procurement Services Office may, at its discretion, elect instead to initiate a formal competitive solicitation (BID or RFP) depending upon the complexity of the product or
service sought. At least three (3) vendors shall be contacted for responses. Efforts will be made to ensure that at least one of the three solicited is a SDVBE or M/WBE. (Minority or woman owned business enterprise)

Purchases of $65,000 and greater ($25,000 or greater using Federal Dollars)

d. Florida Statutes 287.017 (currently $65,000 or as amended in statute) – The Procurement Services Office shall release a formal competitive solicitation (e.g. Invitation to Bid and/or Request for Proposals) unless the goods or services in question is covered by one or more of the following competitively bid contract awards; State, City, County, School board or other cooperative agreement M/WBE/SDVBE vendors listed in the College’s database shall be contacted for participation. A minimum of three (3) BID/RFP responses from approved vendors must be obtained.

2. Federal Funds:

Eastern Florida State College, when using State funds for purchases, complies with:

a. Florida Statutes,
b. State Board of Education Rules,
c. College Board Rules

In addition, the College adheres to the following Federal regulations when using Federal funds for procurement:

e. Education Department of General Administrative Regulations (EDGAR)
f. Office of Management & Budget (OMB) Circular A-110
g. Federal Acquisition Regulations (FAR)
h. US Department of Transportation (USDOT)
i. US Department of Labor (USDOL)

Although purchases below the Federal simplified acquisition threshold, currently fixed at $250,000 (NDAA FY2018, Pub. L. No. 115-91) do not require a formal seal solicitation, ESFC has a mandatory bid threshold of $65,000 on all purchases/services.

If the project manager/administrator is purchasing from a vendor, alert the Procurement Services Office before listing the vendor’s name in the grant proposal. Procurement Services, pursuant to State Board Rule 6A 14.0734, may be able to acquire the items or service from contracts used by other U.S state government agencies, city municipality school boards, public college/university, or federal agency government.

Certain types of purchases, when using State funds, can be exempted from
competitive solicitations (copyrighted items, sole source systems, and IT equipment). These exemptions are not clearly identified with using Federal dollars.

3. Recommendations for Awards:

Pursuant to Florida Department of Education, Rule 6A14.0734, Procurement Requirements, the President (or designee) may approve or reject recommendations for awards up to $325,000 or Category 5 in size.

Pursuant to Florida Department of Education, Rule 6A14.0734, Procurement Requirements, recommendations for awards exceeding $325,000 or Category 5 shall be approved or rejected by the District Board of Trustees.

A purchase of supplies or services equal to or greater than $25,000, using Federal funds, require confirmation that the recommended supplier is in compliance with OMB Circular A-110, Subpart B, Section 13.13 Debarment and suspension, where Federal awarding agencies and recipients are required to comply with the non-procurement debarment and suspension common rule implementing E.O.'s 12549 and 12689, “Debarment and Suspension.” This common rule restricts subcontract awards and contracts by the College with certain parties that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. When the College enters into a subcontract or purchase orders $25,000 or more, it must verify that the vendor is not suspended or debarred or otherwise excluded. This verification may be accomplished by:

a. Checking the System for Award Management (SAM) Website http://www.sam.gov, or
b. Collecting a certificate from the vendor, or
c. Adding a clause or condition to the subcontract or purchase order transaction with that vendor

204.7 Procurement Requirements – 6A14.0734

Colleges shall, as the circumstances require, publicly solicit the submittal of competitive offers from at least three (3) sources, when purchasing services or commodities exceeding the amount as specified in Section 287.017, F.S., for Category Three. Solicitations of competitive offers are defined as:

1. “Competitive sealed bids”, “competitive sealed proposals” or “competitive sealed replies”, means the process of receiving competitive offers transmitted by secured electronic means or written bids, proposals, or replies.

2. “Competitive solicitations” or “solicitations” means an invitation to bid, a request for proposal, request for quote, or an invitation to negotiate.

Boards of trustees may adopt smaller amounts beyond which to require the solicitation of competitive offers. The college president or designee reserves the right to reject any or all offers submitted in response to the college’s solicitation, and/or solicit new offers as deemed in the college’s best interest. When accepting responsive offers to the college’s solicitations,
colleges shall accept the lowest or best responsive offer. If other than the lowest or best offer meeting specifications is accepted, the college shall maintain a public record of the justification.

Recommendation for awards not exceeding the Category Five threshold as specified in Section 287.017, F.S., may be approved or rejected by the president or his designee. If such authority is delegated in policy adopted by the Board of Trustees. Recommendation for awards exceeding the Category Five threshold as specified in Section 287.017, F.S., shall be approved or rejected by the Board of Trustees.

1. Exceptions to the requirement to solicit competitive offers are:
   a. Educational tests, textbooks, instructional materials and equipment, films, filmstrips, video tapes, disc or tape recordings or similar audio-visual materials, graphic and computer based instructional software.
   b. Library books, reference books, periodicals, and other library materials and supplies.
   c. Purchases at the unit or contract prices established through competitive solicitations by any unit of government established by law or buying cooperatives.
   d. Food.
   e. Services or commodities available only from a single or sole source.
   f. Professional services, including, but not limited to, artistic services, instructional services, health services, academic program reviews, lectures by individuals, attorneys, legal services, auditors, and management consultant.
   g. Information technology resources defined as all form of technology used to create, process, store, transmit, exchange and use information in various forms of voice, video and data, and shall also include the personnel costs and contracts that provide direct information technology support consistent with each individual college's information technology plan.
   h. Single source procurements for purposes of economy or efficiency in standardization of materials or equipment.
   i. Items for resale.

2. The college president or designee, may waive solicitation requirements in emergencies when there is an imminent threat to students, employees, or public safety or in cases when necessary to prevent damage to the facilities caused by an unexpected circumstance in accordance with rules established by the local board of trustees

3. When a board of trustees solicits the submittal of competitive offers and only one responsive offer is submitted, the college may purchase such products or service under the best terms it can negotiate.

204.8 Procurement Solicitation Types:
Community College Procurement practices are governed by two very comprehensive sets of guidelines; Florida State statue chapter 287 and Florida Department of Education rule 6A-14. These guidelines define the ways in which the College must go to market based upon the dollar size of the good or service being procured.

1. Invitation to Bid (ITB)
Defined: A written solicitation for competitive sealed bids issued when the transaction is expected to exceed the $65,000 (Category 3) threshold. The invitation to bid is used when the College is capable of specifically defining the scope of work for which a contractual service is required or when the College is capable of establishing precise specifications for the actual commodity or group of commodities required.

2. Invitation to Negotiate (ITN)
Defined: A written solicitation for competitive sealed replies when the transaction in question is viewed as one that might exceed $65,000. This process is used to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. An invitation to negotiate is used when the College determines that negotiations may be necessary to learn more about a product or service and/or when the College is exploring new avenues for better value.

3. Request for Proposals (RFP)
Defined: A process used for transactions expected to exceed $65,000 from a single vendor in the course of a 12 month period. The RFP process may also be used when the College is searching for products, services and techniques needed to solve a complex problem or complete a product/project which has relatively precise specifications. When using an RFP, overall price, along with other considerations spelled out in the RFP document, are assessed to determine which firm is best qualified to receive the contract award.

4. Request for Quotation (RFQ)
Defined: A competitive solicitation requesting a supplier’s “best price and delivery” terms for a specific product or service. This process is always used for transactions that will exceed $65,000 and is often used for smaller transactions as well.

Excluding construction services, procurement processes are defined and govern the dollar size of the purchase commitment in question. Pursuant to 287.057(8) FS, commitments may not be split so as to avoid these requirements and, indeed, where possible, requests should be combined and competitively solicited by the Procurement Services Office.

5. Single/Sole Source Procurement
It is the purpose of Procurement Services to promote the use of competitive awards. However, it is understood that in certain, very unique circumstances, the use of a single/sole source award may be deemed in the best interests of EFSC. A department’s request for a single/sole source award does not guarantee the user department that a single/sole source award will be processed by the Procurement Services. Final award of any single/sole source may be deemed in the best interest of EFSC shall be in accordance with Procurement Procedures Manual 205.10. This section governs the process for requesting, justifying, vetting, and completing a single/sole source request.

204.9 Use of Existing Contracts
There are a variety of contracts that are available to faculty and staff for the purchase of goods and services. These contracts have already been competitively solicited and are in compliance with terms and conditions that are acceptable to Eastern Florida State College.
1. Local Contracts
Local contracts are contracts that have been competitively bid by the college for certain goods and services that are useful to multiple schools and departments. Commonly used local contracts can be found on the Procurement Services Webpage, and users can review the contracts listed to determine if the products or services meet their needs.

2. State Contracts
There are a variety of contracts available for use by State of Florida agencies. These contracts are accessed through the use of a purchase order which references a specific contract number. The primary contracting authorities include:
   a. Office Depot
      A password and user id are required to access the System.
   b. Dell Computers
      Computers, hardware, software, telecom, networking, training, IT services, etc.

3. Group Purchasing Organizations
EFSC belongs to several group purchasing organizations (GPOs) for the purpose of aggregating spend volume with other purchasers to achieve contracts with advantageous prices and services. These contracts are accessed through the use of a purchase order that references the specific GPO contract being used. The primary GPOs that are approved for use include:
   a. Educational & Institutional Cooperative Purchasing (E&I)
   b. BuyBoard
   c. The Cooperative Purchasing Network (TCPN)
   d. Procuresource

A vendor whose company has contracts with GPOs can provide information to faculty and staff regarding the specifics of those contracts. The contract type and number must be included on all sales quotes. Procurement staff are familiar with GPO contracts and can provide assistance to faculty and staff in procuring goods and services.

4. Other State Agencies
Florida law does not prohibit institutions of higher education from using the group procurement method. This allows the college to utilize contracts competitively bid by other higher education institutions (i.e., Florida State University, Miami-Dade College).

204.10 Procurement Solicitation Protest
1. Any person who is affected adversely by the College’s decision on a bid solicitation or awarding may file a notice of protest in writing within seventy-two hours after the posting of tabulations, or by mailing certified U.S. mail with return receipt requested, within 72 hours.
2. Upon receipt of the formal written protest, which has been timely filed, the President shall stop the bid solicitation process or the contract award process, without delay.
3. A formal written protest shall be filed within 10 days after the date the notice of protest
was filed. Failure to file either notice shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The formal written protest shall contain specific reasons for contesting the bid action.

4. Efforts to resolve the protest by mutual agreement shall be provided within seven (7) days, excluding Saturdays, Sundays and legal holidays, of receipt of the formal written protest. Should the dispute remain unresolved, hearing proceedings shall be arranged in accordance with Chapter 120, Florida Statutes.

5. The results of bid tabulations shall be posted in a public area near the Business Office within twenty-four hours of the bid opening.

204.11 Single/Sole Source Justification

It is the purpose of Procurement Services to promote the use of competitive awards. However, it is understood that in certain, very unique circumstances, the use of a sole source award may be deemed in the best interests of EFSC. The process by which such requests will be reviewed and vetted by the Procurement Services Office and will be supplemented with the introduction of the following forms:

1. Single/Sole Source Justification Form
2. EFSC Employee Background documentation

The following definition applies:

Sole Source Item - is available from only one source, including: an item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly; a film, manuscript, or book; a utility service, including electricity, gas, or water; and a captive replacement part or component for equipment.

Single Source Item – is available from more than one source (i.e. a vehicle). An item is not a sole source item if it is mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of $65,000.

A Single/Sole source purchase justification will not be accepted because only of:

1. Price
2. Competing products are not satisfactory
3. Subjective statements regarding product quality.

If a single/sole source purchase is deemed justified, the request should be processed accordingly. Because purchasing files are subject to the Florida Public Information Act, the use of single/sole source purchase procedure must withstand critical scrutiny and the justifications must be objective and must avoid statements that cannot be substantiated.

The key process features are justification of the need for the single/sole source and rigorous vetting of the request in the form or review of materials, and research of current and available contracts.

The following steps will be followed when a department requests a single/sole source award:
1. Requesting department must complete the Single/Sole Source Justification Form as instructed on the form. Failure to provide a complete-detailed description will render the form incomplete and will delay Procurement Services from reviewing and vetting of the form. The form must be signed by the requesting department’s Department Chair, Department Director, Supervising Administrator, President or his/her designee.

2. Once procurement receives the noted information, including all market research, product description and pricing details, Procurement will confirm if there are any current EFSC competitively awarded contracts for said item.

3. Provided there are no EFSC competitively awarded contracts, the Procurement Operations Department will then research to see if there are any competitively awarded contracts from other colleges, universities or government agencies that EFSC may be able to access.

4. Provided there are no competitively awarded contracts from other colleges, universities or government agencies identified, The Procurement Services Office will then, after formally advertising the proposed single/sole award, issue the selected vendor a purchase order for the item/service.
205 OVERVIEW OF PURCHASE OF SUPPLIES

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

Supplies which are purchased through the bookstore, the information technologies department, central supply, the Brevard County School Board or through the petty-cash system require procedures which are different from the normally-used purchase-requisition/purchase-order method.

205.1 Petty Cash and Change Funds

Requests to establish a petty cash fund or change fund should be submitted to Accounting in the form of a Petty Cash Request Form with a Purchase Requisition. Both the establishment and the amount of such funds are within the authority of the Chief Financial Officer. The request should include the following information:

1. Name, title, and social security number of person directly responsible for the fund (i.e., the "custodian"). The person so designated will have primary responsibility for safeguarding the fund, maintaining its records, and for making expenditures from the fund and for receiving subsequent reimbursements for such expenditures, and must be an employee of the college.

2. Clear designation as to whether fund is for petty cash or change. A petty cash fund enables an administrative unit the flexibility to complete minor business cash transactions as part of their daily operations. Change Funds are to be utilized for the making of change only and may not be used for the disbursements listed for petty cash funds.

3. Indication of whether the request is for a new fund or an increase in an existing fund.

4. Description of types of expenditures to be made from the fund.

5. Amount requested (NOTE: Amount of a departmental petty cash fund should not exceed the smaller amount of 75% of anticipated average monthly expenditures from the fund or $200. The Chief Financial Officer may approve petty cash funds in excess of $200. There is no such restriction on change funds.).

6. Time period for which the fund is needed.

7. Anticipated average monthly expenditures to be made from the fund.

8. An explanation of how the funds will be safeguarded.
9. Approval of the appropriate budget custodian.

205.2 Administering Petty Cash Funds
The petty cash custodian must pick up the petty cash fund or change fund check at the appropriate campus cashier’s office. At that time a receipt for the fund will be signed. The following procedures should be utilized in administering petty cash funds:

1. Each disbursement should be supported by a petty cash voucher indicating the account number to be charged, signed by the payee and budget custodian; and original sales receipt.

2. Signed Petty Cash Vouchers on hand, plus cash should equal the amount authorized for the fund at all times.
   a) The following examples typify allowable petty cash disbursements:
      i. Postage, freight or express charges.
      ii. Non-recurring expenditures for supplies.
      iii. Fuel purchased for college vehicles.
      iv. Non-recurring tolls or mileage reimbursement.
   b) Petty cash funds may not be used for the following:
      i. Personal loans (IOU’s, etc.).

3. Each petty cash disbursement is limited to a maximum of $25 unless approved by a Supervising Administrator, who may approve reimbursement up to $99.99. Amounts in excess of $99.99 must be submitted to Accounting for reimbursement by check.

4. Petty cash funds should be reimbursed periodically by the preparation of a Purchase Requisition. The requisition should detail each disbursement and should have attached the supporting document/receipt. The requisition must request that vouchers be made payable only to the petty cash custodian.

5. All petty cash funds must be adequately safeguarded against theft. In case of a loss, the fund custodian should immediately notify the Security Office and Accounting. In addition, a Purchase Requisition should promptly be prepared and submitted, along with a copy of the report from the Security Office, to Accounting.

6. All petty cash funds are subject to periodic, unannounced audit and must be maintained in the department.

7. Accounting is responsible for conducting an annual review including complete reimbursement of all vouchers on hand at year-end. Accounting will prepare a report of outstanding petty cash funds as of the end of each fiscal year.
206 Competitive Bidding

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and 13.2)

206.1 Obligatory Bidding and Exemptions

For any purchase exceeding the bid threshold, as described in Florida Statute 287.017, for Category Three institutions, and not exempted from competitive bidding requirements, the Board will request bids from 3 or more sources. The Board has the authority to reject any or all bids. The President may approve or reject bids on behalf of the board for expenditures not exceeding the Category Five threshold.

206.2 Bidding Process

For those services and commodities for which the College is required to send out an invitation-to-bid, procedures will be developed and authorized by the President or designee to:

- Send contract specifications and application information to qualified vendors, firms or individuals;
- Publish legal notice of application and specification information when required and as stipulated by statute;
- Receive and hold secure all official bids;
- Develop guidelines for bid evaluation;
- Open and tabulate bids at specified time and place;
- Select bids in order of preference.

206.3 Legal, Audit And Insurance Services

The college should periodically review continuing Legal, Audit and Insurance Services. If an in-depth review is necessary, a Request for Proposal should be issued and evaluated.

If other than the lowest bid meeting specifications is accepted, justification for the choice will be recorded in the Board minutes.
207 Construction Change Orders and Payments

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

207.1 Change Orders

The President is authorized to approve construction-contract change orders up to the amount of the Category Five threshold, as delineated in Florida Statute 287.017.

207.2 Payments to Contractors

Payments will be disbursed only when the contractor submits to the College an invoice which is signed, certified and officially sealed by a state-registered architect or engineer.

1. INTERIM PAYMENTS

Payments made to contractors during stages of a construction project:

- Will be based on the percent of work completed;
- May include payment for architect-approved, suitably-stored materials on site;
- Will deduct 10% from each payment for retainage.

2. FINAL PAYMENT

Once the contractor declares the project to be substantially complete, the President is authorized to disburse 90% of the adjusted amount of the contract.

The remaining 10% or the amount of liquidated damages (whichever is greater) will be withheld until the following conditions are met in full:

- The project architect must certify that all work has been completed in accordance with the approved contract documents;
- The Office of Educational Facilities Construction must inspect the project and subsequently, upon acceptance of the project, issue to the College a "Certificate of Final Inspection."

Once the above conditions have been met and upon approval of the architect, the contractor may request the final payment. The College will then authorize disbursement of the final payment with the following exceptions:

- The architect will estimate the value of any work remaining to be done and a sum equal to 5 times that value will be withheld until the work is completed;
- Liquidated damages will be deducted in full before final payment is disbursed

207.3 The Florida Uniform Building Code

Effective March 1, 2002, requires inspections by qualified personnel for Uniform Building Code compliance. These inspections will take place, to the extent practicable, by properly licensed
college personnel. The administration may opt to hire an independent inspector on any project if the conditions warrant such action.
208   Expenditures
The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

Ordinary Expenses
In the event that the annual budget for a new fiscal year is not approved as of July 1 (the first day of the fiscal year), the College will pay ordinary expenses at approximately the same rate as was budgeted for the preceding year until the date that the new year’s budget is approved.

208.1 Purchases
The College will take all necessary steps to ensure maximum value for expenditures, obtaining lowest prices for materials and services which are best adapted for the college needs. The President or designee will propose, insofar as practicable, standards and specifications to be applied to materials or services purchased. The President or designee will see that all materials or services so purchased or contracted conform to those standards and specifications.

208.2 Purchasing Card
A purchasing card program will be established to provide an efficient method for purchasing goods and services for college use. The President shall designate a Purchasing Card Administrator to establish internal controls, rules, and procedures for use of purchasing cards. Purchasing cards may be issued to college employees or other individuals conducting college business as approved by the Purchasing Card Administrator. Financial Managers are expected to remain within budgetary limitations even though budget controls cannot prevent a P-Card expenditure.

208.3 Petty Cash
A petty cash fund will be established at each campus to reimburse employees for appropriate expenditures which are necessary for the efficient operation of the College. The total amount of the fund will not exceed the amount authorized by the State Board of Education. The President shall designate the fund custodian, who will establish internal controls and procedures for employee reimbursement.

208.4 Travel
The President or designee will authorize travel reimbursement for district employees for authorized out-of-county travel and subsistence expenses incurred during the course of duty. Supervising Administrators will authorize such travel by campus employees unless otherwise directed by the President.

The amount of subsistence reimbursement, whether in the form of per diem or actual expenses, as well as the rate of mileage reimbursement, will be established by the President, not to
exceed the amount allowable by statute. The President or designee will establish procedural guidelines for employee reimbursement and for advance payment of anticipated cost of travel.

208.5 Fidelity Bonds
Bonding for members of the Board of Trustees and for the President is provided directly through the College for the amount required by law. All other employees are covered under a blanket bond provided through the Florida Community College Risk Management Consortium.

208.6 Institutional Memberships
The College is active in a number of regional, state and national associations and professional organizations. Institutional membership in these organizations may be paid with college funds.

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209 OVERVIEW OF BUDGETS AND ACCOUNTS
The College will maintain responsibility for the long-term financial base and financial stability by obtaining, sustaining, and maintaining financial assets to support the mission the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2, R4.3, R13.3, R13.6 in part, R13.4, R13.6)

209.1 Budget Accounts
Each month the Accounting Office will provide each Financial Manager with a print-out of the activity entered during the previous month. The budget displays category codes which reflect various types of materials and services.

209.2 Check Request
In special circumstances Financial Managers may request a check to be cut for delivery to vendors providing minor services or to organizations for registration fees. In such cases, information should be submitted on a purchase-request form and sent to the Accounting Department.
210  OVERVIEW OF RETURNED CHECKS

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services.  (SACSCOC R13.1 and R 13.2)

The College will make every effort to collect unpaid checks returned from the bank. A processing fee of $25 or 5%, whichever is greater of the amount of the check, will be applied to the student's account for a returned check. EFSC will not accept any check for college payments if the student incurs two returned checks. The following situations may occur if a returned check is not paid:

- Will have a freeze put on all transcripts or records;
- Will not be permitted to re-enroll until the debt is satisfied;
- May be placed with a Collection Agency;
- May have this transaction placed on their credit report.

The student will be notified by letter when a check is returned to the College for nonpayment by the bank. After a designated period, if the debt is not paid, the student’s instructors are then notified that the student is no longer allowed to attend class until the matter is settled. When the College does not receive satisfaction on monies owed, a collection agent may be retained to recover the funds.
211 Ticket Sales

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R 13.2)

Each budget custodian of a community-use facility will recommend financially-sound methods for generating tickets and for collecting and accounting for monies. The Vice President for Financial and Technical Services will be responsible for overseeing the procedures generated by supervisors in charge of ticket sales.
OVERVIEW COLLEGE ACCOUNTS

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R 13.2)

Within statutory limitations, the College President or designee is authorized to establish college and agency accounts; receive, deposit, transfer and withdraw college monies, and close college or agency accounts as deemed necessary to conduct college business. All revenues and all expenditures generated by the college, or any college direct support organization, must be accounted for within the college accounting system, and all entries to that system must comply with the state accounting manual for Florida community colleges.

212.1 Receipt of Funds

The College will deposit funds received as soon as practicable, and will maintain an accurate record of the source of all monies received as well as their intended purpose.

212.2 Deposit of Funds

When stipulated by a contractual agreement between the college and a Federal or private agency, funds received from such sources will be deposited into an account separate from the college depository account.

212.3 Electronic Funds Transfer

To establish accounting & control procedures under which any funds are to be moved by electronic transaction for any purpose, including ACH (automated clearing house), wire transfer, withdrawal, or investment.

The College President, Vice President of Financial & Technical Services or Chief Financial Officer authorizes all movement of funds by electronic transaction via the Authorization and Agreement for Treasury Services and the Treasury Services Delegation of Authority forms on file with the College’s commercial banking partner.

The College President, Vice President of Financial & Technical Services, and Chief Financial Officer are Primary Administrators in the Online Treasury Management Service.

A Primary Administrator may add a General User to the Online Treasury Management Service by assigning a User ID, specific user entitlements and obtaining approval of a second Primary Administrator.

The ACH file source is to be independent of the ACH transfer and authorization process.
Someone independent of the transfer and authorization process is to reconcile confirmed electronic fund transfer to transactions on the bank statements on a daily basis. (e.g. ACH monetary amount total to source document monetary amount total).

**Direct Deposit/Automated Payments**

Direct Deposit/Automated Payments may be provided if a Direct Deposit/Automated Payment Information form is received. The form provides authorization by the payee for the College to transfer funds to the designated financial institution receiving the funds on behalf of the payee.

Acceptable Direct Deposit/Automated Payment Information forms include:
1. Direct Deposit Enrollment Form (Payroll)
2. ACH Vendor Enrollment Form (Accounts Payable)
3. Direct Deposit/Automated Payment Information forms from the receiving Financial Institution
4. Direct Deposit/Automated Payment Information forms from the receiving vendor

The information provided on the form is entered into the College’s enterprise system. The information entered is then reviewed by someone independent of the reconciliation process. After review, the Pre-note is submitted to “validate” the routing number and account number of the receiving financial institution.

**Wire Transfers/Withdrawals**

Electronic wire transfers may be initiated via the College’s commercial banking partner’s online treasury management services or in case of system failure, the College’s commercial banking partner’s telephone wire system.
1. The initiator is to use the College’s ID assigned by the bank and his/her user ID and password assigned by the College’s online treasury management service.
2. The approver is to use the College’s ID assigned by the bank and his/her user ID, password and security token assigned by the College’s online treasury management service.

**Other Transfers**

For other forms of electronic transfers/payments conducted the following procedure is followed. These transfers are usually initiated at the request of the Payer or the college submits an online request.
1. Financial account information is provided to external agency as approved by the Chief Financial Officer.
2. Specific reports, payments, or withdrawal information is provided to the external agency per agency requirements.
3. Reporting, payments, or withdrawal transaction is reported to Administrative Support Specialist for verification in banking system.
4. Activity is reconciled with regular monthly bank recon file.

**212.4 Agency Accounts**

By establishing separate agency accounts to hold monies received, the College may act as a custodian or fiscal agent for organizations or individuals. Agency accounts may also serve as “clearing” accounts, to be used to account for temporary revenue from and expenditures for
agencies or activities which cannot be immediately classified. All funds must be processed through internal college accounts unless an exception is made by the President.

212.5 Unauthorized Use of Funds
Excepting student loan funds, college funds will not be used for any purpose which represents an accommodation, loan or credit.
213 OVERVIEW ACCOUNT WRITE-OFFS
The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R 13.2)

213.1 Delinquent Accounts
The President will select one or more collection agents to assist in collecting delinquent accounts. When the collection agent is unable to collect an account due, the President or designee may refer the matter to the college attorney for collection through the appropriate Court.

An individual who has an unpaid balance to the College will not be allowed to register, graduate, or receive any other college services until the obligation has been met, unless authorized by the President or his designee.

213.2 Worthless Checks
Worthless checks processed by the College will be assessed a special handling fee to be paid by the maker upon redemption of the check.

The President or designee will collect up to the maximum allowable by law in administrative fees for processing worthless checks submitted to the College.

213.3 Uncollectible Accounts
1. Accounts uncollected after two years shall be presented to the board annually to be written off as uncollectible.

2. Students or agencies with uncollectible accounts shall be prohibited from conducting business with the college, (including registration, transcripts, grades, etc.) until the delinquent account is paid in full, regardless of the age or write off status of the account.

A list of accounts to be written off shall be presented to the Board at least annually.
OVERVIEW BUILDING AND EQUIPMENT

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R 13.2) The College exercises appropriate control over all its physical resources by obtaining, sustaining, and maintaining physical resources both on and off campus to serve the educational programs, support services, and other mission-related activities. (SACSCOC R 13.6 in part, R13.7)

214.1 Building Maintenance
Routine maintenance repairs are requested by completing an online work order request. The Department of Facilities Services will schedule work to be done as the work orders are submitted and approved.

Emergency requests should be reported to the Department of Facilities Services by telephone.

Requests for major room or building remodeling should be included in the annual budget requests.

214.2 College Vehicles
College vehicles may be reserved by College employees for College business through the Office of the Supervising Administrator. A State of Florida Commercial Driver’s License is not required unless the driver will be transporting more than 15 persons (including the driver) in a single vehicle.

214.3 Cellular Phone Usage
The college may provide certain employees with a stipend to offset the cost of cell phone service should such service for that employee be deemed needed to further the safe and efficient operation of the institution.
215 OVERVIEW OF SERVICES
The institution exercises appropriate control over all its physical resources both on and off campus to serve the needs of the College’s educational programs, support services, and other mission-related activities. (SACSCOC R13.6 in part, R13.7)

215.1 Notary Services
Qualified Notaries Public are located on each campus. Service is free to all students and College employees. Contact the Office of the Provost Administrator for locations.

215.2 Communication Systems
The College provides a variety of communications systems for its employees to aid in the conduct of College business. Use of any of these systems for personal or private purposes is prohibited and, if abused, may lead to disciplinary action.
Systems currently available include:

215.3 Telephones
The College telephone system connects each campus. Long-distance service to transact College business should be used when it is cost efficient and only for College business.

215.4 Mail/Courier
Mail room services are provided for College-approved business. Distribution of mail is provided daily among the College campuses and centers, the Brevard School District, the University of Central Florida and the U.S. Post Office in Cocoa. A service schedule is available in the Mail room.

Large brown envelopes are to be used for intra-College and inter-campus mail. Letterhead envelops or stationery is to be reserved for official, off-campus, College-business usage.

The College utilizes a postage meter for letter-head envelopes. Although the College will not meter employees' personal mail, the courier will pick up pre-stamped, personal mail for mailing. The courier will pick up College-generated packages, but not personal packages.

Bulk mail to be metered should be processed by Printing and Graphic Services. Requests for postage-paid, business-reply envelopes must be approved by a cabinet-level administrator before they are submitted (with justification) to Printing and Graph Services.

215.5 Electronic
The College provides facsimile machines (FAX) for the transmission and reception of College business at each campus and center for use on occasions when rapid transmission is essential and cost effective.
The College provides email and other communications services for College business through computer inter-connection. Maintenance problems with the computer communication system should be reported to Helpdesk.

215.6 Bulletin Boards
There are 3 types of bulletin boards located on each campus. The “Open” boards are for student (and community) usage and require no authorization for the posting of material. The "College" bulletin boards are intended for display of supervisor-authorized items which are pertinent to a particular College division or department. The "Special Interest" bulletin boards are designated (with the permission of the Building Coordinator) for the advertisement of specific events or College functions. The Building Coordinator will monitor the bulletin boards in each building to ensure compliance with College regulations and to remove outdated items.

215.7 Libraries
Each physical campus contains a library with access to written and electronic resources. The employees of the Library provide various services to the College faculty and staff, including library and bibliographic searches and instructional development aid.

215.8 Institutional Research and Data
Institutional data and research is intended to improve college-wide access to research and data. Its broad purpose is to aid in College strategic planning and decision-making.

The request for institutional data or research will be granted to authorized employees of the College for all legitimate College purposes. Authorized employees are narrowly defined as strategic managers and delegates, and full time faculty.

All requests for institutional data and research must be requested using the revised web-based 'Data Request System' (DRS). DRS requests will be electronically processed and forwarded to the Office of Institutional Effectiveness/Strategic Management (IESM) for review and processing.

215.9 Requests for Electronic Marquee Messages
Listed below are the criteria and procedures for requesting a message. Each campus has an electronic messaging board. Please contact the Provost to request a posting.

- Requests should be emailed to the Provost
- Requests should be of college or campus wide interest
- Requests should be intended for external audiences (i.e. the public, potential students)
- Requests should be forwarded to the Provost 2-3 weeks in advance when possible
- Faculty/Staff should work through their respective department head to make a request
- Requests should be worded so that the message could be read in no more than 5 seconds
- No messages of a personal nature will be posted (i.e. birthdays)
216 OVERVIEW PUBLICATIONS
The institution publishes admissions policies consistent with its mission for the College and specific programs within the College. (SACSCOC R10.5 in part, R10.8, R10.1, R9.7 in part, R12.3, R14.1 in part, R10.2, R10.5 in part)

The primary sources for these publications is on the College website. Please also refer to Procedure 111 College Media.

216.1 College Publications Services
The college publications department provides graphic design, copy editing/proofreading services for producing brochures, booklets, newsletters, flyers, forms, posters, programs, ads, and other college publications. Limited word processing service is available for faculty and staff. There is a nominal charge for all Publications services.

216.2 Requests for Services
Requests for Publications support are initiated by submitting a completed Printing and Graphic Services Work Order. The client has the final responsibility for proofing the work, prior to printing.

Production time for design and word processing varies from job to job. Typically, service can be completed within 10 working days not including time required for printing. Special needs can be arranged by consultation with the center director. Normal work priorities are instructional work, administrative work, and other college-related work.

All ads, brochures, flyers, programs, booklets, or other materials intended for distribution outside of the college should be submitted to the Associate Vice President for Communications to ensure that these materials comply with college policy and present Eastern Florida State College in a consistent and professional fashion.

Questions concerning services, scheduling, and the operation of the office should be directed to the center’s director.

216.3 Duplication Services
Test material will be safety sealed for security and may be picked up by the instructor or authorized designee or, if necessary, will be specially flagged and sent via the campus courier; an achievable due date should be agreed to between the center director and those requesting work. If requested, college forms will be assigned a code number reflecting the responsible office, the date printed and the quantity which will be updated for each printing by Printing and Graphic Services work priorities will be: 1) instructional, 2) administrative, 3) other college related work, and 4) community-service.
217 OVERVIEW KING CENTER AND ASTRONAUT MEMORIAL PLANETARIUM AND OBSERVATORY EVENTS

The College President controls the College’s fundraising activities including the King Center and the Astronaut Memorial Planetarium and Observatory events. (SACSCOC R5.2.c, R.5.3)

The Executive Director of the King Center for the Performing Arts and the Director of the Astronaut Memorial Planetarium and Observatory will establish appropriate procedures to implement the pricing of tickets and the allocation of complimentary tickets for their programs and facilities.

217.1 Price Establishment

Fees and prices for recurring events will be published in the college Fee Manual. Individual and short engagement event prices will be set at a reasonable rate based on projected expense of the program.

217.2 Complimentary Tickets

Categories are established for potential complimentary ticket distribution for the King Center for the Performing Arts and the Astronaut Memorial Planetarium and Observatory. The allocation of tickets to these categories is either stipulated by contract or at the discretion of the Director of the Astronaut Memorial Planetarium and Observatory, the Executive Director of the King Center for the Performing Arts, and the President of the College.

1. BY CONTRACT
   Professional Company: To be allocated to the company bringing the particular show to the theater or the center. The number of tickets in this category will be determined in the original contract.

2. PRESIDENT OF THE COLLEGE
   Facility Promotion: To be set aside at the direction of the President to promote the facilities and the College.

3. KCPA EXECUTIVE DIRECTOR/DIRECTOR OF AMPO
   a. Advertising and Promotion Trade-Outs: To promote specific events/performances through a media source on a dollar-for-dollar barter system;
   b. Public Relations: To promote community good-will by promoting through auctions, door prizes, and other activities;
   c. Papering the House: To help fill the house when ticket sales are insubstantial;
   d. Discretionary: To provide the directors leeway to handle patron problems, to entertain special guests, to reward specific employees, and to promote the facilities and their events
218 OVERVIEW AUXILIARY SERVICES AND FUNDS
The College will maintain responsibility for the long-term financial base and financial stability by obtaining, sustaining, and maintaining financial assets to support the mission the College and the scope of its programs and services. (SACSCOC R13.1 and R 13.2, R4.3, R13.3, R13.6 in part, R13.4, R13.6)

218.1 Auxiliary Services
The President insures that services required by the faculty, staff, students and community members are provided well and at minimum cost. Such services may be furnished by college employees or subcontracted to outside agencies. The College will evaluate the benefits and disadvantages of available options and choose a cost-effective approach based on quality performance. College services which fall into this category include, but are not limited to, the following:

- The bookstore;
- The food service and vending machines;
- Child care;
- Repair services;
- Copying and printing;
- Vehicle maintenance;

218.2 Auxiliary Fund Account
An auxiliary-fund account will be established for earnings or gifts derived from auxiliary enterprises. The President approves the disbursement and use of such funds for activities and items which will benefit the College.

Funds not expended for the below costs will remain in the auxiliary-fund account, or will be transferred to other college accounts.

1. ACTIVITIES
Auxiliary-fund monies may be used for, but are not limited to, the following activities, and will be transferred to the appropriate fund:

a. Recurring Institutional Activities
   - Graduation;
   - Visiting committees;
   - Orientation activities;
   - College conferences or retreats;
   - Recruitment of faculty and staff;
   - Guest speakers and lecturers;
   - Official meetings and receptions;
• College development activities;
• Public relations - general promotion of the College.

b. College Hospitality

The President may approve an amount of funds to cover hospitality costs for business guests at the College or elsewhere. That amount will not exceed the maximum amount determined by the state statute.
219 Donations
The President of the College controls the fund-raising activities (SACSCOC R5.2.c)

219.1 General Information
A donation is considered to be any monies, equipment, materials, supplies, publications, documents, real estate or other items given (irrevocable) to any unit of Eastern Florida State College or to the Eastern Florida State College Foundation by an individual or an organization. The EFSC Foundation is classified as a non-profit institution.

The donor, or the donor’s representative, not the College, will establish the value of a donation.

219.2 Acknowledging Donations
When a College administrator is in receipt of a donation intended for the College, a particular campus, or a particular division or department, a memorandum must be submitted to the Director of the Foundation listing:
- Description of the item and its function;
- Name and address of the donor;
- Campus and area in which item will be used;
- Donor-established value.

When an athletic coach or member of an athletic team sport is in receipt of a donation intended for the College or a particular sport team, a memorandum must be submitted to the Athletic Director and the Director of the Foundation listing the following:
- Description and amount of donation;
- Purpose of funding;
- Name and address of donor;
- Campus and sport team for which the item or funds will be used;
- The account number where funds are to be deposited.

Copies of the memorandum must be sent to the President, the Controller, the Property Accountant, and to the Director of the Foundation if the donation is an item which normally would be placed on the master College inventory. The President and the Executive Director of the Foundation are authorized to deposit gifts to the College into the EFSC Foundation, which is a direct-support organization of the College. The Supervising Administrator will acknowledge the donation by letter with copies to the President and the Executive Director of the Foundation.

219.3 Donations to the Foundation
Donations to the Eastern Florida State College Foundation (a 501(c) (3) direct support organization) allow individuals or groups to provide an additional level of financial support for the College’s educational programs. Donated monies fund student scholarships and special
institutional projects or equipment needed by the College. Donated items which cannot be used by the College for educational purposes may be sold by the Foundation.

219.4 Solicitation of Private Funding
Fundraising activities and gifts received shall support the mission and goals of Eastern Florida State College.

The President shall establish procedures for fundraising, and for grants and contracts procurement. These procedures should be disseminated to College personnel upon commencement of employment, and thereafter as deemed necessary by the President.

The Eastern Florida State College Foundation is the College's primary vehicle for solicitation of private grants from individuals and from local corporations and foundations.

Fundraising activities which are conducted on individual campuses, whether by staff or students, shall first be approved by the Supervising Administrator and the Director of the Foundation.

Gifts may be received in the form of cash, annuities, securities, real or personal property or any other form which would benefit Eastern Florida State College or its students.
OVERVIEW GRANTS AND CONTRACTS
The College maintains a sound financial based and demonstrated financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

The College will frequently seek grants and contracts from external resources to supplement the budget and enhance the opportunity to develop new programs and services.

220.1 Purpose
The Grants/Development Office in conjunction with the Accounting Department must review all externally funded grant and contract proposals prior to submission to ensure compliance with established institutional procedures prior to submission. (Henceforth “grants” shall refer to either grants or contracts).

Grant proposals that conflict with or compromise EFSC mission and goals will not be processed.

220.2 Procedure
The proposer’s supervisor must acknowledge their approval of the grant project by email to the Grants/Development Office or by signature on the tracking sheet prior to grant submission. If not approved, the supervisor will provide a brief statement explaining why the project did not serve the mission of the department or EFSC.

The final draft in electronic format and tracking sheet with approval signature or copies of email approvals shall be delivered to Grants/Development Office at least five (5) working days prior to the published deadline.

The internal deadline permits the Grants/Development Office to review the proposal, prepare a final document, submit the grant for final approval by the President and prepare for posting. To ensure adherence to college and state personnel policies, the Grants/Development Office may request information from the Human Resources Office to verify salaries, fringe benefits, and employment status of proposed grant personnel.

A flow chart for the submission of grant request is documented.

Requests from the funding agency for budgetary or programmatic amendments during the negotiation and award period will be processed by the Grants/Development Office in consultation with appropriate offices and the grant project director.

The Accounting Office will be provided with a copy of the grant, the official award notice, amendment approvals, and original signature contracts.
The project director and supervising administrator will administer and manage all aspects of the grant.

The Human Resources Office shall be responsible for grant project staffing.

The purchasing office will be responsible for all grant purchasing. Copies of award correspondence, amendments, and reports of funded grants will be forwarded to the grants office for inclusion in the grant resource files.

An externally funded grant or contract is considered to be an agreement between EFSC and any federal, state, local public or private source which places an obligation on the College in return for monies, equipment, materials, supplies, services or other items.

**Conformity to Stated College Purposes**

All grants and contracts involving Eastern Florida State College, its programs, administration, faculty, staff, students and any associated personnel must be supportive of the mission and purposes of the College. The emphasis at Eastern Florida State College is on instruction, and the EFSC Catalog states "every effort is made to allow the instructor to devote full-time talents and energies to the prime responsibility - teaching."

**Assurance of Conformity to Stated College Purposes**

To assure that externally funded projects comply with EFSC's mission, purposes and operating procedures, each proposal for external grant or contract support shall be approved by the President, following compliance review by one central office at Eastern Florida State College. The central office will have been designated by the President.

**Assurance of Institutional Control**

The College will ensure that prior to granting administrative approval, all external grant and contract guidelines will be reviewed to ensure that institutional control over funded research, instruction and other College activities will not be subordinated or in any way compromised. In addition, the College will ensure that acceptance of an external grant or contract will not conflict with continuity of College support for general institutional activities.

**Administrative Adherence to College Policies and Guidelines**

The College shall monitor all administrative aspects of externally funded grant and contract projects to ensure proper adherence to Federal, state, funding agency and College policies and guidelines.

**Faculty Participation in Externally Funded Programs**

In consideration of the stated mission of Eastern Florida State College, faculty participation in external grant and contract projects, including limited research projects, is to be strictly controlled and is predicated on receiving prior approval from the faculty member's Supervisor (The Faculty/Supervisor relationship is outlined in the Procedure Manual). All instructors will be limited as to the amount of time they may participate in externally funded grant and contract programs, relative to teaching time.

**Faculty Member's Division of Obligations**

Teaching is the primary responsibility of each faculty member at Eastern Florida State College. Where a faculty member's interests, capabilities and opportunities result in the conducting of an
externally funded College project, a balance shall be established between the regular teaching workload and time devoted to the special project. This will vary, depending upon the nature of the project, its relevance to the improvement of the EFSC instructional process, and the requirements of the existing educational programs at the College.

College approved research or development activities may thus be conducted, as long as they do not interfere with other academic activities, and the appropriate Supervisor has determined that a balance has been established by the professional faculty member and his or her supervisor. When a faculty member is in doubt as to whether research is interfering with other academic activities, he or she should consult their Supervisor for clarification.

Publication of EFSC Faculty Obligations Policy
All policies regarding a faculty member’s division of obligations will be published, and will be periodically communicated through other appropriate means.

Freedom to Investigate and Report
Externally funded grants and/or contracts must not contain language which would undermine the basic premise of freedom to investigate and report results. Any staff or faculty member conducting College approved research or development projects shall be free to investigate and report results as prescribed by the funding agency and the contract document, as long as it does not conflict with College policy.

Grant and Contract Personnel Compensation
All salaries and benefits, contracts and professional fees paid to College employees from externally funded grants and contracts during any part of the calendar year shall be set at a rate commensurate with College wage scales for the position(s) involved, as determined by the EFSC Human Resources Department. Salaries and salary supplements from grants and contracts will be administered in accordance with appropriate sub-sections of EFSC Policy Manual section 300, where applicable.

Consultative Services Fees
Faculty members and other College employees are free to negotiate consultative services fees for work performed outside the scope of College obligations, to the extent that it does not interfere with institutional obligations. If the contract or grant is negotiated through the College, then the fees must conform to College scales and standards.

220.3 Post Award Administration
Administration of the award is a team effort consisting of the Principal Investigator (PI), Development office, and the Accounting office. The PI and the College jointly bear the responsibility for proper administration according to the regulations, policies and guidelines pertinent to the particular project as defined in the project agreement/award correspondence. The Accounting office assists in the clarification of regulations and determining the reasonableness, allowability, and allowability of costs charged to grants and contracts as referenced in OMB Super Circular (Uniform Administrative Requirements for Grant and Agreements for Federal Awards) codified at 2 CFR 200.

Principal Investigator
The principal investigator (PI) is responsible for project implementation, assembling the necessary staff, expending the funds, and conducting the project as described in the proposal.
and agreed to by means of the award notification. The PI must direct the work so that it will be completed within the budget period and with the funds authorized; otherwise, a request for supplemental funds or a no-cost time extension must be initiated. The PI may authorize changes when they are in compliance with the agency’s cost principles, as well as the State of Florida’s fiscal regulations, and if the goods or services are directly related to the sponsored project. Salaries and wages may be authorized by the investigator only if they are in accordance with Cost Accounting Standards.

Principal investigators have first line responsibility for managing expenditures within the fiscal regulations and amounts specified by the sponsor. While Accounting is responsible for billing the sponsor per the funding terms, the principal investigator must carefully analyze the monthly organizational detail report (ODTA) to see that all items presented are correct and that appropriate funds (cash and budget authority) are available. The investigator also has the responsibility of initiating or coordinating appropriate adjustments as each situation dictates.

**Accounting**

Eastern Florida State College utilizes the Banner software system which is a uniform accounting system that includes basic controls as well as accounting reports that assist faculty and staff in managing grants and contracts. The Accounting office assist the PI’s with the following:

1. Establishing indexes and releasing initial budget amounts
2. Budget transactions
3. Cash Management
4. Invoicing agencies to collect funds
5. Submission of required financial reports
6. Monitoring and advice on Cost Accounting Standards
7. Approval of purchase requisitions, change orders, travel authorizations, etc.
8. Approval of personnel transfers before they are sent to Payroll
9. Depositing checks
10. Fiscal aspects of project closeout

All purchase requisitions, travel requests, and check requests must be routed to Accounting for prior approval to determine the reasonableness, allowability, and allowability of costs charged to the grant or contract.

**Allowable Costs**

The following list covers some of the allowable costs specified in OMB Super Circular (Uniform Administrative Requirements for Grants and Agreements for Federal Awards) codified at 2 CFR 200. This is a quick reference. The specific wording in 2 CFR 200 should be referred to for greater detail.

1. Advertising media and public relations for the recruitment of personnel
2. Advisory Councils
3. Audit costs and related services
4. Bonding costs
5. Communication costs
6. Compensation for personal services
7. Equipment - <$5,000.00
8. Fines and penalties
9. Insurance and Indemnification
10. Labor relation costs
11. Maintenance and repair costs
12. Material and supplies costs
13. Meeting and Conferences
14. Memberships, subscriptions, and professional activity costs
15. Professional service costs
16. Publication and printing costs
17. Recruiting costs
18. Rental costs of building and equipment
19. Scholarships and student aid costs
20. Training costs
21. Travel

Cost Sharing and Matching Funds

Cost sharing or matching funds is the portion of project costs not borne by the external funding agency. Some external funding agencies require cost sharing or matching for grants. Cost sharing (match/in-kind/leverage) may be made from any non-federal source, including non-federal grants and contracts. The contribution may be in the form of direct or indirect costs, but only cost items which are generally allowable may be included in the contribution. In order to identify specific cost elements that will be used to meet cost sharing commitments, the Accounting office requires principal investigators under its jurisdiction to explain the details in a cost sharing letter. A completed and signed copy of this letter must be returned to Accounting to signify acceptance by the PI of this responsibility. No funds will be released until this letter is received by Accounting.

Contributions in the form of salaries or Other Personal Services (OPS) and their corresponding fringe benefits are documented via EFSC’s payroll reporting system. Contributions of capital and expense items may be documented by submitting copies of the vendor’s invoices for those items with a certification typed on the face of the invoice as follows: “This is certified as a cost sharing contribution to (project number).” Cost sharing documentation is subject to the same audit requirements as costs directly charged to the award. The PI is responsible for providing documentation of all cost-share and matching expenses to Accounting for tracking and reporting purposes.

At the end of each award period, a cost sharing report that summarizes the cost sharing transactions from inception of the project up to the end of the academic term covered by the report. It is imperative that the investigator initiate the action required to meet the cost sharing requirement.

Cost Transfers
This applies only to cost transfers between or to sponsored projects.

It is the practice of the College that costs be charged to the appropriate sponsored project when first incurred. However, there may be circumstances in which it is necessary to transfer expenditures to a sponsored project subsequent to the initial recording of the charge. Such transactions require monitoring for compliance with EFSC policy, Federal regulations, sponsor specific guidelines, and the cost principles that guide fiscal activities on sponsored projects.
It is the responsibility of the Principal Investigator to provide fiscally-sound management of project expenses.

In order to maintain consistency in the treatment of cost transfers, this policy will be applied to all sponsored projects (Federal and Non-Federal) in the absence of written sponsor regulations.

For sponsored projects, final approval of any cost transfer shall be made by Accounting. Accounting will not approve the transfer unless it is compliant with all applicable rules and regulations. If Accounting becomes aware of an inappropriate charge on a sponsored project, the department will be notified to initiate a transfer to a non-sponsored index. If this transfer is not initiated within five (5) working days from date of accounting notification to the department, Accounting will transfer the charge to an appropriate departmental index.

**Cost Overruns**

Principal Investigators and their respective Department have first line responsibility for managing expenditures within the fiscal regulations and amounts specified by the sponsor in the award document. Principal Investigators and their respective Department will be responsible for all expenditures that exceed the authorized spending authority or exceed the amount of revenue collected in any project. For sponsored projects the normal remedy is to cost transfer the over expenditures off the sponsored project and on to an unrestricted project at the time of project close and prior to the issuance of the final financial report being submitted to the sponsor.

In cases where the Principal Investigators and/or the Department cannot cover the over expenditure, it becomes the responsibility of the College in consultation with Accounting to resolve the over expenditure.

If the over expenditure is a result of an audit disallowance, corrective action will be determined on a case by case basis by the Chief Financial Officer with the help, knowledge and assistance of the principal investigator, department, college, accounting, and other appropriate parties.

**Unallowable Costs**

Federal regulations identify specific categories of costs that cannot be charged, directly or indirectly, to federally sponsored projects. The following list covers unallowable costs specified in OMB Super Circular (Uniform Administrative Requirements for Grants and Agreements for Federal Awards) codified at 2 CFR 200. This is a quick reference. The specific wording in 2 CFR 200 should be referred to for greater detail.

1. Advertising and public relations: Expenditures to promote the College are not allowable.
2. Alcoholic beverages
3. Alumni/ae activities
4. Bad debts
5. Commencement or convocation costs
6. Contingency provisions
7. Charitable contributions, donations, remembrances
8. Development/fundraising costs
9. Entertainment costs: Costs of entertainment, including amusement diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sporting events, meals, lodging, rentals, transportation, and gratuities) are not allowable.
10. Fines and penalties
11. Goods or services for personal use of employees (including gifts)
12. Housing and personal living expenses of College officers
13. Investment management costs
14. Lobbying
15. Losses on other sponsored agreements or contracts (cost overruns): Any excess of costs over income under any other sponsored agreement or contract of any nature is unallowable. This includes, but is not limited to; the institutions contributed portion by reason of cost-sharing agreements or any under-recoveries through negotiation of flat amounts for indirect costs.
16. Pre-agreement costs, unless approved by the sponsoring agency or permitted under expanded authorities
17. Selling and marketing costs of any products or services of the institution
18. Student activity costs incurred for intramural activities, student publications, student clubs, etc. are unallowable
19. Travel: Commercial air travel costs in excess of the lowest available commercial discount airfare, Federal government contract airfare (where authorized and available), or customary standard (coach or equivalent) airfare are unallowable.

In addition to unallowable costs per se, charges to federally sponsored agreements must also exclude costs that are directly associated with the unallowable costs. A directly associated cost is defined in federal regulations as any cost which is generated solely as a result of the incidence of another cost, and which would not have been incurred had the other cost not been incurred. An example of a cost that is directly associated with an unallowable cost is the cost of airfare to go to another city for the purpose of entertaining business associates, or for fundraising. Since entertainment and fundraising costs are expressly unallowable under OMB Super Circular 2 CFR 200, and the airfare would not have been incurred had the unallowable costs not been incurred, the airfare is an unallowable directly associated cost.

Program Income
Program Income (as defined in the OMB Super Circular 2 CRF 200) means gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance. Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Program incomes does not include rebates, credits, discounts, and interest earned on any of them.

The Accounting office will record and report program income according to Federal guidelines.

Budgeting
The PI shall submit a Budget Summary to Accounting for each new award.
• The Budget Summary shall match the awarded/obligated budget unless rebudgeting is intended by the PI (as proven by an attached justification) and allowed by the terms of the award.

Rebudgeting
The following section outlines when rebudgeting is required and when it is optional. In all cases, the PI’s spending projections shall be thoughtful enough so that frequent or numerous
rebudgeting can be avoided. Rebudgeting in Banner is required only in the following circumstances and must be processed using a Budget Amendment Form:

- A change in direct cost spending has or will affect F&A calculations.
  OR
- Past or future expenditures will cause a budget line item to be overdrawn or will create a new line item, AND the terms of the award require prior approval before spending outside of the approved budget is allowed.

Rebudgeting in Banner is optional in the following circumstances and must be processed using a Budget Amendment Form:

- The PI or department wants accurate budget in categories for project management purposes.

**Determining when Prior Approval is Required**

The following are provided as general guidelines. The award-specific terms and conditions must be reviewed prior to making a decision about rebudgeting.

- If the award is issued under the General Terms and Conditions of the Federal Demonstration Partnership, then in most cases rebudgeting is allowed without prior approval. However, the Agency Specific Terms and Conditions must be consulted as well.
- If the award is a fixed-price type, then prior approval for rebudgeting is generally not required.
- If the award is a cost-reimbursable type and rebudgeting rules are not specifically stated in the award, then prior approval for rebudgeting is generally required.
- If the salary budget is being reduced, consider whether or not there was a reduction in key personnel effort, which requires prior sponsor approval.
- If there are significant budget changes, consider whether or not there was a change in project scope or objectives, which requires prior sponsor approval.
- Normally, there is no set percentage to use when monitoring budget changes. Many times it is a judgment call. When in doubt, consult with your Accountant.
- The Accountant assigned to the agency shall be consulted whenever it is uncertain whether or not prior approval for rebudgeting is required.

**If Prior Approval from the Sponsor is Required**

- The PI shall work with the appropriate Accountant as needed to ensure the revised budget accurately reflects past and anticipated spending as compared to the budget as last approved.
- A justification must be included in the rebudgeting request.
- The PI shall coordinate with the Accountant in submitting the request (which often requiring institutional approval) and obtaining approval from the sponsor according to the terms of the award.

**Subrecipient Monitoring**

A subaward is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. Monitoring the activities of the subrecipient is necessary to ensure that the subaward is used for authorized purposes. The PI will conduct programmatic monitoring of subrecipient performance on an annual basis. The Accounting office will conduct financial monitoring of all subrecipients at least once during the Federal award cycle. This may consist of requesting copies of expenses to coincide with invoicing or a copy of the subrecipient’s annual audit report.
Cash Management
Cash management options defined for grants include the following:
1. Advance Payments – Amount requested to be paid limited to amounts needed to meet immediate cash needs.
2. Working Capital Advance – Amount requested to be paid is based upon estimated disbursement needs for a period of time.
3. Reimbursement – Amount requested to be paid were previously paid in full by the College (generally within 30 days of initial payment).

The College Accounting office generally draws federal funds from either the federal government or from the State on a reimbursement basis. Occasionally, other systems are used for one-time or ad-hoc grants. The following is an overview of the cash management procedures.
1. PIs and grants accountants approve all allowable grant expenditures. The College pays for the approved expenditures through the college’s established payables and payroll processes.
2. Grant expenditures are coded to unique organizations and funds that separate them from other college expenditures.
3. A budget to actual expenditure report is reviewed by the grants accountant at the end of the month.
4. Based on the expenditures on the summary report, the amount of the drawdown is calculated. The support for cash reimbursements is reviewed by the Controller for accuracy of calculation, completeness, and general adherence to grant(s) restrictions. When the support is deemed sufficient for the request, the Controller will sign the required certification statement and that will give a grant accountant the authority to actually drawdown cash in automated systems. The Controller will authorize drawdown requests in those automated systems that require separate authorization from the employee requesting funds. For reimbursements of federal student financial assistance the Controller relies upon the internal control systems in operation governing registration and federal financial aid administration. These systems are the responsibility of the Registrar and Director of Financial Aid respectively.

The general practice to fund grants on a reimbursement basis does not preclude the College for certain grants to seek advance payments or a working capital advance. When grant funds are drawn down in advance of anticipated expenditures, the College Accounting office will do the following:
1. Minimize the time elapsing between the transfer of funds and the disbursement of those funds for grant related expenditures. The College will comply with the three day rule, which requires the expenditure of funds within three days of the receipt of such funds. Excess cash balances will be returned to the sponsoring agency after the three days have expired.
2. Deposit all federal funds in an interest bearing account.
3. Return interest earned exceeding $500 on federal grants annually to the Department of Health and Human Services.

Records Management
Grantees are required to keep intact and accessible all financial and programmatic records, supporting documents, statistical records and other records pertinent to an award. The records
retention and custodial requirements extend not only to the records of the grantee, but to those of its subgrantees, contractors and subcontractors.

Records must be retained for a period of three years or longer as specified in each agreement. On a multi-year award, records are usually required to be kept only three years from the date of submittal of the first fiscal report for each budget period. Records under audit, involving unresolved audit findings, appeals or litigation must be held until the action is completed or the dispute resolved. (Note: Under no circumstances can a federal agency require retention of records relating to a program for more than six years. The statute of limitations, Title 28 U.S.C. 2415(b), provides that an action to recover for diversion of money paid under a grant program or an action for conversion of property of the U.S. must be brought within six years after the right of action accrues).

The starting date for the three-year retention period depends on the type of records:

<table>
<thead>
<tr>
<th>Type of Records</th>
<th>Retain for three years from the date of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>General records</td>
<td>Submission of the final or annual expenditure report.</td>
</tr>
<tr>
<td>Property and equipment</td>
<td>Final disposition of the equipment (i.e., transfer, records replacement, sale, or junking of the item).</td>
</tr>
<tr>
<td>Cost allocation plan and indirect cost records</td>
<td>Submission of plan or for plans which are prepared and retained by the grantee, with the close of the fiscal year.</td>
</tr>
<tr>
<td>Income records</td>
<td>The end of the grantee’s fiscal year in which the income was used.</td>
</tr>
<tr>
<td>Royalties and other</td>
<td>The end of the grantee’s fiscal year in which the program income earned income is earned after completion of grant.</td>
</tr>
</tbody>
</table>

**Financial Management Standards**

The federal government in its OMB Super Circular (Uniform Administrative Requirements for Grants and Agreements for Federal Awards), codified at 2 CFR 200, sets forth the basic grantee financial management standards which apply to all grant programs and provides, among other things, for:

- accurate, current, and complete disclosure of the financial results of each grant program;
- accounting records which identify the source and use of grant funds;
- account control for all grant funds, property, and other assets.

At Eastern Florida State College, these requirements are met through a uniform accounting system that provides the basic controls as well as accounting reports that will assist faculty and their staff in managing contracts and grants. The College accounting system is under the jurisdiction of the Chief Financial Officer.

**Audits and Access to Records**

All records are subject to audit and any authorized representative of the Grantor, the State or the College shall have right of access to any books, documents, papers or other records of the grantee which are pertinent to the contract or grant. The right of access shall not be limited to the required retention period but shall last as long as the records are retained.
With regard to Federal audit requirements on grants, contracts and other agreements, the College falls under OMB circular A-133 (The Single Audit Act). When a sponsor announces its intent to conduct a contract or grant audit, the Accounting should be informed as promptly as possible. If auditors request to meet with the PI or other departmental employees, staff from the Accounting office will accompany the auditor and be available during the visit to help interpret and understand the requests of the audit. In order to assure maximum coordination of staff time and availability of records, audit visits should be prepared for as soon as notification is received.
221 OVERVIEW EQUIPMENT ALLOCATION
The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services (SACSCOC R13.1 and R13.2)

221.1 Budget Allocation
The Executive Team will validate the recommended level of equipment funding each fiscal year based upon the resources available for technology upgrades and expansion.

221.2 Library Books and Periodicals
A set amount will be allocated to the libraries for purchase of books and periodicals.

221.3 Non-Technology Programmatic Equipment – Remaining budgeted equipment funds will be allocated to programmatic equipment. Provosts and academic leadership, working with their financial managers, will submit a prioritized list of requests. The Executive Team will review the list based on the campus priorities and allocate available resources.

221.4 Non-Technology Administrative Equipment – An allocation will be made each year to purchase equipment necessary to maintain the operations of the College. Examples of this include the transportation pool, maintenance equipment (forklifts, trailers, booms, generators), and printing equipment.

221.5 Priority of Available Equipment Funds

<table>
<thead>
<tr>
<th>Equipment Type</th>
<th>Examples</th>
<th>General Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic PC’s</td>
<td>Lab PC’s</td>
<td>1</td>
</tr>
<tr>
<td>Non-PC Academic Technology</td>
<td>Classroom Equipment</td>
<td>2</td>
</tr>
<tr>
<td>Administrative PC’s</td>
<td>PC’s</td>
<td>3</td>
</tr>
<tr>
<td>Technology other than PC’s</td>
<td>Network Equipment</td>
<td>4</td>
</tr>
<tr>
<td>Non-technology programmatic</td>
<td>Science lab equipment</td>
<td>5</td>
</tr>
<tr>
<td>Library Books and Periodicals</td>
<td>Books, Subscriptions</td>
<td>6</td>
</tr>
<tr>
<td>Non-technology administrative</td>
<td>Vans, Golf Carts, Maintenance Tools</td>
<td>7</td>
</tr>
</tbody>
</table>
OVERVIEW FOUNDATION HOSPITALITY ACCOUNT PROCEDURE

The College will maintain a sound financial base and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

The hospitality accounts maintained by the EFSC Foundation are intended to cover certain extraordinary expenses for those members of senior administration (designated by the President) whose responsibilities extend to entertaining visitors, hosting meetings, and the like. This is particularly important because the State of Florida forbids the use of state funds for food and beverages.

As noted above, only those persons designated by the President shall have hospitality accounts assigned to them. The budgets for those accounts are established by the President in consultation with the Vice President of Operations and Executive Director of the Foundation.

The following guidelines are to be followed by managers of hospitality accounts. Any requests for variances must be submitted in advance to the Executive Director of the Foundation, who will respond after consultation with the Vice President of Operations.

1. It is the responsibility of each hospitality account manager, in consultation with the Executive Director of the Foundation, to monitor his or her own budgets and to limit spending if necessary in order to remain within budget.

   Account managers are encouraged to pay particular attention to the effect of purchasing cards on the hospitality account budget. As with all budgets, managers should strive for frugality whenever possible. All purchasing cards reconciliation reports containing Foundation Hospitality purchases must be sent to the Foundation for final budget approval by the Executive Director of the Foundation.

2. All expenses must be submitted for reimbursement from the hospitality account in the same fiscal year in which they were incurred, except for those expenses incurred between June 15 and June 30.

3. The following expenses are eligible to be paid out of the hospitality accounts:
   a. Food and beverage expenses for events, such as receptions or luncheons related to guests speakers, candidates for employment, or other such outside personnel;
   b. Food and beverage expenses for meetings hosted by EFSC but involving non-EFSC personnel;
   c. Refreshments for Board of Trustees and Cabinet meetings, as well as other meetings (e.g., department chair meetings) at the discretion of the account manager;
4. Examples of expenses that are not eligible to be paid out of the hospitality accounts include, but are not limited to:
   a. Awards or gifts for EFSC personnel;
   b. Entertainment costs, including food and beverage, for meetings, parties, and other gatherings involving only EFSC personnel, except as permitted by Section 3.d. above;
   c. Equipment or furniture.

5. Hospitality accounts may not be used to purchase alcohol.

6. Expenses submitted without receipts are subject to non-reimbursement, at the discretion of the Executive Director of the Foundation.
223 Detecting and Reporting Fraud

The College will maintain a sound financial based and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

Employee and Management Responsibility for Detecting and Reporting Fraud and/or Suspected Fraud Definitions

For the purposes of this manual, fraud shall include but not be limited to:

- Theft or misappropriation of College assets.
- Submitting false claims for payments or reimbursement.
- Submitting false timesheets and/or failure to submit leave requests for time not worked.
- Accepting or offering a bribe or accepting gifts or other favors.
- Accepting a commission from a third party.
- Blackmail or extortion.
- ‘Off Books’ accounting or making false or fictitious entries.
- Knowingly creating and/or distributing false or misleading financial reports.
- Paying of excessive prices or fees where justification thereof is not documented.
- Violation of the College’s procedures with the aim of personal gain or to the detriment of the College.
- Willful negligence intended to cause damage to the material interest of the College.
- A dishonorable or irresponsible or deliberate act against the interests of the College.

Responsibility for the Detection and Prevention of Fraud

Management Responsibility

- The administration must be familiar with the types of improprieties that might occur in their area and be alert for any indication that improper activity, misappropriation or dishonest activity is or was in existence in his or her area and put in place controls to avoid such occurrences.
- The College requires administrators to support and work with other involved departments and law enforcement agencies in the detection, reporting and investigation of dishonest or fraudulent activity including the prosecution of offenders. If a fraud is detected in an area, the administrator or manager is responsible for taking appropriate corrective actions to ensure adequate controls exist to prevent reoccurrence of improper actions.

Employee Responsibility

- All employees must conduct their College business in such a way as to prevent fraud occurring in the workplace.
- All employees must also be alert to the possibilities for fraud and be on guard for any indications that improper or dishonest activity is taking place.
Fraud Reporting Vice

- All College employees are responsible to report suspicions of fraud without delay according to the procedure below. The College will consider any persons who cover up, obstruct, or fail to report, to be an accessory after the fact and may subject these individuals to disciplinary action and/or discharge. Persons who threaten retaliation against a person reporting a suspected fraud shall be subject to disciplinary action up to and including termination of employment.
- Great care must be taken in dealing with suspected dishonest or fraudulent activities to avoid:
  - Accusing individuals incorrectly
  - Alerting suspected individuals to an investigation underway
  - Treating employees unfairly
  - Making statements that could lead to claims of false accusations or other charges.
- Employees/individuals involved in fraud investigations should not discuss incident, facts, suspicions or allegations with anyone inside or outside the College unless specifically directed to do so by the College official investigating the incident.
- Fraud can be detected at any level within the College and the following general principles should apply in the reporting of suspected fraud.
  - A person who suspects that a fraudulent practice may be operating should, in the first instance, report the matter to his/her immediate supervisor. If it is inappropriate to make such a report to the immediate supervisor, the employee should report directly to a higher level supervisor, the Vice President for Financial and Technical Services, the Vice President for Enrollment Management and Student Success, Vice President for Academic Affairs/Chief Learning Officer or the President.
  - On receipt of a report of a suspected fraud, the supervisor should then report the matter to the Vice President for Academic Affairs/Chief Learning Officer in the case of an academic employee or to the Vice President for Financial and Technical Services or the Vice President for Enrollment Management and Student Success for all other employees.
  - No investigation of the suspected fraud should take place until the Vice President for Academic Affairs/Chief Learning Officer, the Vice President for Financial and Technical Services or the Vice President for Enrollment Management and Student Success has been informed.

Procedures for Investigating Alleged Fraud

- The Vice President for Academic Affairs/Chief Learning Officer, the Vice President for Academic Affairs/Chief Learning Officer, the Vice President for Financial and Technical Services or the Vice President for Enrollment Management and Student Success will (except in any case involving the Office) have the responsibility for coordinating the College’s response and will seek expert legal or other advice if required.
- The Vice President for Academic Affairs/Chief Learning Officer, the Vice President for Financial and Technical Services or the Vice President for Enrollment Management and Student Success will notify the appropriate staff who will conduct an initial investigation to gather factual information and reach a preliminary determination as to whether further action is required. The findings, conclusions and recommendations will be reported to the appropriate Vice Presidents or President.
• Where initial investigation provides reasonable grounds for suspecting an employee of fraud or a dishonest activity, the relevant Vice President or the President will decide if any actions are necessary to prevent further loss. This may require, in consultation with the President, the suspension with or without pay of the member or members of staff (which will take place in accordance with Board Policies) and/or the decision as to whether further investigation is required.
• Each case will be considered individually in accordance with the expert advice obtained with a view to minimizing the losses (both monetary and otherwise) to the College. Having reached a decision as to what further action is necessary and how such actions should be undertaken, the Vice President for Academic Affairs/Chief Learning Officer, the Vice President for Financial and Technical Services or the Vice President for Enrollment Management and Student Success will communicate with the affected employee and the employee’s supervisor.
• Results of fraud investigations will be considered and the internal control structure assessed so that a similar recurrence of the same or similar fraud can be prevented or at least promptly detected by the relevant Vice President and staff in the future. Documentation regarding the findings, conclusions and recommendations, following consultation with the relevant department(s) will be maintained.

**Accounting for Loss, Restitution and Recovery**
• The department incurring the loss from a dishonest or fraudulent act will normally suffer the loss until monies can be recovered through insurance or restitution.
• If the suspected incident involves the Office of the Vice President for Financial and Technical Services, the President shall undertake the role and functions specified for the Vice President for Financial and Technical Services.

**Disciplinary Action**
a) The Human Resources Office will be consulted for any employee disciplinary actions resulting from fraudulent activity.
b) Documentation related to such employee discipline will be maintained in the employee’s personnel file.
The College will maintain a sound financial based and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

A. Program Adoption
Eastern Florida State College developed this Identity Theft Prevention Program (“Program”) in accordance with the Federal Trade Commission’s (“FTC”) Red Flags Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003.

B. Background
In 2003, the U.S. Congress passed the Fair and Accurate Credit Transactions Act of 2003 (“FACT Act”), which amended the Fair Credit Reporting Act (“FCRA”) by requiring the FTC and several other federal agencies to issue regulations requiring financial institutions and other “creditors” to adopt policies and procedures to prevent identity theft. In 2007, the FTC, in conjunction with several other federal agencies issued the regulations required under FACT Act, known as the Red Flags Rule.

Colleges and universities are likely subject to administrative enforcement by the FTC if they regularly extend, renew, or continue credit, or regularly arrange for such extensions, renewals, or continuances of credit. The obligation to develop and implement an Identity Theft Prevention Program applies only if the college or university maintains one or more “covered accounts.” A “covered account” maintained by a college or university is essentially a consumer credit account under which multiple payments are made, such as where payments are deferred and made by a borrower periodically over time.

C. Purpose and Scope
The purpose of this Program is to ensure that the College complies with the Red Flags Rule regulations. The Program was designed with the goal of identifying, detecting, preventing and mitigating identity theft upon the College, its faculty, staff, students, constituents and third party service providers with whom the College contracts to perform certain functions on its behalf. As such, this policy outlines the required Red Flags Rule Program of Eastern Florida State College, but it is also a comprehensive document which includes not just financial or credit accounts, but any account or database for which the College believes there is a reasonably foreseeable risk to the College, its students, faculty, staff, or constituents from identity theft. Any time an employee suspects a fraud involving personal information about an individual or individuals, the employee should assume that this Identity Theft Program applies and follow protocols established by his/her office for investigating, reporting and mitigating identity theft. The College on a broader scale is taking a close look at all databases and software used and developing a plan to be sure all systems are accounted for, protected from security breach and identity theft.
D. Definitions:

**Covered Account** - an account that a financial institution or creditor maintains, primarily for personal, family, or household purposes that involves or is designed to permit multiple payments or transactions. For the purposes of the College’s Identity Theft Program, the term covered account is extended to include any College account or database (financial and non-financial based) for which the College believes there is a reasonably foreseeable risk to the College, its students, faculty, staff, constituents or customers from identity theft.

**Identity Theft** - means that a fraud was attempted or committed using the identifying information of another person without his/her authority.

**Red Flag** - a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.

E. Identification and Detection of Red Flags
The following Red Flags are potential indicators or warning signs of potential or actual identity theft or similar fraud. Any time a Red Flag, or a situation resembling a Red Flag, is apparent, it must be investigated for verification. As an appendix to the Red Flags Rule, the FTC has identified twenty-six Red Flags that the College may consider incorporating into its identity theft program. These Red Flags are subdivided into five sections below:

**Alerts, Notifications or Warnings from a Consumer Reporting Agency**
1. A fraud or active duty alert is included with a consumer report.
2. A notice of credit freeze on a consumer report.
3. A consumer reporting agency provides a notice of address discrepancy.
4. A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of customer.

**Suspicious Documents**
1. Documents provided for identification appear to have been altered or forged.
2. The photograph or physical description on the identification is not consistent with the appearance of the customer presenting the identification.
3. Other information on the identification is not consistent with information provided by the person opening an account or presenting the identification.
4. Other information on the identification is not consistent with readily accessible information that is on file with the College.
5. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

**Suspicious Personal Identifying Information**
1. Personal identifying information provided is inconsistent when compared against external information sources used by the College.
2. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer.
3. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the College.
4. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the College.
5. The social security number provided is the same as that submitted by other persons opening an account or other customers.
6. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of other persons opening accounts or other customers.
7. The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
8. Personal identifying information provided is not consistent with personal identifying information that is on file with the College.
9. If the College uses a challenge question, the customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

**Suspicious Account Activity or Unusual Use of Account**
1. Shortly following the notice of a change of address for a covered account, the College receives a request for a new, additional, or replacement card, or for the addition of authorized users on the account.
2. A new revolving credit account is used in a manner commonly associated with known patterns of fraud patterns.
3. A covered account is used in a manner that is not consistent with established patterns of activity on the account.
4. An account that has been inactive for a reasonably lengthy period of time is used.
5. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the account.
6. The College is notified that the customer is not receiving paper account statements.
7. The College is notified of unauthorized charges or transactions in connection with a customer's account.

**Alerts from Others**
1. Notice to the College by a student/customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

**F. College-wide Response to Detected Red Flags**
Once potentially fraudulent activity is detected, an employee must act quickly as a quick appropriate response can protect customers and the College from the effects of identity theft.

The employee must inform his/her Department Head as soon as possible that he/she has detected an actual or potential Red Flag, or has identified a similar area of concern of identity theft. The Department Head will conduct any necessary inquiries to determine the validity of the Red Flag. If it is determined that a situation of identity theft has occurred, the Department Head will ensure that appropriate actions are taken to immediately mitigate the harm done and in doing so, he/she will inform the Senior Administration of the College for further recommendation on the handling of the matter so it is properly documented as part of the monitoring portion of the College’s Program. Appropriate actions will be dependent on the type of Red Flag identified, type of transaction, relationship with the victim of the fraud, availability of contact information for the victim of the fraud, and numerous other factors.

Examples of appropriate actions may include, but are not limited to:
1. Canceling the transaction;
2. Notifying and cooperating with appropriate law enforcement;
3. Notifying the College Attorney, and Senior Administration of the College; and/or
4. Notifying the actual student/customer that fraud has been attempted or that it has occurred;
5. Changing any passwords or other security devices that permit access to relevant accounts and/or databases; and/or
6. Continuing to monitor the account or database for evidence of identity theft;
7. Alternatively, it may be determined that no response is warranted after appropriate evaluation and consideration of the particular circumstances. In all situations where it is determined that a Red Flag has been positively identified, the Department(s) responsible for the account will document what occurred, describe the matter and any specific actions taken to mitigate the impact of the effects of the actual or potential identity theft discovered. The documentation will also include a description of any additional actions the department believes are systemically necessary (such as updating policies and procedures) in response to identified Red Flag to handle or prevent similar situations in the future.

G. Consumer "Credit" Report Requests and Verification
In order to detect any of the Red Flags identified above for an employment or volunteer position for which a credit or background report is necessary, the College will take the following steps to assist in identifying address discrepancies:
1. Require written verification from any applicant that the address provided by the applicant is accurate at the time the request for the credit report is made to the consumer reporting agency;
2. In the event that notice of an address discrepancy is received, verify that the credit report pertains to the applicant for whom the request was made and repost to the consumer reporting agency an address for the applicant that the College has reasonably confirmed is accurate.
3. Review its own records (e.g., job applications, change of address notification forms, other customer account records) to verify the address of the applicant;
4. Verify the address through third-party sources with whom the College is currently contracted.

H. Employee Training
Staff training is required for all employees for whom it is reasonably foreseeable that they may come into contact with accounts or personally identifiable information that may constitute a risk to the College and/or its customers. The Department Head of each office in this Program is responsible for ensuring that appropriate identity theft training and a copy of the Program is provided to all employees and others as appropriate at least annually. The Identity Theft training for all staff members will help them identify Red Flags, and provide guidance on what to do in the event he/she detects a Red Flag or have similar concerns regarding an actual or potential fraud involving personal information.

I. Third Party Service Providers Agreements
When the College engages a third-party service provider to perform an activity in connection with one or more covered accounts, the College will take the following steps to ensure the service provider performs all activities in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risks of identity theft.

Eastern Florida State College will require the service provider to do the following:
1. Require, by contract, that the service provider(s) have such policies and procedures in place; and
2. Require, by contract, that the service provider is aware of and review the College’s Identity Theft Program, and report any Red Flags it identifies as soon as possible to the Senior
Administrators of the College or the College employee with primary oversight of the service provider relationship.

J. Program Administration
Responsibility for the implementation of the Identity Theft Program ultimately rests on each department at the College, the employees of each department that maintains accounts or databases covered by this Program, and the College community as a whole. As permitted by the Red Flags Rule regulations, responsibility for overseeing the administration of the Program has been delegated to the Vice President for Financial and Technical Services with annual compliance monitoring responsibility to be performed by the Chief Financial Officer. The Chief Financial Officer will ensure that each department is following the identity theft program documented by the College.

K. Program Updates
The College’s Identity Theft Program will be periodically reviewed and updated to reflect changes in risks to students and employees and the soundness of the Program. This review will include the College’s experiences with Identity Theft situations, changes in Identity Theft detection and prevention methods, business arrangements with third-party service providers, an assessment of which accounts and/or databases are covered by the Program and re-evaluate employee training.

L. Approval by the Board of Trustees
Under the Red Flags Regulations, implementation and oversight of the Identity Theft Program is the responsibility of the governing body or an appropriate committee of such governing body. Approval of the initial plan must be appropriately documented and maintained. After its initial approval of the Program, however, the governing body may delegate its responsibility to implement and oversee the Identity Theft Program. As the governing body of Eastern Florida State College, the Board of Trustees, as of the date below, hereby approved the initial Identity Theft Program. Having made such initial approval, the Board of Trustees hereby delegates the responsibility for implementing, monitoring and overseeing the College’s Identity Theft Program to the Vice President for Financial and Technical Services.
225 Financial Reporting
The College will maintain a sound financial based and financial stability to support the mission of the College and the scope of its programs and services. (SACSCOC R13.1 and R13.2)

Every month the Administration is presented with budget to actual information for the current unrestricted fund revenues and expenditures.

Monthly budget status and organizational detail reports are sent to all financial managers for review of budget balances and expenses by index number. Any budget issues are addressed through the Accounting budget area, expense issues are addressed through the controller’s area.

At the end of the year the controller coordinates the year-end process to generate timely financial statements that will fairly represent the financial performance and outcomes of the college for the fiscal year in accordance with generally accepted governmental accounting standards. Additionally, the chief financial officer is responsible to insure that the internal control structure in operation over financial reporting and compliance includes requirements to prevent material misstatement.

The Chief Financial Officer (CFO) is responsible for financial reporting. The CFO relies on general controls documented in this procedure and generally does the following to produce timely financial statements able to earn an unmodified audit opinion:

- Inventory services and budgets manager notifies property custodians in December of missing or not located items during the annual fall inventory. Property custodians are given a date that this issues need to be resolved by for year end.
- The controller has a list of closing items needed to be completed for yearend that is issued to all accounting managers by June 15th. Items are assigned to a manager with dates for expected completion. The list facilitates the completion of items in a logical fashion so that they are done in the proper order.
- The Bursar organizes the counting of all cash on hand on or before June 30th by someone other than the custodian of the cash fund.
- On June 30th, college business is stopped by 5pm for official yearend close and reconciliation of the student and finance modules. A copy of the database is made so that any discrepancies can be reviewed at a later time.
- The accounting manager works with accounts payable staff to pay invoices for goods and services received prior to June 30th by the last working day of June. Similarly, the payroll manager works with the payroll staff to insure that all time work in June is recorded in a June payroll. Between the last June payroll and the first July payroll, the
The compensated leave liability report is run and audited by the payroll manager and recorded in the ledger.

- The grants accountant works with the principle investigators to closeout grants for yearend. The controller signs off on grant reports. The controller prepares Schedule of Expenditures of Federal Awards (SEFA).

- The CFO runs a GASB extract from the college’s software system (Banner) to produce the financial statements in the current GASB 35 format for financial presentation of what are essentially the balance sheet, income statement, and statement of cash flows. Once the statements are balanced, the controller prepares the notes to the financial statements (including required supplementary information) as well as the required state file. Tables from state file are then used as part of the graphical presentation in the Management Discussion and Analysis section of the financial statements. The statements and all exhibits are then proofed to each other to check for inconsistencies and error.
Title: Human Resources – Areas of Responsibility

Number: 301.1

Legal Authority: F.S. 1001.64, 1001.65, FAC 6A-14.047 and 6A-14.060
Board Policy Governance: 300.1, 300.2, 300.3, 500.3

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Date Adopted: July 21, 2005. Revised: August 31, 2012; December 2016; January 2018
Previously 300.0

301 OVERVIEW OF HUMAN RESOURCES

The College publishes procedures online regarding appointment, employment, and evaluation of all personnel (SACSCOC E5.5)

The College will ensure that the number of full-time faculty members and qualified staff is adequate to support the mission of the College and to ensure the quality and integrity of each of its academic programs. (SACSCOC R6.1 and R6.2.b, R6.2.a,11.2, R12.2)

301.1 Human Resources – Areas of Responsibility

Procedures will be implemented in accordance with all applicable state and federal rules, regulations and laws. In the event that College procedure is in conflict with a state/federal rule, regulation and/or law, the state/federal rule, regulation and/or law will prevail.

Areas of Responsibility. The Office of Human Resources is established for the purpose of serving all employees of the College through a uniform system of personnel management. The office is responsible for administering the following areas:

- Equity program reports and monitoring, EA/EO (refer to Procedure 302.1);
- Position announcements and application processes (refer to Procedure 301.3);
- Employment procedures (refer to Procedure 301.5);
- Employee transfers (refer to Procedure 301.10);
- Master Grade-Salary Schedule and Salary-scale uniformity (refer to Procedure 301.11);
- Performance evaluations (refer to Procedure 301.12);
- Employee relations, and employment law;
- Faculty qualifications and credentialing (refer to Procedure 303);
- Issuance of contracts (refer to Procedure 303);
- Coordination of payroll actions and adjustments (refer to Procedure 304);
- Employee leave (refer to Procedure 305);
- Employee benefits (refer to Procedure 307);
- Worker’s Compensation (refer to Procedure 305.17, 307.4);
- Professional development (refer to Procedure 307.5, 307.6);
- Employee discipline (refer to Procedure 308);
- Employee retirement, resignation, or relief from (termination of) duties (refer to Procedure 309);
- Employee records (refer to Procedure 310.1);
- Unemployment Compensation
301.2 Employee Definitions

Board. The District Board of Trustees of Eastern Florida State College: 5 members who are appointed by the Governor of the State of Florida.

Full-Time Staff Employee. An administrator who has received an EFSC board-approved (non-supplemental) contract or a non-contractual employee who is employed for a 36 to 40-hour work week. An employee in a position anticipated to continue year to year, fulfilling an on-going College need.

Part-Time Staff Employee. A non-instructional employee who has been hired for a maximum of 28 hours per week and who is required to use the time reporting system when entering and exiting the workplace, as often as necessary, in order to track hours worked per day.

- Regular Part-Time Employee. An employee assigned to a non-teaching position of more than six consecutive calendar months, who works in a position anticipated to continue from year to year in order to fulfill an on-going College need, who regularly works at least 20 hours per week, and who is paid on an hourly basis.

- Temporary Employee. An employee who has been hired to fill a temporary need in either a full-time or a part-time position which exists for six (6) months or less or which exists for a position-specified length of time due to extenuating circumstances (such as an externally-funded position), or an employee who does not work a regular schedule of 20 hours or more per week (such as a substitute or an on-call pool position).

- Outsourced Employee. An employee who applies both to EFSC and to the outsource agency, is paid by and receives benefits through the outsource agency, but works as an EFSC employee in every other respect—supervision, time reporting, training, employee procedures, etc.; (also refer to Procedure 301.3)

Full-Time Instructional Employee. A contractual faculty member with designated duties that involve teaching 100% of a full-time load as defined in the current Collective Bargaining Agreement or with an assignment in a Learning Resource Center as a librarian with full-time hours as defined in the current Collective Bargaining Agreement.

Full-Time Temporary Faculty. A full-time faculty position that is established for a limited period, not to exceed two consecutive academic years. Temporary full-time faculty positions may be renewable for a period not to exceed two consecutive academic years.

Part-Time Instructional Employee. A faculty member who may teach up to 4/5 (80%) of a full-time faculty load on a semester, as-needed basis.
Contractual Employee. An employee working according to an employment agreement with terms that are defined in a signed contract.

Non-Contractual Employee. An employee working according to an employment agreement with duties that are defined by a job description.

Student Employee. A EFSC student employed on a semester-by-semester basis for up to 20 hours per week who is required to use the time reporting system when entering and exiting the workplace, as often as necessary, in order to track hours worked per day.

Exempt Staff. Non-contractual employees who are not subject to certain wage and hour laws (i.e., overtime pay); employees who are administrative, executive, or professional staff who receive an annual salary in equal payments weekly, bi-weekly, or at some other specified time interval.

Non-Exempt Staff. Non-contractual (wage/hour) employees who are subject to wage and hour laws (i.e., overtime pay of time and one-half their regular rate for each hour they work over 40 hours in a week); employees who are career service who receive hourly wages, and who are required to use the time reporting system to enter the number of hours worked each day.
Title: Recruitment and Selection of Personnel

Number: 301.3

Legal Authority: F.S. 1001.64, 1001.65; FAC 6A-14.047, 6A-14.060
Board Policy Governance: 100.5, 300.1, 300.2, 300.3, 500.3

Date Adopted: January 15, 2002; Revised: July 21, 2005; August 31, 2012 (revised & renumbered); January 2018
Previously 303.1, 303.2, 303.3, 303.6, 303.7, 303.8, 303.9; 308.5

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301.3 Recruitment and Selection of Personnel

The College will employ competent faculty members and staff who qualified to accomplish the mission and goals of the College. (SACSCOC R6.2.a, 11.2, R12.2)

No person shall be permitted, requested or required to perform full-time or part-time work for the College for which compensation is to be paid until the pre-employment procedures outlined in this section have been completed and/or employment is authorized by the Office of Human Resources or by the President of the College (or his designee) and until he/she has completed an orientation session presented by the Office of Human Resources. Under unusual, exceptional, or emergency circumstances, the administration reserves the right to waive certain employment procedures/requirements on a temporary basis.

Additional procedures or requirements specific only to faculty will be found in Procedure 303 Faculty.

Pre-Employment Procedures. The Provost or other appropriate supervisor should furnish the Office of Human Resources with the following minimum information concerning an employee to be hired through the Personnel Action Form (PAF) for Request or Recommendation available online:

- Position information (new/replacement/reclassification/transfer/salary adjustment, full-time, part-time and hours per week, temporary f/t or p/t with inclusive dates; staff/faculty)
- Position title
- Job description with minimum qualifications
- Transcripts, certificates, or licenses if required for position
- Hiring justification (including length of contract in number of working days for instructional personnel and special recruitment areas to be targeted)
- Three completed telephone reference forms
- Department, Campus, or other work location
- Index number(s) for salary

For externally-funded positions:
- All of the above required information
- A copy of notification letter from funding agency to the appropriate EFSC financial office

For faculty positions:
- All of the above required information
- Items required to meet SACSCOC and/or program accreditation criteria (Procedure 303 Faculty)
Recruitment of Personnel.

- **Vacancy Announcements.** When a vacancy occurs, the Office of Human Resources will prepare a vacancy announcement form for internal only or for internal and/or external dissemination. Internal applicants will be given the same consideration as external applicants. At the discretion of the President or his designee, position vacancies may be offered to employees of the College and subsequently filled without being announced. Those employees interested in being considered for an advertised vacancy must submit an online application to the Office of Human Resources by the closing date.

All applicants must submit a new application if their application on file is more than two years old.

A copy of the notice for a new full-time faculty position or vacancy will be given to the UFF-Brevard President per the CBA.

If the announced vacancy has not been filled at the completion of the internal posting period, the Office of Human Resources will publicize the opening to the public through some or all of the following:
- Collegewide electronic media,
- Newspapers and journals,
- State employment agencies,
- University placement offices,
- Minority personnel resource agencies,
- Other appropriate educational and business entities/publications.

If the announced vacancy is not filled internally and is posted to the public, vacancy announcements for faculty and other positions will normally remain active for at least 5 days. Exceptions to this procedure may be made when:
- The position is part time or will be filled temporarily;
- A qualified College employee is transferred or promoted to fill the vacancy.

- **Temporary Vacancy.** When the operation of the College necessitates the timely employment of temporary or part-time administrative or non-contractual personnel, public notification may be waived.

- **Application by Current Employee.** Current full-time employees may apply for any vacancy for which they may be qualified as long as they have completed the six-month orientation period. Exceptions to waiting for the completion of the six-month orientation before application for or transfer to a vacancy may be made by the President. Part-time employees may apply for any full-time vacancy for which they may be qualified, with no waiting period.

All employees must first notify their supervisor when making application for a transfer within the College; subsequently, they must submit an application for the desired position prior to the advertised deadline.
• **Full-Time Non-Instructional Employee Qualifications.** Once the Office of Human Resources has made available all applications to the potential employee's hiring manager, he/she will:

  o Review applications and select applicants for interview,
  o Interview all Veterans’ Preference applicants who meet minimum, when applicable,
  o Make clear to each applicant that all discussions of salary information, negotiations and determinations shall be conducted solely with the Office of Human Resources, and that no salary or hiring decision shall be final until the recommendation has been approved in writing by the Office of Human Resources and/or by the President,
  o Complete interviews, review applicant credentials, and make preliminary reference checks,
  o Submit completed SACSCOC Credentialing Application Forms when appropriate as well as other pertinent documents,
  o Recommend finalist(s) to the Office of Human Resources through the online Interview Form, attaching completed reference forms.

Finalists must meet minimum requirements of vacancy announcement.

Factors above the minimum required qualifications which may enter into the selection of a successful candidate for a position at the College are:

  o Type and extent of educational preparation,
  o Previous experience in field,
  o Recognized achievements in the field,
  o Personal recommendations from those acquainted with the candidate,
  o Personal interviews by College employees,
  o Professional knowledge relevant to position, and/or
  o Knowledge of and commitment to the college philosophy of teaching.

Before the application is forwarded to the appropriate administrator, the Office of Human Resources will:

  o Check the application for completeness,
  o Ensure that at least two acceptable references have been checked,
  o Ensure that transcripts are on file, if applicable,
  o Determine salary and assignment date,
  o Ensure that EEO and SACSCOC standards have been fulfilled,
  o Obtain commitment from the successful candidate to accept position.

After the appropriate administrator has acted upon the recommendation, the Office of Human Resources will:

  o Notify supervisor(s) of the decision,
  o Notify unsuccessful candidates who were interviewed.
Once the Office of Human Resources has notified the immediate supervisor of an approval, he/she may notify the successful candidate of the job offer and salary.

- **Instructional Employees.** Procedures for selection of instructional employees are addressed in the current CBA and in Procedure 303.

**Non-Traditional Employees.**
- **Externally-Funded Employees.** The recruitment, selection, and employment of all externally-funded employees will follow the procedure for traditional full-time or part-time employees. The term of employment for all externally-funded positions is dependent on the availability of funds. The Office of Human Resources will inform externally-funded employees (in writing) of the specific or unique circumstances at the start of such an employment agreement.

- **Minors.** All minor employees of the College must be at least 16 years of age and enrolled either at EFSC or in a Brevard County High School. Employees who are under 18 years of age must submit verification of date of birth and proof of current enrollment status or a home-school program affidavit to the Office of Human Resources. Exceptions must be requested through the Office of Human Resources and approved by the President. Supervisors are required to operate within the guidelines of the State of Florida Child Labor Laws. Minors, 17 years of age or younger, must not be employed for more than four hours continuously without a 30-minute meal period. Minors must have a 12-hour rest period between the end of work and the beginning of school the next day.

- **Volunteers.** All volunteers must be at least 16 years of age and must not be an employee or degree-seeking student at EFSC. They must be processed through the Office of Human Resources before they may begin contributing time to the College. Each volunteer’s supervisor is responsible for accurate reporting of the volunteer’s timesheet, job duties, and for ensuring completion of mandatory training. The volunteer’s timesheet must be completed and signed by the volunteer and approved by the supervisor before submission to the Human Resources Office. Timesheets are to be submitted at the beginning of each month (also refer to Procedure 301.5).

- **Student Employees.** All student employees must be processed through the Campus Provost Office and must meet the eligibility requirements as established by the Office of Human Resources and the Office of Financial Aid/Veterans’ Affairs.

- **Outsourced Employees.** An outside hiring agency may be utilized to assist in the employment of certain types of employees. The employee is paid and receives benefits through the outsourc agency, but works as an EFSC employee in every other respect—supervision, time reporting, training, employee procedures, etc.
301.4 Appointment of Personnel

The College will employ competent faculty members and staff who qualified to accomplish the mission and goals of the College. (SACSCOC R6.2.a, 11.2, R12.2)

Employee Selection. The President or his/her designee is responsible for recommending the appointment, assignment, suspension, and termination of all personnel. EFSC is committed to making employment decisions based on the needs of the College operations.

Length of Service. Employees are generally assigned as follows:
- Administrative contract personnel may be given multi-year contracts not to exceed three years; the contract forms shall be prescribed by the President;
- Full-time or part-time employees are normally appointed for 12 months or approximately 260 workdays, inclusive of holidays;
- Full-time instructional personnel have contractual arrangements established by the Collective Bargaining Agreement;
- Externally-funded positions are dependent upon the availability of funds. The Office of Human Resources will inform externally-funded employees of their employment parameters (in writing) at the start of such an employment agreement.

Non-Instructional Contracts. Contracts for administrative personnel employed by the College will be issued in accordance with Florida Statutes, State Board of Education Rules, Florida Board of Education Rules, and Policy Governance. A contract shall not create the expectancy of employment beyond the term of the contract; non-renewal of a contract shall not entitle the person to the reasons for non-renewal or to a hearing.
301.5 Post-Employment Processing

The College will employ competent faculty members and staff who qualified to accomplish the mission and goals of the College. (SACSCOC R6.2.a, 11.2, R12.2)

Information Distribution. Each new employee will receive the following information at orientation:

- Job description prepared and approved by the supervisor, subject to annual or as-needed revisions;
- Florida State Retirement plan information, if applicable;
- Hepatitis B Vaccine Declination/Acceptance & Bloodborne Pathogen form;
- Social Security Disclosure form;
- E-Verify Disclosure;
- Job Offer Letter;
- Workers Compensation brochure;
- Computer-use guidelines;
- Description of College health and life insurance plans, if applicable.

Faculty Experience Verification. Verification of previous teaching experience in other colleges and universities is necessary in order to validate entry-level salaries for full-time faculty. The following will not be considered creditable experience for full-time faculty applicants:

- Employment as a graduate assistant,
- More than 10 years of eligible experience (unless by exception per union contract),
- A year in which one/half (or fewer) days were worked in a normal contract period or teaching field,
- Part-time teaching experience.

Verifiable work experience is creditable for technical and vocational faculty. For additional information that is specific to faculty positions, refer to the Procedure 303.

Staff Experience Verification. Salary-level determination for non-instructional positions will include:

- Relevant experience,
- Education level,
- Market conditions, if applicable.
Required for New-Employee Processing.

- Full-Time Employees
  
  o Application;
  o I-9 form and documentation to verify identity and/or right to work to be copied for employee file; (acceptable forms of documentation include, but are not limited to, social security card, birth documents, driver’s license or comparable picture identification for proof of citizenship, and/or documents that establish alien identity and employment eligibility);
  o Direct deposit form;
  o Loyalty oath form;
  o Emergency form;
  o Ethnicity / Race Reporting form;
  o Beneficiary Designation for Residual Pay form;
  o W-4 form;
  o Fingerprint form (if required for job category);
  o Complete badge/photograph process;
  o Worker’s Comp Managed Care form;
  o Outside Employment form;
  o Florida State Retirement System form;
  o Complete Orientation Information Form to acknowledge personal responsibility to read, understand, and comply with:
    ▪ Technology & Internet Ethics Acceptable Use Procedure;
    ▪ Drug-Free Procedure;
    ▪ all College Procedures and Policies;
    ▪ Equity / Nondiscrimination Statement.
  o Choose a health-care option;
  o Complete the following training within 30 days of hire date:
    ▪ either attend Bloodborne Pathogen Awareness training session if job category I or II, or log onto training site if job category III and return signed form,
    ▪ Hazard Communication/Right-to-Know training,
    ▪ Preventing Discrimination and Sexual Violence training,
    ▪ Unlawful Harassment Prevention training,
    ▪ Disability Awareness training,
    ▪ Identifying/Reporting Child Abuse/Neglect,
    ▪ Confidentiality training.
  If required by position/job description, also include:
  o Official transcript, certifications, or licenses [obtain an evaluation of transcript(s) and degree work by an organization recognized and approved by a regional accrediting agency, i.e., SACS, if the degree was earned outside of the United States and if the degree was used to determine entry salary];
• DD-214;
• Externally-funded policy form;
• OSHA-required Hepatitis B Vaccine Declination/Acceptance Form for job categories I & II (supervisor to ensure records for Hepatitis B and rabies immunizations and for specific required training are forwarded to HR for file).

- Part-Time Employees

Each new part-time employee, regardless of whether hired for a very brief period or an extensive period of time, shall provide the following to the Office of Human Resources in a timely manner:
• Instructional Personnel
  - Application;
  - I-9 form and documentation to verify identity and/or right to work to be copied for employee file; (acceptable forms of documentation include, but are not limited to, social security card, birth certificate, driver's license or comparable picture identification for proof of citizenship, and/or documents that establish alien identity and employment eligibility);
  - Direct deposit form;
  - Loyalty oath form;
  - Emergency form;
  - Ethnicity / Race Reporting form;
  - Beneficiary Designation for residual pay form;
  - W-4 form;
  - Fingerprint form (if required by job category);
  - Complete badge/photograph process;
  - Worker's Comp Managed Care form;
  - Complete the following training within 30 days of hire date:
    - either attend Bloodborne Pathogen Awareness training session if job category I or II, or log onto training site if job category III and return signed form,
    - Hazard Communication/Right-to-Know training,
    - Preventing Discrimination and Sexual Violence training,
    - Unlawful Harassment Prevention training,
    - Disability Awareness training,
    - Identifying/Reporting Child Abuse/Neglect,
    - Confidentiality training.
  - Florida State Retirement System form;
  - Complete Orientation Information Form to acknowledge personal responsibility to read, understand, and comply with:
    - Technology & Internet Ethics Acceptable Use Procedure;
    - Drug-Free Procedure;
    - all College Procedures and Policies;
    - Equity / Nondiscrimination Statement.
▪ Official transcript, certifications, or licenses [obtain an evaluation of transcript(s) and degree work by an organization recognized and approved by a regional accrediting agency, i.e., SACS, if the degree was earned outside of the United States and if the degree was used to determine entry salary];
▪ Letters of verification of experience;
▪ Form SSA-1945 Statement (concerning your employment in a job not covered by Social Security);

If required by position:
▪ Official transcript, certifications, or licenses [obtain an evaluation of transcript(s) and degree work by an organization recognized and approved by a regional accrediting agency, i.e., SACS, if the degree was earned outside of the United States and if the degree was used to determine entry salary];
▪ OSHA-required Hepatitis B Vaccine Declination/Acceptance Form for job categories I & II (supervisor to ensure records for Hepatitis B and rabies immunizations and for specific required training are forwarded to HR for file).

o Non-Instructional Personnel
▪ Application;
▪ I-9 form and documentation to verify identity and/or right to work to be copied for employee file; (acceptable forms of documentation include, but are not limited to, social security card, birth certificate, driver’s license or comparable picture identification for proof of citizenship, and/or documents that establish alien identity and employment eligibility);
▪ Signature of approval on reference letter forms;
▪ Direct deposit form;
▪ Loyalty oath form;
▪ Emergency form;
▪ Ethnicity / Race Reporting form;
▪ Beneficiary Designation for residual pay form;
▪ W-4 form;
▪ Fingerprint form (if required by job category);
▪ Complete badge/photograph process;
▪ Worker’s Comp Managed Care form;
▪ Florida State Retirement System form;
▪ Outside Employment form;
▪ Technology & Internet Ethics Acceptable Use Procedure form;
▪ Complete the following training within 30 days of hire date:
  - either attend Bloodborne Pathogen Awareness training session if job category I or II, or log onto training site if job category III and return signed form,
  - Hazard Communication/Right-to-Know training,
  - Preventing Discrimination and Sexual Violence training,
  - Unlawful Harassment Prevention training,
  - Disability Awareness training,
- Identifying/Reporting Child Abuse/Neglect,
- Confidentiality training.

If required by position/job description, also include:

▪ Official transcript, certifications, or licenses [obtain an evaluation of transcript(s) and degree work by an organization recognized and approved by a regional accrediting agency, i.e., SACS, if the degree was earned outside of the United States and if the degree was used to determine entry salary];

▪ DD-214;
▪ Externally-funded policy form;
▪ OSHA-required Hepatitis B Vaccine Declination/Acceptance Form for job categories I & II (supervisor to ensure records for Hepatitis B and rabies immunizations and for specific required training are forwarded to HR for file).

○ Student Employees
   ▪ Student Employee Application;
   ▪ Background check if required (or requested)
   ▪ W-4 form;
   ▪ Emergency form;
   ▪ I-9 form (with copies of official documentation per USCIS);
   ▪ Ethnicity/Race Reporting form;
   ▪ E-Verification;
   ▪ Student Worker Policy Acknowledgement form;
   ▪ Technology & Internet Ethics Acceptable Use Procedure form;
   ▪ FERPA form;
   ▪ Direct Deposit form;
   ▪ Complete badge/photo process;
   ▪ Student Employment Introduction card.
   ▪ Complete the following training within 30 days of hire date:
     - Unlawful Harassment Prevention Training;
     - Identifying and Reporting Child Abuse Training.

○ Volunteer Requirements (also refer to Procedure 301-3)
   ▪ Application form;
   ▪ Emergency form;
   ▪ Job description;
   ▪ Fingerprint form (if required or requested);
   ▪ Attend orientation;
   ▪ Complete badge/photo/parking decal process;
   ▪ Read informational handouts:
     - Drug-Free College Guidelines,
     - Harassment/Discrimination,
     - Workers’ Compensation Information,
- Notice of Nondiscrimination;
- Complete the following training within 30 days of start date:
  - Unlawful Harassment Prevention Training;
  - Identifying and Reporting Child Abuse Training.
301.6 Orientation Requirements / Probation Period

The College will employ competent faculty members and staff who qualified to accomplish the mission and goals of the College. (SACSCOC R6.2.a, 11.2, R12.2)

First-Day Orientation for All Employees. All new full-time and faculty and part-time staff (to include outsourced employees, as appropriate) must attend new-employee orientation held by the Office of Human Resources. The first day of employment for full-time and part-time staff will be the day he/she attends orientation. The first day of employment for all new full-time faculty will be determined by their annual contract. A new employee may commence working only after completing orientation.

Eligibility Verification (E-Verify). The Office of Human Resources must verify an employee’s employment eligibility status no later than the end of three business days after the new hire’s start date. If the government cannot confirm employment eligibility, the Office of Human Resources is required to provide the employee with written instructions and an opportunity to contact SSA and/or DHS prior to taking adverse actions which could include termination of employment.

Probation Period for Full-Time Staff. For all full-time, non-contractual staff, the first six months of employment in a new position are considered a probation period. Full-time staff will:
- Complete the probation period;
- Receive an evaluation from the supervisor at the end of the six-month probation period;
- Be eligible to apply for position transfer after completion of probation period.

Probation Period for Part-Time Staff. For all part-time staff, the first six months of employment in a new position are considered a probation period. Part-time staff will:
- Complete the probation period;
- Receive only annual evaluations;
- Be eligible to apply for position transfer during the probation period.

Probation Period for Transfer Employees. All non-contractual full-time staff members who have completed the initial probation period and who transfer to a new, non-contractual, full-time position may be required to complete another six-month probation period.
- If the transfer is within the same department and with the supervisor, an additional probation will not be necessary.
- If the transfer is a change in supervision for the employee but not in the job duties for the employee, an additional probation will not be necessary.
- If the transfer is to a different department with new job duties, then the employee will be required to complete another six-month probation period.

If, at the discretion of the College, an employee is transferred to another position prior to the end of a six-month probation period, an evaluation by both the first supervisor at the time of transfer and by the second supervisor at the end of the six-months may be required.

**Probation Period for Returning Employees.** All non-contractual full-time or part-time staff that discontinue employment with the College, regardless of the reason, and return to the College, regardless of the time length, will be required to complete a six-month probation period.

**Termination During Probation Period.** The supervisor will assist the new employee to learn the job duties and to master them; however, because Florida is an “At-Will State,” the new employee may be terminated with or without cause and with or without notice at any time during the orientation period if the supervisor feels the employee and the job are not a compatible match.
301.7 Key Requests

The following procedures must be followed when requesting keys:

- Grand Master keys must be approved by the President,
- Campus Master and Building Master keys must be approved by the Vice Presidents,
- Building Master keys must be approved by the Provost,
- Room keys must be approved by the Provost.

All requests for keys must be in the form of a Work Order created by the appropriate authority. Upon request, the keys will be made and distributed along with a Key Issue Form. Each key that is made will be recorded in a computer, along with the name of the employee to whom the key was assigned. Upon transfer, relocation, or termination of service, the employee must return all keys to the Security Office, at which time a Key Return Form will be completed and keys will be removed from the assigned key inventory.

Keys are not to be collected from one employee and issued to another within a department without an appropriate Work Order so the Key Issue/Return Forms may be completed by the Maintenance Department. (Also refer to Procedure 309.1)
301.8 Work Schedules

Daily Work Schedule. The normal work hours are from 8:00 a.m. until 5:30 p.m. with a 30-minute lunch break, Monday through Thursday. With supervisor approval, employees may work from 7:00 a.m. until 4:30 p.m., from 7:30 a.m. until 5:00 p.m., or from 8:30 a.m. until 6:00 p.m. with a 30-minute lunch break. When a department is required to remain open on Fridays, some employees will be scheduled to work on Tuesday through Friday. The individual and department daily or weekly work hours may vary according to the needs of the College.

Work Breaks.
- **Break Periods.** Although Florida law does not require employers to provide work breaks for employees, including breaks for meals, even when the shift lasts for 16 hours or more, Eastern Florida State College does allow meal breaks for employees (refer to Procedure 304.1)

- **Lactation Accommodation.** EFSC is required to provide a private, secure, and sanitary area for employees to express breast milk, length and frequency as needed, for one year after a child’s birth. In order to meet this requirement:
  - Departments are encouraged to identify an area appropriate for this purpose for non-exempt and exempt employees.
  - The space must have an electrical outlet and be close to the employees’ work area (not a toilet stall or a room that lacks privacy or a locking door). The space may be temporary and doesn’t need to be designated with that sole purpose, as long as it is available as needed for the employees.
  - Compensation for non-exempt employees is not required beyond the regularly-allowed breaks. Nursing mothers must request from and arrange with their supervisors the time that is appropriate and reasonable and supervisors should provide schedule flexibility to accommodate the employees’ requests:
    - Lactation breaks should be concurrent with meal breaks or other allowed breaks;
    - Supervisors should permit the employee to arrive early and remain late in order to cover additional or long lactation breaks;
    - When necessary, supervisors should arrange for unpaid additional or long breaks by having the employee clock out and clock in;
    - If the designated room is not sole-purpose, the supervisors should allow for room reservations to accommodate nursing mothers as needed and to schedule the room for other purposes.

Dual-Employment Rule. Exempt employees shall not accept a second assignment during the hours of responsibility to their initial or primary assignment to the College. Non-exempt and part-time staff or faculty employees may not accept a second position within the College. (Procedures 301.2 for employee definitions, 303.3 faculty subsection, 304.7 for payroll procedure)
301.9 Criminal History Check

As a condition of employment at the College, employees shall be required to report any criminal conviction to the Office of Human Resources (Procedure 302.4).

Pursuant to the concerns expressed in Florida Statute, Chapter 1012, Florida Statute, Chapter 943, Florida Statute, Chapter 110, and Florida Statute, Chapter 434, the College finds that certain employees or volunteers are in positions of special trust and responsibility or work in sensitive locations and, as such, require a security criminal history check, including fingerprinting, as a condition of employment or service. Accordingly, employees and volunteers in designated positions or departments will be fingerprinted for the purpose of increasing safety and security in the work/educational environment.
Title: Staffing Changes  

The College will employ competent faculty members and staff who qualified to accomplish the mission and goals of the College. (SACSCOC R6.2.a, 11.2, R12.2)

Transfer of Personnel. Personnel may be reassigned to permit the College to obtain the maximum utilization of their services or to increase the effectiveness and/or efficiency in support of the College mission. An employee may be reassigned to another area within the same department or reassigned to another work/campus location when such move is in the best interest of the College. A move from one location or department to another may involve a change in work schedule.

- **Non-Instructional Employees.** An employee who is transferred to a different position within the College shall be placed, at the discretion of the President, on an appropriate step within the new salary range and informed of such in conjunction with the position transfer.

  Administrators may be transferred from one College location to another at the discretion of the President. Administrators may also be assigned different duties when a College need arises.

- **Instructional Employees.** The Board of Trustees retains the right and responsibility for determining the required number and type of faculty positions in each discipline area on each campus and center. The manner of selecting faculty for transfer is determined by the Collective Bargaining Agreement.

- **Reduction in Force.** When an operational reduction in force (RIF) is necessary, voluntary transfers among College locations, voluntary resignations and retirements, and early retirement will be encouraged.

- **Non-Instructional Employees.** Factors which will be considered in the suspension or dismissal of administrative, exempt and non-exempt staff will be position, performance appraisals, seniority, achievement, and administrative judgment of the individual employee's capability, efficiency, compatibility, skills, ability to communicate and motivate, and other pertinent factors. If terminated, employees may be granted special compensation in lieu of notice upon the recommendation of Human Resources and the approval of the President, giving case-by-case consideration to the above factors. The amount of severance or “in lieu of notice” pay granted will normally be equivalent to between two and six weeks' salary for full-time personnel with between five and twenty or more years of such service to the College and/or Brevard County School District at the time of separation.

For computing payoffs and daily rates for full-time non-instructional personnel terminating employment with the College, for any reason, the following rules will apply: all pay for work actually performed during a college work calendar year, all vacation leave and any "in lieu of notice" pay which is authorized to be paid to an employee for termination for any reason will be computed at the employee’s current hourly rate times the number of hours at the time of termination. Please also refer to Procedure 304.6 Terminal Pay; Procedure 305.15 Unused Sick Leave; and to Procedure 305.16 Unused Vacation Leave.
• **Instructional Employees.** Prior to any general reduction of the number of instructional personnel at the College due to economic or operational considerations, the reduction will be subject to discussion between the College and the UFF-Brevard.

**Elimination of Position.** When elimination of positions becomes necessary, voluntary transfers among College locations, voluntary resignations and retirements, and early retirement will be encouraged.

• **Non-Instructional Employees.** If position eliminations become necessary due to program cancellation or to departmental reorganization, employees will normally be granted severance or “in lieu of notice” pay upon the recommendation of Human Resources and the approval of the President. Approved severance pay will be computed at the employee’s current hourly rate times the number of hours authorized. (Procedure 304.6)

• **Instructional Employees.** Prior to any general reduction of the number of instructional personnel at the College, the reduction will be subject to discussion between the College and UFF-Brevard.

**Retraining of Employees.** Faculty, administrative and exempt staff who are faced with RIF may request retraining for those areas in which there exists a need for increased manpower. Each case will be reviewed by the Office of Human Resources in conjunction with the employee’s supervisor, giving consideration to the requestor's qualifications and potential. The Office of Human Resources will submit a recommendation to the President, based on the consideration of the above-mentioned factors.
301.11 Master Grade-Salary Schedule

Salary Determination. The President, in conjunction with the Office of Human Resources, will determine individual salaries and salary schedules for Eastern Florida State College. The Board of Trustees adopts an annual budget which sets fiscal year salary limits and salary adjustments for the following categories:

- Full-time Faculty
- Part-Time Faculty
- Administrative Personnel
- Exempt Staff
- Non-Exempt Full-Time Staff (Wage/Hour)
- Non-Exempt Part-Time Staff
- Externally-Funded Employees
- Select Outsourced Employees
- Student Employees

A new employee will normally be placed on the salary schedule at a level commensurate with the individual’s education and applicable experience, not to exceed the mid-point of the salary range. Exceptions to the rule must be submitted to the Office of Human Resources for approval by the President.

Faculty salaries will be determined by the CBA in effect, taking into account education and applicable experience. See Procedure 303 Faculty.

Maintenance of a Salary Schedule. The Office of Human Resources will establish and maintain a Master Grade-Salary Schedule for College positions, listing titles and salary ranges.
301.12 Employee Evaluation

**Evaluation Purpose.** The objective of the employee evaluation process is to assist personnel in professional development and in the achievement of stated College goals. The employee evaluations may be considered by the administration when determining employee transfers, change of duties, retraining of personnel, reduction in force, promotions, and disciplinary actions. Evaluations may also be used to support recommendations for awards, pay increases, and other forms of recognition. The College periodically evaluates the effectiveness of its administrators, staff and faculty in accord with published criteria. The Board of Trustees is responsible for the selection and periodic evaluation of the President (SACSCOC R4.2.c, R5.4 in part, R6.2.a)

The objective of the employee evaluation process is to assist personnel in professional development and in the achievement of stated College goals. The employee evaluations may be considered by the administration when determining employee transfers, change of duties, retraining of personnel, reduction in force, promotions, and disciplinary actions. Evaluations may also be used to support recommendations for awards, pay increases, and other forms of recognition.

The *Performance Review Form* can be found on the on the EFSC website.

**Non-Instructional Employees.** Non-instructional personnel will be evaluated in ways which relate to their job descriptions, to the quality of work performance, and to the objectives of the division in which they serve. The Human Resources Office is responsible for the timely distribution of all evaluation forms to supervisors who will be conducting evaluations on non-instructional personnel.

**Instructional Employees.** A major purpose of the administrative review of faculty performance is to assist faculty in improving performance and suggest professional development strategies which should facilitate student learning in their classrooms. The performance evaluation of instructional personnel may include the areas of classroom performance, relationships with students, special projects, and other instructionally-related topics. Procedural details of the College’s right to evaluate the faculty’s performance of assigned duties and continuing value to the College are found in the Collective Bargaining Agreement.

**Part-time faculty (Adjuncts).** Part-time faculty (adjuncts) will have a routine classroom observation and review at a minimum of once every three years. Instructors teaching dual enrollment classes at an off-campus site are considered to be part time faculty (adjuncts) and will have a routine classroom observation and review. In addition to the classroom observations, the compliance of the facility to college standards will also be assessed on a routine basis.
Staff Evaluation Schedule. New non-contractual full-time employees will be evaluated at the conclusion of the first six-month probationary period of employment; for employees hired after June 30 of the evaluation year, the six-month evaluation will also be the annual evaluation. Current non-contractual full-time employees will be evaluated six months after transfer to new job responsibilities in a different department or division. Refer to Procedure 301.6 Orientation Requirements/Probation Period.

- **Administration and Full-Time Employees.** The annual evaluations of full-time administrative and non-contractual staff will occur during the months of January through March for the period covering January 1 through December 31 of the previous year. Performance evaluations will be submitted to the Human Resources Office, where they will be retained in the employee’s personnel file.
- **Part-Time Employees.** Evaluations are required for regular part-time employees only on an annual basis.
- **Employees in Substitute or Pool Positions.** Evaluations are not required for employees in substitute or in pool positions.

Letters of Commendation. When a supervisor wishes to acknowledge an employee’s outstanding performance, a letter of commendation may be written to the individual. A copy of this letter should be sent to the Office of Human Resources for retention in the employee’s personnel file; copies may also be sent to interested persons.
Eastern Florida State College Procedures Manual

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<tr>
<th>Title: Equal Opportunity</th>
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<td>Legal Authority: F.S. 295.07, 295.085, 1000.05, 1001.64, 1001.65; FAC 6A-14.060, Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, Genetic Information Nondiscrimination Act of 2008 (GINA); ADA; Vocational Education Program Guidelines, Sections IV-VIII; Title IX of Education Amendments of 1972 Board Policy Governance: 300.1; 300.2; 400.1</td>
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302.1 Equal Opportunity

**Nondiscrimination.** Eastern Florida State College is dedicated to providing a nondiscriminatory environment which promotes equal access, equal educational opportunity, and equal employment opportunity to all persons regardless of age, race, national origin, color, ethnicity, genetic information, religion, sex, gender preference, pregnancy, disability, marital status, veteran status, ancestry, or political affiliation in its programs, activities, or employment.

A statement of this procedure will be included on appropriate College forms and publications. (See Procedure 200.1 Complaint /Grievance Procedure)

In order to implement this concept in the area of employment practices and procedures, the Human Resources staff will review proposed employment decisions with the intent of ensuring equity. Pursuant to the requirements of federal and state laws respectively, the College’s Annual Affirmative Action Plan and the College’s Annual Equity Plan include specific goals for any potential underrepresentation of women and minorities in administrative, faculty, and professional technical staff positions. In addition, the College follows Florida Statutes which set forth requirements for public employers to grant preferences in appointment, retention, and promotion to certain veterans and spouses of veterans who are Florida residents.

**Equity Office.** The Equity Officer will serve as an active advocate and ombudsman for equity issues throughout the EFSC community, and will direct special efforts within the minority community in order to assure compliance with the College’s equity commitment. The President will designate an Equity Officer for the College who will establish guidelines for:

- Monitoring compliance;
- Publicizing institutional procedures.

Inquiries regarding the College’s nondiscrimination policies may be directed to:

- Ms. Darla Ferguson, Chief Equity and Diversity Officer
  Cocoa Campus, Building 2, Room 103, 1519 Clearlake Road,
  Cocoa, FL 32922, Telephone 321-433-7080,
  E-mail fergusond@easternflorida.edu
  or
  Lt. Mark Renkens, Security & Title IX Compliance Coordinator
  Melbourne Campus, Building 10, Room 215
  3865 North Wickham Road, Melbourne, FL 32935
  321-433-7180
  renkensm@easternflorida.edu
302.2 Nepotism

The employment of a member of the family of a College employee may be authorized except in a position where one employee directly is supervised by a family member. A College employee may not appoint, employ, promote, or advance a relative as defined by Florida Statute (father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister) for a position where the College employee has control over or is responsible for the position. Employees of the College may not initiate or participate in any institutional decisions which might involve a direct benefit to their relative, including advocating for a relative with another College employee for such benefit or participating in any decision, such as third party contracts, which would be of direct financial benefit to a relative.

Applicants for employment at the College shall disclose any family relationships they have with existing employees of the College, and this disclosure shall be made a part of the official records of the College. Active members of the Board of Trustees shall not employ or appoint a relative to work for the College.

Implementation of this policy is effective with employees hired after this procedure’s 2012 revision date.
302.3 Communicable Diseases

The College takes reasonable steps to provide a healthy, safe, and secure environment for all members of the College community (SACSCOC R13.8)

Definitions:

- **Bloodborne Pathogen.** Bloodborne Pathogens are pathogenic microorganisms, such as viruses and bacteria, present in the blood of infected individuals and can cause disease (OSHA 1910.1030). The Bloodborne Pathogens of major interest include, but are not limited to, human immunodeficiency virus (HIV), Hepatitis B virus (HBV), and Hepatitis C virus (HCV).

- **Infectious Disease.** An infectious disease is a disease caused by bacterial, viral, fungal, or protozoan infection. Though some infectious diseases are not contagious, others may be transmitted from animal to person (bird flu and cat scratch disease) or from person to person (MRSA and HIV). Infectious pathogens include, but are not limited to, cytomegalovirus, herpes simplex virus 1 and 2, Mycobacterium tuberculosis (TB), staphylococci (MRSA), streptococci, and Neisseria meningitides (meningococcal disease). These microorganisms may be transmitted via the blood, or other bodily secretions, through direct or indirect contact.

- **Significant Communicable Disease.** A significant communicable disease is one which has been identified by a recognized authority (e.g., World Health Organization, Centers for Disease Control, U.S. Department of Health and Human Services) as one which may have life-threatening potential or result in serious illness or infirmity and may be contracted merely by travel within a certain region. Recent examples include severe acute respiratory syndrome (SARS), Influenza A virus subtype H1N1 (Swine Flu), Asian influenza, Avian influenza (Bird Flu), yellow fever, and dengue fever.

**College Safeguards.** The College recognizes the responsibility to provide reasonable, non-discriminatory safeguards to employees and students who work or study at one of the College's facilities. The President will establish appropriate procedures to provide safeguards against communicable diseases throughout the College, with particular attention to the following areas:

- Academic Departments, especially Science;
- Athletics;
- Cafeterias;
- Child Care Centers;
- Collegewide Plant Operations/Maintenance/Facilities Offices;
- Health Science Institute (Cosmetology, Vet Tech, Dental, Phlebotomy, Radiology, etc.);
- Institute of Nursing;
- Public Safety Institute (Criminal Justice, Fire Science, etc.);
- Security Offices;
- Wellness Centers.

**Confidentiality of Information.** According to the Recommended Standards for a College Health Program, the American College Health Association recommends:
“...no specific detailed information concerning complaints or diagnosis to be provided to faculty, administrators, or even to parents without the expressed written permission of the patient in each case. This position with respect to health records is supported by amendment to the Family Education Right and Privacy Act (FERPA) of 1974.”

Information regarding an individual’s diagnosis of an infectious disease will be maintained as confidential personal medical information, which will not be released to any party without the specific written consent of the individual, except where required by law. The confidentiality of information is superseded only by the necessity to protect others who may be or could be placed in life-threatening circumstances by actions of the infected person. The College will conform to the recommended standards, with respect to the confidentiality of any information received pertaining to the medical situation of employees or students. The Privacy Officer (the senior administrator in Human Resources) will handle all information related to infectious/communicable diseases in accordance with local and state agencies in conjunction with required reporting for known cases. An individual’s right to privacy and confidentiality will be upheld in accordance with the Health Insurance Portability and Accountability Act (HIPAA, 1996) and other laws.

Consideration for Students and College Personnel. The College has specific policies establishing general principles regarding persons with infectious diseases within the College. Persons with an infectious disease may be considered by law to have a disabling condition. The legal rights of disabled individuals must be guaranteed.

- College policy prohibits discrimination against persons with or perceived to have an infectious disease. Complaints may be addressed to the Equity Officer. Also refer to Procedure 200.1 Complaint/Grievance Procedure. Harassment of individuals who are suspected of being ill with, or who are diagnosed with, an infectious disease is prohibited.

When an employee or student becomes aware that he/she has a serious medical condition, or a life-threatening infectious disease, the student or employee is encouraged to seek specific information relating to the disease from a health care provider.

- Employees or students of the College who may contract an infectious disease will not be excluded from enrollment or employment or restricted in their access to College services or facilities by reason of their infections unless individual medical judgments establish that exclusion or restriction is necessary for the welfare of the individual or of other members of the College community.
- Members of the College community with an infectious disease have a responsibility to be aware of information and the most recent recommendations from the Centers for Disease Control in order to prevent transmission of the diseases to others. Persons who know or suspect that they are infected with an infectious disease are expected to obtain and follow appropriate medical advice and are further expected to conduct themselves responsibly for the protection of others.
- Although Eastern Florida State College does not REQUIRE vaccination against meningococcal disease or Hepatitis B* for students or employees, the College strongly encourages everyone attending the College to be aware of the symptoms, risk factors, preventative measures, and cure for these diseases.

*NOTE: Hepatitis B vaccinations will be required for students and will be made available to employees designated as at-risk based upon their job descriptions. A person may refuse or may qualify for an exemption based on a medical condition that contraindicates immunization, or because the immunization is contrary to the religious tenets or practices of the student or employee. The employee or student refusing the vaccine or determined to be exempt will be required to sign an exemption form, provided by the College. Hepatitis B vaccinations, available to faculty and staff only, will be paid for by the College (OSHA Standard 1910.1030).

Communicable Disease Alert. The College may be affected by the outbreak of serious communicable diseases which restrict access and necessitate precautions in certain areas, such as, the recent Severe Acute Respiratory Syndrome (SARS) and Influenza A virus subtype H1N1 (Swine Flu) outbreaks. In each such instance, it is the policy of the College to adhere to guidelines issued by such agencies as the Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO) to ensure the safety of its
employees. As these guidelines become available, they will be communicated to all faculty and staff, and students.

- Individuals traveling to regions under health advisories will be advised that re-enrollment or return to work may require passing a screening procedure administered through a public health department, a licensed physician, or clinic. The cost of any such screening procedure will be at the expense of the staff member or student unless the travel was a requirement of the College. Individuals showing symptoms may require immediate isolation and proper treatment until symptoms are no longer present.
- Departments which require or initiate travel for faculty, staff, or students will be required to monitor health advisories issued by CDC or WHO and to review travel authorization to destinations for which an advisory is issued.
- New students, staff, and faculty arriving from countries under health advisories may be subject to the screening procedure set forth above.
- If, for any reason, faculty, staff, or students must travel to areas under health advisories, they must adhere strictly to all precautions and guidelines set forth by the Centers for Disease Control (CDC).

Educational Programs. The College will incorporate information on Bloodborne Pathogens and other infectious/communicable diseases into designated curricular and non-curricular areas which will be chosen by the appropriate Provost. Detailed standards and procedures consistent with this policy, such as the EFSC Bloodborne Pathogen and Exposure Control Plan, shall be implemented by individual departments where the risk of contact with body fluids is significant. Individuals who work or study in such departments shall be subject to the procedures outlined in the designated manual.

References.

- CDC. General Recommendations on Immunization: Recommendations of the Advisory Committee on Immunization Practices (ACIP) and the American Academy of Family Physicians (AAFP)-MMWR February 8, 2002 / 51(RR02);1-36
- 1-800-FLA-AIDS
302.4 Arrest / Conviction Guidelines

The College takes reasonable steps to provide a healthy, safe, and secure environment for all members of the College community (SACSCOC R13.8)

Arrest / Conviction. It is the employee’s responsibility to inform his/her supervisor and the Human Resources Office, no later than the subsequent work report date, of an arrest, arraignment, or conviction (Procedures 301.9, 308.3). The College, as an at-will employer, may take action up to and including termination of employees or up to and including suspension and expulsion of students. The severity of the offense and an employee’s past performance and length of service will be considered. See Procedure 310.8 Community Linkages regarding access to employees or students for arrests on campus.

The College may suspend an employee with pay when the offense:
- Does not lead to jail time or involves a very short jail time;
- Is not considered to be dangerous to or an interference for the students or the business of the College;
- Does not reflect unfavorably on the College or its employees and students.

The College may suspend without pay or terminate an employee when the offense:
- Causes an unacceptable leave (Procedure 305.2);
- Is considered to be inappropriate behavior for an educational employee;
- Is considered to present a danger to the College employees or students;
- Results in jail/prison time and causes a vacancy problem or hardship for College business or student support.

Sexual Offender / Predator. The law requires a person designated as a “sexual predator” or “sexual offender” to register with the Florida Department of Law Enforcement (FDLE). The FDLE is required to notify the local law enforcement agency where the registrant resides and/or is employed by an institution of higher learning or attends classes. The College shall include in its publications to students and employees the resources available that permit students and employees to obtain information on sexual predators or offenders such as contacting the local law enforcement agency with jurisdiction for a particular campus, calling the FDLE hotline, or visiting the FDLE website.

When a local law enforcement agency notifies the College that a sexual predator or sexual offender is employed at the College, such notification shall be delivered to the attention of the Office of Human Resources which shall then notify the President. In consultation with the College Attorney, the Human Resources AVP will determine, based on the severity of the offense, any action to be taken.

The College may determine that the employment of persons officially designated as sexual offenders/predators would be disruptive to the orderly process of the College’s programs and/or would interfere with the rights and privileges of other members of the College community. The College may consider the past actions of any person applying for employment and may deny employment to a person because of misconduct if determined to be in the best interest of the College. Accordingly, the applicants for employment at the College who are officially designated sexual offenders/sexual predators will be excluded from further considerations.
Employees who are officially designated sexual offenders/sexual predators shall be given the opportunity to resign, or in the alternative, shall be separated from the College (also refer to Procedures 402.2, 433).

Any person who materially alters or distributes sexual predator or sexual offender public records information with the intent to misrepresent the information, including documents, summaries of public records information provided by law enforcement agencies, or public records information displayed by law enforcement agencies on websites, or provided through other means of communication shall be subject to College disciplinary procedures and may be subject to criminal prosecution as provided by Florida Statutes.
**302.5 Drug-Free College**

The College takes reasonable steps to provide a healthy, safe, and secure environment for all members of the College community (SACSCOC R.13.8)

**Intent.** It is the intent of Eastern Florida State College to provide a drug-free environment for all of its students and employees consistent with the Drug Free Workplace Act of 1988, the Drug Free Schools and Communities Act (DFSCA) Amendments of 1989, and related Florida Statutes.

**Definitions.** A controlled substance is defined to mean all illegal drugs and prescription drugs taken without a valid physician’s order. For the purposes of this procedure, the term "drug" refers to those substances listed in Schedules I-V of Section 812 of the United States Code, Title 21, Chapter 13, Drug Abuse Prevention and Control and those controlled substances, listed chemicals, and chemical analogs as defined in the Florida Drug Abuse Prevention and Control Statute, Chapter 893, including annual amendments to either of these statutes. Alcohol is recognized as a substance, the unlawful use or abuse of which is inconsistent with, and a violation of, this procedure.

**Drug-Free Compliance.** The College expects compliance with the following:

- Possession or consumption of alcohol by any member of the College community under the age of 21 is prohibited.\(^1\)
- Possession or consumption of alcohol by anyone on College property or in conjunction with a College-sponsored activity or event is prohibited unless approved in advance by the President.
- Members of the College community shall not use, possess, purchase, solicit, sell, manufacture, distribute, or deliver (or possess with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs.
- Staff and faculty shall not possess, consume, or be under the influence of alcohol in the course and/or scope of their employment; however, this section does not prohibit staff and faculty members from possessing or consuming modest amounts of alcohol while engaged in College-sponsored activities or events where alcohol has been approved in advance by the President, or while engaged in business travel leisure, provided such possession or consumption does not result in illegal conduct, adversely affect their employment obligations, jeopardize their safety or the safety of others, or put at risk the College or its reputation.

The above prohibitions shall not include drugs taken according to a verifiable prescription from a licensed physician.

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\(^1\) This prohibition does not apply to the tasting of alcoholic beverages by a student who is at least 18 years of age and who is tasting the alcoholic beverages as part of the student’s required curriculum; provided the student is enrolled in the College and is tasting the alcoholic beverages only for instructional purposes during classes that are part of the student’s curriculum; if the student is allowed only to taste, but not consume or imbibe, the alcoholic beverages; and if the alcoholic beverages at all times remain in the possession and control of authorized instructional personnel of the College who are 21 years of age or older. See F.S. 562.111(2).
Medical Marijuana in Florida. Despite the provisions of Article X, Section 29 of the Florida Constitution, as well as applicable Florida Statutes and implementing F.A.C. Rules, marijuana remains a controlled substance under federal law, and continues to be prohibited by the College. Thus, any member of the College community who meets the definition of “qualified patient” under §381.986(1), Florida Statutes, shall continue to abide by federal law as it relates to marijuana, as well as any and all applicable College policies and procedures.

Employee Responsibility. An employee convicted of any offense relating to the use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery of alcohol, narcotics, controlled substances, prescription medication without a prescription, or other illegal drugs, must report such conviction to the Human Resources Office no later than the subsequent work day after the conviction (also refer to Procedure 302.4).
302.6 Compliance with the Americans with Disabilities Act

Compliance. Eastern Florida State College is committed to complying with the requirements of the Americans with Disabilities Act of 1990 (ADA), including changes made by the ADA Amendments of 2008 (P.L. 110-325), which became effective January 1, 2009, as well as complying with the Rehabilitation Act of 1973 and other laws protecting the rights of persons with disabilities. The College is committed to providing to qualified persons with disabilities opportunities in employment and in access to education, where this will not pose an undue burden or fundamentally alter the programs of the institution. EFSC acknowledges that compliance with the ADA requires raising the awareness of all employees of the institution and a commitment of institutional resources in order to minimize the impact of the student’s disability to the greatest extent possible.

Academic Accommodation. Although the College intends for every student to have a productive, enriching, and pleasant experience while on campus, academic accommodations must be reasonable and do not include personal care items or personal mobility equipment, such as personal care attendant, wheelchair, and/or scooter, etc. The College is not required to provide an academic accommodation that would alter or waive essential academic requirements or the academic degree, nor is it required to make every academic adjustment requested, such as an accommodation that would alter the nature of a service, program, or activity. Each student’s case is assessed individually based on documentation submitted to the Office for Student Access for Improved Learning (SAIL).

Accommodations are only provided on a semester-by-semester basis. In some instances, SAIL may produce the material in alternate format or suggest alternate methods of accommodation, such as taking the course at a later session or term, assigning a designated note-taker, or assistive technology new to the student, etc.

Requests are not retroactive during a semester; students who wait to request services until after the start of a course or activity or after receiving a poor grade should not expect the grade to be changed or to be able to retake the course or activity; no refunds will be allowed under these circumstances.

Student responsibilities are discussed in Procedures 435 and 505.

Recording Guidelines. Permission to record a class is limited to personal use only; any other use is strictly forbidden. A designated note-taker or agent of a student may make the recording for the authorized student. Students who receive permission to record will agree, by signing a Student Procedure for Audio Recording of Class Lectures, that they:

- will not share the recordings with any other person at any time, whether or not that person is in the recorded class.
- will not sell the recording or profit financially from the recording.
- will not copy, file-share, sell, distribute, or post online, on YouTube, on any social media, or through other forms of electronic dissemination, public or private forum, that would infringe on the privacy rights of others.
- will respect the rights of the instructor/lecturer and of the students.
- will not use the recordings in any way against the instructor/lecturer or students whose classroom comments are taped as part of the class activity.
• will not make an audio recording of persons in private conversation without prior consent of all parties.
• acknowledge that the recordings are sources, the use of which is governed by the College’s policy on Academic Integrity; that the lecture material is protected under federal copyright laws and may not be published without the expressed consent of the instructor/lecturer and other students whose voices may have been captured.
• will destroy or work with the Student Access for Improved Learning (SAIL) with Disabilities to destroy any recordings made when the recordings are no longer needed for academic work.
• understand that failure to abide by these provisions may result in loss of permission to audio record class lectures.
• will manage the recording device in a way that does not disturb others or call attention to the fact that a recording is being made of the lecture.
• understand that video recording a lecture is not allowed.

Faculty Responsibility. Faculty members are responsible for logging into the SAIL Teacher Notification system within the first two weeks of each semester/minimester and periodically thereafter in order to receive updates on:
• whether students with disabilities are enrolled in their classes;
• if the students have requested accommodations;
• which requested accommodations have been approved.

Faculty members will accommodate legitimate student requests (to include audio recording a class) to the extent that the accommodation requests are consistent with educational goals and have been approved by SAIL; the instructor will inform the class in advance when a class will be recorded. Exceptions to a seemingly conflicting syllabus policy will be made when a student has a reason able need for accommodation due to a disability.

Faculty members are responsible for providing ADA-compliant materials for students in their courses and, as more faculty members innovate to incorporate web-based media into their online and face-to-face classes, they must be diligent to ensure that accessibility remains a priority.

If there is a question about making course materials ADA-compliant, the SAIL staff is available to assist and the HR Training & Development web page includes an SAIL training/information PowerPoint that offers suggestions for ADA-compliant courses.

Accommodation Dispute. If a student is refused an accommodation that he/she believes is necessary, the student may take his or her concerns to the Office for Student Access for Improved Learning (SAIL). If an agreement cannot be reached, the student may take allegations of discrimination to the Equity and Diversity Officer.
**303.1 Faculty Qualifications**

The number of full-time faculty members will be adequate to support the mission of the College and to ensure the quality and integrity of each of its academic programs. At least 25% of the course hours in each major at the baccalaureate level will be taught by faculty member with an appropriate terminal degree. (SACSCOC R6.1 and R6.2.b, R6.2.a, R6.3 in part, R6.5, R6.4, R10.4 in part)

**Definitions:**

**Full-time Faculty:** Full-time faculty are teaching personnel who are assigned to teach 160 or more class sessions, provide final examinations, office hours, a maximum of four (4) in-service/administrative days and participate in at least one commencement ceremony per academic year, or as defined in the Collective Bargaining Agreement. Full-time faculty are expected to a total of 300 points in an academic year and may request additional teaching assignments as an overload.

**Adjunct (part-time faculty):** Adjuncts are part-time teaching personnel who may teach to 80% of the class load of a full-time faculty member. Adjuncts must adhere to the same credentialing requirements as full-time faculty. They are not required to attend commencement or in-service/administrative days. Exempt staff meeting the credentialing requirements, may elect to teach as an adjunct during non-working days and times.

**Temporary Full-time Faculty:** Temporary full-time faculty are non-tenure track teaching personnel who are employed to meet a teaching need for up to two years. Full-time faculty are given the opportunity to teach overload. If faculty or supervising administrators identify a teaching need, they may request the approval of a temporary full-time faculty member through the Vice President Academic and Student Affairs. The Vice President of Academic and Student Affairs will evaluate the need and request approval of an additional position. At the end of two years, the need for the position is re-evaluated. If there is a continued need, the Vice President of Academic and Student Affairs will request that the temporary position become a permanent tenure track position. All new full-time or part-time faculty members must meet certain minimum qualifications for College employment. Eastern Florida State College employs competent faculty members qualified to accomplish the mission and goals of the institution. When determining acceptable qualifications of its faculty, EFSC gives primary consideration to the highest-earned degree in the discipline. The College also considers competence, effectiveness, and capacity, including, as appropriate, undergraduate and graduate degrees, related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes. EFSC utilizes a combination of traditional credentialing and experienced-based credentialing as allowed by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). Specific requirements are listed online on the Faculty Credentialing Verification System.
Baccalaureate Programs. Faculty applicants for the baccalaureate programs must hold a degree from a regionally-accredited institution or from a Council for Higher Education Accreditation (CHEA)-recognized accrediting organization:

- An earned doctorate or master’s degree in the teaching discipline, or
- A master’s degree with a concentration in the teaching discipline.

University-Parallel Programs. Faculty employed in the university-parallel programs must hold a degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization:

- An earned doctorate or master’s degree in the teaching discipline, or
- A master’s degree with a concentration in the teaching discipline.

Faculty teaching associate degree courses designed for possible transfer to a baccalaureate degree program must hold a degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization:

- An earned doctorate or master’s degree in the teaching discipline, or
- A master’s degree with a concentration in the teaching discipline, or
- Alternate experience-based credentialing.

Technical Programs. An applicant for a faculty position in one of the technical programs at the College must meet one of the three minimum competencies for employment, to include holding the appropriate and valid license or certificate (Florida or national) if such is required in order to practice the licensed or certified occupation which the faculty applicant is applying to teach:

- Hold an earned master's degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization, with specialization related to the subject matter to be taught;
- Hold a bachelor's degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization with specialization related to the subject matter to be taught; and have acquired a minimum of 3 years of successful, full-time, employment experience at the technical, mid-management, or professional level that is directly related to the instructional area;
- Hold an AA/AS degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization with specialization related to subject matter to be taught; and have acquired a minimum of 6 years of successful full-time employment experience that is related to the instructional area.

Vocational Programs. An applicant for a faculty position in one of the vocational programs at the College must meet one of the four following qualifications for employment, to include holding the appropriate and valid license or certificate (Florida or national) if such is required in order to practice the licensed or certified occupation which the faculty applicant is applying to teach:

- Hold an earned master's degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization, with specialization related to the subject matter to be taught;
- Hold a bachelor's degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization with the area of specialization related to the subject area to be taught; and have acquired a minimum of 3 years of successful full-time employment experience that is related to the instructional area.
- Hold an AA/AS degree from a regionally-accredited institution or from a CHEA-recognized accrediting organization with specialization related to subject matter to be taught; and have acquired a minimum of 6 years of successful full-time employment experience that is related to the instructional area.
- Hold a high-school diploma with required relevant licenses or certifications in the specialized field; and have acquired a minimum of 6 years of successful full-time employment experience that is related to the instructional area, 2 years of which are at the skilled or journeyman level.

Librarians. Librarians must hold a Master’s degree in library and information studies, or the equivalent, from an ALA-approved program at a regionally-accredited institution or from a CHEA-recognized accrediting organization.
Community Education Program. Instructors of non-college credit courses must have appropriate degrees, experience, or demonstrated expertise for courses they are to teach.

Instructors of continuing education courses must have appropriate documentation of their training or experience in the teaching field.

Academic Rank. Academic rank has no relationship to the establishment of instructional salaries, nor are any quotas established. A faculty member wishing his or her assignment of rank to be reviewed for potential change must submit all relevant materials in order to be evaluated for assignment of or for promotion in rank as covered in the Collective Bargaining Agreement.
303.2 Faculty Expectations

The number of full-time faculty members will be adequate to support the mission of the College and to ensure the quality and integrity of each of its academic programs. The College is committed to establishing academic programs that meet the local community needs and will ensure appropriate levels of full-time faculty and adjuncts to meet those academic needs. (SACSCOC R6.1 and R6.2.b, R6.2.a, R6.3 in part, R6.5, R10.4 in part)

Academic Freedom. The administration respects and encourages the academic freedom of its instructional personnel. In recognition of the principle of academic freedom at Eastern Florida State College the parties affirm that faculty members must be free of any arbitrary limitations on the study, investigation, presentation or interpretation of facts and ideas in any branch of learning consistent with the standards and practices of academic inquiry reflected in the Collective Bargaining Agreement.

Faculty/Student Ratios. Faculty/staff ratio may vary by program based on programmatic accreditation requirements with a goal of a maximum of 30 students/class or 150 students/faculty member. This equates to five classes of 30 students.

Instructional Contracts. Contracts for full-time instructional personnel employed by the College will be issued in accordance with Florida Statutes, State Board of Education Rules, and Florida Board of Education Rules regarding each group.

- Annual contracts will be offered for full-time instructional personnel and shall not create the expectancy of employment beyond the term of the contract;
- Faculty will be given adequate notice in writing of termination or non-renewal of appointment consistent with the Collective Bargaining Agreement;
- Non-renewal of a contract shall not entitle the person to the reasons for non-renewal or to a hearing;
- Continuing contracts will be offered to full-time instructional personnel in accordance with Florida Statutes and SBE Rules.

Faculty Work Week and Contract Length. These topics are defined in the Collective Bargaining Agreement.

Faculty Overload. A full-time faculty member is expected to teach the equivalent of 300 points per academic year. This is typically accomplished by teaching five (5) three credit courses in each of two major terms. Faculty are allowed release time from teaching for administrative duties such as Department Chair, Program Manager and major committee chair or other administrative responsibilities. Faculty may request additional classes to teach in the major term or summer term. Faculty are expected to notify their supervising administrator if the desire overload and the amount of overload desired in the following academic year. Approval of these overload courses is defined in the Collective Bargaining Agreement. Overloads in excess of the amount specified in the Collective Bargaining Agreement are reviewed and approved by the Provost Council based on faculty credentials, performance appraisals and student feedback. Faculty members on an extended leave or on military leave (2-week reserve duty leave, or reserve duty weekends) will not receive pay during their leave time for
classes that are taught as an overload and not as part of a regular full-time load. Specifics for overloads or for payment of overloads are covered in the CBA. (Also refer to Procedure 305.15)

**Posted Schedules/Responsibilities.** Instructors will account for the required on-campus and/or online hours per week and will post notification on or near the office door per the Collective Bargaining Agreement.

**Faculty Absence.** The faculty member’s absence may be covered in one of three ways:
- The absent faculty member’s teaching load may be distributed among credentialed full or part-time College faculty at the substitute pay rate;
- A credentialed temporary replacement may be hired in the same manner in which faculty positions are normally filled;
- One or more credentialed instructors may be employed as the replacement at the pay rate for substitute faculty.

**Continuing Contract.** Faculty may request approval for Continuing Contract through the Faculty Professional Development System (FPDS). The cycles run from July 1 until June 30 annually. Requirements for continuing contract are addressed in the current Collective Bargaining Agreement.

**Professional Development.** The parties recognize the desirability of faculty continuing professional development throughout their employment at the College.

**Faculty Responsibility.** Although the minimum professional standards for continuing contract are negotiated through the collective bargaining process, the responsibility for meeting these standards rests solely with the individual faculty member. Faculty members who fail to meet the requirements of continuing contract will be returned to annual contract status.

**Eligibility for Salary Upgrade.** Criteria regarding eligibility, course credits, and work credits for a salary upgrade are detailed in the Collective Bargaining Agreement.

**Shared Governance.** The College recognizes that the primary responsibility of faculty is promoting student learning. Community service and research is encouraged, but not mandated. The College also recognizes that importance of inclusive decision making through the process of shared governance.

1. **AAC.** The faculty report to a supervising administrator but are also are organized under clusters of similar programs under the academic authority of a cluster chair. The cluster chairs comprise the Academic Affairs Council (AAC). AAC develops, interprets, and recommends operational procedures related to the welfare of the faculty and student body. The AAC considers matters referred to it by the faculty, staff, administration, and students. The AAC reviews educational programs and submits recommendations concerning the appropriate actions needed for the following academic matters.

   a. **Department Chairs, Program Managers and Program Coordinators.** Within each cluster Department Chairs and Program Managers are selected to act as liaison between the supervising administrator and the full-time faculty in an academic area. Depending on programmatic need, a Program Coordinator may also be added to the discipline. Teaching load and assessment of the need for additional faculty is addressed in Procedure 303.1.

   2. **Tenure and Professional Development Council (TPDC).** TPDC provides a faculty voice in decisions concerning rank, tenure and professional development in the interest of strengthening the faculty and the College and in accordance with the collective bargaining agreement.
303.3 Part-Time Faculty

Part-Time Faculty Recruitment. Part-time (adjunct) faculty recruiting is usually initiated by Department Chairs or other immediate supervisors with the coordination and approval of Provosts. For advertised adjunct vacancies, the Office of Human Resources will give online access to the adjunct applications on file to the appropriate Provost, Department Chair, or immediate supervisor.

The Department Chair, Provost, and/or immediate supervisor will:

- Review applications and select applicants for interviews (veteran preference does not apply to faculty applicants);
- Determine whether online faculty applicants are non-Florida residents who must be hired by the outsource agency;
- Convey the appropriate salary information to the adjunct in accordance with the Instructional Salary Schedule for Adjuncts, Instructors, and Librarians and with the approved Master Grade/Salary Schedule;
- Complete interviews, review applicant credentials, and make preliminary reference checks;
- Submit completed SACSCOC Credentialing Application Forms and pertinent documents;
- Recommend finalist(s) to the Office of Human Resources.

Prior to the start of the semester, the Office of Human Resources will:

- Check the application for completeness;
- Ensure that official transcripts are on file, or have been requested;
- Ensure that at least two acceptable references have been checked;
- Ensure that EEO and SACSCOC standards have been fulfilled.

At the completion of each main semester the Authorized Part-time Faculty Roster will be generated by the Office of Human Resources and distributed electronically to selected administrators for review. Once the administrators have submitted updates to the list, the Office of Human Resources will print and distribute copies to the selected administrators.

Part-Time Faculty Assignment.

- **Contract Type.** *Instructional Assignment Forms* for part-time instructional personnel may provide for employment by the day, by the semester hour, or by the clock hour.
- **Non-Florida Resident Rule.** Online part-time faculty who live out of state will be credentialed by EFSC but will be hired and paid through a designated outsource agency.
- **Eighty-Percent Rule.** Part-time faculty shall not be assigned for more than 80% of a full teaching load. Exceptions requested by Provosts may be authorized by the Office of Human Resources for emergencies on a term-by-term or case-by-case basis.

Dual-Employment Rule. Exempt employees shall not accept a second assignment during the hours of responsibility to their initial or primary assignment to the College. Non-exempt and part-time employees may not accept a second assignment, to include part-time, substitute, or temporary faculty positions (Procedures 301.8, 304.7).
Dual-Enrollment Instructors. Instructors who teach dual enrollment classes at the high schools must meet the same credentialing requirements as any other full-time faculty or adjunct at the College. In addition, the College department chair for that academic discipline is responsible to ensure that the course meets the expectations of a college level courses including syllabus, final examination, classroom teaching observation and adequacy of academic support services.

Substitute or Temporary Faculty Assignment. It is the responsibility of each faculty member who will be on an approved leave to give notice to the appropriate Department Chair. The Department Chair will be responsible for the final choice of a credentialed substitute faculty member, subject to approval by the Provost (or the appropriate designee) and for notifying the assigned substitute. In order to avoid inconvenience to the students, a faculty member will provide timely notification for a future absence.

The Department Chair will notify the Office of Human Resources, through the Provost (or the appropriate designee), regarding the credentialed substitute faculty choice and will submit a Substitute Pay Authorization Form. Submitting this form certifies the attendance of the substitute faculty and serves as the request for payment.

The total credit-hour pay for the term for each class is divided by the number of classes. An instructor who is absent for one class or more is docked for the per-class pay times the classes missed. The substitute is paid by degree level on a contact-hour basis; the responsibility level required of the instructor of record is not required of the substitute.

Substitute assignments must be approved by the College and tracked by proper payroll procedure; it is EFSC’s responsibility to hire qualified substitutes and to track monies paid to them. Substitute assignments that are recorded in the instructor’s file may be used as documentation for teaching experience.

Substitute Faculty for Long-Term Absence of Assigned Faculty. When the absence of a faculty member is projected for more than ten days, a recommendation must be submitted for approval through the Office of Human Resources addressing:

- How the individual's duties will be covered;
- The appointment of a credentialed temporary replacement.

Part-Time Faculty Pay. Adjunct and overload payments shall be made in equal increments for the fall and spring terms, beginning with the last payroll of September or the last payroll of January and ending on the last payroll date of the respective semester. The first pay for summer terms will vary according to contract length and Instructional Assignment Form receipt date and will end on the last payroll of the summer term. Whenever the Instructional Assignment Forms are received after a payroll processing deadline, the total assignment amount will be paid semi-monthly in equal increments over the remaining regular payroll schedule for the specific term.
304.1 Payroll for Personnel

Employees are required to setup Direct Deposit or a Cash Pay Account; paychecks are processed on a limited basis. Employees who have completed the Direct Deposit Authorization Form will receive an electronic itemized payment statement. Employees are able to access their payroll information online utilizing the time reporting system.

Pay Schedule for Full-Time Employees.
- **Instructional Employees.** Full-time faculty shall be paid according to the Collective Bargaining Agreement, Article 13.9A through D.
- **Non-Instructional Employees.** Non-instructional personnel will be paid in 26 equal bi-weekly installments in accordance with the fiscal bi-weekly schedule. Full-time exempt employees who receive supplementary pay for a part-time assignment in addition to a full-time assignment may be paid either in equal installments (normally for those teaching courses) or in a lump sum at the end of the assignment (optionally for those performing non-teaching services for the College).

Pay Schedule for Part-Time Employees.
- **Instructional Employees.** Part-time instructors will be paid in equal increments on a bi-weekly basis during the term (refer to Procedure 303).
- **Non-Instructional Employees.** Part-time staff will be paid in equal increments on a bi-weekly basis until the duties have been completed.

Time Entry for Employees.
- **Full-Time Exempt Employees.** Employees in this category are required to enter and track their hours in the time reporting system each pay period.
- **Full-Time Non-Exempt and Part-Time Employees.** Employees in this category are required to enter and track their hours in the time reporting system when:
  - reporting to work;
  - leaving the work area for a break over 15 minutes, mealtime, class, etc.; (refer to Procedure 301.8)
  - reporting back to the jobsite;
  - leaving work for the day.

The Office of Human Resources will issue instructions for the use of the time reporting system as changes occur.

Time Approvers for Temporary or Part-Time Faculty. Each pay period the Payroll Department will send an attendance report to each Department Chair/Program Coordinator. The report will include all part-time instructors who were employed in the department during the pay period. The Department Chair/Program Coordinator will approve the report and/or submit corrections to the Payroll Department within one week of receipt of the original report.
**Time Approvers for Wage/Hour Employees.** Approvers are responsible for monitoring the correctness of the time reporting system and for adjusting any errors or omissions. The integrity of the time reporting system records is paramount. No alterations of records shall be made which compromise the reporting accuracy of actual time and location of work performed by any time approver or other staff member. Employees in violation of this procedure will be subject to disciplinary action.

**Off-Site Office for Wage/Hour Employees.** If the employee works at an off-site facility and is unable to access a computer before the deadline, they should contact their supervisor who will contact the Payroll Office. Employees are expected to complete and submit accurate time in accordance with publicized Payroll deadlines.

**Timecard Requirements.** Manual timecards are required if an employee misses the electronic timesheet deadline. Timecards must:

- be posted in ink;
- be signed by the employee, supervisor, and appropriate administrator;
- be submitted without corrections unless initialed by the supervisor;
- be returned to the Payroll Office on payroll deadline by 12:00 p.m.
304.2 Overtime Pay

All supervisors and timekeepers are reminded of the College requirement to ensure compliance with the Fair Labor Standards Acts (FLSA) in regard to overtime.

Definition. Overtime is defined as any time worked beyond 40 hours within a seven-day week, beginning and ending at midnight on Friday. A holiday is an eight-hour or nine-hour day, as appropriate, that is declared to be a non-working day within the 40-hour work week.

Requirements. Requests for overtime must be approved by the appropriate administrator prior to the time being worked unless required by an emergency situation. In that case, the appropriate administrator must be notified as soon as possible. Only actual work hours will be calculated for overtime. Authorized leave hours are non-working hours for which the employee receives payment; however, leave hours are not eligible for overtime pay calculation.

- **Non-Exempt Full-Time Staff.** EFSC non-exempt staff employees may not work in excess of 40 hours in any given week without being paid time and one-half for the time worked beyond 40 hours in that week. Flexible scheduling may only be used to vary schedules within the single-week time frame. Time may not be flexed over the two-week pay period or any other time period. Compensatory time is not an option; all overtime must be monetarily compensated.

  An employee who takes a day for leave of any type (vacation, sick, court/jury duty, etc.) during a work week may not be paid overtime when working on the employee's usual day off.

- **Part-Time Staff.** Part-time staff employees may not work beyond their assigned maximum weekly hours (e.g. 15, 20, 28, etc.) without prior supervisory approval. Supervisors requiring clarification on approved hours for a part-time employee should contact Human Resources. Part-time employees are not eligible for the awarding of compensatory time.

- **Emergency Pay.** Exempt full-time employees required to remain on campus during an emergency closure period will receive closure pay and may receive an additional supplement as determined by the President.

Non-exempt full-time and part-time employees required to remain on campus during an emergency closure period will receive closure pay plus one times their regular pay for total hours worked up to 40 within a pay period and will receive closure pay plus one and one half times their regular pay for any hours actually worked over 40 within a pay period (see Procedure 305.7 Emergency Leave).
304.3 Compensatory Time

The Wage & Hour Law does not require overtime pay for exempt employees; however, the College allows such employees to earn compensatory time according to the guidelines below:

- **Exempt Staff.** Exempt staff employees will be compensated at the rate of one hour for each hour worked beyond 40 hours in any given week. No monetary compensation may be authorized. Supervisors should use flex time to avoid scheduling an employee over 40 work hours in a given week.

  Compensatory time:
  - may not accumulate to more than 20 hours in any given week,
  - must be scheduled and approved before the extended work is performed,
  - must be scheduled at a time mutually acceptable to both employee and supervisor,
  - must be taken within 30 days of the performed assignment.

  The employee is responsible for:
  - tracking hours worked over 40 during a week in which compensatory time has been approved,
  - furnishing the daily time in and out schedule to his/her supervisor each week, either by email or paper copy.

  The supervisor is responsible for:
  - knowing how many employees in the department are earning compensatory time during a given week,
  - knowing when the compensatory time off will be scheduled,
  - ensuring that the employees have taken the compensatory time within 30 days.

- **Administrative Staff.** Administrative staff employees are free to accept or assume duties even though the required effort may exceed 40 hours per week. Administrators are not eligible for compensatory time.
304.4 Payroll Withholdings / Deductions

Employee pay is subject to a variety of federal, state and local adjustments. Each full-time College employee will be informed of which payroll adjustments are mandated and which are available optionally. Some of those adjustments will occur prior to federal tax and social security adjustments and some will occur subsequent to such withdrawals. Mandatory and optional pre-tax and post-tax deductions for full-time or part-time employees are explained by the staff of the Office of Human Resources during the orientation appointment.

Mandatory Payroll Adjustments.

- **Full-Time Faculty and Staff and Part-Time Non-Instructional Staff.** The following withholding actions will be implemented:
  - Federal Withholding,
  - Social Security (FICA),
  - Medicare portion of the Social Security Tax (MQFE),
  - FRS Contribution.

- **Part-Time Faculty.** The mandatory Alternative Social Security Plan for adjunct instructors is designed so that the adjunct will own the retirement plan rather than having the dollars sent to Social Security. The account withholds pre-tax dollars and is similar to a tax-sheltered annuity in which the adjunct has a choice of investment funds. The account will continue to be owned by the employee, even after leaving EFSC employment.

- **Student Employees.**
  - Federal Withholding,

Optional Payroll Adjustments.

- **Pre-Tax Adjustments.** New employees will be informed that approved pretax payroll adjustments may include, but are not limited to, the following:
  - Group term-life insurance premiums (to a maximum amount),
  - Optional medical and/or dependent-care accounts (through a Flexible Spending Account),
  - College-approved tax-sheltered annuities (to a maximum amount).

- **Post-Tax Adjustments.** Approved post-tax payroll deductions may include, but are not limited to, the following:
  - Group term-life insurance premiums above the maximum amount eligible for pre-tax payroll reductions with the College's carrier,
  - Long-term disability insurance premiums,
  - Optional life insurance premiums,
  - United Way,
  - EFSC Foundation,
  - Florida Association of Community Colleges and the United Faculty of Florida at EFSC,
  - YMCA membership,
  - Child care,
  - Hurricane Relief Fund
o Tuition Deduction Program
304.5 College Holiday and Closure Pay

Closure Dates. The following are holidays and closures that are observed by Eastern Florida State College:

- Martin Luther King Day (third Monday in January);
- Spring Break Week (as designated by the EFSC calendar);
- Memorial Day (last Monday in May);
- Independence Day (July 4th);
- Labor Day (first Monday in September);
- Veterans Day (November 11th);
- Thanksgiving (fourth Thursday in November; refer to Academic Calendar for additional days);
- Winter Break (Christmas Eve, December 24, through New Year’s Day, January 1, and any other dates as designated by the Academic Calendar).

Compensation for Exempt Full-Time Employees. Employees assigned to work on a holiday or during a designated closure may use compensatory time within 30 days of the holiday/closure (Procedure 304.3 Compensatory Time).

In order to receive closure or holiday pay, an employee must work or be on authorized leave with pay the day before and the day after the designated closure or holiday. An employee who is not on an authorized pre-approved leave or who does not work for one full pay period after a break closure (spring or winter break) prior to resignation/termination will not receive pay for the break period. Also refer to Procedure 309.1.

Compensation for Non-Exempt Employees. Non-Exempt employees assigned to work on a holiday or during a designated closure will be compensated as follows:

- Full-time hourly/non-exempt employees assigned to work will receive:
  - Double pay for the normal work schedule, or
  - Two and one half times the normal hourly pay for total time worked over 40 hours within a pay period.
- Part-time hourly/non-exempt employees assigned to work on a holiday or during a designated closure will receive regular compensation for the approved hours allowed for the position.

Employees required to work on a holiday or during a designated closure due to a College emergency or an unforeseen circumstance will be paid in accordance with Procedure 305.7 Emergency Leave.

Unobserved Religious Holidays. There shall be no discrimination in the treatment of employees on the basis of religion; the College shall make reasonable accommodation for religious observance, practice, and belief. A maximum of four special religious holidays of his/her faith may be observed by individuals of that faith (with advance approval of the department head), with time off chargeable to accumulated personal leave days or vacation leave, if available. If neither are available, leave w/o pay may be requested. Such holidays cannot be accumulated.
304.6 Terminal Pay

Resignation/Separation. All pay for work actually performed during a College calendar year, all vacation leave, and any severance or “in lieu of notice” pay which is authorized to be paid to an employee will be computed at the employee’s current hourly rate times the number of hours. Also refer to Procedures 301.10 and 309.1.

The severance formula is as follows:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Number of Weeks of Severance Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 5 years</td>
<td>Two Weeks</td>
</tr>
<tr>
<td>6 to 10 years</td>
<td>Three Weeks</td>
</tr>
<tr>
<td>11 to 15 years</td>
<td>Four Weeks</td>
</tr>
<tr>
<td>16 to 20 years</td>
<td>Five Weeks</td>
</tr>
<tr>
<td>21+ years</td>
<td>Six Weeks</td>
</tr>
</tbody>
</table>

Retirement. All pay for work actually performed during a College calendar year, and all eligible vacation leave and sick leave will be paid to the employee. Also refer to Procedure 307.3 Retirement and to the FRS website.

Death. In the event of an employee’s death, the College will provide terminal pay of:

- accrued sick leave per College procedure and
- accrued vacation leave per College procedure.

Terminal pay as a result of the death of an employee shall be made to the employee’s estate if the Beneficiary Designation Form is not on file.

Final Pay. Any open invoices on the accounting or student systems will be deducted from the final paycheck. Also refer to Procedures 305.15, Unused Sick Leave, and 305.16, Unused Vacation Leave.
304.7 Supplemental Pay Form for Staff Employees

Supplemental Pay and Dual-Employment Rule. An employee who is performing a College job function and elects to accept another College job function while retaining the initial function shall adhere to the following guidelines:

• Exempt Employment. An exempt employee may accept a second position within the College (i.e., adjunct instructor) and receive the regular pay for each of the positions in question.
  o If a supervisor initiates a supplementary form for a College employee who is assigned to a different supervisor for initial employment responsibilities, written concurrence from the employee’s primary supervisor as well as assurance that the additional responsibilities will not conflict with primary job duties should be attached to the supplemental form and submitted to the Office of Human Resources. Employees are required to obtain approval from the supervisor of their primary job assignment prior to accepting a supplementary assignment in another department.
  o If the employee’s primary supervisor initiates a supplemental form for an exempt employee to work over and above the usual workload, the employee’s supervisor shall provide to the Office of Human Resources with certification that the additional assignment to be worked as indicated on the supplemental form will not overlap or conflict with the hours assigned for the primary full-time workload and shall attach the written certification to the supplemental form.
  o Exempt employees who hold a second job/position within the College shall not accept employment during the hours of responsibility to the initial or primary assignment to the College. For example, an exempt employee with a primary job assignment during the day may teach a class in the evening.

Part-Time or Non-Exempt Full-Time Employment. Because of the nature of the non-exempt classification, a non-exempt full-time employee or a part-time staff or faculty employee may not accept a second position within the College (i.e., part-time staff and adjunct instructor, two part-time staff positions, or full-time non-exempt and adjunct instructor, etc.)
304.8 Agreement for Independent Contractor Services

Criteria. The Office of Human Resources may process an Agreement for Independent Contractor Services for services to be performed by a bona fide independent contractor as defined by the Internal Revenue Service (the IRS Publication https://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Independent-Contractor-Self-Employed-or-Employee or the IRS 20 Factor Test on Employment Status). If an individual is an active employee of the College (full-time or part-time, staff or faculty), that person may not be hired as an independent contractor for the College.

The Service Provider may begin working only after the Independent Contract has been submitted to and approved by appropriate administrators, as indicated on the contract form.

Service Provider Payment. Persons (individuals or organizations) engaged to provide a service under the College's Independent Contractor Agreement will be paid after the Office of Human Resources receives authorization from the appropriate administrative supervisor (originator of the contract) either for payment in equal increments as specified in the agreement or for payment in full because the agreed-upon services have been completed.
305.1 Leave Authorization

Authorization. Employee absences must be duly authorized by the appropriate supervisor and subsequently reported and recorded. An employee whose absence does not meet this criteria or an employee who fails to return to the assigned work place in a timely fashion will forfeit compensation for the time away from duty and may be subject to disciplinary action, including termination.

Types of Leave.
- Administrative Leave: for faculty, with no change in contract status, temporarily serving in an administrative role, or for a full-time staff member placed on temporary assignment;
- Childbirth/Adoption-of-Infant Leave (also see FMLA);
- Court Duty/Jury Duty Leave: jury duty or subpoenaed as a witness;
- Domestic Violence Leave: for employee or immediate family member when a victim of domestic violence;
- Emergency Leave: for civil or natural disasters or for national or state mourning;
- Family Medical Leave (FMLA): leave time for eligible employee during 12-month period
- Line-of-Duty Leave: off-site duty assignment;
- Military Leave: for mandatory military, National Guard, or reserve duty;
- Personal Leave: four days a year with pay (deducted from sick leave) and up to 90 days a year without pay;
- Professional Leave: with or without pay, for personal educational goals;
- Extended Professional Leave: with pay, with educational benefits accruing to the College;
- Sick Leave: covers employee (and family) sickness and emergencies;
- Vacation Leave: for full-time employees or for regular part-time employees;
- Workers’ Compensation Sick Leave: sick leave for job-related illness or injury.
305.2 Absence without Leave / Job Abandonment

An employee who is absent without approved leave for three or more consecutive work days shall be considered to have abandoned the position.

An employee of the College who is absent from duty without approved leave for any length of time shall forfeit compensation for the time of such absence and, after three days, shall be subject to termination or to cancellation of contract by the President. The employee may receive payment for accrued vacation in final pay, but may not use sick leave. Also refer to Procedures 305.15, 305.16, 309.1.
305.3 Administrative Leave

**Full-Time Faculty.** A full-time faculty member may be granted up to four years of administrative leave in order to accept an administrative assignment at the College. Faculty who choose to remain more than four years in the administrative position will be advised by their supervisor that they will no longer retain continuing contract status. Only the President may grant an employee an exception to this provision.

**Full-Time Staff.** A full-time staff employee may be approved for administrative leave for up to a year to complete a special assignment. Administrative leave approval for more than a year will be at the discretion of the appropriate Vice President and the President.

**Florida Disaster Volunteer Administrative Leave.** An employee who is a certified disaster service volunteer of the American Red Cross may be granted a leave of absence with pay for not more than 15 working days in any 12-month period to participate in specialized disaster relief services for the American Red Cross. Such leave of absence may be granted upon the request of the American Red Cross and upon the approval of the respective Vice President for the employee’s department. When granted leave for this purpose, the employee shall not be deemed to be an employee of the College until completion of the leave for purposes of workers compensation. Leave under this act may be granted only for services related to a disaster occurring within the boundaries of the State of Florida, except that, with the approval of the Governor and the Cabinet, leave may be granted for services in response to a disaster occurring within the boundaries of the United States.
**Eastern Florida State College Procedures Manual**

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### 305.4 Childbirth/Adoption-of-Infant Leave

Leave for the birth or adoption of an infant is provided for employees of the College. Also refer to Procedure 305.8 Family Medical Leave.

**Maximum Leave Time.** The maximum length of the leave period is six months. The employee is authorized to use accumulated vacation leave, sick leave, and/or personal leave without pay to cover any or all of the leave time. Once the paid leave has been exhausted, the employee will be placed on personal leave without pay.

**Use of Sick Leave Pool Days.** Sick leave pool days may not be used to cover any of the leave time for childbirth or the adoption of an infant, unless there is a related health condition. See Procedure 305.15 Sick Leave for details.

**Procedure for Leave Request.** Request for childbirth/adoption leave must be submitted 30 calendar days before the expected start of the leave. The Office of Human Resources will subsequently enter the actual initial date of the leave in the appropriate records.
305.5 Court Duty/Jury Duty

A full-time employee who is called to serve on a jury panel or who is required to appear in court on a EFSC-related matter may be granted leave of absence with pay for the duration of the required service in court.

Personal leave or vacation leave may be granted to an employee for voluntary and/or non-EFSC-related appearances (a witness in a criminal or civil case, etc.). Refer to Procedure 305.11 Personal Leave with Pay or 305.16 Vacation Leave.

When requesting court duty/jury duty leave, a full-time employee must submit a written leave request form and attach a summons copy prior to the leave and a jury attendance certification form(s) once the court duty has been completed.

A part-time employee who is called to serve on a jury or as a witness will be paid only by the court for attendance and not by the College. It is the employee's responsibility to provide the supervisor with a copy of the summons prior to the court appearance and to update the supervisor on attendance requirements/changes.
305.6 Domestic Violence Leave

Employees may be granted up to 3 days of unpaid leave in any 12 month period if the employee or a family or household member of an employee is the victim of domestic violence, sexual assault, or stalking. Before receiving this leave, all annual vacation leave, personal leave and sick leave must be exhausted. Domestic violence leave may be used to:

- Seek an injunction for protection against domestic violence or an injunction for protection in case of repeat violence, dating violence, or sexual violence;
- Obtain medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence;
- Obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic violence;
- Make employee's home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator;
- Seek legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court-related proceedings arising from the act of domestic violence.

“Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing in or have in the past resided in the same single dwelling unit.

Except in cases of imminent danger to the health or safety of the employee or family or household member, the employee should give as much advance notice as is possible, no later than the end of the first day that the employee takes such leave.

All requests and documentation relating to domestic violence leave will be kept confidential and will not be included in the employee’s personnel file. The employee should contact the Human Resources Office for guidance and provide verification documentation which may include copies of restraining orders, police reports, orders to appear in court, etc.
305.7 Emergency Leave

Personal Emergency. An emergency leave of absence requested by an employee may be charged to personal leave, vacation leave, or sick leave, depending upon the circumstance for the emergency; the length of the paid emergency leave will depend upon the employee's specific leave accrual amounts.

Release of Employees for College or Campus Emergency. The President may release students and employees for national or state mourning or for civil or natural disasters and emergencies, such as severe weather, which could threaten public safety.

The Campus Provost may also release campus students and employees in the event of a localized emergency, such as power failure.

This released time is not charged against an employee's leave time. All full-time and regular part-time employees will be placed on approved emergency leave, including employees who would otherwise have been on approved paid leave. The President may approve supplemental payments above normal amounts.

Employees who are not entitled to an excused absence and shall remain in their current status are those who are:

- on leave without pay,
- in receipt of workers' compensation,
- on military leave,
- on suspension,
- on Family Medical Leave, or
- on Professional Leave.

Compensation During College Closure Due To Disaster. If an employee is not scheduled to work on an emergency-release day, the employee's pay will not be affected. Full-time and regular part-time employees on a routine, planned, approved leave during this period will not be charged leave time.

- College Emergency-Related Staffing. In the event of College closure due to a disaster, employees will normally receive regular pay for the duration of the closure. However, since the duration of a disaster-related closure is impossible to predict, the College reserves the right to adjust this provision to the specific circumstances of the closure.

  - Full-time salaried/exempt employees required to remain on campus during a closure will receive the following compensation:
    - closure pay (regular compensation for the normal work schedule during the disaster closure),
    - may receive a supplement, as determined by the President.

  - Full-time hourly/non-exempt employees required to remain on campus during a closure will receive the following compensation:
- closure pay (regular compensation for the normal work schedule during the disaster closure),
- additional one times closure pay (for actual hours worked during official closure),
- closure pay plus one and one-half times closure pay for total time worked over 40 hours within a pay period.

  - Part-time hourly employees required to remain on campus during a closure will receive the following compensation:
    - closure pay (regular compensation at the regular hourly rate for the normal work schedule that would have been worked during the closure),
    - additional one times closure pay (for actual hours worked during official closure),
    - closure pay plus one and one-half times closure pay for total time worked over 40 hours within a pay period.
  - On-call or "pool" employees who did not work are not authorized pay during the closure.
  - Student workers are not authorized pay during the closure.
  - Faculty will receive regular pay during the closure.
  - Adjuncts are eligible for pay during the closure.

- **Compensation Requirements.** The provision of compensation for all hours actually worked during the College closure does **not** apply to:
  - **Prep for Work Area Closure.** These duties may include but are not limited to: packing supplies and/or records; disconnecting and moving equipment; and spreading protective covering.
  - **Employees on Campus Without Approval.** An employee who remains on campus without the direction of supervision is not eligible for and will not receive compensation beyond that approved for employees released from work and sent home and may be subject to disciplinary action.

- **Closure Period.** The time period for the College closure will be based upon the announced closing and opening times of the College.

- **On-Campus Approval.** In order to ensure proper crediting of employee efforts, supervisors are expected to create and maintain a record of employees required to remain on campus during an official College closure. A copy of the work record(s) that list days, times, and total hours worked should be forwarded to the Office of Human Resources for the employee file(s).

- **College Emergency-Related Travel.** If an employee (exempt, non-exempt, or part-time) is required to travel to perform an emergency assignment for the College, all time spent on such travel is considered work time.
305.8 Family Medical Leave of Absence (FMLA)

Eligibility. An employee must have worked at least a total of 12 months for the College and at least 1,250 hours in the 12-month period immediately prior to the request for leave in order to be eligible for FMLA leave. Unmarried domestic partners do not qualify for family leave to care for their partners. FMLA leave is without pay; however, an employee is required to use paid vacation or sick leave for any qualifying family leave circumstances or for the employee's own serious health condition. It is the responsibility of the College to designate qualifying events as FMLA; the FMLA event will run concurrently with any paid leave. The College is required to provide enough paid or unpaid leave to total 12 weeks.

General Guidelines for Use of FMLA. The Family and Medical Leave Act grants an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period, beginning with the first day of Family Medical leave, for one or more of the following reasons:

- for the birth and care of the newborn child of the employee;
- for placement with the employee of a child for adoption or foster care;
- to care for an immediate family member (spouse, child, or parent—but not a parent “in-law”) with a serious health condition;
- for a serious health condition of the employee;
- any qualifying exigency arising from the fact that the employee’s spouse, child, or parent is a covered military member on “covered active duty;”
- for 26 workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness who is a spouse, child, parent, or next of kin to the employee (military caregiver leave).

The 12 weeks are renewed annually on a “rolling year” calendar and are measured backward from the first date the employee uses any FMLA leave.

If both husband and wife work for Eastern Florida State College, either or both may take leave for the birth, adoption or foster care of a child, or to care for a seriously ill parent, but the two of them must share a single 12-week leave allotment. This duplicate exception does not apply to leave for a personal serious health condition, or the serious health condition of a spouse or child. In those cases, each employee would be eligible for 12 weeks of leave and both may take leave at the same time.

A “serious health condition” means illness, injury, impairment or a physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider. This Act is not intended to cover short-term conditions for which treatment and recovery are very brief.

An employee who takes leave under the FMLA will be permitted to return to the same job or a job with equivalent status, pay and benefits provided there has been no major change in the job which would have occurred had the employee not been on leave. (There is a limited exception to this for certain executive-level employees.)
The College will continue to pay the employee's health benefit premiums during the leave period at the same level and conditions as if the employee had continued to work. If the employee chooses not to return to work for reasons other than a continued serious health condition or returns to work for less than 30 calendar days, the College will recover the premium that was paid for the employee's health coverage. The employee will continue to be responsible for any dependent coverage. The College will not seek recovery of premiums if an employee is unable to return to work due to a serious health condition; he/she will be required to provide medical certification within 30 days.

An intermittent or a reduced-hours schedule will be permitted for a serious health condition of the employee, spouse, child or parent where certified as medically necessary. With the approval of the employee's supervisor and the Office of Human Resources, permission may be granted for intermittent or a reduced hours schedule for the birth, adoption, or foster care of a child. When an employee plans to take unpaid family leave for a foreseeable FMLA qualified purpose, he/she is required to give the supervisor a 30-day notice. If this is not possible, notice must be given the day the employee learns of the need for the leave. The College may deny leave until 30 days after notice is provided for foreseeable situations.

**Medical Certification.** A doctor's certification of the employee’s or family member's serious health condition will be required of the employee within 15 days of the first notification of the need for FMLA. Leave may be denied until certification is provided. A second or third opinion may be required at the College's expense. Employees must provide to their supervisor periodic (at least monthly) reports of leave status and intent to return to work. In the case of the employee’s serious health condition, a certification form from the health care provider attesting to the employee’s ability to work must be presented before the employee can return to work.

**Military-Related Use of FMLA.** The Family and Medical Leave Act grants an eligible employee up to a total of 26 workweeks of unpaid leave during any 12-month period, beginning with the first day of Family Medical leave, in order permit a spouse, son, daughter, parent, or next of kin to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on temporary disability retired list, for a serious injury or illness.

Leave may be taken intermittently or on a reduced schedule. The aggregate number of workweeks of leave to which both husband and wife may be entitled may be limited to 26 workweeks during the single 12-month period. FMLA leave is without pay; however, an employee is required to use paid vacation or sick leave for any qualifying family leave circumstances or for the employee’s own serious health condition prior to using unpaid leave.

**All Employees.** An employee is not eligible to draw unemployment compensation benefits nor may he/she accrue vacation or sick leave during unpaid family leave.

An employee on FMLA must contact his/her supervisor on a monthly basis with an update on the status of the leave and/or on the projected return-to-work date. If the employee returns to work before the end of the 12 (or 26) weeks, or if the employee is unable to return to work at the end of the 12 (or 26) weeks, the supervisor and the employee must contact the Human Resources Office.

Applications for Family and Medical Leave must be obtained from, and returned to, the Office of Human Resources.
305.9 Line of Duty Leave

The President or appropriate administrator may authorize an employee to be temporarily absent from regular duties and/or home campus for the purpose of representing the College or performing services for the College.

The employee must submit a Leave Request Form with reason for leave and attach detailed information, such as hotel occupancy, travel method, meals, etc. For travel guidelines, see Procedure 306.1.
305.10 Military Leave

Eligibility. Employees covered by this procedure are those appointed to a regularly-funded full-time or part-time position (a position not funded by means of a grant, gift contract or a "soft" or temporary source) as defined by the Florida Retirement System.

Full-time employees occupying positions funded by grants or other temporary sources will be eligible for Military Leave and reinstatement rights during the term established for their positions by the grant or other sources.

The positions of employees on Military Leave will not be declared vacant; however, their duties may be performed by temporary employees with substitute status.

Refer to the Florida Retirement System (FRS) regulations and/or Uniformed Services Employment and Reemployment Rights Act (USERRA) laws regarding application for re-employment and service credit for retirement.

Military leave will be granted to employees who are in the United States Armed Forces, Reserve Forces, or the National Guard and are required to serve or who are absent due to sickness, wounds, or other lawful cause as a result of the service. Copies of orders shall accompany each Leave Request Form.

Reserve Duty. Leave with pay for an employee on military leave is limited to a period not to exceed 240 hours in any one calendar year.

Active Duty. The active military service period begins with the date of entrance and terminates with death or a date that is 30 days immediately succeeding the date of release or discharge from active military service, whichever shall occur first.

Employees who are ordered to active duty will be granted a Leave of Absence from their respective office and duties and will receive the following benefits per active duty assignment:

- Full pay for leave not to exceed 240 hours annually;
- Individuals performing military duty of more than 30 days may elect to continue employer sponsored health care for up to 24 months; however, they may be required to pay up to 102 percent of the full premium. For military service of less than 31 days, health care coverage is provided as if the service member had remained employed.
- Entitlement to the same rights and privileges as an employee granted other types of leaves of absences;
- All unused leave benefits will be retained by employees and balances will be credited to their records upon return to their positions.

Leave Accrual. Vacation and sick days do not accrue, but the time served on active duty does count toward determining an employee's leave accrual rate upon return from active duty (See Procedure 305.16 Vacation Leave). Military leave does count toward time accrual for service awards.
Full-time or regular part-time employees who enter active military service with approval to be reinstated at the College will be considered to be on Military Leave and the salary of an employee returning from Military Leave will not reflect an absence from the College.

If, due to medical or disability status, military-related use of FMLA is required, refer to Procedure 305.8.
305.11 Personal Leave with Pay

Eligibility. A full-time employee is entitled to 32 hours of "personal leave" during each fiscal year for personal or emergency reasons. The Personal Leave balance that is reset for each full-time employee at the beginning of each fiscal year will be charged to the employee's unused sick leave and will not accumulate from year to year.

Submission. Requests for personal leave by full-time staff and faculty must be submitted for supervisor approval on the time reporting system Leave Request Form prior to the date of the requested leave. The immediate supervisor will normally approve the request.
305.12 Personal Leave without Pay

Eligibility. Full-time employees and regular part-time employees (who have been employed in a regular position consecutively for at least one year) may request approval from the appropriate administrator for a maximum of 90 days of personal leave without pay for the purposes of:

- personal development,
- improving work skills,
- emergency situations.

Limitations. Requests for personal leave without pay over 30 days must be approved either by the appropriate Vice President or by the President. Personal leave without pay for longer durations may be granted by the President for illness or for special circumstances (see Procedure 305.15 Sick Leave).

When an employee is on personal leave without pay for:

- up to one semester or 90 days, the employee will return to the same College location and position;
- between 90 and 180 days, there is no guarantee that the employee will return to the same location and position.
- over 180 days (or 6 months) without the President's approval for special circumstances, either the position may be eliminated or the employee may be terminated.

Leave Accrual. Extended personal leave without pay does not count toward accumulation of service time for FRS or for sick and vacation leave accruals. It does count, however, toward time accrual for service awards.
305.13 Professional Leave

**General Guidelines.** Professional leave requests will be considered for a maximum of one year at a time. Professional leave (with or without pay) is defined as leave granted to a faculty member, administrator, or staff employee in order to engage in educational activities which will result in a benefit to the employee and, incidentally, to the institution.

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<th>Type of Leave</th>
<th>Form(s)</th>
<th>Limitations</th>
<th>Timeline</th>
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<td>Faculty: Leave Request; Proposal for Faculty</td>
<td>Up to one year; Time commitment to EFSC equal to leave</td>
<td>Faculty:</td>
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<td>without pay</td>
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<td>time; Faculty guarantee for return to same position/</td>
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<td>Staff: Leave Request with justification</td>
<td>location; no guarantee for staff</td>
<td>Sept 15: Provost and Sabbatical</td>
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**Justification.** Justification for a Professional Leave should be included on the *Leave of Absence Request Form*. A Professional Leave may also require additional forms: a *Proposal for Staff Professional Leave Form* or a *Proposal for Faculty Sabbatical Leave Form*, and an *Extended* or a *Short-Term Professional Leave with Pay Form*. If the leave is for research or publication, the request justification must indicate the major work to be undertaken as well as how it relates to the applicant's duties and to the College.

**Appropriate Activities.** Appropriate activities for professional leave might include:
- Graduate study in field of specialty;
- Attendance at workshops or seminars in specialty field;
- Study to expand scope of professional areas;
- Other professionally enriching experiences.

**Return from Leave.** When a faculty member returns from a professional leave, the employee will return to the same College position and location. When a staff member returns from a professional leave, the employee may be assigned to a different College position and/or location.

**Leave Accrual.**
- Professional leave with pay does count toward accumulation of service time for FRS, service awards, and sick and vacation leave accruals.
- Professional leave without pay does not count toward accumulation of service time for FRS, sick, and vacation leave accruals; it does count toward time accrual for service awards.

**Extended Professional Leave without Pay.** Extended professional leave without pay may be granted to an employee when such leave will enhance the employee's educational effectiveness, improve College programs, or generally support the best interest of the College or its educational programs.

**Eligibility.** Employees with one continuous year of satisfactory, full-time service at EFSC are eligible for extended professional leave for one year, for a fall and/or spring term, or for up to two summer terms.

**Justification.** A written *Leave of Absence Request Form* (including justification) should be submitted to the Human Resources Office by November 1 prior to the fiscal year during which the leave is to be in effect. In special circumstances, the application deadline may be waived.
- **Faculty.** On September 1, the *Leave of Absence Request Form* and the *Proposal for Faculty Sabbatical Leave Form* should be forwarded to the Department Chair or Program Manager for signature as acknowledgement of receipt and review. By September 15, the forms will be forwarded to the appropriate Provost who will forward the forms to the Sabbatical Leave
Committee; the Committee will forward the forms to the CLO for approval or disapproval, to the Human Resources Office, and to the applicant’s Provost by November 1.

- **Staff.** During September, the *Leave of Absence Request Form* should be forwarded to the Supervisor who will evaluate the request (within 10 working days) and forward it to the appropriate Administrator who will, in turn, evaluate the request (within 10 working days) and submit a recommendation for approval or disapproval to the Human Resources Office by November 1.

**Extended Professional Leave with Pay.** Extended professional leave with pay may be granted to an employee when such leave will enhance the employee’s educational effectiveness, improve College programs, or generally support the best interest of the College or its educational programs.

- **Eligibility.** Employees with three continuous years of satisfactory, full-time service at EFSC are eligible for extended professional leave with pay for one year, for a fall and/or spring term, or for up to two summer terms.

- **Justification.** A written *Leave of Absence Request Form*, a *Proposal for Staff Professional Leave Form* or a *Proposal for Faculty Sabbatical Leave Form*, and an *Extended Professional Leave with Pay Agreement* should be submitted to the Human Resources Office by November 1 prior to the fiscal year during which the leave is to be in effect. In special circumstances, the application deadline may be waived.
  - **Faculty.** On September 1, the *Leave of Absence Request Form*, the *Proposal for Faculty Sabbatical Leave Form*, and the *Extended Professional Leave with Pay Agreement Form* should be forwarded to the Department Chair or Program Manager for signature as acknowledgement of receipt and review. The forms will be forwarded by September 15 to the appropriate Provost who will then forward the forms to the Sabbatical Leave Committee; the Committee will forward the recommended application packets to the CLO for approval or disapproval, to the Human Resources Office, and a copy to the applicant’s Provost by November 1.
  - **Staff.** During September, the *Leave of Absence Request Form*, the *Proposal for Staff Professional Leave Form*, and the *Extended Professional Leave with Pay Agreement* should be forwarded to the Supervisor who will evaluate the request (within 10 working days) and forward the request to the appropriate Administrator who will, in turn, evaluate the request (within 10 working days) and submit a recommendation for approval or disapproval to the Human Resources Office by November 1.

- **Institutional Commitment.** An employee who is granted professional leave with pay will be required to sign the *Extended Professional Leave with Pay Agreement Form* committing service time to the College which will be equal to the length of the professional leave and which will begin immediately following the end of the leave, and stipulating that failure to honor this commitment will result in employee liability to the College for the total (or a proportional) amount of the salary and benefits granted to the employee.

- **Reimbursement Computation.** Leave with pay may be granted for one year or for fall and spring terms at not more than 66.6% of full pay, or leave may be granted for one term (fall or spring) or for up to two summer terms at full pay. The Office of Human Resources will compute the amount of salary to be paid to any grantee.

**Short-Term Professional Leave with Pay.** Short-term summer professional leave with pay may be granted to College personnel when such leave will enhance their educational effectiveness, improve College programs, or generally support the best interest of the College or its educational programs.
• **Appropriate Activities.** Types of learning experiences which may be considered for approval under this program include:
  o Attending colleges, universities, private and industry-related technological schools;
  o Participating in "on-the-job" training opportunities in government agencies or industry;
  o Other academic research, course development, and publications.

• **Eligibility.** Employees with three years continuous full-time satisfactory service at Eastern Florida State College may request a short-term summer professional leave with pay for up to eight weeks.

• **Justification.** The applicant must submit to the Human Resources Office a written *Leave of Absence Request Form*, a *Proposal for Staff Professional Leave Form* or a *Proposal for Faculty Sabbatical Leave Form*, and a *Short-Term Professional Leave with Pay Agreement* by February 1 prior to the summer term during which the leave is to be in effect.
  o **Faculty.** In November the *Leave of Absence Request Form*, the *Proposal for Faculty Sabbatical Leave Form*, and the *Short-Term Professional Leave with Pay Agreement* should be forwarded for the Department Chair or Program Manager for signature to acknowledge receipt and review. The forms will be forwarded (within 10 days) to the appropriate Provost who will, in turn, sign to acknowledge receipt, then forward the forms (by December 1) to the Sabbatical Leave Committee; the Committee will forward the recommended application packets to the CLO for approval or disapproval, to the Human Resources Office, and a copy to the applicant’s Provost by February 1.
  o **Staff.** During November, *Leave of Absence Request Form*, the *Proposal for Staff Professional Leave Form*, and the *Short-Term Professional Leave with Pay Agreement* should be forwarded to the Supervisor who will evaluate the request (by December 1) and forward the request to the appropriate Administrator who will, in turn, evaluate the request (within 10 working days) and submit a recommendation for approval or disapproval to the Human Resources Office by February 1.

• **Institutional Commitment.** Employees who are granted short-term professional leave with pay will be required to sign the *Short-Term Professional Leave with Pay Agreement* committing service time to the College which will be equal to the length of the professional leave and which will begin immediately following the end of the leave, and stipulating that failure to honor this commitment will result in employee liability to the College for the total (or a proportional) amount (salary and benefits cost) of the grant.

• **Reimbursement Computation.** Funding for leave with pay will be for salary only. The Office of Human Resources will compute the amount of salary to be paid to any grantee.
305.14 Return to Work after Leave

**Instructional.** In the event that the College reassigns the duties of a faculty member on leave, the faculty member must provide written notice of intent to return to work at least 15 days prior to the date of leave termination.

**Non-Instructional.** When an employee wishes to return to work on a date different from that on the original leave request, the employee must give notice to the immediate supervisor at least 15 days prior to the date of leave termination.
305.15 Sick Leave

Accrual of Hours. All full-time employees will accumulate sick leave at the rate of 8 hours per month (or major fraction of a month) for each month of employment. There is no maximum number of unused sick days that an employee may accumulate.

Accrual for sick leave does not change; it is always 8 hours per month regardless of the number of years worked at EFSC or other related institutions.

Employees on sick leave are required to stay in contact with their supervisor for weekly or daily status reporting, whichever is requested by the supervisor. A full-time employee will be granted available sick leave from the College if unable to perform assigned duties due to:
- Personal sickness or disability;
- Illness or death of any member of the employee’s or the spouse’s immediate family, household, or other close relative (to include spouse, daughter, son, parents, sister, brother, grandparents, aunts, uncles). Supervisors may require a note from the funeral director to validate attendance at a funeral.

Transfer Sick Leave to EFSC. When a full-time employee has accumulated sick leave at a participating institution (one that transfers sick leave both in and out) that has been identified by the Division of Retirement as a State Agency under the Executive, Legislative, or Judicial Branch, or under the Florida State University System or the Florida State College System, then the employee’s sick leave may be transferred to EFSC.

For every month of service at the College, the employee may transfer one sick-leave day (in addition to earning an EFSC sick-leave day) until the transfer of sick leave is complete.

Reinstatement of Sick Leave. Previous sick leave balances may be reinstated for employees who return to employment with EFSC.

Unused Sick Leave. Unused sick leave may not be transferred from one employee to another. Unless covered by another contract, full-time employees may be eligible for payment of some or all unused sick leave based on the following set of rules.

Terminal Pay. To be eligible the employee must have met one of the following criteria:
- Become deceased while a full-time Eastern Florida State College employee;
- Be a continuing contract faculty member who is released per current Collective Bargaining Agreement;

(CBA Articles 12.13, 12.16, 12.17)
o Be employed full time at Eastern Florida State College for at least 6 years (8 years, if hired after July 1, 2011), retire from the College under the Florida Retirement System’s Pension Plan and be officially added to the FRS retirement payroll, or retire from the College under the Florida Retirement System’s Investment Plan and EFSC is notified or receives confirmation that the retiree has requested retirement disbursements from his/her Investment Plan.

For those who meet one of the criteria above, the terminal pay will be calculated by multiplying the daily rate of the then-current base contract times the number of days of accumulated unused sick leave times the percentages as determined below:

<table>
<thead>
<tr>
<th>Number of completed years of service percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 3</td>
</tr>
<tr>
<td>4 - 6</td>
</tr>
<tr>
<td>7 - 9</td>
</tr>
<tr>
<td>10</td>
</tr>
<tr>
<td>11-30</td>
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<tr>
<td>31+</td>
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<p>| |</p>
<table>
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<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>35%</td>
</tr>
<tr>
<td>40%</td>
</tr>
<tr>
<td>45%</td>
</tr>
<tr>
<td>50%</td>
</tr>
<tr>
<td>50% plus 2.5% for each full year of service over 10</td>
</tr>
<tr>
<td>same as 30 years of service, up to a maximum accumulation of 100%</td>
</tr>
</tbody>
</table>

Years of service include combined years served at the Florida District School Boards, the Florida State College System, the Florida State University System, or the Florida Department of Education. The employee is responsible for providing documentation of eligible service outside of Eastern Florida State College.

Additional limitations for full-time professional exempt contractual employees are as follows:

o For unused sick leave accumulated before July 1, 2001, terminal pay shall be made pursuant to College policies which were in effect on June 30, 2001.

o For unused sick leave accumulated on or after July 1, 2001, terminal payment may not exceed an amount equal to one-fourth of the employee's unused sick leave or 60 days of the employee's pay, whichever amount is less.

o If the employee had an accumulated sick leave balance of 60 days or more on June 30, 2001, sick leave earned after that date may not be accumulated for terminal pay purposes until the accumulated leave balance as of June 30, 2001, is less than 60 days.

o If an employee receives a sick-leave payoff based on unused sick leave as specified above, all remaining accumulated sick leave shall become invalid.

New employees hired on or after July 1, 1995, in Pay Grades 101-109 of the Master Grade and Salary Schedule are deemed to be educational support employees. These employees shall have the same sick leave accrual formula and they will receive the same payment (if any) of sick leave benefit as will employees in those pay grades who were hired prior to July 1, 1995.

**Procedures for Sick Leave Requests, Use, Deduction.** Sick leave for full-time staff employees must be supported by a documented entry in the time reporting system and approval by the immediate supervisor. Sick leave for full-time faculty members must be supported by a written leave request form and approval by the immediate supervisor. At the discretion of Human Resources, an employee may be required to submit a certificate of illness and/or physical fitness from a licensed physician. If an employee will be on sick leave for an indefinite period, a leave request may be submitted with an estimated date of return noted on the form by the supervisor.

- **Health Status Report.** While the employee is on sick leave, it is the employee's responsibility to regularly inform the supervisor of the employee's recovery status. When the employee returns to work, the supervisor or the employee must:
• Notify the Office of Human Resources and the Payroll Office of the end date on the open-ended leave request;
  o Submit a physician's clearance to return to work to the Human Resources, noting work restrictions that may be applicable.

• **Sick Leave (Personal Leave) Deduction.** A staff employee’s sick leave will be deducted from the employee’s available leave balance on a quarter-hour-or-more basis to represent exact time used. A full-time instructional employee’s leave deduction will be according to CBA 12.17.

• **Sick Leave as Related to Overload Assignments.** An instructional employee may use sick leave to cover an overload assignment during illness; however, the employee must qualify the time on a Leave of Absence Request Form (also refer to Procedure 303.2).

• **Alternatives after Depletion of Sick Leave.** When an employee’s sick leave has been exhausted, vacation leave, leave without pay or a withdrawal from the Sick Leave Pool may be used (if the employee is a current member and if the application has been approved).

• **Unpaid Sick / Personal Leave Maximum.** Once paid leave time has been exhausted and the employee is unable to return to unrestricted work duties, the employee will be placed on personal leave without pay, not to exceed six months (See Procedure 305.12 Personal Leave without Pay). Combinations of various types of unpaid leave may be used, but the cumulative total cannot exceed six months.

• **Advance Sick Leave.** After completion of the initial probation period, an employee may request advance sick leave up to the amount expected to be accumulated during the months remaining before the end of the fiscal year (June 30). A request for advance leave must be approved by the President for district employees or by the Provost for campus employees. Once approved, a documented entry in the time reporting system (with justification) for advance sick leave must be submitted to the appropriate supervisor.
  o **Reimbursement to the College.** When an employee terminates, an appropriate adjustment will be made in the last paycheck for any unearned, advance sick leave. In extenuating circumstances, the President may waive repayment.

• **Partial Sick Leave / Partial Pay Compensation.** An employee who has been on sick leave and who has a doctor’s written permission to return to work for half days may do so for a maximum of two weeks duration or in accordance with applicable FLSA requirements, provided the employee’s supervisor has available work assignments that fall within the doctor’s approved parameters. Hours must be tracked on the time reporting system.
  o Working from home is not an option; hours cannot be tracked or verified. To be compensated for hours worked the employee must report to the work site, unless approval has been obtained from the appropriate Vice President or from the President (refer to Procedure 301.8).
  o Faculty currently teaching an online class may complete that class. No further online classes may be initiated while on partial sick leave/partial pay compensation, unless it is with the appropriate Provost’s approval.

• **VSIC.** Vacation hours in excess of 352 (44 days) as of December 31 will be transferred to the sick leave category VSIC in the Banner HR system for full-time staff employees. Hours approved for future sick leave absences will be deducted from the VSIC category first. Please refer to Procedure 305.16 Vacation Leave.

**Sick Leave Pool Rules.** The Sick Leave Pool at EFSC has been established in order to help incapacitated employees once their sick, personal, and vacation leave have all been exhausted.
Eligibility and Contributions for the Sick Leave Pool.
- Employee participation in the Sick Leave Pool will at all times be voluntary. Within thirty (30) days following one year of continuous full-time employment, an employee may join the Pool provided that other eligibility requirements are met. Thereafter, enrollment will be permitted only during the last ten working days of April and October which are designated as open enrollment periods.
- Any full-time employee of Eastern Florida State College will be eligible to participate in the Sick Leave Pool after one year of continuous full-time employment with the College, provided that the employee shall have a minimum of five days (40 hours) of unused sick leave remaining after making the initial contribution to the Pool. Sick leave may not be advanced for the purpose of contributing to the Pool. An employee already on sick leave will be allowed to join the Pool; however, enrollment must be in accordance with eligibility requirements and initial or designated open enrollment periods.
- The initial contribution required to join the Sick Leave Pool is two days (16 hours) of accrued sick leave. Further contributions will be required as necessary to replenish the Pool when the balance of the Pool is reduced to 100 hours or less. After ten days written notice, contributions to replenish the Pool will be automatically transferred from a member's sick leave balance without further authorization. Such contributions will be equally required of all employees participating in the Pool. If an employee does not have the total number of hours required at the time of an assessment, the balance of the hours will be owed to the Pool and will be transferred as earned.
- Sick leave pooled will be removed from the personally-accumulated sick leave balance of the employee contributing such leave. Members wishing to withdraw from the Pool once a general assessment has been announced must first make the general assessment to the Pool.
- An employee who chooses to no longer participate in the Sick Leave Pool may not withdraw any sick leave already contributed to the Pool. Re-enrollment will be treated as an initial enrollment with regard to the requirement to contribute two days (16 hours) of accrued sick leave. An employee may be re-instated in the Pool following a break in service of less than one year without meeting initial eligibility requirements, however, the employee will be required to contribute any assessments made during the break in service.

Withdrawal of Sick Leave Time from the Pool.
- A participating employee may withdraw sick leave from the Pool only after all of his or her previously accumulated sick leave and vacation leave have been depleted.
- A participating employee who uses sick leave from the Pool will not be required to re-contribute such sick leave to the Pool. However, all leave accumulated while drawing hours from the Pool shall be applied towards the leave of absence in progress before continuing to draw time from the Pool.
- A participating employee may withdraw up to a maximum of 36 hours per week.
- Any sick leave drawn from the Pool may be used only to cover time when the employee is certified unable to work. Withdrawal of leave from the Pool will require, in all cases, a physician's statement testifying that the employee is unable to work, citing the nature of the disability and estimating the anticipated duration of the inability to work.
- No more than 50 days (400 hours) may be withdrawn by a member within any twelve month period. The maximum number of days a member may withdraw from the Pool is 100 days (800 hours) within any four (4) consecutive years of employment. The intent of the Sick Leave Pool is to provide coverage for extended periods of continuous incapacitation, rather than short term illnesses. Therefore, the minimum length of time a member must be certified unable to work in order to be eligible to draw from the Pool is four consecutive days, (36 hours). Members shall not normally be permitted to withdraw fewer than four days (36 hours) from the Pool for any given incapacity unless such days closely follow the same or a related illness that has depleted five days of accrued sick leave.
Pregnancy shall be an eligible basis for withdrawing leave from the Pool, but only for such period of time that the employee is certified by a physician as physically unable to work. Sick leave may not be withdrawn from the Pool for the purpose of child care. The requirement that the entire employee’s accumulated sick and vacation leave must be depleted shall apply.

Participants receiving Workers’ Compensation payments are not eligible to receive sick leave hours from the Pool for the purpose of increasing or augmenting any compensation being paid to them under Workers’ Compensation rules.

A contractual employee is limited to drawing time from the Pool for duty days according to his/her contract. Individuals cannot utilize the Sick Leave Pool during those times not covered by their base contract.

The Pool does not cover family illness nor does it cover cosmetic or reconstructive surgery which is not the result of an injury, illness, disease, or congenital defect. Such injury, illness, disease, or congenital defect must have occurred or manifested itself while the employee was a member of the Pool.

Disability due to surgery which is not medically necessary shall not be covered under the Sick Leave Pool.

**Supervision and Management of the Sick Leave Pool.**

The Office for Human Resources will monitor the operation of the Sick Leave Pool.

Sick Leave Pool duties and responsibilities include, but are not limited to:

- Reviewing, updating and interpreting the rules for the Sick Leave Pool as set forth in Eligibility and Withdrawal procedures above.
- Reviewing individual cases involving requests or questions concerning utilization of the Pool.
- Investigating any suspected or alleged abuse of sick leave by participants in the Pool and recommending action in the event of a finding that a violation of the Sick Leave Pool rules or the intent of this program has occurred. Disciplinary actions may include, but are not limited to, the requirement to repay sick leave or forfeit pay as deemed appropriate by the President.
- Monitoring trends in participation and use of the Sick Leave Pool in order to assure its continued viability and capacity to meet the participants’ needs for extended sick leave.
305.16 Vacation Leave

Accrual of Hours for Full-Time Employees. Full-time employees employed on a 12-month basis earn vacation leave as follows:

- 0-5 years of service - 8 hours per month
- 6-10 years of service - 10 hours per month
- 11+ years of service - 12 hours per month

Prior full-time service within the Florida College System will be taken into account when determining years of service for general-fund employees. Credit for years of prior service for externally-funded employees will be calculated only if allowed by the funding source.

Accrual of Hours for Regular Part-Time Employees. Regular part-time employees are defined as those assigned to a non-teaching position for more than six consecutive calendar months, who regularly work at least twenty (20) hours per week in a position anticipated to continue from year to year, fulfill an ongoing College need, and are paid on an hourly basis. In order to accrue vacation hours for a given month, the eligible part-time employee must work at least 40 hours that month. Vacation leave hours will accrue as follows:

- 0-5 years of service - 4 hours per month
- 6-10 years of service - 5 hours per month
- 11+ years of service - 6 hours per month

Accrual of hours will take place with the last pay period of each month and be reflected on the corresponding pay stub.

Vacation Leave Approval. Vacation leave for full- and part-time employees must be supported by supervisory approval through the time reporting system. These requests will be subject to the operational requirements of the College. Regular part-time employees may submit vacation leave through the time reporting system in order to be paid for scheduled EFSC holidays.

Unused/Excess Vacation Leave.

- Full-Time Employees. Accrued vacation leave in excess of the maximum (352 hours) on December 31 of any given year may be transferred to sick leave, identified as VSIC. Such vacation leave transferred to VSIC leave shall be without compensation and cannot be used in the calculation of terminal sick leave pay as authorized in Florida Statutes. Also refer to Procedure 305.15 Sick Leave, VSIC.

- Part-Time Employees. On December 31 of each year, accrued leave in excess of 22 days (176 hours) will be forfeited. In extenuating circumstances (a part-time employee holding a temporary full-time position, etc.), the President may waive this procedure.
- **Fund I Employees.** A Fund I employee who is terminating employment or a deceased employee’s beneficiary is entitled to receive a lump-sum payment for a maximum of number of days of unused vacation leave.

- **Externally-Funded Employees.** Generally, employees who are 100% externally-funded will not receive a payoff unless the position funding allows for the payoff. The employee should arrange to take all vacation time prior to the end of the funding or prior to termination/resignation. External funds are controlled by outside resources and usually allow only for payment of individuals actively working on a specific project, not for accumulated vacation leave for terminating employees.

- **Fund I / Externally-Funded Employees.** Ordinarily, employees who are Split-Funded (Fund I and Externally-Funded) with 50% or more provided from Fund I will receive vacation payoff equivalent to the Fund I percentage amount; and a Split-Funded employee, who is funded less than 50% from Fund I, will not receive a vacation payoff unless the position’s external funding source allows for the payoff.

- **Exception for Externally-Funded Employees.** The President or appropriate Vice President may grant an exception to the provisions above and identify funding in order to allow Fund II employees to receive a vacation payoff.

**Options for Earned Vacation Leave.** Personnel who are subject to the legislative maximum 25% of sick leave hours for terminal sick leave pay may elect, on a quarterly basis, to redeem up to 40 days per year of Annual Leave at their current hourly rate. All redeemed annual leave hours will be deducted from the current accrued annual leave balance.

Effective July 1, 2001, terminal pay for accrued vacation leave may not exceed a maximum of 60 days of actual payment. This limit does not impair any contractual agreement established before July 1, 2002; terminal payment for unused vacation leave shall be made pursuant to the rules that were in effect on June 30, 2001.

- **12-month Personnel, Excluding Executive, Administrative, and Managerial**

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Maximum Annual Accrual Hours (Jan-Dec)</th>
<th>Maximum Hours Rolled to Next Calendar Year</th>
<th>Maximum Payout Hours at Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-05</td>
<td>96</td>
<td>352</td>
<td>240</td>
</tr>
<tr>
<td>06-10</td>
<td>120</td>
<td>352</td>
<td>240</td>
</tr>
<tr>
<td>11+</td>
<td>144</td>
<td>352</td>
<td>240</td>
</tr>
</tbody>
</table>

- **Executive, Administrative, and Managerial, Excluding Senior Management (unless otherwise specified in contract)**

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Maximum Annual Accrual Hours (Jan-Dec)</th>
<th>Maximum Hours Rolled to Next Calendar Year</th>
<th>Maximum Payout Hours at Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-10+</td>
<td>240</td>
<td>480</td>
<td>480</td>
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</tbody>
</table>

- **Regular Part-Time Personnel**

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Maximum Annual Accrual Hours (Jan-Dec)</th>
<th>Maximum Hours Rolled to Next Calendar Year</th>
<th>Maximum Payout Hours at Separation</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-10+</td>
<td>48</td>
<td>176</td>
<td>120</td>
</tr>
</tbody>
</table>
305.17 Workers’ Compensation Sick Leave

Eligibility. All College employees are entitled to compensation for occupationally-incurred illnesses and injuries. Each employee is entitled to a maximum of 12 days of workers’ compensation leave at full pay per calendar year when an injury or illness is due to a job-related activity. These leave days are non-cumulative and will be granted at full pay, provided that:
- The Office of Human Resources is notified of the situation within two business days after the injury or illness is sustained;
- A First Report of Injury Form is completed online by the Office of Human Resources within two business days after the beginning of the impairment.

Parameters. Workers’ compensation sick leave will be paid only when the employee is required to be away from the work site for the full work day as certified by the treating physician. If the employee works a portion of a day, then the employee will use personal leave, sick leave, or vacation leave. An employee, absent from work due to a work-related injury, will be allowed to draw time from accumulated vacation leave and sick time to receive a full paycheck after the 12-day maximum has been reached. Also refer to Procedure 307.4 Workers’ Compensation Insurance.

Employee/Supervisor Responsibilities.
- If emergency room treatment is necessary, the injured employee should proceed to the nearest hospital;
- The injured employee must notify supervisor as soon as possible;
- The supervisor will notify the Office of Human Resources immediately;
- Human Resources will refer employee to an authorized physician for treatment, provide an identification form, and report the injury;
- The supervisor will complete the Accident/Incident Report within two days from the date of the accident and send the form to the Office of Human Resources;
- Employees, determined by a physician to be unable to work, must stay in contact with the supervisor on a weekly basis;
- A statement from the treating physician stating the nature of the disability and the expected duration of the disability must be submitted to Human Resources by the employee in order to authorize an absence from work due to a work-related injury.
- The employee must provide a release form from the treating physician in order to return to full duty.
306.1 Travel Procedures

College employees and members of the Eastern Florida State College Board of Trustees may be reimbursed for travel expenses when on College business.

Authorization. An Out-of-District Travel Authorization Request and Reimbursement Form must be submitted indicating the estimated expenses to be incurred, the departure and return dates of the travel, and the destination with the statement of benefit completed. Any travel requiring prepayments for airfare or registration fees must be submitted three (3) weeks prior to the departure date. When a change in the reimbursement amount occurs greater than $50.00 from the original authorization, additional approval from the financial manager is required.

Only employees 18 years of age and above are eligible for travel approval as an employee, student sponsor, or representative of the College.

Out-of-county travel must be approved by the traveler's supervisor, the financial manager of the index/account, and the supervising administrator.

The President must approve all international travel.

Airline Tickets. The traveler should obtain all the pertinent information (such as projected travel dates, destination, and convenient flight times) at least three weeks in advance of the date of the trip in order to acquire an accurate estimate of the ticket cost for the supervisor's informed decision when reviewing the travel form. Airline tickets are purchased through Pcard (or through the College Purchasing Office if the amount is above the Pcard limit for the employee or for the student sponsor). Tickets should be purchased with a Pcard only after the Travel Request and Reimbursement Form or the Out-of-District Student Travel Request and Reimbursement Form has been approved by the immediate supervisor. The traveler will attempt to secure the most satisfactory and economical ticket available that is consistent with the traveler's needs. (Also refer to Procedure 418 for student travel.)

Rental Vehicles. Requests for rental vehicles will require a supervisor-approved Travel Request and Reimbursement Form or the Out-of-District Student Travel Request and Reimbursement Form. Guidelines for employees utilizing a rental vehicle:

- Rental cars are only for out-of-county and out-of-state use.
- Employees must have a Pcard (Purchasing Card) to secure the reservation.
- Make reservations as far in advance as possible (at least 48 hours) prior to departure by using the online link.
- Carpooling is encouraged whenever possible.
- Employee will pick up and return the rental vehicle to the closest location to either their home or campus location.
- The approved car rental agency has epass/sunpass available in all vehicles. Employees will utilize this feature when traveling on toll roads.
- The Pcard can be used for gas purchases in a rental vehicle.
Economy in Travel. The supervisor of several employees traveling to a common destination should determine the most economical mode of transportation (i.e. car pool, rental vehicles, etc.). The supervisor may base approval for the travel reimbursement on the stipulated use of the car pool.

Sharing of College resources is encouraged in order to reduce the expenses to the College.

Small Motorized Vehicles. The College motorized (golf) carts are not licensed for street use and are not to be driven off campus grounds.

Reporting Accidents. Travelers must observe traffic laws at all times. Traffic violations are the responsibility of the traveler.

The traveler is responsible for reporting an accident. Whenever an employee is involved in an accident, irrespective of the cause, severity, or fault, the driver must contact the appropriate law enforcement agency as soon as possible. Personal injuries are the priority and must be addressed before contacting the College.

The traveler will report the details of the accident to the EFSC Campus Security Office as soon as practicable and will then notify his/her immediate supervisor during College business hours. The traveler will complete an Accident/Incident Report.
306.2 Reimbursement of Travel Expenses

An Out-of-District Travel Request and Reimbursement Form should be submitted to the Accounting Office within five (5) working days of an employee’s return to work.

Per Diem, Meals, Lodging.

- **Overnight Travel.** All travelers will be allowed subsistence when traveling to a convention or conference or when travel extends beyond 24 hours and results in an overnight stay. The person attending such meetings or conducting such business will have the option of exercising either of the following for each full day of travel:

  - **Per Diem.** Eighty dollars per diem. The travel day is divided into 4 quarters of 6 hours each. Per diem shall be paid for any quarter, or portion thereof, in which a traveler is in travel status.
    - 1st quarter = 12:01 a.m. to 6:00 a.m.
    - 2nd quarter = 6:01 a.m. to 12:00 p.m.
    - 3rd quarter = 12:01 p.m. to 6:00 p.m.
    - 4th quarter = 6:01 p.m. to 12:00 a.m.

  - **Actual Expenses.** If actual expenses exceed per diem, the amounts permitted for meals plus actual expenses for lodging at a single occupancy rate to be substantiated by itemized paid bills.
    - Breakfast = $6.00 – When travel begins before 6 a.m. and extends beyond 8 a.m.
    - Lunch = $11.00 – When travel begins before 12 noon and extends beyond 2 p.m.
    - Dinner = $19.00 – When travel begins before 6 p.m. and extends beyond 8 p.m.

  When lodging or meals are provided at a State institution, the traveler shall be reimbursed only for the actual expenses of such lodging or meals, not to exceed the maximum provided for above.

  Hotel charges should be comparable to the area (i.e., $150 would be reasonable in Metropolitan Areas, but would be unusual in other areas).

  No one, whether traveling in state or out of state, shall be granted a meal allowance for any meal or reimbursed for any lodging included in a convention or conference registration fee paid by the College.

  Events included in conference agendas such as breakfasts, box lunches, buffets, dinners, and banquets, would ordinarily be considered meals. Events such as breaks, hors d’oeuvres, continental breakfasts, and receptions ordinarily would not be considered meals.

- **Day Travel.** Neither meal reimbursement nor Per Diem allowance is authorized for travel that does not require overnight lodging.
Mileage. Whenever travel is by privately owned vehicle, the traveler shall be entitled to a mileage allowance at a fixed rate of 44.5 cents per mile. Reimbursement for expenditures related to the ownership, maintenance, and operation of a vehicle (including gasoline) are not allowed when privately owned vehicles are used on College business.

All mileage shall be shown from point of origin to point of destination and, when possible, shall be computed on the basis of the current map of the Department of Transportation. Vicinity mileage necessary for the conduct of official business is allowable but must be shown as a separate item on the Travel Request and Reimbursement Form. Excessive vicinity mileage may require justification. Mileage should be rounded to the nearest whole mile.

A traveler shall be entitled to the common carrier fare for such travel in lieu of a mileage allowance if determined by the agency head to be more economical.

Reimbursement for in-county and out-of-county miles on a Mileage and Tolls Reimbursement Form should be submitted on a monthly basis.

No traveler is allowed either mileage or transportation expense when he or she is gratuitously transported by another person or when he or she is transported by another traveler who is entitled to mileage or transportation expense.

Reimbursable Expenses. Authorized College travelers may be reimbursed for incidental travel expenses incurred. All receipts should be placed in date order, affixed to an 8 ½ x 11 sheet of paper, and attached to the Out-of-District Travel Request and Reimbursement Form.

- Taxi fares, storage, parking and toll fees, communication expenses, and registration fees may be reimbursed. Documentation required is as follows:
  - Receipts for taxi fares in excess of $15 on a per fare basis.
  - Receipts for storage, parking fees or tolls in excess of $15 per instance.
  - Communication expenses, including telephone calls, wires, and/or faxes, incurred as a result of College business are allowable. All communication expenses must be listed on an attachment to the travel request and reimbursement form, labeled in detail, and substantiated by a receipt.
  - Registration fees incurred in the course of College business, are allowable and must be substantiated with an agenda, paid receipt, and printed documents indicating the registration fee, and the place and date of the event.
  - Actual amount paid for mandatory valet parking which shall not exceed $1 per occasion and which was incurred in the performance of public business.
  - Actual portage charges paid which shall not exceed $1 per bag, $5 per occasion.
  - Baggage fees for air travel will be reimbursed for no more than two bags per traveler at no more than $15.00 for the first bag and no more than $25.00 for the second bag.
  - Actual laundry, dry-cleaning and pressing expenses when official travel extends beyond seven days and such expenses are necessarily incurred to complete the official business portion of the trip.
  - Actual fee charged to exchange currency necessary to pay official travel expenses.
  - Actual cost of maps necessary for conducting official business.
306.3 Fraudulent Travel Claims

Travelers are reminded that Section 112.061(10), Florida Statutes specifically requires that Travel Request and Reimbursement Forms contain a statement that the expenses were actually incurred by the traveler as necessary travel expenses in the performance of his or her official duties and shall be verified by a written declaration that it is true and correct as to every material matter. Any person who willfully makes and subscribes any such claim which he or she does not believe to be true and correct as to every material matter, or who willfully aids or assists in, or procures, counsels, or advises the preparation or presentation under the provisions of this section of a claim which is fraudulent or false as to any material matter, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, is guilty of a misdemeanor of the second degree. Whoever receives an allowance or reimbursement by means of a false claim will be civilly liable in the amount of the overpayment for the reimbursement of the public fund from which the claim was paid.
306.4 Payroll While Traveling

**Travel Escorts (Chaperones).** Full-time non-exempt staff and part-time faculty and staff must be paid for all time spent as travel escorts (chaperones accompanying students on trips). Travel escorts will not be paid for sleep time (8 hours) unless there is a disturbance that requires their involvement.

**Day Travel.** When full-time non-exempt staff or part-time faculty and staff members are given special assignments at an off-campus location, all time spent in travel will be considered work time.

**Out-of-District Travel.** Out of district travel time must be paid when assigned to full-time non-exempt staff or to part-time faculty or staff, even if the travel occurs on non-work days. Any work performed while on an approved out-of-district assignment must be counted as hours worked:

- Workshop/Conference work hours as reflected on the agenda will be counted as hours worked;
- Business dinners, lunches, or breakfasts will be counted as hours worked (not to include receptions).
307.1 Insurance Options

Employee Eligibility. The College provides self-insured or commercially-purchased programs for medical, dental and vision insurance as well as for long-term disability insurance and flexible spending account options as part of the benefits package for full-time employees and their eligible dependents.

The full-time employee’s coverage for the medical and dental costs is provided by the College. The effective date of coverage is in accordance with the plan in effect at the time of employment. The Human Resources Office will provide new employees with complete information on College benefit plans and will disseminate up-to-date information to current employees concerning any changes.

Dependent Eligibility. Dependent coverage is available at employee-paid group rates. The actual cost of the insurance will vary, depending upon:

- number of dependents;
- level and type of benefits.

It is the responsibility of each employee to advise the Human Resources Office of any change in the status of dependents covered by group insurance through the College.

Eligible dependents include the employee’s spouse, children, step-children, or grandchildren placed in the legal custody of the full-time employee.

Medical insurance is available for children up to the age of 26, or up to age 30 as long as the child is single, is living at home or is attending college, is not covered under any private or public insurance plan, and has no children of his/her own.

Children may be covered under dental and vision insurance up to the age of 18 or up to the age of 25 if attending school.

Any questions regarding employee or dependent benefits should be directed to the Human Resources Benefits Office.

Retiree Eligibility. Retired employees and their dependents may continue to participate in the insurance plans at their own expense. It is the responsibility of each retiree to advise the Human Resources Office of any change in the status of dependents covered by group insurance through the College.
307.2 Life Insurance

Full-Time Employees. Each full-time employee receives College-paid term life insurance payable to the designated beneficiary(ies) in an amount equal to the employee’s annual salary, rounded to the nearest thousand dollars. Additional life insurance (equal to two or three times the annual salary) may be purchased for a modest premium, payable through payroll deduction. It is the responsibility of the full-time employee to advise the Human Resources Office of any change in the status of dependents covered by life insurance through the College.

Part-Time Employees. Regular part-time employees are eligible for a College-determined amount of life insurance, payable to designated beneficiary(ies).
307.3 Retirement

Eligibility. All employees in full-time or in regularly-established part-time positions hold membership in either the Florida Retirement System (FRS) Pension Plan or the Investment Plan and in the federal Social Security system. Those who are contemplating retirement should discuss their individual situations with the Human Resources staff approximately six months prior to their projected date of retirement. The Human Resources staff will provide employees with the proper paperwork to process the request for retirement.

Effective July 1, 1991, a part-time employee in a non-instructional position paid from an OPS budget account number must work 2,080 total aggregate hours in the same or like position at the same state college before becoming eligible for retirement benefits. Once the employee has worked beyond 2,080 hours, he/she shall be considered an employee filling a regularly-established position and become enrolled in an FRS program.

Employment in any of the positions listed below is not eligible for retirement benefits:

- Student Assistant Positions and Work Study Positions
- Adjunct instructional positions
- Substitute teacher positions
- Temporary positions
- Positions for less than six consecutive months

Also refer to Procedure 304.6 Terminal Pay as well as Procedures 305.15 and 305.16.

Deferred Retirement Option Program (DROP) Retirement under Pension Plan. Once an employee is vested (6 years of full-time service under FRS, 8 years if hired after July 1, 2011) and has reached the age of 62 (65 if hired after July 1, 2011) or has worked in the FRS system for 30 years (33 years if hired after July 1, 2011), he/she may elect to participate in DROP—a program that allows an employee to effectively retire and continue working for up to 60 months.

Other Retirement Pay. Employees may choose to receive a vacation leave lump sum payment of unused sick leave in excess of $2500 or to have either a portion of or all of the funds sent to a retirement investment plan.

Resources. For either information or assistance in planning retirement, refer to the Florida Retirement System website at www.myfrs.com. Social Security information on retirement can be found at the website for that office, www.ssa.gov.
307.4 Workers’ Compensation Insurance

All College employees are covered by the Florida Workers’ Compensation Law.

Reporting Requirements. On-the-job accidents, injuries, or occupationally-incurred illnesses must be reported immediately to the employee's supervisor. Even if the employee is involved in an accident but decides that there is no injury, the employee is still required to report the accident to the supervisor.

The supervisor is responsible for reporting all details to the Human Resources Office within two working days. An Accident/Incident Report must be submitted for all accidents. The Security Office is not responsible for completing the report, but should be notified so the Security staff can offer assistance in handling the case. The report forms may be obtained from the Human Resources Office.

Injuries with Medical Attention. The Accident/Incident Report (including a physician’s statement describing the ailment and verifying the disability) is submitted to the Human Resources Office within two working days from the accident/injury or from the beginning of the work-related illness.

Workers’ Compensation Absence. Each employee is entitled to a maximum of 12 days of sick leave per calendar year when an injury or illness is due to a job-related activity. These leave days are noncumulative and will be granted at full pay. The employee will also be allowed to draw time from his/her vacation leave and available sick leave or up to the four days of personal leave in order to receive a full paycheck. Also see Procedure 305.17 Workers’ Compensation Sick Leave.
307.5 Non-Credit Professional Development

Eligibility. EFSC makes a rich investment in the on-going professional development of faculty and staff. Participation of faculty and staff in non-credit professional development activities is made available within the following guidelines.

- **Human Resources Sponsored Training.**
  - Arrangements for all HR-sponsored training will be made through the Human Resources/Staff Professional Development (HR/SPD) Office.
  - The HR/SPD Office schedules numerous professional development workshops including technical, health and wellness, safety and regulatory, and mandatory training.
  - The scheduled offerings are available to all employees (full-time, part-time, temporary, substitutes, student workers, volunteers) on a space-available basis.
  - Training may be requested for individual employees or for groups of employees.
  - Workshops and materials are provided at no cost to the employee.
  - The HR/SPD Office will make all arrangements, perform the logistics required for the training activity, and place the training on the EFSC Training and Development web page for registration.
  - The HR/SPD Office will record all employee HR-sponsored non-credit training. An employee’s training history can be accessed through the EFSC Training and Development web page.

- **Non-Credit Sponsored Training by the Workforce Programs Department:**
  - Arrangements for all Workforce Programs non-credit training will be made through the HR/SPD Office.
  - The complete array of scheduled offerings is available to full-time faculty and full-time and regular part-time employees on a space-available basis.
  - Since programs must be self-supporting, priority is given to community students with paid registration.
  - Once participation is approved, tuition may be waived; lab fees, textbooks, and supplies are not included.
  - Acceptance is not automatic due to the cost of some courses, the prerequisites, or other requirements.
  - Departments or divisions of the College may request customized Workforce Programs non-credit training (i.e., Security Officer) for groups of employees through the HR/SPD Office which will make all arrangements and perform the logistics required for the training activity. Fees may be associated with this training.
  - The HR/SPD Office will record employees’ Workforce Programs non-credit customized class training on the EFSC Training and Development web page.
• **Specialized Non-Credit Career Training:**
  o Specialized career training for an individual employee may be arranged through Workforce Programs sponsored training.
  o Participation fee waiver is for tuition only; lab fees, textbooks, and supplies are not included.
  o Acceptance is not automatic due to the cost of some courses, the prerequisites, or other requirements.

**Attendance at College-Sponsored Training.** Employees may attend professional development opportunities:
- With approval of their immediate supervisor;
- Provided the class does not interfere with the normal operation of the office/department;
- Once space availability has been determined and required registration has been approved.
307.6 Employee Tuition Program

Program Benefits. Eastern Florida State College full-time staff and faculty, regular part-time staff, and part-time faculty are eligible for an EFSC waiver for tuition. Registration is available either online or on campus for the course(s) of choice. Employees attending a regionally-accredited or a CHEA-recognized institution other than EFSC are eligible for tuition reimbursement.

Effective August 2018, full-time faculty and staff may be reimbursed the amount paid up to $1100 for undergraduate course tuition or the amount paid up to $3500 for graduate course tuition, per calendar year.

Regular part-time staff and part-time faculty may be reimbursed the amount paid up to $350 for undergraduate course tuition or the amount paid up to $750 for graduate course tuition, per calendar year.

If attending a regionally-accredited or a CHEA-recognized institution for an advanced degree, full-time faculty and staff may be eligible for an educational loan reimbursement for the amount paid up to $3500 for graduate course tuition, per calendar year.

Application of Benefits.

- A combination of requests for Tuition Reimbursement and for Educational Loan Reimbursement is limited per calendar year to the amount allowed toward an advanced degree.
- Tuition or educational loan reimbursement for full-time employees is subject to availability of funds and will be approved on a first-come/first-served basis. As College funding permits, up to $1750 per full-time employee will be available from January to June and again from July to December for eligible reimbursements each calendar year.
- The College reserves the right to withhold tuition waivers or tuition/educational loan reimbursements when select balances are owed to the College by the employee.
- This program must be used by an eligible employee, not by a family member; refer to Procedure 307.7 for tuition assistance for employee dependents.
- This program is only applicable to credit-bearing courses; refer to Procedure 307.5 for information on non-credit classes.

Employees may log in to myEFSC and select the insideEFSC icon> Document Center> Human Resources> Tuition Program for access to the Tuition Waiver, the Tuition Reimbursement and the Educational Loan Reimbursement application forms, or log in to myEFSC and select the insideEFSC icon> Human Resources> Tuition Program for additional information on this program. The benefit details, as they apply to the specific Tuition Program categories, are listed below.

307.6.1 Tuition Waiver

Eligibility Requirements for Tuition Waiver.
- Full-Time Faculty and Full- or Part-Time Staff. Full-time faculty and full- or part-time staff must:
• Have completed six (6) months of continuous employment immediately prior to beginning course work;
• Satisfy all eligibility requirements of the program;
• Be an employee in good standing at course completion.

• Adjunct Faculty. Adjunct (part-time) faculty must:
  • Have taught at EFSC for at least six (6) semester college credit hours OR five (5) vocational credit hours during the previous academic year;
  • Be teaching at EFSC during the term for which the employee applies for a waiver;
  • Satisfy all eligibility requirements of the program.

Guidelines for Tuition Waiver.
• A tuition waiver applies to courses taken at EFSC and requires that the employee:
  ▪ Complete an application for admission and the placement testing, as needed, if one was not enrolled in an EFSC credit course during the past academic year.
  ▪ Register for course(s) of choice either online or at any Admissions/Registration Office (it is recommended that the employee consult an advisor).
  ▪ Submit a completed and signed copy of the Tuition Waiver Form to the HR/Tuition Program Office on Cocoa Campus, either by email to Tuition@easternflorida.edu or by campus mail, a minimum of five (5) days prior to fee-due date to ensure timely processing.
  ▪ Part-time faculty must include a copy of their assignments for the applicable term.
  ▪ Notify the HR/Tuition Program Office immediately if the employee receives a grant or scholarship after receiving a tuition waiver.

• This benefit waives the tuition for up to two (2) courses or seven (7) credit hours of coursework each semester/term.
  ▪ Occasionally, the 7 credit-hour limit will allow three (3) courses—two 3-credit classes and a one 1-credit class;
  ▪ Occasionally, the 7 credit-hour limit won’t allow for the total credit hours for two (2) courses—two 4-credit classes will require that the student pay for one credit hour of the eight (8) credit hours.

• A submitted Tuition Waiver Form will be considered for the current enrollment term after the student has enrolled; a new form is required for enrollment in each subsequent term/semester.

• Waivers are NOT available for:
  ▪ Course fees and expenses.
  ▪ Courses that were audited or courses with more than one attempt.
  ▪ Courses marked as “Incomplete.” The employee must complete the course and receive a grade in order to be eligible for another waiver.
  ▪ Classes for which scholarship or grant funding was received. All applicable grant funds, Federal, state, and private scholarships will be applied to institutional charges (tuition and fees); waivers will be applied only to the extent that there is a remaining balance owed for tuition. Florida prepaid and loans are not considered scholarships.
  ▪ Classes taken while employee was participating in the Professional Leave with Pay program.
  ▪ Non-resident tuition rates.

Payroll Deduction for Tuition Waiver
The College will allow eligible employees to use payroll deduction to pay tuition balances for current enrollment when the waiver does not cover all the semester costs. The balance must exceed $100.00 in order to utilize this option.

The employee may have up to eight payroll deductions to pay the account balance in full. The amount of payroll deductions will correspond to the balance of the employee’s student account at the end of the add/drop period. In order to guarantee payroll deduction registration, the employee must complete the Tuition Payroll Deduction Application Form and submit it to Accounting for approval one week prior to the first published Fee Due date.
307.6.2 Tuition Reimbursement
Eligibility Requirements for Tuition Reimbursement.

- **Full-Time Faculty and Full- or Part-Time Staff.** Full-time faculty and full- or part-time staff must:
  - Have completed six (6) months of continuous employment immediately prior to beginning course work;
  - Satisfy all eligibility requirements of the program;
  - Be an employee in good standing at course completion.

- **Adjunct Faculty.** Adjunct (part-time) faculty must:
  - Have taught at EFSC for at least six (6) semester college credit hours OR five (5) vocational credit hours during the previous academic year;
  - Be teaching at EFSC while enrolled in the course as well as during the semester in which the employee applies for reimbursement;
  - Satisfy all eligibility requirements of the program.

Guidelines for Tuition Reimbursement.

- Reimbursement is considered only for institutional tuition charges paid directly by the employee or through unsubsidized student loans to a regionally-accredited or a CHEA-recognized institution (other than EFSC).
- An employee may request reimbursement only after he/she has successfully completed the class. To qualify for successful completion, the employee must earn a grade of “C-” or better in all undergraduate coursework and a grade of “B-” or better in all graduate-level coursework.
- The tuition reimbursement procedure requires that the employee must:
  - Pay tuition when enrolling;
  - Forward a completed and signed *Tuition Reimbursement Form* upon successful completion of the course, either by e-mail to Tuition@easternflorida.edu or by campus mail, to the HR/Tuition Program Office on Cocoa Campus. Include a copy of the institution’s charge for tuition only, proof of payment in full for tuition, and a grade report.
- Reimbursement is limited to the tuition amount actually paid. Full-time employees may be reimbursed up to $1100 for undergraduate course tuition or up to $3500 ($1750 each spring and fall semester) for graduate course tuition, per calendar year. Part-time employees may be reimbursed up to $350 for undergraduate course tuition or up to $750 for graduate course tuition, per calendar year.
- There must be an institutional identification on the invoices, student account records, and official grade reports that are submitted for reimbursement.
- Reimbursement is NOT available for:
  - Classes taken at EFSC (a tuition waiver is available).
  - Classes for which tuition reimbursement has already been received.
  - Classes marked as dropped, withdrawn, or incomplete.
  - More than one attempt per course.
  - Course fees and expenses.
  - Classes for which scholarship or grant funding was received. All applicable grant funds, Federal, state, and private scholarships will be applied to institutional charges (tuition and fees) before the employee reimbursement. Reimbursements will be applied only to the extent that there is a remaining balance owed for tuition. Florida prepaid and loans are not considered scholarships.
  - Classes taken while employee was participating in the Professional Leave with Pay program;
  - Submissions not received in HR within 30 business days after the end of the semester/term in which the class was completed. It is the employee’s responsibility to submit the required paperwork and supporting documentation in a timely and accurate manner.

307.6.3 Educational Loan Reimbursement
Eligibility for Educational Loan Reimbursement for Advanced Degrees.
• **Full-Time Faculty or Staff.** Full-time faculty or staff must:
  o Have been employed at the College for a minimum of five years with satisfactory evaluations;
  o Demonstrate that the degree is directly related to the employee’s primary job duties at the College or to an additional discipline that is essential to the College;
  o Demonstrate the loan was incurred after employment at the College;
  o Demonstrate that the loan is current, in good standing, and without delinquency;
  o Submit the appropriate paperwork on an annual basis for consideration;
  o Commit to work for the College for one additional year for each year that the Tuition Program is used for a student loan reimbursement. If the employee is unable to meet the commitment, the employee shall reimburse the College, unless the College waives the reimbursement due to extenuating circumstances.

• **Guidelines for Educational Loan Reimbursement.**
  o Reimbursement will be considered only for institutional tuition charges paid directly by the employee or through unsubsidized student loans to a regionally-accredited or a CHEA-recognized institution (other than EFSC).
  o After five years of employment at EFSC, the program may reimburse employees for educational loan payments that are being paid during the current calendar year, that are being paid directly by the employee, and that are for a loan that was incurred after employment at EFSC.
  o Reimbursement is limited to the amount actually paid during the current year. Full-time employees may be reimbursed up to $3500 ($1750 each spring and fall semester) for graduate course tuition per calendar year.
  o Reimbursements will be considered only for loan payments made between January and December of the current calendar year.
  o In order to determine eligibility, the educational loan reimbursement procedure requires that the employee submit the following to the HR/Tuition Program Office for consideration:
    ▪ Copy of the original loan agreement or promissory note.
    ▪ Copy of current invoicing and payments for the requested reimbursement period as verification of a loan in good standing and of the reimbursement amount.
    ▪ Copy of the college/university statement listing institutional charges. There must be institutional identification on invoices, student account records, or other submitted institutional forms.
    ▪ Transcripts for the classes taken to verify grade eligibility, number of class attempts, and relevancy to primary job duties.
    ▪ A completed and signed Loan Reimbursement Form.
  o Reimbursement is NOT available for:
    ▪ Classes taken at EFSC (a tuition waiver is available).
    ▪ Classes for which the employee previously received tuition reimbursement. Courses previously reimbursed at 50% per the respective year’s Tuition Program Procedure instructions will not be considered for additional reimbursement.
    ▪ Classes marked as dropped, withdrawn, or incomplete.
    ▪ More than one attempt per course.
    ▪ Course fees or expenses.
    ▪ Classes with an earned grade of less than B- for graduate work.
    ▪ Classes for which scholarship or grant funding was received. All applicable grant funds, Federal, state, and private scholarships will be applied to institutional charges (tuition and fees) before the employee reimbursement. Reimbursements will be applied only to the extent that there is/was a remaining balance owed for tuition. Florida prepaid and loans are not considered scholarships.
    ▪ Classes taken while employee was participating in the Professional Leave with Pay program.

Submit reimbursement requests for current-year loan payments to HR by the 1st of the month for same month reimbursements, by the 20th of November for an annual reimbursement in December, or by the 15th of December for an annual reimbursement in January of the following year. It is the employee’s responsibility to
ensure that the required paperwork and the supporting documentation have been submitted to HR in an accurate manner.

HR will determine the amount of the loan to be reimbursed, the length of time to pay, and will notify Accounting. Timing for the first loan reimbursement payment will depend on the complexity of the research to determine the eligible reimbursable amount.

307.6.4 Class Attendance during Assigned Work Hours
Employees may not attend class during the hours of responsibility to their assignment at the College, to include online classes or face-to-face classes during lunch break. Employees must inform the immediate supervisor when taking classes, regardless of the institution, the schedule, if face-to-face, or online.

307.6.5 Salary Adjustment for Educational Degree Attainment
All full-time non-instructional employees successfully completing a first accredited AA, AS, BA, or BS degree are eligible for a salary adjustment as outlined in the College’s Master Grade/Salary Schedule. It is the employees’ responsibility to initiate requests for educational salary adjustments through their supervisors and to request that official transcripts be sent to the Office of Human Resources.
307.7 Dependent Tuition Program

Program Benefits. The College has established the tuition assistance program for the dependents of full-time employees, regular part-time employees, and part-time faculty, allowing for a 25% tuition discount for coursework at EFSC. Dependents may register either online or on campus when open enrollment is announced.

The benefit must be used by a legal dependent:
- A person receiving support from the employee, who was listed on the employee’s most-recent Internal Revenue tax form as an exemption and who is eligible to be declared a dependent during the year of the discount request; or
- A person who has been declared by the courts as a legal dependent to be supported by the employee.

The tuition discount is subject to availability of funds and will be approved on a first-come/first-served basis.

Employees may log in to myEFSC and select the insideEFSC icon > Document Center > Human Resources > Tuition Program for access to the Dependent Tuition Discount Form or log in to myEFSC and select the insideEFSC icon > Human Resources > Dependent Program for additional information on this program.

Eligibility Requirements for Tuition Discount.
- Full-Time Faculty and Full- or Part-Time Staff. Full-time faculty and full- or part-time staff must:
  - Have completed six (6) months of continuous employment immediately prior to the dependent beginning course work;
  - Satisfy all eligibility requirements of the program;
  - Be an employee in good standing at course completion.
- Adjunct Faculty. Adjunct (part-time) faculty must:
  - Have taught at EFSC for at least six (6) semester college credit hours OR five (5) vocational credit hours during the previous academic year;
  - Be teaching at EFSC during the term for which the employee applies for a dependent tuition discount;
  - Satisfy all eligibility requirements of the program.

Guidelines for Tuition Discount.
- A tuition discount applies to courses taken at EFSC and requires that the dependent:
  - Complete an application for admission and the placement testing, as needed, if the dependent was not enrolled in an EFSC credit course during the past academic year.
  - Register for course(s) of choice either online or at any Admissions/Registration Office (it is recommended that the dependent consult an advisor).
  - Submit a completed and signed copy of the Dependent Tuition Discount Form to the HR/Tuition Program Office on Cocoa Campus, either by email to Tuition@easternflorida.edu or by campus mail, a minimum of five (5) days prior to fee-due date to ensure timely processing.
  - Part-time faculty must include a copy of their assignments for the applicable term.
Submit supporting documents, either a copy of the most-recent Income Tax Return Form 1040 or the appropriate court documents. Only the Form 1040 page listing dependents is required; all SS numbers and financial information may be redacted.

A Dependent Tuition Discount Form submission will be considered for only the current enrollment term and only after the student has enrolled; a new form is required for enrollment in each subsequent term/semester.

- Discounts are NOT available for:
  - Course fees and expenses;
  - Courses for which scholarship or grant funding is received. All applicable grant funds, Federal, state, and private scholarships will be applied to institutional charges (tuition and fees); discounts will be applied only to the extent that there is a remaining balance for tuition.
  - Non-resident tuition rates.

Payroll Deduction for Dependent Tuition Discount Program.
The College will allow eligible employees to use payroll deduction for a dependent’s tuition balance for the current enrollment. The balance must exceed $100.00 in order to utilize this option.

The employee may have up to eight payroll deductions to pay the account balance in full. The amount of the payroll deduction will correspond to the balance of the student’s account at the end of the add/drop period. In order to guarantee payroll deduction registration, both the employee and the dependent must complete the Tuition Payroll Deduction Application Form and submit it to Accounting for approval one week prior to the first published Fee Due date.

Also refer to Procedure 410 Tuition Assistance for Employee Dependents (TAPED)
Title: Employee Emergency Assistance Fund

307.8 Employee Emergency Assistance Fund

Eligibility. The Employee Emergency Assistance Fund has the sole purpose of providing emergency assistance and relief to EFSC employees affected by a natural or civil disaster or by severe financial hardships due to a family or personal crisis such as illness, death, accident, crime, or a similar circumstance. Financial assistance may be awarded either in the form of a loan or, under extreme circumstances, in the form of a one-time grant.

Application Guidelines.

- **Emergency Relief Grant.** In order to apply for emergency relief funds, an employee should contact Human Resources. Requests will be processed on a first-come, first-served basis and consideration will be given to the requester’s circumstances and to the availability of funds. This grant will not need to be repaid.

- **Hardship Assistance Loan.** In order to apply for a hardship loan, an employee should contact Human Resources. Requests will be processed on a first-come, first-served basis and consideration will be given to the requester’s circumstances and to the availability of funds. This interest-free loan must be repaid. The employee will be asked to sign a promissory note outlining the terms of repayment which may be made only by payroll deduction.

Donation Procedure. The Employee Emergency Assistance Fund will be 100% employee funded. The fund is administered by an Employee Relief Committee (ERC) that is responsible for deciding the program fund disbursements for one-time grants or for interest-free loans on a case-by-case, funds-available, employee-need basis.

The Payroll Office has a special account set up in order to collect donations. Donations may be as a small or large one-time contribution or as payments on a bi-weekly basis, all through payroll deduction by completing the *Emergency Assistance Donation Form* found on the EFSC website at Faculty & Staff>Web-Based Applications>Knowledge Tree>Browse Documents>Human Resources.
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307.9 Legal Services for Employees

Legal Services at College expense may be provided for employees who may be sued for action which occurs in performance of their assigned duties, as set forth in applicable laws or regulations. Whenever any civil action has been brought against any officer of the community college board of trustees, including a board member, or any person employed by or agent of the College for any act or omission arising out of and in the course of the performance of his/her duties and responsibilities, the Board of Trustees may defray all costs of defending such action, including reasonable attorney’s fees and expenses together with costs of appeal, if any, and may save harmless and protect such person from any financial loss resulting therefrom, per Florida Statute.
308.1 Accepted Productive Work Standards

Work Attitude. Efficient (productive) work attitude requires:

- Promptness in reporting to work,
- Cooperative, friendly relationships with colleagues,
- Evidence of good self-control (even under provocation),
- Demonstration of integrity and honesty,
- Acceptance of new tasks (even outside normal duties),
- Acceptance of accountability for commitments, results, quality of assigned tasks,
- Acceptance of supervisory direction or instruction,
- Positive attitude.

Conduct or expression on College-owned or College-controlled property which disrupts the orderly functioning of the College is prohibited. Also refer to Procedure 201 Appendix A, Breach of Peace section, and Procedure 606 Free Speech and the Right to Dissent.

Unreasonable Directives. In the event that a supervisory directive seems unreasonable, the employee should open the line of communication by voicing reluctance to comply and the reason. If there is no resolution with the immediate supervisor and the directive is not illegal, immoral, or unethical, and does not jeopardize the employee’s safety or health, the employee should comply but contact the supervisor above the immediate supervisor, and continue up the chain of command until the problem has been resolved.

When a supervisory directive may jeopardize the employee’s safety or health or when an employee deems it to be illegal, immoral, or unethical, it should not be followed. In addition, the employee should ask the supervisor for a written copy of the directive to provide a record of the reason for prudent non-compliance. Such communication should include the signature of the employee, indicating only that the employee saw the written directive and not that the employee is acting in agreement with the directive.
308.2 Acceptable Telephone Etiquette and Use Standards in the Workplace

Purpose. The purpose of this College procedure is to set forth acceptable etiquette and use standards with regard to the use of College telephones and cellular phones in work or office settings.

For the purposes of this procedure, except where specifically referenced, no distinction is made between regular telephone and cell phone usage in the workplace.

Acceptable Use. The College recognizes that employees will occasionally need to make personal phone calls to meet their personal needs and responsibilities; however, the primary use of work phones is for work purposes, and the use of cell phones for personal phone calls should be kept to a minimum and should not interfere with the employee's work.

Employees are expected to use common sense and discretion when using phones in the workplace. Personal phone use should be limited to only necessary and immediate personal or business needs. Employees are encouraged to make such calls during their breaks or at lunchtime.

Excessive use or a pattern of disruptive use of a College telephone or personal cellular phone for personal business during work hours is considered outside an employee's scope of employment.

Unacceptable Behaviors.
- Use of a phone in a manner or frequency that intrudes upon or interrupts a co-worker's concentration or work activities,
- Use of a phone in a manner or a frequency that impacts job performance either for the employee on the phone or for the co-workers who are working with or near the employee,
- Allowing an unrelated phone call, especially a personal call, to take priority over a customer or an immediate deadline.

Proposed Behaviors.
- Employees may make personal calls infrequently and quietly in the office,
- Use phone speaker mode only for conference calls or in an area where co-workers and/or the public will not be imposed upon by the phone conversation,
- Keep conversations to professional subjects and your voice in a professional tone,
- Avoid saying anything on the phone that you do not want anyone (or everyone) to hear,
- Avoid using cell phone ring tones that are not office-appropriate; use ring tones that are very low and non-irritating,
- Turn cell phones off or on vibrate in shared office spaces, during meetings, class instruction, or other group activities that require your attention and the attention of others,
- Allow voice mail to answer non-urgent calls and return them once you can do so privately or, in the event of a personal call, once you can do so from home,
• Use common sense and respect co-workers and the propriety of the workplace by not subjecting co-
workers or the public to your phone conversations and by avoiding unnecessary personal calls during
assigned work hours.

**Accountability.** Supervisors shall be held responsible and accountable for addressing patterns of personal use
among their subordinates that are in conflict with this procedure. Abuse of this procedure may lead to disciplinary
action up to and including termination of employment.
308.3 Grounds for Disciplinary Action

Documentation. It is the responsibility of the immediate supervisor to furnish the Human Resources Office the complete documentation for any alleged acts which are grounds for disciplinary action. This documentation may consist of:

- Memoranda for record,
- Documentary log of events from supervisor,
- Copies of employee's previous disciplinary actions,
- Written statements from colleagues or students,
- Official law enforcement/legal documents.

Definitions.

- **Nolo contendere.** A plea entered by the defendant in response to being charged with a crime. If a defendant pleads nolo contendere, he/she neither admits nor denies that he/she committed the crime, but agrees to a punishment (usually a fine or jail time) as if guilty. Usually, this type of plea is entered because it can't be used as an admission of guilt if a civil case is held after the criminal trial.

- **Adjudication.** Adjudication is the legal process by which an arbiter or judge reviews evidence including legal reasoning set forth by opposing parties or litigants to come to a decision which determines rights and obligations between the parties involved. Three types of disputes are resolved through adjudication:
  - Disputes between private parties, such as individuals or corporations.
  - Disputes between private parties and public officials.
  - Disputes between public officials or public bodies.

Basis for Discipline. Unacceptable employee behavior constituting grounds for disciplinary sanctions up to and including termination of employment includes, but is not limited to, the following procedures:

- **Incompetence.** Inability of a physical, mental, or emotional nature resulting in the recurring failure of an individual to satisfy established criteria for satisfactory performance of assigned duties after ADA regulations have been reviewed, applied, and met.

- **Gross Insubordination.** Gross insubordination in the workplace may be:
  - Deliberate or repeated failure to comply with a clear and reasonable directive given by the proper authority.
  - An employee's willful or intentional failure to obey a supervisor's lawful and reasonable orders; the willful disregard for a manager's direct orders.
  - An action which constitutes lack of respect or harassment or repeated instances of inappropriate behavior.
  - A disrespectful attitude, grumbling, or "back talk."
  - Inappropriate language can also constitute insubordination in certain cases; using profane or abusive language when other employees are present and when it may undermine the authority of management or the morale of other employees constitutes insubordination. For example, an employee is insubordinate if:
    - An employee fails to carry out an order.
• If the employee, in the course of arguing with the supervisor, calls him/her a name.
• An employee calls the supervisor a name in front of other employees.
• An employee calls the supervisor a name privately, but afterward brags about it to other employees.
• An employee calls the supervisor a name privately, is warned by the supervisor, and then engages in further name-calling.

- **Neglect of Duty.** Unauthorized absence from duty, or deliberate and/or continued failure of an individual to perform assigned duties as reasonably expected.

- **Misappropriation.** Unauthorized use (i.e., for personal business) and all use not authorized by appropriate College officials (including direct support organizations) of College equipment, tools, machines, vehicles, funds, supplies, etc. The fraudulent appropriation of funds or property entrusted to an employee’s care that is actually owned by EFSC, a grant resource, or a DSO and designated for a specific purpose. Unauthorized use of communication systems such as telephone, email, internet access, etc. that are provided for conducting College business in an efficient manner.

- **Misconduct in the Workplace.** Unlawful or improper conduct in the workplace which violates established standards for job performance, such as mismanagement of public funds or trust, falsification of records, divulgence of confidential College information, etc.; the commission of any act which constitutes a conflict-of-interest action on the part of the employee; or the performance of, or the assigning of a College employee to the performance of, non-College duties while on College time.

- **Unprofessional Behavior in the Workplace.** Behavior which, in the judgment of reasonable persons within the College community, is sufficiently deviant from the professional and personal behavioral standards established by the College and the community that the behavior may bring the College into disrepute or may substantially impair the employee’s effectiveness in the performance of his/her duties. Refer to Procedure 308.1 Accepted Productive Work Standards.

- **Defamation of Character.** Engaging, with malicious intent, in slander or libel, or printing or distributing unsigned written material which exposes an individual or group to hatred or contempt.

- **Civil Disobedience.** Inciting or engaging in non-peaceful or unauthorized demonstrations on College property.

- **Unacceptable Possessions or Behaviors.** Possession of weapons on College property (exceptions per Procedure 112); manufacture, possession, dispensing or consumption, distribution, or sale of illegal drugs or controlled substances; or the appearance of an employee on College property in an intoxicated or drugged state are unacceptable. Alcohol is not permitted on College property except as officially approved by the President for a specific function.
  o Employee responsibility:
    ▪ Read, understand, obey Procedure 302.5 Drug-Free College;
    ▪ Report an arrest or arraignment to immediate supervisor and to the Human Resources Office no later than the subsequent work report date after the incident; (Procedure 302.4)
    ▪ Report a conviction to the Human Resources Office no later than the subsequent work report date after the conviction; (Procedure 302.4)
    ▪ Report final status of rehabilitation progress to the Human Resources Office when job is contingent upon completion of program.
  o EFSC responsibility:
    ▪ Provide information/assistance to employee with substance abuse problem.
- **Criminal Arrest/Arraignment.** Conviction or the finding of guilt, including a plea of nolo contendere, is the imposition of sentence or withholding of adjudication by any judicial body charged with the responsibility of determining violations of the federal, state, or local criminal statutes. Employees must report the incident or report a conviction to the Human Resources Office no later than the subsequent work report date.
308.4 Disciplinary Options

Options. Depending on the infraction, the College has instituted various disciplinary options for managers and supervisors to use. The supervisor will notify the Office of Human Resources and discuss disciplinary action to be taken; the following disciplinary options (in order of severity) are available:

- **Paperwork Not Included in Personnel File.**
  - **Employee-Supervisor Disciplinary Meeting.** Typically used by the supervisory for minor infractions and to institute corrective action when negative behavior and practices are exhibited. Examples are:
    - Meet with the employee;
    - Describe and discuss unacceptable behavior;
    - Suggest steps for improvement;
    - Document meeting results for supervisor files.

- **Paperwork Included in Personnel File.**
  - **Letter of Reprimand.** The following disciplinary options will be documented and the documentation will be forwarded by the supervisor, through all supervisory levels, to the Human Resources Office. The Human Resources Office will authorize action, or present the proposed action to the appropriate Vice President for authorization, and will notify the employee of action taken or to be instituted. The actions are listed in the order of increasing severity.
    - **Notice of Warning.**
      - Used when employee is potentially in danger of termination;
      - Outlines specific deficiencies;
      - Indicates dates by which specific improvement must be attained;
      - Indicates potential consequences when no improvement is noted;
      - Authorized by the Office of Human Resources and the appropriate Vice President.
    - **Notice of Probation.**
      - Used when employee is potentially in danger of termination and other steps have proven ineffective, but supervisor wishes to clarify expectations and provide the employee an opportunity to change behavior; provides the supervisor a way to identify a specific period of time during which the employee can modify workplace performance.
      - Probation indicates number of days, up to 90 days; (under extenuating circumstances, additional days may be approved),
      - Authorized by the Office of Human Resources and the appropriate Vice President.
    - **Recommendation of Suspension.**
      - Used when employee is in danger of termination, other steps have proven ineffective, and the supervisor believes that the employee will be more motivated to change behavior by experiencing time away from the job;
- Recommends suspension with or without pay, not to exceed 30 days;
- Authorized by the Office of Human Resources and the appropriate Vice President.

- **Notice of Demotion or Frozen Pay.**
  - Used when employee is not performing to level required by the position but may perform more efficiently at a lower level or when an employee requires motivation due to lack of performance;
  - Describes the lower pay scale (demotion) or indicates the level of pay freeze;
  - Authorized by the Office of Human Resources and the appropriate Vice President or the President.

- **Notice of Termination of Employment.** Termination without notice may be made for a severe infraction of the grounds for termination. Any non-union classified employee terminated with more than 90 days of service to the College may petition the Human Resources Office for review of the grounds for termination.
  - Used as a last resort for supervisors, when a supervisor has exhausted all other corrective measures or in the event that an employee's violation is so serious that it is warranted;
  - Authorized by the Office of Human Resources and the appropriate Vice President or the President.
  - The reasons for which an employee may be terminated include, but are not limited to, the following:
    - Unacceptable attendance,
    - Excessive tardiness,
    - Insubordination,
    - Submission of false information for payroll or records,
    - Impaired behavior resulting from alcohol abuse or drug abuse,
    - Illegal conduct or any conduct endangering life, limb, or property of any individual on campus,
    - Carelessness or improper use of equipment,
    - Willful neglect of duty,
    - Physical assault,
    - Willful malicious behavior which seriously affects the job performance of the individual or co-worker(s).

If there is an immediate need for the supervisor to remove the employee from a work situation, then the employee should be asked to leave until further notice.
308.5 Progressive Discipline

Discipline issues in the workplace may range from failure to complete a given task, performing tasks incorrectly, to gross insubordination, and repeated and blatant disregard of College rules and procedures. It is important for the supervisor/manager to clarify issues to ensure that performance issues do not occur as the result of lack of training, lack of knowledge, etc. The discipline process can serve a developmental purpose to improve both employee performance and employer-employee relationship when used properly.

Paperwork Not Included in Personnel File. Supervisors should utilize the following process depending on the severity of the situation:

- Employee-Supervisor Disciplinary Meeting. Alone, this step should be utilized for minor infractions.
  - The supervisor will schedule a personal meeting with the employee and identify the reason for the meeting to the employee.
  - The supervisor will point out to the employee what he/she perceives is the employee behavior and how it is impacting the successful functioning of the group or department and the departmental goal attainment.
  - The supervisor will request that the employee share his/her thoughts on how he/she believes he/she is doing in the performance of his/her job with respect to the specific situation.
  - The supervisor will request that the employee identify alternative ways of performing the job and approaching the situation in question.
  - The supervisor will also identify the desired behavior and share the positive impact on the group or department and on departmental goal attainment.
  - The supervisor will request input from the employee for reaching an acceptable solution to the problem and for developing goals to correct the situation.
    - If the employee does not respond or is unable to provide acceptable goals for meeting the desired behavior, then the supervisor will identify for the employee specific goals, behaviors and time frames the employee must meet to resolve the conflict.
    - If the employee is able to collaborate with the supervisor to reach a mutually agreeable solution (including specific goals, behaviors and time frames), then the supervisor will ask the employee to define any assistance the employee will need in order to reach the agreed-upon goals and set a plan of action (including ongoing benchmarks and employee-supervisor meetings to ensure that the employee is on track or to make course corrections, as needed).
  - The supervisor will document (for the supervisor’s files) the detailed results of the meeting, clearly identifying employee reactions, attitudes, topics discussed, goals to which the employee and the supervisor committed, as well as time frames for meeting the goals and specific steps in the plan to be followed. The supervisor will also note any specific comments made by the employee or any specific negative or positive reaction displayed by the employee as well as the supervisor’s response.

Paperwork Included in Personnel File. The following disciplinary options will be forwarded by the supervisor, through all supervisory levels, to the Human Resources Office. Human Resources Office will authorize action, or
present the proposed action to the appropriate Vice President for authorization, and will notify the employee of action taken or to be instituted. The actions are listed in the order of increasing severity.

- **Letter of Reprimand from Supervisor.**
  - The supervisor will prepare the letter of reprimand using template provided by HR.
  - The supervisor will detail specific unacceptable behaviors in the letter, including the adverse effect that the employee behavior is having on the group or department, and will explain desired behaviors and goals as well as the time frame for achieving the desired behaviors and goals.
  - The supervisor will gain concurrence from his/her manager.
  - The supervisor will forward the letter to Human Resources for assistance with the letter and with compliance issues.
  - HR will discuss the situation with the supervisor, make recommendations, and return the letter (with modifications, if applicable) to the supervisor.
  - The supervisor will meet with the employee to present the letter to the employee.
  - The supervisor will request that the employee share his/her thoughts on how he/she believes that he/she is doing in the performance of his/her job with respect to the specific situation.
  - The supervisor will request that the employee identify alternative ways of performing the job and approaching the situation in question.
  - The supervisor will point out to the employee what the supervisor perceives is the employee behavior and how it is impacting the successful functioning of the group or department and the departmental goal attainment.
  - The supervisor will also identify the desired behavior and share the positive impact on the group or department and on departmental goal attainment.
  - The supervisor will identify the gap between the perceived behavior and the desired behavior. The supervisor will also point out the level of gravity that a formal letter of reprimand represents to the employee and will alert the employee that, if behavior does not change, there could be serious repercussions, possibly affecting the employee’s employment at the College.
  - The supervisor will request input from the employee to determine how the employee can reach an acceptable solution to the problem and develop goals to correct the situation.
    - If the employee is able to collaborate with the supervisor to reach a mutually agreeable solution (including specific goals, behaviors and time frames), then the supervisor will ask the employee to define any assistance he/she will need in order to reach the agreed upon goals and set a plan of action (including ongoing benchmarks and employee-supervisor meetings to ensure that the employee is on track or to make course corrections, as needed).
    - If the employee does not respond or is unable to provide acceptable goals for meeting the desired behavior, then the supervisor will identify for the employee specific goals, behaviors and time frames the employee must meet to resolve the conflict.
  - The supervisor will document the results of the meeting in detail, clearly identifying employee reactions, attitudes, topics discussed, goals to which the employee and the supervisor committed, time frames for meeting the goals, and specific steps in the plan to be followed. The supervisor will also note any specific comments made by the employee or any specific negative or positive reaction displayed by the employee as well as the supervisor’s response.
  - The supervisor may decide that a second letter of reprimand is appropriate before proceeding to next step. The supervisor should consult with the Human Resources Office and with the appropriate Vice President before making the final decision.

- **Notice of Warning or Probation from Supervisor.** The supervisor should decide whether to assign probation for a serious and frequent infraction or give a warning for a less serious and less frequent infraction.
The supervisor will prepare the letter of warning or of probation using the template provided by the Human Resources Office (probation may be up to 90 days or, under extenuating circumstances, additional days may be approved).

- The supervisor will detail specific behaviors in the letter including times of specific procedural infractions and explain desired behaviors, goals and time frames for meeting the desired behaviors and goals (timeline is required).
- The supervisor will identify specific consequences for not modifying behavior (i.e. possible termination, demotion, etc.).
- The supervisor will forward the probationary or warning letter to the Office of Human Resources for assistance with the letter and with compliance issues (the letter will be addressed by the HR administrator).
- HR will discuss the situation with the supervisor, and will make a recommendation and return the letter (with modifications, if applicable) to the supervisor.
- HR will gain concurrence from the appropriate Vice President.
- HR will meet with the supervisor and the employee.
- HR will identify the possible repercussions for continued infractions and turn the meeting over to the supervisor to explain in detail the effects of the infraction and articulate the required behaviors.
- HR and the supervisor will ascertain that the employee understands the purpose of the meeting and what the College requires from the employee in order to rectify the situation.
- The supervisor and HR will respond to the employee comments.
- HR will explain to the employee and the supervisor that this is a collaborative process, that the supervisor will assist and monitor the employee, but that the employee must comply with the stated behaviors.
- HR and the supervisor will close the meeting with the employee once the employee and the supervisor have signed the probationary or warning letter (HR will keep the original for the employee files, one copy goes to the employee and another to the supervisor).
- The supervisor will document the results of the meeting in detail, clearly identifying employee reactions, attitudes, topics discussed, goals to which the employee and the supervisor committed, time frames for meeting the goals and specific steps in the plan to be followed. The supervisor will also note any specific comments made by the employee or any specific negative or positive reaction displayed by the employee.

**Recommendation of Suspension.**
- The supervisor will prepare the letter of suspension using a template provided by HR. Suspension, with or without pay, is not to exceed 30 days. The supervisor will confer with HR before recommending suspension.
- The supervisor will detail specific behaviors in the letter including times of specific procedural infractions and explain detrimental impact on the group or department.
- The supervisor will recommend a specific suspension period (beginning and ending).
- The supervisor will forward the suspension letter to the Human Resources Office for assistance with the letter and with compliance issues (the letter will be addressed by the HR administrator).
- HR will discuss the situation with the supervisor, and will make a recommendation and return the letter (with modifications, if applicable) to the supervisor.
- HR will gain concurrence from the appropriate Vice President.
- HR will meet with the supervisor and the employee.
- HR will identify the reason for the meeting and identify the suspension period.
- The supervisor will ask the employee if he/she has any questions, comments, etc.
- The supervisor and HR will respond to the employee comments.
- HR and the supervisor will ascertain that the employee understands the purpose of the meeting and that the employee is being suspended.
- HR and the supervisor will close the meeting reiterating the details to the employee.
• Notice of Demotion or Frozen Pay.
  o The supervisor will prepare the letter of warning using template provided by HR. The supervisor will confer with HR before issuing a formal warning letter.
  o The supervisor will detail specific behaviors in the letter including times of specific procedural infractions and explain detrimental impact on the group or department.
  o The supervisor will describe the lower pay scale (demotion) or indicate the level of pay freeze.
  o The supervisor will forward the warning letter to the Human Resources Office for assistance with the letter and with compliance issues (the letter will be addressed by the HR administrator).
  o HR will discuss the situation with the supervisor, and will make a recommendation and return the letter (with modifications, if applicable) to the supervisor.
  o HR will gain concurrence from the appropriate Vice President.
  o HR will meet with the supervisor and the employee.
  o HR will identify the reason for the meeting and detail the circumstances of demotion or frozen pay.
  o The supervisor will ask the employee if he/she has any questions, comments, etc.
  o The supervisor and HR will respond to the employee comments.
  o HR and the supervisor will ascertain that the employee understands the purpose of the meeting and that the employee is being demoted or that the employee’s pay will be frozen for a certain length of time.
  o HR and the supervisor will close the meeting reiterating the details to the employee.
  o The supervisor will document the results of the meeting in detail, clearly identifying employee reactions, attitudes, topics discussed, goals to which the employee and the supervisor committed, time frames for meeting the goals and specific steps in the plan to be followed. The supervisor will also note any specific comments made by the employee or any specific negative or positive reaction displayed by the employee.

• Notice of Termination of Employment or Immediate Dismissal.
  o The supervisor will contact HR and request approval to terminate an employee.
  o HR will prepare the termination letter.
  o HR will gain concurrence from the appropriate Vice President and the President.
  o HR will meet with the supervisor and the employee.
  o HR and the supervisor will request that the employee return technology items (laptop, communication devices, etc.), keys (building, office, desk, files, etc.), badge, etc.

Refer to the Complaint/Grievance Procedure 200.1 for information relating to grievances due to discrimination, hostile work environment, and various forms of harassment.
308.6 Employee Grievance for Management and Non-Discrimination Issues

Any employee who has a specific issue with another employee (whether peer or supervisor) that is of a management or other non-discriminatory nature may follow this procedure to resolve the issue.

If the problem is with a peer or other colleague, the employee should take the grievance issue to his/her supervisor in order to resolve said issue.

If the problem is with the employee’s supervisor/manager, the employee should request a meeting with his/her supervisor/manager’s manager and present the facts of the issue in question.

The College advocates that management and non-discrimination issues be resolved by the employees and their supervisors or managers. Employees encountering discrimination, hostile work environment, and various forms of harassment due to race, gender, age, religion, and other protected class issues should refer to the Complaint/Grievance Procedure 200.1 for information and guidance.
309.1 Resignation and Separation

Instructional. Faculty members who desire to be released from contract during the academic year should secure such permission in writing from the Provost.

Non-Instructional.
- An administrative employee will give the required number of days’ notice, either in accordance with their contract or, if not specified, 30 days, to the Office of Human Resources before the employee's last projected day on campus.
- Non-contractual employees are requested to notify the College at least two calendar weeks prior to their last projected day on campus.
- An employee may not terminate/resign/retire on a holiday. To be paid for a holiday, the employee must:
  - work the day before and the day after the holiday, or
  - be on an approved paid leave the day before and the day after the holiday (refer to Procedures 304.5 and to 305.15 and 305.16 for information on unused sick leave or vacation leave).
- An employee will not be paid for Spring or Winter Break unless working or on a pre-approved leave for one full pay period after the break.

Full-Time Employees. When a full-time employee leaves College employment, it is recommended that he/she contact the Human Resources Office; however, on the employee’s last day physically present on a College site, it is the responsibility of the supervisor to:

- Submit a completed Clearance Form indicating that:
  - Keys have been returned;
  - ID badge has been turned in
  - EFSC equipment has been turned in (laptops, uniforms, communication devices, etc.);
  - Accounts have been settled at the Eastern Florida-UCF library and at the EFSC Accounting Office.

The employee should contact the Human Resources Benefits Office regarding forms relating to disposition of benefits. See Procedure 310.5 Communication Systems for information on e-mail access for full-time faculty.

If the employee remains on the payroll after his/her last day on campus (due to accumulated vacation time), the final paycheck may be mailed. The final paycheck will include days worked during the final pay period and may include a payoff on vacation leave (refer to Procedures 305.15 and 305.16).

Part-Time Employees. When a part-time employee leaves College employment, it is the responsibility of the supervisor to:

- Submit a completed Clearance Form indicating that:
  - Keys have been returned;
  - ID badge has been turned in;
  - EFSC equipment has been turned in (laptops, uniforms, communication devices, etc.);
Accounts have been settled at the EFSC-UCF Library and at the EFSC Accounting Office.

All Employees. The Human Resources Office will release the employee's final paycheck after the completed Clearance Form has been received and after open invoices on the accounting or student systems are deducted from the final paycheck.

EFSC Response to Resignation. All resignations must be submitted in writing; the College will formally acknowledge the resignation of employees by responding with the Resignation Acceptance Form.

Resignation by Absence. Unless on an approved leave, if an employee has not received a paycheck for six months at the end of the fiscal year, then the employee shall be considered resigned and will not be reappointed for the next fiscal year. For full-time or regular part-time employees, also refer to Procedure 305.2 Job Abandonment.
309.2 Suspension or Termination

At-Will Employment. Personnel may be dismissed or suspended based on an evaluation of each individual case as authorized under provisions of Florida Statutes and applicable laws or regulations. Under Florida law, employment contracts that do not specify a definite term of employment are terminable “at will.”

Suspension. As a part of the progressive disciplinary process, an employee may be suspended or removed from her/his job, with or without pay, for a specific length of time (per Procedure 308.4 Disciplinary Options).

Termination. An employee may be terminated without cause. Neither the employee nor EFSC is bound to continue the employment relationship if either chooses, at will, to end the relationship at any time for any reason, other than those prohibited by law (race, age, gender, or any other legally-protected classification).
310.1 Maintenance of Employee Records

The Office of Human Resources will administer procedures for the maintenance of individual personnel files.

**Personnel Records.** The College will maintain an individual personnel file for each College employee. The file will contain documents pertinent to the individual's employment at the College, including:

- Position announcement;
- Job description;
- Supervisor Checklist;
- Application, resume, recommendations, references;
- Verification of education and experience;
- Job offer letter;
- Government forms;
- Training records/certification of viewing/attendance forms (as appropriate) Americans with Disabilities Act, Right-To-Know/Safety, drug-free policy, Vulnerable Persons Act, and Preventing Workplace Harassment;
- Emergency form;
- Loyalty oath form;
- I-9 form;
- Payroll forms, transactions, contracts;
- Personnel Action Form;
- Leave records;
- Performance reports;
- Communications approved by the AVP for Human Resources;
- Outside Employment form (also refer to Procedure 310.4 Conflict of Interest);
- Beneficiary Designation for residual pay form;
- Ethnicity Reporting Form
- Retirement documents.

Each employee will also complete the following forms which will not be kept in the individual's personnel file:

- Variety of insurance and benefit information and forms;
- OSHA-compliant Bloodborne Pathogen Training and Hepatitis B Vaccine Acceptance/Declination Forms.

Individual personnel records will be open for inspection only by the employee, the employee's supervisors, or by officials of the College who are responsible for the supervision of employee records.

**Release of Information.** The President's Office or the Human Resources Office may release additional information upon written authorization from the employee, or upon a court order of competent jurisdiction, and as required by the Public Records Act or other applicable law.
Records Retention Requirements. Employee records are required to be retained according to regulations in the Florida Statutes.

Records Imaging. A Eastern Florida State College employee’s complete personnel file is placed on electronic media no earlier than six months after the employee has terminated employment with the College. The payroll and leave records are imaged periodically.

Employee Records Update. An employee may change personal information (such as an address or a phone number) in the personnel file via an email to the Human Resources Office. If documents of verification are necessary, they may be placed in physical mail as follow-up support for the email. For a name change, the employee must submit a written request that is signed and dated, along with any supporting forms that may be necessary (such as an updated Social Security card).

Requests to Review Employee Files. If an employee's file is to be reviewed by anyone other than the employee's supervisor(s) or staff members of the Human Resources Office, then:

- the request should be submitted in writing;
- the employee may be notified and may choose to be present;
- an appointment to review is scheduled;
- the reviewer may be requested to complete a Public Records Request Form for the file and to ensure that the correct file material is pulled for review;
- the reviewer must pay current copy rate (FS 119.071) for any copies made of material from the reviewed file.

The individual’s limited-access personnel file may be released by the records custodian only upon written authorization from the employee, the College President, or upon order of a court of competent jurisdiction.

Exempt or Limited-Access Information. The following information is considered limited-access and is not available to the public:

- Records with information reflecting academic evaluations of employee performance.
- Records relating to an ongoing investigation of employee misconduct, such records to become public-access at the conclusion of an active investigation.
- Records maintained for any employee disciplinary or grievance proceeding, such records to become public-access once a final decision is made.
- Employees considered exempt from public records reporting, per written request from the employee, include:
  - Law enforcement personnel,
  - Human Resources or Employee Relations administrators,
  - Firefighters,
  - Employees who previously worked as, or whose spouse now works as, a judge, a state attorney/prosecutor, a code enforcement officer, a local government administrator, or as a DCF, IRS, or Public Health employee.

Subpoenas for Records. Subpoenas duces tecum for records will not be accepted and cannot be delivered to an office, employee, or student after 5:00 pm, the official close of business for the staff of the College business offices, the Office of the Registrar, the Admissions Offices, and the Office of Human Resources.

- Employee Records. All lawfully-issued or court-ordered subpoenas for employee records delivered by an authorized individual between 8:00 am and 5:00 pm on a work day are to be directed to the Human Resources Office on Cocoa Campus and are not to be accepted by or signed for in any other offices.
- Student Records. All lawfully-issued or court-ordered subpoenas for student records delivered by an authorized individual between 8:00 am and 5:00 pm on a work day are to be directed to the Office of the
Registrar on Cocoa Campus or to the Director of Admissions/Advising for the other campuses and are not to be accepted by or signed for in any other offices (refer to Procedure 421).

Subpoenas for Individuals (employees or students). Subpoenas ad testificandum for individuals may not be accepted by or left with an employee to serve upon a student or another employee. Process servers will be requested to deliver non-College-related subpoenas to an individual’s home address (which will not be given out by staff members). If the subpoenas are delivered on campus, the guidelines below will be followed:

- **Employees.** Process servers will contact the Security Office to learn the location of the employee; EFSC will permit the authorized individual (process server) to serve the subpoena to the employee in a private area designated by the College when and if the situation permits. The Security will accompany the process server.
- **Students.** Process servers will contact the Security Office and the Campus Admissions/Advising Office to learn the student’s class location. The Security Officer will accompany the process server.
- **All.** The Security Officer will fax a copy of the subpoena to the Human Resources Office if for an employee or to the Office of the Registrar if for a student.
310.2 Reference Requests

All reference requests from former EFSC employees and from prospective employers of former EFSC employees will be forwarded to the Office of Human Resources. Current EFSC employees wishing to give a reference for a former EFSC employee may do so on personal stationery and not as a College representative or on EFSC letterhead.

Failure to comply with this procedure may result in personal liability in the event of legal action.

In response to reference and verification requests, the Office of Human Resources is authorized to release only verification of:

- Employee name,
- Employee title,
- Dates of employment,
- Salary.
310.3 Code of Ethics

All faculty and staff shall adhere to those applicable provisions of the Code of Ethics for Public Employees, as set forth in Chapter 112, Florida Statutes, which include but are not limited to the following:

Solicitation and Acceptance of Gifts. An employee shall not solicit or accept anything of value to the recipient, including a loan, gift, reward, favor, service, or promise of future employment, based on any understanding that the official act or judgment of the employee will be influenced.

Doing Business with the College. An employee acting in a private capacity shall not rent, lease, or sell any goods, services or property to the College, subject to certain exemptions set forth in Florida Statutes.

Unauthorized Compensation. An employee shall not accept any compensation, payment or item of value at any time, when the employee knows or should know that it is given to influence any action in which an employee is expected to participate in the employee’s official capacity at the College.

Misuse of Public Position. An employee will not use or attempt to corruptly use a position, any property or resources of the College or perform official duties at the College in order to secure a special privilege or benefit.

Conflicting Employment or Contractual Relationship. An employee shall not hold employment or contractual relationships with any business that is doing business with the College, subject to limitations set forth in Florida Statutes. Further, an employee may not have any employment or contractual relationship that will create a recurring conflict with an employee’s private interests and the performance of public duties at the College. (See Procedure 310.4 Conflict of Interest or Procedure 308.3 Grounds for Disciplinary Action, Misconduct in the Workplace)

Disclosure or Use of Certain Information. An employee may not disclose or use information that is not available to the general public and that is learned by reason of the position at the College for personal gain or benefit of any person or business.
Title: Conflict of Interest  

**Definition.** A conflict of interest can be defined as any situation in which an individual or business is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit. A conflict of interest can occur when an employee has an interest that might compromise his/her reliability. A conflict of interest can become a legal matter when an employee tries or succeeds in influencing the outcome of a decision for personal benefit. A few examples of conflict of interest are accepting gifts, hiring of relatives or friends, outside employment, assigning subcontract work to relatives or friends, the use of College facilities for personal benefit, the appearance of unethical behavior, etc.

If an actual or potential conflict of interest is disclosed, the affected employee should refrain from further participation in matters to which the conflict relates until the question of conflict has been resolved. The Human Resources Office will review and determine the appropriate course of action for all conflicts affecting employees of the College; and, in consultation with the College Attorney, will pursue resolution of such conflicts.

**Outside Employment.** Any employee of the College engaged in outside employment must submit an *Outside Employment Form* to the immediate supervisor, and to the Office of Human Resources describing the nature of that employment. The *Outside Employment Form* is completed during the new-employee processing (refer to Procedure 301.5 Post Employment Processing) and at any time during employment that an employee either changes outside employers or begins outside employment. No Eastern Florida State College employee may engage in selling any goods or materials to students, parents, or other College employees on College property, unless such sales are a regular part of the employee's assigned duties. No Eastern Florida State College employee is permitted to do business with the Board, faculty, or administrative personnel involving the sale of any product or service to the College except with specific prior approval of the President.

The College administration may question the propriety of any employee's outside employment activities and may require the employee to confer with the appropriate College officials to determine a proper course of action. When an individual's outside employment reduces work performance at the College, brings discredit to the College, or is deemed inappropriate, the individual will be offered an opportunity to resign from either the outside employment or the position at the College.

**Private Tutoring/Testing by Employees.** Employees who receive compensation for private tutoring or testing, whether for EFSC students or for students of a non-EFSC program, will not use College facilities for such purposes, nor will they do such tutoring/testing during scheduled hours of service to the College. Compensation may not be received for tutoring students enrolled in one’s own class.

**Honorariums.** Employees may keep honorariums received as a result of presentations or seminars given on behalf of the College when they are offered. The employee may choose to donate or share the honorarium with the College.
Endorsements. College employees will not endorse a product or a service in a manner which implies an endorsement by the College.

Employee-Developed Materials/Copyright/Patent. The College acknowledges the need to define ownership rights to copyrightable or patentable property, thereby protecting the rights of those who create intellectual or artistic property and those who support that creation.

Employee-Developed Materials/Copyrights/Patents include, but are not limited to, the following creative and intellectual works:
- All written works, including books, journal articles, texts, glossaries, bibliographies, study guides, resource materials, laboratory and other manuals, syllabi, tests, and proposals;
- Lectures, musical or drama compositions, and unpublished scripts;
- Films, filmstrips, charts, transparencies, and other visual aids and teaching devices;
- Video and audio tapes, cassettes, and compact disks;
- Live video or audio broadcasts;
- Programmed instructional material;
- Computer programs, and other electronic media;
- Pantomimes and choreographic works;
- Pictorial, graphic, and sculptural works;
- Sound recordings;
- Other materials subject to the U.S. copyright laws and controls.

Determination of Rights. In order to determine the respective rights of the College and of College employees with regard to copyrights, patents or royalties arising from employee-developed materials, the College must distinguish between employee-initiated and supported work and work supported by the College or by external funding. Support may take the form of, but is not limited to:
- Salaries,
- Release time for College-assigned duties,
- Graphics, printing, secretarial or media services,
- Supplies or equipment usage.

Independent Work. A College employee owns all rights to copyrights, patents or royalties arising from non-College-assigned work which has involved only insignificant use of College resources or facilities and which was primarily created while the individual was not on duty for the College.

College-Assisted Work. The College and an employee shall enter into a written agreement which requires either:
- A reimbursement to the College for institutional time or resources used in developing the creative work, or
- Joint ownership of all royalties, copyrights, patents, and their disposition.

Failure to execute a written agreement will not deprive the College of its right to an equitable percentage of royalties, copyrights or patents, or to require equitable reimbursement for College support.

College-Initiated and Supported Work. The College owns all rights to College-initiated and College-supported work developed by employees as a result of specific College assignments or tasks involving significant use of College resources, time, and facilities.

Endowed Faculty Chair Awards. The College owns all rights to all projects created by endowed faculty chair award recipients and own any and all equipment purchased using said award funds.
**Sponsor-Supported Work.** The rights to all copyrights and patents developed by an employee whose salary is partially or totally supported by external funding are assigned per the written agreement between the employee and the supporting agency.

**Disclosure.** College employees will inform the College of the development of copyrighted or patented work and of royalties received for the work.

**Use of Faculty Authored Texts (Primary and/or supplemental).** A text book (primary and/or supplemental), authored in part or in whole by a EFSC faculty member, may be used in the author's class(es) only if the book(s) in question were selected according to the current CBA. To do otherwise would constitute a conflict of interest.

**Use of Classroom Materials Other Than Textbooks, Faculty-Developed or Otherwise (Tools, Parts, Uniforms, Instructional Kits).** All instructional materials such as tools, parts, uniforms, instructional kits, and other such devices/materials required or supplemental to a course must be outsourced through the Bookstore or the Purchasing Dept. The faculty member must provide to the Bookstore or Purchasing a list of required or supplemental items needed, without reference to source of purchase. The Bookstore or Purchasing, without faculty involvement, will select the source(s) from which these items will be purchased. To do otherwise would constitute a conflict of interest, particularly in the case of faculty-developed materials.

**Online Resources.** The faculty and staff of the College will adhere to the fair use language that applies to online resources and classrooms. A link to the applicable copyright language is available [http://libguides.easternflorida.edu/content.php?pid=371322](http://libguides.easternflorida.edu/content.php?pid=371322).
310.5 Communications Systems

Access and Professional Use of Systems. Communication systems are critical to EFSC’s success. The College has provided access to the telephone system, e-mail, and Internet, as well as to copiers and fax machines for business purposes. Employees are to use professional discretion and to avoid the abuse of these systems for personal matters. A few examples of inappropriate work environment communications are chain letters, or information regarding politicians or political issues. Refer to Procedure 107 or to the Policies, Procedures, and Documents page of the College website for complete guidelines for the Technology and Internet Ethics & Acceptable Use Policy.

Employee access to electronic mail, as well as to other secured College systems, is to be requested from IT’s Data Services by the supervisor. The supervisor is to decide the level of access that the employee will have on each of the systems requested.

E-mail Use. The electronic message is a public document. As such, it is subject to scrutiny by administration, the public, and the press; it may be used as evidence in a court of law. E-mail documents are also subject to records retention rules that apply to any communication medium whenever the content includes formal College policy, procedure, or job-related information.

EFSC expects employees to use good judgment in the use of the communications systems. Sending material of a sensitive nature over the internet is not acceptable without proper encrypting to prevent interception by third parties. Management should be notified of unsolicited, offensive material received by any employee on any of these systems.

Faculty members may retain e-mail access for up to one year after retirement; however, abuse of the function will result in a loss of access.

Internet Use. Access to the Internet is provided to employees as a research and information tool. Employees should use this service exclusively for job-related activities. Internet access is monitored by EFSC; abuse of this information vehicle may result in disciplinary action or termination. Refer to the Technology and Internet Ethics & Acceptable Use Policy in Procedure 105 or on the College website.

Additionally, whether working from a work station on campus or off campus, it is unacceptable to forward or post videos and/or to knowingly forward or post information/material regarding EFSC, your colleagues, and/or students on social networking sites, blogs, wikis, cell phones with video features, or on any online publishing format when that communication is defamatory, discriminatory, illegal, harassing, or presents the College, its services, or its reputation in a negative manner. When communications are sent from off campus to a EFSC email address, the communication is considered the same as using the College e-mail system.

Sanctions. Your consent and compliance with this e-mail, computer, internet, copier, fax, and voice mail procedure is a condition of employment. Failure to abide by these rules or to consent to any interception,
monitoring, copying, reviewing, and downloading of any communications or files is grounds for discipline, up to and including, termination. Refer to Procedure 308.3 Grounds for Disciplinary Action, Misappropriation or Misconduct in the Workplace, and Procedure 308.4 Disciplinary Options.
310.6 Employee Suggestions

Suggestions. The College encourages employees to make suggestions to improve College operations. The suggestion should address a problem, potential problem, situation, or a College process, and should present a solution for consideration.

Submissions should be made by email or as a signed suggestion by campus mail to the Provost or to the appropriate Vice President who will discuss the suggestion with the supervisor(s) of the area or areas involved and make a recommendation to the President as to the dispensation of the suggestion.

When a suggestion is successfully evaluated and implemented, the President may choose to recognize the employee who initiated the idea.
310.7 Children in the Workplace

Administrators, faculty, staff, and students may expect to teach or attend class or to complete work in offices, libraries, and other work areas with a minimum of distraction or interruption. An employee may not use his/her employment location as a childcare facility. Employees who are responsible for the care of minor children are expected to arrange childcare away from the work site. The College accepts no liability for the actions of children on campus; the parent or child custodian assumes all such liability. Also refer to Procedure 201.7, Appendix A, #7.

No child under the age of 16 should ever be brought into an area deemed “mechanical” in nature such as A/C rooms, areas with tools, equipment, heavy machinery, etc.

Employees who violate this procedure may be subject to disciplinary action.
310.8 Community Linkages

Political Activities of Employees. No employee of the College shall solicit support of any political candidate during regular work hours or on College property. However, the Board does recognize the right and duty of College employees to engage in political activities as responsible citizens after scheduled College hours and off College property. College employees are encouraged to take an active part in civic and political organizations, provided such participation does not interfere with assigned duties at the College.

A College employee who is a candidate for public office shall notify the President upon qualifying for the election. Such candidate will adhere strictly to statutory guidelines regarding political activity on the part of public officials and employees, including faculty. A successful candidate for an office requiring part-time responsibility shall report to the President immediately after the election to evaluate the compatibility of the dual responsibilities.

Community Access to Employees or Campuses. While the College property is public to some extent, the College Board and Administration have the authority and obligation to operate the College in a manner that best promotes the educational mission of the College Board of Trustees and of the Administration. Persons who enter the property (classrooms or other College buildings) without an educational purpose and/or without proper clearance from the President’s office or designated staff may be considered trespassers and escorted off campus by Security staff. For additional information regarding process servers, see Procedure 310.1 Employee Records.

Warrants / Arrests. Law Enforcement should contact EFSC Security Officers at the respective campus when exercising this type of authorization. When feasible, the on-duty Security Officer should accompany the Law Enforcement Officer and, as discreetly as possible, escort student or employee to a private area.
OVERVIEW OF STUDENT SUPPORT SERVICES

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in eLearning courses. (SACSCOC R6.1 and R6.2.b) The College will define expected outcomes and monitor outcomes to determine the effectiveness of these programs. (SACSCOC R8.2.c)

400.1 Student support services

400.1.1 Admissions
The Admissions and Records Office is dedicated to providing prospective, new, and returning students with accurate information and individualized support to assist students in completing the admissions process successfully.

400.1.2 Advising
Advising enhances student learning by partnering with academic resources to enhance student success. Advisors guide students who demonstrate an academic or personal need to the appropriate department and provide follow up throughout the semester. First Time in College students or those on Academic Warning receive additional guidance to help them stay on track.

400.1.3 Assessment Centers and Testing
The Assessment Centers and Testing offices provide quality, accessible, secure proctoring services on all four campuses. Academic, standardized, and Industry certification exams are administered by courteous, knowledgeable, student-oriented, professional testing staff to EFSC eLearning and traditional students, SAIL students, students from external colleges and universities, and non-EFSC students from our community workforce.

400.1.4 Career Centers
The Career Planning and Development Center offers support to students college-wide through targeted career assessments, career coaching and exploration, job search, resume writing, and interview skills workshops, as well as hosting job fairs and placement interviews. A wide range of online tools are available to help students and the community match their interests with a career, explore real-time local job listings, check market demand, and connect to EFSC programs and education planning.

400.1.6 Eastern Florida Online
EFSC’s nationally recognized online curriculum includes complete A.A. and A.S. degree programs. Eastern Florida Online courses are specifically designed for motivated students with busy schedules who are up for the challenge of online learning. Eastern Florida Online provides an opportunity for students to learn beyond the boundaries of a physical classroom.

400.1.7 Financial Aid
The Office of Financial Aid is committed to helping students obtain the resources necessary to pursue a postsecondary education while counseling students to be cautious in debt management and student loans.

400.1.8 International Services
The International Student Services Office is committed to assisting international students throughout their educational career. Staff provide support with cultural adjustment and assistance concerning visas and related immigration issues. Advisors provide students with individual academic success plans and information on support services. EFSC also offers English Language Studies (ELS) to address the needs of students whose native language is not English.

400.1.9 Academic Success Centers
The Academic Success Centers is a resource center on each campus that offers comprehensive academic assistance and support, including tutoring to help students succeed.

400.1.10 Library Services
The Libraries provide and support student and faculty access and user privileges to library collections and services and to other learning/information resources consistent with the degrees offered by the College. Access to educational resources and assistance in their use directly supports the College's community, educational, and cultural commitment.

400.1.11 Office for Undergraduate Research
The Office of Undergraduate Research (OUR) organizes, promotes, and supports student research in all disciplines. The overarching purpose is to assist students and connect them with faculty, staff, administrators, and community leaders to provide student research opportunities that will enhance academic progression and nurture deeper engagement in academic fields of interest.

400.1.12 Recruitment
The Student Recruitment Office provides information to the students, parents and staff of area schools (public and private), local employers, and the community at large regarding the opportunities available through the College. Programs and services include: admissions application assistance, pre-college advising, financial aid coaching, and fulfillment of requests for information about EFSC and its programs.

400.1.13 Registrar
The Office of the Registrar provides effective and efficient support and assistance to the students, faculty, staff, and alumni of the College. Preserving the integrity and privacy of student academic records is paramount to all services rendered such as issuing transcripts, letters of certification, graduation clearance, and transfer credit for military, prior college, and life experiences.

400.1.14 Student Access for Improved Learning (SAIL) - Accessibility/Disability Services
Student Access for Improved Learning (SAIL), the College’s accessibility/disability services department, serves as a resource for students, faculty, and staff strives to eliminate physical, instructional and attitudinal barriers to create an accessible and inclusive environment for all. In collaboration with faculty, staff and administration, the SAIL team ensures that EFSC students with documented disabilities have equal access to programs and services and that reasonable accommodations are provided so that students may reach their individual potential. In order to maximize college outcomes (and beyond), SAIL encourages students to be self-advocates, be proactive and to fully engage in their learning by utilizing the array of services and resources provided at EFSC.

400.1.15 TRiO
The TRiO-Student Support Services is a federally funded grant program designed to help increase the retention, graduation and transfer rates among first-generation college students and economically disadvantaged students.
400.1.16 Military and Veterans Service Centers
The Military & Veterans Service Centers (MVSC) are responsible for academic advising, counseling veterans on their educational benefits, and acceptance and review of their documentation in order to certify them for the Veteran's Affairs benefits.

400.1.17 Writing Centers
The Writing Centers provide assistance to students by advising and assisting students at any stage of the writing process in order to create independent writers with strong essential skills.

400.2 Student Activities
The College also offers student activities to enhance the engagement of the students to the College to promote student life experiences such as Student Government Association, Student Clubs, fine art and athletic events. The Office of Student Life supports the Student Government Association (SGA), student organizations, and campus and College activities. The SGA is comprised of elected officials who represent the entire student body, using their positions to promote events, programs, and expenditures to benefit students. Participation in SGA and student clubs provides opportunities for students to enhance their leadership skills and promotes collaboration. All student activities are designed to benefit the student body and frequently incorporate academic or professional development.
401  OVERVIEW TO ADMISSION PROCEDURES

The College will publish on its website admission policies which are consistent with the College’s mission and supports the educational needs of the community. (SACSCOC R10.5 in part)

The College publishes policies that include criteria for evaluating, awarding, and accepting credit for transfer, experiential learning, credit by examination, advanced placement, and professional certificates that is consistent with its mission and ensures that course work and learning outcomes are at the collegiate level and comparable to the institution’s own degree programs.

The College assumes responsibility for the academic quality of any course work or credit recorded on the institution’s transcript (SACSCOC R10.8)

The College publishes academic policies that adhere to principles of good educational practice. These policies are disseminated to students, faculty, and other interested parties through publications that accurately represent the programs and services of the institution. (SACSCOC R10.1)

401.1 Definitions

Bachelor of Applied Science (BAS) – A four-year degree designed to accommodate the unique demands for entry and advancement within specific workforce sectors.

Associate in Arts (AA) – Two-year degree that is designed for transfer.

Associate in Science (AS) - Two-year technical degree that contains 15-18 credit hours of transferable general education.

Advanced Technical Certificate (ATC) - Generally earned after completion of an A.S./A.A.S. degree.

Applied Technology Diploma (ATD) - A course of study that is part of an Associate in Science (A.S.), is less than 60 credit hours, is approximately 50% technical components and leads to employment in a specific career field.

College Credit - The type of credit assigned to courses or course equivalent learning that is part of an organized and specified college degree and/or program. At EFSC, CC level courses comprise the AA, AS, CCC, ATC and ATD, and UG level courses comprise the upper level of the BAS degree.

College Credit Certificate (CCC) - Short-term career education program which is part of an AS degree.

Certificate of Completion (CER) - A certificate that certifies Educator Preparation Institute (EPI) completion for alternative path to becoming a Florida PreK-12 classroom teacher.

Continuing Education Courses Personal interest or supplemental courses offered to the community.
Developmental Education – Instruction to remedy deficiencies in knowledge and skills necessary upon entry into a degree or certificate program.

Full-Time Student: Student who enrolls for 12 credit hours or more per term.

Gateway course - The first course that provides transferable, college-level credit allowing a student to progress in his or her program of study.

Meta-major - A collection of programs of study or academic discipline groupings that share common foundational skills.

Career and Technical Certificate (CTC): Job preparatory programs, excluding Continuing Workforce Education, through which a student receives a Career and Technical certificate upon completion of instruction.

Resident for Tuition Purposes - A student who meets the requirements of residency for tuition purposes as defined in s. 1009.21, Florida Statutes, and 6A-10.044, Florida Administrative Code.

Semester Hours: The number of credits assigned to a specific course. One semester hour equals one of hour of classroom work. Also called credit hours.
402 OVERVIEW OF ADMISSION APPLICATION PROCESS

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in online courses. (SACSCOC R12.1)

The institution makes available to students and the public current academic calendars, grading policies, and refund policies. (SACSCOC R10.2)

402.1 Admission to the College
Eastern Florida State College (EFSC) shall provide high-quality education and training opportunities and foster a climate of excellence to all. EFSC is dedicated to providing a nondiscriminatory environment which promotes equal access, equal educational opportunity, and equal employment opportunity to all persons regardless of age, race, national origin, color, ethnicity, genetics, religion, gender, gender preference, pregnancy, disabilities, marital status, veteran status, ancestry or political affiliation. Our commitment encompasses recruitment, admission, registration, financial help, counseling, advising, course offerings, extracurricular programs, facilities, health services, athletics, employment and its privileges and benefits.

All students who apply to take credit courses at the college must complete an application for admission and meet admissions requirements as specified by the State and established by the District Board of Trustees.

402.2 Sexual Predators/Sexual Offenders
Sexual predators and sexual offenders are required by law to notify the state or the sheriff, as appropriate, of enrollment, employment or the carrying on of a vocation at an institution of higher education in Florida. Each change in enrollment or employment status must be similarly reported. The state or sheriff must promptly notify each institution of the sexual predator’s or sexual offender’s presence and any change in the sexual predator’s or sexual offender’s enrollment or employment status. See procedure 434 Sexual Predators – Sexual Offenders.

402.3 Applicants
The college has determined that the presence on campus of students officially designated as sexual predator/sexual offender would be disruptive to the orderly process of the college’s programs and/or would interfere with the rights and privileges of other students. In accordance with Florida Statute, the college may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant because of misconduct if determined to be in the best interest of the college.
402.4 High School Graduation Requirement
Admission to associate degree programs, programs that require a high school diploma, and courses designated as college credit are subject to minimum standards adopted by the State Board of Education and shall require:

1. A standard high school diploma, a high school equivalency diploma as prescribed in s. 1003.435, previously demonstrated competency in college credit postsecondary coursework from a regionally accredited institution, or, in the case of a student who is home educated, a signed affidavit submitted by the student’s parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41. Students who are enrolled in a dual enrollment or early admission program pursuant to ss. 1007.27 and 1007.271 and secondary students enrolled in college-level instruction creditable toward the associate degree, but not toward the high school diploma, shall be exempt from this requirement.

2. Any other requirements established by the board of trustees.

3. Admission to other programs within the Florida College System institution shall include education requirements as established by the board of trustees.

4. A student who has been awarded a certificate of completion or special diploma under s. 1003.4282 is eligible to enroll in career and technical certificate program that does not require a standard high school diploma.

5. A student with a documented disability may be eligible for reasonable substitutions, as prescribed in ss. 1007.264 and 1007.265.

In the event of major extenuating circumstances beyond the control of the student that prevent the acquisition of generally required documentation, the College will consider alternative documentation submitted with an EFSC declaration form explaining the circumstances. The completed form and documentation must be valid and consistent with professional guidelines and best practices and comply with state and federal regulations.

402.5 Non High School Graduates
Students who have not graduated from high school and who are not participating in an accelerated education program may only enroll in career and technical certificate programs that do not require a standard high school diploma or equivalency. These programs will be designated in the college catalog.

402.6 Transcripts
Students are given one term to provide official transcripts. However, students must provide proof of high school graduation prior to initial registration. Students may not register for subsequent terms until all official transcripts have been received.

- A transcript will not be considered final if there is in-progress coursework.
- It is the student’s responsibility to request previous transcripts and pay any fees.
- Students who are unable to obtain a transcript because the school has closed should contact the state’s Department of Education to request a letter verifying that the school closed.
- Transcripts are official when received electronically from a third party vendor or in a sealed envelope from the sending institution.
- All documentation provided is subject to verification.
- Financial aid will not be awarded until all transcripts are on file and evaluated.

402.6.1 High School Transcripts
Students must provide an official high school transcript that documents the date of graduation and is equivalent to a U.S. standard high school diploma, or an official high school equivalency transcript issued by a state Department of Education. High school graduation must be documented by one of the following:
- Final, official U.S. high school transcript indicating standard diploma with graduation date from a regionally accredited or equivalent high school.
- High school equivalency transcript issued by a state Department of Education.
- Previously demonstrated competency in college credit postsecondary coursework from a regionally credentialed institution, in accordance with s.1007.263.
- Graduation from a Florida home education program in compliance with S. 1002.41.
- Official international secondary school transcript, graduation certificate (diploma), and/or exam results (if applicable) with a certified English translation. Note: Additional documentation may be required to determine U.S. high school equivalency.
- Document by document evaluation from a member organization of the National Association of Credential Evaluation Services (NACES) or other College approved agency may be requested for further clarification.

Refer to procedure 403 Acceptance of High School Transcripts.

402.6.2 College Transcripts
Students pursuing a B.A.S., B.S.N., A.A., A.S., A.T.C., A.T.D., or C.C.C. degree/certificate who have prior college work must provide final, official transcripts from all U.S. regionally accredited institutions. Official transcripts from non-regionally accredited institutions are not required however if submitted will be evaluated on a case-by-case basis for transfer of credit. Students pursuing a C.T.C. program are not required to submit transcripts; however, if a student changes their major to a college credit program, then transcripts will be required.
- College transcripts must have been issued within one year of submission to the College
- Students who apply and do not enroll within five years of their admission term must update their records. This may include submission of new college transcripts and other admissions requirements.
- Students who hold an A.A., A.S., or higher degree from a U.S. regionally accredited institution will be waived the high school transcript requirement upon receipt of the official college transcript from the degree-granting institution.
- Non-degree seeking students are not required to submit official college transcripts unless the transcripts are required for proof of successful prerequisite course completion or student is changing to a degree seeking status.
- Transient students are not required to submit official transcripts.

402.7 Age Requirement
Some programs have state-mandated age requirements for entry or graduation. All students must meet the age requirements for their respective program. See procedure 806 Notice to Students under Age 18.

402.8 Limited Access Programs
Some programs are designated as limited access. Applicants must first apply and pay for admission to the college, and then submit a separate application and applicable fees and meet all requirements of the program. These programs will be designated in the college catalog.

402.9 College Admissions Requirements by Applicant Type
Every student must:
1. Complete an Application for Admission
2. Submit a non-refundable application fee
3. Complete the Florida Residency for Tuition Purposes Declaration and submit with supporting residency documentation
4. Complete additional requirements for their specific applicant type
1. **First Time in College Student**
   Student has not previously attended another college or university.
   - Official, final high school transcript indicating receipt of standard high school diploma or equivalent and date of graduation.
   - Placement test scores (ACT/SAT/PERT) less than two years old from term of enrollment or placement testing and developmental education exemption in accordance with s. 1008.30.
   - Initial advising appointment.
   - Complete a student orientation.

2. **Transfer Student**
   Student is transferring credits from another college but does not have an Associate in Arts (A.A.), Associate in Science (A.S.), or higher from a regionally accredited institution.
   - Official, final high school transcript indicating receipt of standard high school diploma or equivalent and date of graduation.
   - Placement test scores (ACT/SAT/PERT) less than two years old from term of enrollment or proof of applicable college-level math and English passed with a grade of "C" or higher from a regionally accredited U.S. college or the placement testing and developmental education exemption in accordance with s. 1008.30.
   - Official, final college transcripts from all regionally accredited postsecondary institutions attended.
   - Complete a student orientation.

See Procedure 428 Credit for Prior Learning

3. **Transfer Student with Previous Degree**
   Student earned an A.A., A.S., or higher degree from a regionally accredited institution and is now seeking a degree or certificate from EFSC.
   - Official, final college transcripts from all regionally accredited postsecondary institutions for all students pursing a college credit degree/certificate.

4. **Transient Student**
   Student is currently enrolled in a college degree program at another institution and will transfer courses taken at EFSC back to his or her primary institution.
   - Transient letter or letter of good standing from "home" institution is required.
   - Students attending Florida state schools must apply for transient status via www.floridashines.org.
   - Transient students are not required to submit official transcripts. Without transient form or letter of good standing listing courses in which student is eligible to enroll, student must provide proof of pre-requisite coursework.
   - Transient students may register for courses in a limited access program, including the BAS degree, only by permission of the program manager or designee.

5. **Readmit Student**
   Student who applied to EFSC one or more years ago and has not completed a course in the past year.
   - Submit final, official high school and all regionally accredited college transcripts not previously submitted or no longer on file at EFSC.
   - Placement test may be required.
   - Student must meet program admission requirements in effect at time of readmission.
   - Student orientation is required for all students who have not earned an A.A., A.S. degree or higher from a regionally accredited institution.
6. Non-Degree Seeking Student
Applicant is not seeking a degree or certificate and is taking courses for personal enrichment or job skill improvements only.

- Non-degree seeking students are limited to a total of 12 credits, after which they must declare a major and meet all applicable admission requirements. Audited courses do not count in credit totals.
- Student must be a high school graduate with a standard high school diploma or equivalent. Proof of standard high school graduation or high school equivalency diploma is required.
- Student Orientation is required for all students who have not earned an A.A., A.S., or higher degree from a regionally accredited institution.
- Official transcripts are not required for admission as a non-degree seeking student; however, if student decides later to switch to a degree program, transcripts and other admissions documents will be required at that time.
- Upon receipt of an official transcript from a regionally accredited postsecondary institution with an A.S. degree or higher, a non-degree seeking student will be eligible to take unlimited credits.
- Non-degree seeking students must meet all of the same pre- and co-requisite standards for course enrollment as degree seeking students, which may create a need for transcripts.
- Non-degree seeking students are not eligible for financial aid and do not take the College Placement Test.

7. Bachelor of Applied Science Student
Student earned an Associate in Science or Associate in Arts degree or higher from a regionally accredited institution.

- Official, final college transcripts from all regionally accredited postsecondary institutions attended.
- Students with an international degree will be required to submit official test scores.
- Complete a student orientation session.
- Initial advising appointment with bachelor’s program advisor

8. Bachelor of Science in Nursing Student
- Student has an A.A.S. or A.S. degree in Nursing from a regionally accredited institution.
- Active, clear, unencumbered Florida Registered Nursing license
- All final, official regionally accredited college transcript(s) indicating the coursework taken and the degree(s) awarded.

9. Dual Enrollment Student
EFSC’s Dual Enrollment Program enables qualified public, private, and home school students in the 10th, 11th, or 12th grade and in grades 6-9 by exception to enroll in selected college courses while earning a high school diploma. Dual enrollment candidates must:

- Contact the school guidance counselor to determine eligibility.
- Submit the online EFSC Application for Admission.
- Complete a dual enrollment orientation.
- Submit an official high school transcript if attending a public or private school.
- Provide official scores from a state-approved college placement test, such as the ACT, CPT, PERT, or SAT if registering for a college credit class.

402.10 Residency for Tuition Purposes
All applicants for admission must complete the Florida Residency for Tuition Purposes Declaration. Students who are eligible for in-state residency for tuition purposes must also provide supporting documentation. Refer to Procedure 405 Residency for Tuition Purposes.
Reclassification of Residency for Tuition Purposes
A student may request reclassification as a resident for tuition purposes by completing the Florida Residency for Tuition Purposes Declaration as a residency reclassification with a minimum of three substantiating documents.

402.11 Placement Testing
All degree-seeking students must complete a placement test or satisfy an exemption requirement prior to registering for classes. Test requirements are based on the program and/or courses student will take at the college. Course placement is determined by test results. Refer to Procedure 431 Student Assessment.

402.12 Student Orientation
New student orientation is required for all students who have not earned an associate degree or higher from a regionally accredited institution, excluding transient students. Students must complete the orientation before initial registration for classes.

402.13 Acceptance to the College
All students, upon receipt of their completed applications, will receive a welcome letter detailing outstanding admission requirements. Registration eligibility is determined upon completion of requirements.

402.14 Application Fee Waiver
Application fees may be waived for select students who meet exceptions through federal, state and college guidelines. This includes but is not limited to:
- High school accelerated programs
- EFSC employees
- Foster Care
- Road to Independence Scholars
- Adopted State Exemption
- Homeless
- Purple Heart or Superior Combat Decorations
- Spouses of deceased or disabled service members
- College Board fee (SAT/ACT) waiver form
- Transient students who apply through FloridaShines

402.15 Admission of Persons with Disabilities
A student with a disability who is otherwise qualified shall be eligible for reasonable substitution for any requirement for admission into EFSC where documentation can be provided that the person’s failure to meet the admission requirement is related to the disability per s. 1007.264.
**403 OVERVIEW TO ACCEPTANCE OF HIGH SCHOOL TRANSCRIPTS**

This procedure describes how the College will accept and validate high school transcripts to meet the admissions requirements defined in Florida Statute 1007.263. Additionally, the College will evaluate high school validity in compliance with 34 CFR 668.16 (p), *Standards of administrative capability*. The United States Department of Education (USDOE) passed regulation addressing the validity of high school diplomas for students seeking federal financial aid under Title IV of the Higher Education Act (HEA). The regulation took effect July 1, 2011. Validation of the high school diploma is mandatory in cases where either the institution or USDOE has reason to suspect that the high school diploma is not valid or was not earned from an entity that provides secondary school education.

The College has identified limited Career and Technical Certificates that do not require a standard high school diploma or equivalent, however, students who do not have a standard high school diploma or equivalent will not be eligible for financial aid.

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in eLearning courses. (SACSCOC R6.1 and R6.2.b)

The College has established policies and procedures for determining the credit hours awarded for courses and programs that conform to commonly accepted practices in higher education and to Commission policy. (SACSCOC R10.7 in part)

**403.1 Validation of High School Diplomas**

The College will follow the validation criteria and recommendations established by the Florida College Registrars and Admissions Officers’ (FCRAO) whenever possible. Level 1 lists criteria for determining that the credential is valid. If Level 1 is not met, then transcripts will be evaluated by Level 2 standards.

**Level 1**
1. All public high schools within the U.S. or U.S. territories
2. Previously validated private high schools by FCRAO’s High School Diploma Integrity Committee if EFSC agrees with the recommendation
3. Regionally accredited high schools
4. High schools accredited by bodies approved by the US Department of Education or the Council for Higher Education Accreditation (CHEA) or other bodies recognized by the College
5. All U.S., U.S. territory, and military-issued GEDs
6. Foreign high school transcripts evaluated by a National Association of Credential Evaluation Services (NACES) affiliate and deemed equivalent to a standard high school diploma
7. International Baccalaureate diplomas
Level 2
Accreditation is not the sole determinant in considering the validity of the high school diploma. The Office of the Registrar will evaluate non-public high schools for acceptance using criteria such as:

• high school has been recognized by an established accrediting body;
• student assessment practices, i.e. students are only required to take a test or pay fees for the issuance of a diploma;
• teachers are certified and/or have appropriate academic background/credential;
• high school delivers instruction either online or in person;
• high school is able to provide a list of courses and a description of such courses, grading scale, master schedule, and academic year calendar;
• high school is accepted by other postsecondary institutions in the State;
• how long the school has been in operation

403.2 High School Acceptance List
A list of approved and not-approved high schools will be maintained on the Student Services Information Page. Validation documentation will be maintained by the Office of the Registrar and made available to the campuses for reference. The final decision for acceptance will reside with the Registrar upon a thorough evaluation and consultation with the college’s High School Validation Committee. This committee will consist of the Registrar and/or designee and Student Services administrators and will convene as required.

Students will be notified by letter if their high school document is not accepted as equivalent to a standard high school diploma.

403.3 Documentary Requirements
Prior to registering in college credit courses, the student must provide proof of high school graduation with a standard high school diploma or equivalent.

Student must submit one of the following:

• A final, official transcript sent from the high school to EFSC. Transcript must include the date of graduation and diploma type, and a list of courses and grades received by year.
• Students who have successfully completed a “home education program” as defined in F.S. §1002.01: to verify high school graduation, the parent or legal guardian must complete the Request for Admission to Eastern Florida State College Home Education Affidavit, form SC-108. These forms are available in the campus Admissions and Records offices.
• Students who completed a valid high school equivalence diploma must provide an original certificate or original scores/transcript.

Students who cannot supply an official transcript verifying graduation with a standard high school diploma or equivalent may not take courses designated at the college credit level and may not be classified as exempt pursuant to Florida Statute §1008.30.

Students who cannot provide proof of high school graduation because the school is no longer in existence must contact the State Board of Education in the state in which they graduated to obtain a letter documenting the school’s closure.

It remains the responsibility of the student to provide proof of high school graduation.

All transcripts must be on file before financial aid will be awarded.
**403.4 Standard High School Diploma**
High school graduates must have earned a U.S. standard high school diploma or equivalent. The Florida Department of Education provides a list of high school withdrawal codes indicating eligibility for degree seeking and financial aid on a yearly basis; EFSC will accept at face value public high school transcripts using the standards on the list. EFSC will validate private high school transcripts for equivalence to a standard high school diploma as defined in section 403.1. Students who do not have a standard high school diploma or equivalent will not be eligible for financial aid.

**403.5 International High School Transcripts**
- Transcripts from U.S. territories must be in English or an authorized translation must be provided.
- Students who graduated from an international secondary school (high school) must submit official documentation of high school graduation equivalent to a U.S. standard high school diploma. All documents in a language other than English must be submitted with certified translations.

**403.6 High School Equivalency Diploma**
A U.S., U.S. territory, or military-issued high school equivalence diploma is considered equivalent to a standard high school diploma for admission purposes. An original certificate or score report is required.

**403.7 Previously Demonstrated Competency in College Credit Postsecondary Coursework**
Students who have successfully completed credits at a regionally accredited postsecondary institution, or at an independent institution in Florida that participates in the Florida Statewide Course Numbering System, will be considered for admission by exception. Successful completion of coursework is a minimum cumulative GPA of 2.0 at the institution, with a grade of “C” or higher in at least 12 college credits; at least six of the credits must be general education courses, as defined in the College Catalog. College developmental courses are not included. These students may be admitted to the College by exception but will not be eligible for financial aid.

**403.8 Home Educated Students**
Students who have successfully completed a “home education program” as defined in F.S. 1002.01 are considered to have equivalent to a standard high school diploma for admissions purposes. To verify high school graduation, the parent or legal guardian must complete the Request for Admission to Eastern Florida State College Home Education Affidavit, form SC-108, and provide appropriate documentation. These forms are available in the campus Admissions and Records offices. A student must complete his/her home school program by the time he/she reaches age 20.

**403.9 Dual Enrollment Articulated High Schools**
A dual enrollment articulation agreement with EFSC is for the purpose of allowing private high school students to take courses at the college. High school transcripts for students who participate in dual enrollment at EFSC while enrolled in the private high school will be accepted at face value.

**403.10 CPT-Eligible Certificate of Completion**
Students who receive the CPT-Eligible Certificate of Completion annotated as “W8A” are eligible to:
- Enroll at a state college and be classified as degree seeking
- Take the placement test and then be admitted to remedial or credit courses based on their scores
- Transfer to the state universities after completing the A.A. degree

These students are not eligible to:
- Enroll directly into a state university
- Enroll in programs to train for careers that require professional licensure, if the prerequisite for licensure is a standard high school diploma or equivalent. Examples include police officers, and nurses
- Transfer into a state university before they complete the A.A. degree
As of July 1, 2012, students who receive a CPT-Eligible Certificate of Completion are not eligible for financial aid.

403.11 Non Standard and Non-High School Graduates
Students who do not fall into one of the categories listed above may not take college credit or college developmental courses. This includes students who receive a regular Certificate of Completion, Special Diploma or do not graduate. These students may register for vocational/career courses and programs that do not require a standard high school diploma for admission or graduation purposes. The college will provide a list of eligible programs and admission requirements. These students will not be eligible for financial aid.

403.12 Non-Degree Seeking Students
Students who plan to attend EFSC in a non-degree seeking status must provide proof of high school graduation with a standard high school diploma or equivalent. These students will not be eligible for financial aid.
404 International Student Admissions

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in online courses. (SACSCOC 10.6). The International Student Services Office will process all applications for students who are not a United States citizen or permanent resident alien.

404.1 Admission Requirements for International Students

International students seeking a degree must provide the following for admission to EFSC:
1. A completed International Application for Admission
2. Payment of $30 non-refundable application fee.
3. A completed Florida Residency Declaration for Tuition Purposes.
4. Official documentation of high school graduation equivalent to a U.S. standard high school diploma. All documents in a language other than English must be submitted with certified English translation.
5. Official, final college transcripts from all U.S. regionally accredited postsecondary institutions attended. Transcripts must be issued within one year of submission to the College.

The following additional requirements are for international students seeking an F-1 Student Visa:
1. Proof of English Proficiency:
   • An official TOEFL score of 61 or higher (IELTS bandwidth of 5.5 or higher is accepted in place of TOEFL)
   • Students from Japan may substitute the STEP Grade 2A or higher for TOEFL.
   • Graduation from a U.S. high school with official, high school transcript indicating receipt of a standard high school diploma.
   • Transfer from a U.S. regionally accredited college/university with successful completion of college-level English Composition with a grade of “C” or better.
   • Student has successfully completed Level 6 Writing, Level 6 Grammar, Level 6 Reading, and Level 6 Listening/Speaking with EFSC’s Intensive English Program.
   • See International Student Services regarding exemption requirements.
2. I-20 Request Form with financial support documentation for a full year of study.
3. Students transferring from another U.S. institution must submit a copy of their current I-20, I-94 and visa in addition to the Transfer-In-Clearance Form.

Refer to the Procedure 402 for details on general admission policies that apply to all students.
Placement Testing
Upon acceptance to the college, all students seeking a college credit degree or certificate must submit one of the following to satisfy the placement test requirement:

- Placement test scores (ACT/SAT/PERT) less than two years old from term of enrollment, regardless of the TOEFL score. Placement in Gordon Rule classes, such as Communications 1 and mathematics, will be determined by test results.
- Official college transcript confirming completion of college level English and math courses from regionally accredited U.S. Institution with a grade of “C” or higher.
- EFSC Common Placement Testing & Developmental Education Student Waiver in accordance with F.S. 1008.30

Health Insurance:
- International Students in F-1 and M-1 statuses must be enrolled in a health insurance plan. The insurance policy must cover the complete academic year. Coverage cannot lapse during breaks. The plan must include illness, accidental, repatriation, and medical evacuation insurance. Students must be compliant with the medical insurance requirement prior to class registration. EFSC aligns with the Florida Board of Governors 6C-6.009 (2) requirement to have medical insurance prior to registration.

The health insurance requirement can be met in one of two ways:

- Purchase the recommended international student health insurance plan through the EFSC International Student Services Office.
- Submit proof of alternative insurance that is compliant with the Florida Board of Governors requirements. If this option is chosen, complete an Insurance Waiver. The waiver is to be completed by the Insurance provider and a copy of the insurance card with dates of validity.

International (Non-U.S.) College Transcripts
Students who have completed college level coursework in other countries are not required to submit international transcripts. However, in order for international postsecondary studies to be considered for transfer credit, students must submit an original course-by-course evaluation completed by a member organization of the National Association of Credential Evaluation Services (NACES) or other College-approved organization.

Transfer Credit for International Coursework
Upon receipt of an evaluation from an approved organization, EFSC will review the college coursework to determine appropriate transfer credits based on the student’s selected program of study at EFSC.

International Student – Transient
An International student currently enrolled in a college degree program at another school who will transfer courses taken at EFSC back to his or her home institution must provide the following for admission to EFSC. Attendance at EFSC is on a term-by-term basis.

1. Application for Admission
2. Payment of $30 online non-refundable application fee.
3. Transient letter or letter of good standing from "home" institution each term attendance is requested
4. Students attending Florida state schools may apply for transient status via floridashines.org
5. Complete the Florida Residency Declaration for Tuition Purposes.
**International Visa Compliance for an F-1 Student:**

Students who have completed college level coursework in other countries are not required to submit international transcripts. However, in order for international postsecondary studies to be considered for transfer credit, students must submit an original course-by-course evaluation completed by a member organization of the National Association of Credential Evaluation Services (NACES) or other College-approved organization.

**Definition of a Full Course of Study for F-1 and M-1 Student**

Students are responsible for learning and complying with the terms and conditions of their F-1 or M-1 immigration status. Failing to comply is deemed a violation of immigration status and may have serious consequences to the ability to remain in or return to the United States.

During the fall and spring terms, F-1 and M-1 students are required to enroll full time. Summer terms are considered optional and thus enrollment is not required unless it is the student’s first or last semester. Full time enrollment is defined as follows:

<table>
<thead>
<tr>
<th>Term</th>
<th>Required Credits</th>
<th>Online Course Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall</td>
<td>12 credits</td>
<td>3 online credits allowed</td>
</tr>
<tr>
<td>Spring</td>
<td>12 credits</td>
<td>3 online credits allowed</td>
</tr>
<tr>
<td>Summer 12 wk session A</td>
<td>9 credits</td>
<td>3 online credits allowed</td>
</tr>
<tr>
<td>Summer 8 wk session C or 6 wk session B, D</td>
<td>6 credits</td>
<td>3 online credits allowed</td>
</tr>
</tbody>
</table>
Residency for Tuition Purposes

Residency for tuition purposes in Florida is composed of several layers, including state statute, rule and regulation of the two higher education governing boards in Florida, and statewide guidelines developed by college and university administrators in conjunction with the Statewide Residency Committee, the Florida Department of Education, and the State University System of Florida Board of Governors (Board of Governors). All residency determinations are made by Eastern Florida State College (EFSC).

The campus Admissions and Records Office will determine residency classification for all students.

405.1 Definitions

College-wide Residency Committee: This committee will convene as required to address student appeals for both initial classification and reclassification. The committee will be composed of the Directors of Campus Admissions and Records and will be chaired by the Director of College-wide Admissions. All decisions of the committee will be rendered in writing to the student. Students who do not agree with the decision of the committee may appeal to the Associate Vice President of Student Affairs for a final decision.

Dependent Student: Any person, whether or not living with his or her parent, who is eligible to be claimed by his or her parent as a dependent under the federal income tax code. All students under the age of 24 are assumed to be dependent of their parent or guardian. If the student is under the age of 24 by the first day of class, and the student requests independent status, he/she must provide documentary evidence. Refer to independent student definition for criteria.

First Day of Class: The first day of class for the term in which residency is being sought.

Independent Student: A student who meets any one of the following criteria shall be classified as an independent student for the determination of residency for tuition purposes:

- The student is 24 years of age or older by the first day of classes of the term for which residency status is sought at a Florida institution.
- The student is married.
- The student has children who receive more than half of their support from the student.
- The student has other dependents who live with and receive more than half of their support from the student.
- The student is a veteran of the United States Armed Forces or is currently serving on active duty in the United States Armed Forces or National Guard or Reserves for purposes other than training.
• At any time since the student turned age 13, where both of the student's parents are deceased, or the student is or was (until age 18) a ward/dependent of the court or in foster care.
• The student is determined an unaccompanied homeless youth by a school district homeless liaison, or by a staff member of an emergency shelter or transitional housing program.
• The student can provide documentation that he/she provides at least 50% of his/her own support for the cost of attendance as defined by the EFSC Financial Aid Office.

Evidence that the student meets one of these criteria will be requested by EFSC.

**Initial Classification**
A student's residency classification is determined at the time of admission to EFSC, in accordance with F.S. 1009.21. A minimum of two pieces of acceptable documentation must be submitted with a completed Florida Residency Declaration for Tuition Purposes. The declaration and all documentary evidence must be submitted by the last day off add/drop and have fees adjusted for the term in which the student is seeking in-state tuition.

**Parent:** The natural or adoptive parent of a student, any guardian of a student, or any person in parental relationship to the student. A parental relationship to the student means that the student qualifies as a dependent under the federal income tax code.

**Reclassification:** The process of changing residency status for tuition purposes from nonresident to resident. Students who wish to be considered for reclassification in subsequent terms must submit a Florida Residency Declaration for Tuition indicating residency reclassification with a minimum of three substantiating documentation.

**Requisite Intent:** The required 12 month qualifying period must be for the purpose of maintaining a bona fide domicile rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education i.e. to obtain in-state tuition while a student.

**Resident for tuition purposes:** A person who qualifies for the in-state tuition rate. A “nonresident for tuition purposes” is a person who does not qualify for the in-state tuition rate.

**405.2 Required Documentation**

All students requesting in-state tuition rate must submit a Florida Residency Declaration for Tuition Purposes. If a student does not qualify for a statutory residency exception or qualification, they will have to submit documentation that they (or a parent or legal guardian, if a dependent) have been a Florida resident for at least 12 months prior to the first day of class for which the student is enrolling. At least two of the following documents must be submitted, with dates that evidence the 12-month qualifying period. At least one of the documents must be from Section A/ First Tier. As some evidence is more persuasive than others, more than two may be requested. No single piece of documentation will be considered conclusive. Additionally, there must be an absence of information that contradicts the applicant's claim of residency.

**Section A/First Tier Documents**
(At least one of the two documents submitted must be from this list)
• Florida driver license or Florida identification card. An ID card can be used only if there is no evidence of ties to another state; i.e., the claimant cannot possess a valid driver license from another state.

• Florida vehicle registration

• Florida voter registration card

• Proof of permanent home in Florida occupied as primary residence for 12 consecutive months prior to the student’s enrollment. (Required: document such as a deed or other evidence of title to property used as primary residence, a homeowner's policy, a title insurance policy, evidence of a property tax payment on the primary residence, multiple leases reflecting a Florida address, or a lease of multiple years’ duration.)

• Proof of a homestead exemption in Florida. (Required: document from the county tax collector demonstrating the application of a homestead exemption to the claimant’s primary residence.)

• Official transcripts from a Florida high school for multiple years (2 or more years), if the Florida high school diploma or GED® was earned within the last 12 months.

• Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period. (Required: pay stubs or W-2 form for past 12 consecutive months and verification from employers, and/or an IRS 1099 with verification of employment for the past 12 consecutive months from an employer.)

Section B/Second Tier Documents
(May be used in conjunction with one document from Section A/First Tier)

• Declaration of domicile in Florida in accordance with F.S. 222.17.

• Florida professional or occupational license.

• Florida incorporation.

• Document evidencing family ties in Florida.

• Proof of membership in Florida-based charitable or professional organization.

• Any other documentation that supports your request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.

405.3 Qualifications by Exception

Students may be eligible for a waiver of out-of-state tuition if they qualify for one of the following exceptions. Documentation appropriate to the particular exception will be required in addition to a completed Florida Residency Declaration for Tuition Purposes. Other exceptions exist; these are the most common.
• A qualified beneficiary under the terms of the Florida Pre-Paid College Program (Required: Copy of Florida Prepaid Recipient card.)

• Married to a person who has maintained legal residence in Florida for at least the past 12 consecutive months. Student has established legal residence and intends to make Florida his/her permanent home. (Required: copy of marriage certificate and/or other documents required to establish residency.)

• Previously enrolled at a Florida state postsecondary institution and classified as a Florida resident for tuition purposes. Student transferred to Eastern Florida State College within 12 months of the previous enrollment. (Required: Evidence of previous enrollment as a Florida resident)

• Previously enrolled at a Florida state postsecondary institution and classified as a Florida resident for tuition purposes. Student abandoned their Florida domicile less than 12 months ago and is now re-establishing Florida legal residence.

• Active duty members of the Armed Services of the United States residing in this state and their spouses and dependent children, and active drilling members of the Florida National Guard. (Required: Copy of military orders indicating Florida assignment or DD2058 and most recent LES showing home of record.)

• Full-time instructional and administrative personnel employed by the state public schools and institutions of higher education and their spouses and dependent children. (Required: Employment Verification)

• Students from Latin America and the Caribbean who receive scholarships from the federal or state government. Any student classified pursuant to this paragraph shall attend, on a full-time basis, a Florida institution of higher education. (Required: proof of scholarship and Latin America or Caribbean residency.)

• Full-time employees of state agencies or political subdivisions of the state when the student fees are paid by the state agency or political subdivision for the purpose of job-related law enforcement or corrections training. (Required: Employment verification/payment agreement.)

405.4 Non-US Citizens

Permanent Resident – A person who has been granted permanent resident status in the U.S. and has (or is waiting for) a Permanent Resident Card (identified as either Form I-151 or Form I551). Permanent residents are eligible to establish residency for tuition purposes in Florida.

Non-Immigrant - A foreign national seeking to enter the U.S. temporarily and for a specific purpose. Once in the U.S., they are restricted to the activity or reason for which their visa was issued. Individuals with certain non-immigrant visas are eligible to establish residency for tuition purposes in Florida. Individuals with non-immigrant visas must provide evidence that: (1) he or she is in an eligible visa category with a date of departure that is not during the term for which the student will be enrolled; (2) if the student is a dependent, the parent must also be in an eligible visa category. Refer to Guidelines on Florida Residency for Tuition Purposes, Appendix C – Documentation for Eligible Aliens to determine visa category eligibility.
Unauthorized Aliens - A foreign national who lives in the U.S. without the required documentation may not be eligible to establish residency for tuition purposes in Florida. However, a dependent child who is a United States citizen may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parents.

405.4 Other required documentation

Returning Students
Students who previously attended EFSC but have been away from the institution for one year or more will be inactivated. Upon their return to the college they will be required to submit a “Readmit Application,” complete a residency declaration, and submit current residency documentation.

Students who move out of state
Any person who has been properly classified as a resident for tuition purposes but who, while enrolled in an institution of higher education in this state, loses this status because the person or, if he or she is a dependent child, the person’s parent or parents, establish domicile or legal residence elsewhere shall continue to enjoy the in-state tuition rate for a statutory grace period.

This period shall be measured from the date on which the circumstances arose that culminated in the loss of resident tuition status (i.e. the date they move) and shall continue for 12 months. If the 12-month grace period ends during a semester for which the student is enrolled, the grace period shall be extended to the end of that semester.

Appeals
In the case in which the applicant expresses a desire to appeal the admissions classification, the matter will be referred to the College-wide Residency Committee. Students who do not agree with the decision of the committee may appeal to the Associate Vice President of Student Affairs for a final decision. All decisions of the committee will be rendered in writing to the student.

Deadline for Submitting Documentary Evidence
Students requesting Florida residency for tuition purposes must submit all documentary evidence by the last day of (add/drop) of the term for which they are applying.
406  Credit Hours

406.1  Purpose Statement
The College employs sound and acceptable practices for determining the amount and level of credit awarded for courses, regardless of format or mode of delivery (SACSCOC R10.7 in part)

The College makes available to students and the public on its website the current academic calendars, grading policies, and refund policies. (SACSCOC R 10.2)

The College has policies and procedures for determining the credit hours awarded for courses and programs that conform to commonly accepted practices in higher education and to Commission policy (SACSCOC R10.7 in part)

406.2  Definition of the Credit Hour
For purposes of the application of this policy and in accord with federal regulations, a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates:

1. Not less than one hour of classroom or direct faculty instruction and a minimum of two hours out of class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time, or

2. At least an equivalent amount of work as required outlined in item 1 above for other academic activities as established by the institution including laboratory work, internships, clinical rotations, studio work, and other academic work leading to the award of credit hours.

406.3  Guidelines for Flexibility in Interpretation
EFSC is responsible for determining the credit hours awarded for coursework in its programs in accordance with the definition of a credit hour for Federal program purposes.

1. The faculty, with approval of the college, determines the amount of credit for student work.
2. A credit hour is expected to be a reasonable approximation of a minimum amount of student work in a Carnegie unit in accordance with commonly accepted practice in higher education.
3. The credit hour definition is a minimum standard that does not restrict an institution from setting a higher standard that requires more student work per credit hour.
4. The definition does not dictate particular amounts of classroom time versus out-of-class student work.
5. In determining the amount of work the college’s learning outcomes will entail, EFSC may take into consideration alternative delivery methods, measurements of student work, academic calendars, disciplines, and degree levels.

6. If EFSC determines that complying with the Federal definition of a credit hour is not appropriate for academic and other institutional needs, EFSC may adopt a separate measure for those purposes with appropriate documentation.

7. Credits may be awarded on the basis of documentation of the amount of work a typical student is expected to complete within a specified amount of academically engaged time, or on the basis of documented student learning calibrated to that amount of academically engaged time for a typical student.

406.4 Procedures

1. **Preparation of Compliance Certifications for SACSCOC.**
   EFSC is required to document compliance with Federal Requirement 4.9 (Definition of Credit Hours) as it relates to credit hours in any compliance certification documents, or substantive change processes.

   Comprehensive Standard 3.4.6 reads as follows: “The institution employs sound and acceptable practices for determining the amount and level of credit awarded for courses, regardless of format or mode of delivery.” It is to be reviewed in conjunction with FR 4.9.

2. **Faculty review.**
   Faculty are responsible to initiate curriculum changes. All curriculum changes are reviewed by the faculty Academic Affairs Council who will review and approve the course content, student learning outcomes and credit hours in compliance with the appropriate state, national and programmatic regulations.

3. **Administrative approval.**
   After approval by the faculty Academic Affairs Council, the recommendations will be reviewed and approved by the Executive Council, including credit hours. The approved curriculum changes will be sent to the Florida Department of Education for approval based on the State Frameworks.

   Also refer to Procedure 509, Program, Credit Hour and Academic Year Definitions.
The Director of Financial Aid/Veteran’s Affairs is responsible for the central administration of student financial aid programs and serves as the institutional representative for federal and state student financial aid programs. Certain scholarships, however, are administered through the Vice President of Enrollment Management and Student Success. Financial aid is awarded without regard to age, color, genetics, sex, sexual orientation, religion, national origin, race, political affiliation, marital status, veteran status, or physical or mental disability, but may be revoked from students due to violation of eligibility.

Students seeking financial assistance on the basis of need are required to complete & submit a Free Application for Federal Student Aid (FAFSA) to the central processor by the deadline indicated on the FAFSA application. On the form, students must designate EFSC as one of the recipients of the needs analysis. The FAFSA application is available through the web or a paper application can be submitted.

The institution is in compliance with its program responsibilities under Title IV of the most recent Higher Education Act as amended. (SACSCOC R13.6)

**407 Scholarships and Grants**

The college administers a number of in-house scholarship funds and serves as a conduit to other organizations offering various types of scholarships. Some scholarships are outright gifts to designated students; some are open to students in a particular field of study, activity or team sport; some are offered to a particular type of student with special talents or background, and others are based on merit and/or need.

**407.2 Internally Funded Scholarships**

Each year the Vice President of Enrollment Management and Student Success will develop a budget projecting anticipated funds available for all internal scholarship accounts. The budget will be divided between the Director of Financial Aid/Veteran’s Affairs and the Vice President of Enrollment Management and Student Success. Scholarships funded from internal sources will be limited to the calculated cost of instate Florida resident tuition. Qualification for Florida Bright Futures will apply first. Internally funded scholarships may only be authorized for any remaining tuition costs not covered by the Bright Futures Program. The only exception to this rule applies to EFSC Academic Excellence and the EFSC High School Academic Excellence Scholarships.

**407.3 Need based Scholarships**

The Director of Financial Aid/Veteran’s Affairs may offer scholarship eligibility based on an absolute need. Absolute need is to be determined from the FAFSA results filed by the student.
407.4 Merit Scholarships
The President offers a number of annual competitive Academic merit Scholarships which are administered by the Financial Aid Office.

407.5 Scholarships for Specific College Activities
EFSC scholarships may be awarded to students who exhibit a special talent and who participate in particular college activities such as athletics, the performing arts, forensics, intra or extramurals, and student government activities. The Vice President of Enrollment Management and Student Success will administer these types of scholarships. Activity scholarships will be limited to the calculated instate cost of Florida resident tuition.

407.6 Externally Funded Scholarships

1. Donor Designated Scholarships
Donors such as civic clubs, organizations or individuals may designate special scholarship funds to be donated through the EFSC Foundation. The amount of an individual scholarship is determined by the donor, and the conditions of the scholarship are stipulated on a scholarship agreement form signed by the donor.

These scholarships may either carry unique eligibility requirements or they may be open to any student seeking a particular degree or transfer opportunity.

2. Grants
Several federal and state grants are available to those students who have exhibited extreme financial need. Generally, these grants are awarded to students who are enrolled at least half-time in a degree or certificate program.

407.7 Fee Deferments and Short Term Funds
Students may be granted partial or full fee deferments by the Director of Financial Aid/Veterans’ Affairs when:

1. The student has been approved for forthcoming federal or state assistance, or is due to receive Veterans' or Social Security benefits.
2. The student submits written authorization of pending financial assistance from an organization, which is officially recognized by the college.

407.8 Fee Waivers
Fee waivers are available contingent on state funding for students enrolled in vocational supplemental or vocational preparatory programs. State exemptions are available to qualified students in the categories below:

- Adopted children
- Foster care
- Road to Independence under the Department of Children and Families
- Children of deceased firefighters or law enforcement officers, dual enrollment, apprenticeship, and early admission
- State employees, for up to 6 credit hours of courses per term on a space-available basis.

407.9 Long-Term Loans
Financial assistance is available to eligible students through long-term, low-interest loan programs. Repayment of long-term loans begins six months after the student graduates, or is no longer enrolled at the college at least half time. Deferment of loan payment may be arranged
under certain conditions. A loan may be granted to the eligible parent(s) of an under-graduate student who is enrolled at least half time at the college. Parent-loan repayments must begin within 60 days after disbursement of funds.

407.10 Work Programs
The Office of Financial Aid/Veterans' Affairs offers several work plans for students enrolled at least half-time and who have demonstrated financial need.

1. Tuition Assistance Program
Students who are enrolled at least half-time at the college may be eligible for the Tuition Assistance Program, provided that they are willing to work at the convenience of the college. Participants in this program will receive a fee deferment and will subsequently repay the deferment by working at the college. Reimbursement rate will equal that of minimum wage; however, no actual funds will be disbursed. Work contracted under this program should be accomplished during the first 6 weeks of each semester. Dependents (as defined by the IRS) of full-time employees are automatically eligible; others will be deemed eligible based on a needs analysis.

2. Work-Study Plans
Each of the following work-study programs has different criteria for eligibility, employment and reimbursement. The Office of Financial Aid/Veterans' Affairs administers the following programs to students enrolled at least half-time. The office staff provides counseling to help provide the available programs which best matches the students' capabilities and needs. Students will not be allowed to continue working if they withdraw from all classes within the term.

3. Federal Work-Study Program
Student eligibility is based on statutory authority of Title IV of the higher education act of 1965 as amended. Students may be placed in off campus, non-profit organizations as well as various on-campus departments and service areas.

4. Student-Assistant Program
This institutional work program is not need-based. Students are interviewed by individual administrators at the college, and are chosen on the bases of skill levels. The Director of Financial Aid/Veterans' Affairs administers this program.
408    Financial Aid Appeals Process

The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. (SACSCOC 12.4)

The institution is in compliance with its program responsibilities under Title IV of the most recent Higher Education Act as amended. (SACSCOC 13.6)

A student who has a grievance related to the award or administration of financial aid at Eastern Florida State College seeks a remedy to his/her grievance should review procedure 201.6.
**409 Financial Aid and Veteran Students Attendance Reporting**

The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. (SACSCOC R12.4)

1. Monthly attendance reports will be generated and sent to the Financial Aid and Veterans Departments. Students reported as not attending will be withdrawn from the class with the final grade of W7-Withdrawn for non-attendance.
   - Financial Aid and Veteran students (only) who have been reported as stopped attending all classes will be administratively withdrawn with a special indicator that reflects a Financial Aid and/or Veteran withdrawal.
     a. The Financial Aid withdrawal code will be “WT”
     b. The Veterans withdrawal code will be “WV”

2. The Financial Aid Department will perform the R2T4 calculation to determine the student repayment to federal accounts and to the College. The Veterans Administration will be notified to stop monthly benefits to the Veteran.

3. Instructors and chairpersons will be notified via email of the withdrawal based on the student being reported as stopped attending all classes and of the repayment obligation to the College and the Department of Education.

4. A certified letter will be sent to the student advising him/her of the repayment obligation.

**Appeal to Reverse the Withdrawal and R2T4**

If a faculty member wishes to reenroll the student in class due to mitigating circumstances, the faculty member would need to provide the supporting documentation to the chairperson. If, based on the mitigating circumstances, the Chairperson approves the reinstatement, the Chairperson would notify the Registrar and the Director of Financial Aid/Veterans’ Affairs to reenroll the student and reverse the R2T4.

**409.1 Active Military Repayment of Unearned Tuition Assistance Funds**

Tuition Assistance (TA) funds are subject to the return unearned TA funds calculation. If a student receives TA funds and completely withdraws from all classes within the first 60% of the term, stops attending all classes without notification, has a break in attendance during the semester, or does not attend a future part of term which they were scheduled to attend, a prorated portion of the student’s TA may need to be repaid to the DOD.
Below is an example of the calculation:

The student attended 25 days of a semester totaling 112 calendar days. The student completed 22.3% of the payment period (25/112 = 22.3%) and as earned 22.3% of his/her TA funds.

The student did not earn 77.7% of the TA funds. These unearned funds must be returned to the DOD. EFSC is responsible to return these funds on behalf of the student and the student has until the end of the semester to repay the balance due to the College. If the student fails to repay, the student will be referred to the College’s collection agency and may incur additional collection costs.
The Tuition Assistance Program for Employee Dependents (TAPED) is a benefit for EFSC employees who have dependents attending Eastern Florida State College. The program provides student employment in which the dependent will be placed in a position on campus for the purpose of earning tuition dollars. The TAPED student earnings will be applied as a payroll deduction to offset the tuition charges. Once the tuition charges are paid the position will terminate.

Procedure
1. This entitlement is for dependents of full time and part time EFSC employees, and allows their dependents to work off their tuition.

2. The dependent will go the Office of the Provost for placement. A student worker packet must be completed including a TAPED form.

3. After completing an interview and obtaining a signed introduction card, the student will send the entire student worker packet to the Financial Aid Employment Advisor.

4. The Financial Aid Employment Advisor will enter a deferment so the dependent is not dropped while they are working off their tuition.

5. The Financial Aid Employment Advisor will then send the certification paperwork to Human Resources to enter the student in Banner with a special deduction code for payroll and enter the amount of tuition the student will be working off.
411  Acceleration Mechanisms for Program Completion

Program length is appropriate for each of the institution’s educational programs (SACSCOC R9.2)

The institution has policies and procedures for determining the credit hours awarded for courses and programs that conform to commonly accepted practices in higher education and to Commission policy (SACSCOC R10.7 in part)

411.1 General Information
To assist students with accelerating their degree completion, EFSC will recognize and award credit for approved prior learning experience. The acceleration mechanisms may include:

- Credit by Exam Equivalencies
  Students may earn a maximum of 45 credits through the following Credit by Examination mechanisms. Duplicate credit cannot be awarded. Credit is awarded in accordance with guidelines established by the statewide Articulation Coordinating Committee. Section 1007.27(2) Florida Statutes requires the Articulation Coordinating Committee (ACC) to establish passing scores, course and credit equivalents for the following:
  - Advanced Placement (AP)
  - Cambridge AICE (AICE)
  - International Baccalaureate (IB)
  - College-Level Examination Program (CLEP)
  - DSST (DANTES) Exams
  - Excelsior College Examinations
- Credit-by-Institutional Exam
- Credit for Prior Military Training or Educational Experience
- Credit for Adult Experiential Learning (CAEL)
- Credit for Work, Certification or Formal Training: Non-College training includes training that is provided by organizations other than a college or university, including industry-sponsored training and industry-recognized certifications. Credit for such educational experiences may be granted in accordance with the recommendation of the American Council on Education (ACE) when applicable to the student’s program of study.
- Prescribed Florida Department of Education (FLDOE) statewide articulations such as “industry certifications to credit” and “vocational to college credit”.
- External agreements with area employers or organizations to recognize employer-training as equivalent to EFSC courses where a Memorandum of Understanding (MOU) has been established.
- High school courses articulated to college credit established in Advance Standing Credit (ASC) Agreements with Brevard Public Schools.
- Acceleration mechanisms are exclusive of transfer credit.
• For degree completion at least 25 percent of the credit hours required for the program must be earned through instruction offered at EFSC.
• The Office of the Registrar will post all accelerated credit awarded by credit-by exam mechanisms, as well as all transfer credit, to student records. Duplicate credit cannot be awarded for non-repeatable courses.

411.2 High School Programs
In accordance with Florida Statute, EFSC provides accelerated education programs to enable qualified students to begin their college education while still in high school.

To qualify for acceleration through Dual Enrollment, including Part-time Dual Enrollment, Early Admission and the Collegiate High School Program, or the Early College Credit Option (ECCO), high school students must meet college admission requirements and the GPA and grade level standards for the selected program.

Tuition and Fees: In accordance with Florida Statute, students are exempt from registration, tuition or lab fees when taking a course through Dual Enrollment. Students taking courses through ECCO, pay all fees and tuition.

Required Instructional Materials: Private school students are responsible for obtaining the required instructional materials for courses taken through Dual Enrollment,

The Brevard County School Board loans public school students the required instructional materials for their EFSC dual enrollment classes with the exception of consumable items, such as workbooks. It is the public school student’s responsibility to purchase these items. EFSC loans home education students the required instructional materials for their dual enrollment classes.

Public school, private school and home education students taking an EFSC course through ECCO are responsible for obtaining the required instructional materials.

Developmental Education and Physical Education Skills Courses: Students still in high school may not take developmental education and physical education skills courses through any acceleration mechanism.

Private School Students
To qualify for program acceleration through Early Admission, Dual Enrollment or ECCO, private school students must complete the EFSC admissions process and have qualifying college placement test scores on file at EFSC The student’s school of attendance must have an articulation agreement on file with EFSC.

Home education Students
To qualify for program acceleration through Early Admission, Dual Enrollment or ECCO, home education students must complete the EFSC admissions process and have qualifying college placement test scores on file at EFSC. Additionally, EFSC must receive confirmation from the Brevard County School Board that the student’s home school program complies with home education statutory requirements prior to their acceptance by the College.
**Dual Enrollment**
Dual Enrollment enables qualified public, private and home education students in the 10th, 11th, or 12th grades to enroll in approved academic, technical and vocational courses offered by EFSC. Students in grades 6 – 9 may also be considered for dual enrollment provided they demonstrate readiness for college level work using college placement test scores, successful completion of high school level coursework, and the recommendation of their school.

Credits that students earn count toward both a high school diploma and a college degree or vocational certificate. Students may enroll in up to three (3) courses in the fall and spring terms and one course during the summer term. Students in the Collegiate High School Program may dual enroll in two courses during the summer.

In addition to submitting the online EFSC Application for Admission and official high school transcript, dual enrollment candidates must also have college ready reading and writing scores on a college placement test if taking a college credit course, meet any course prerequisites, and present at least the minimum cumulative un-weighted GPA requirement for the selected program:

1. 3.00 for an Associate in Arts or Associate in Science degree
2. 2.50 for a College Credit Certificate
3. 2.00 for a Vocational Certificate

**Early Admission**
Early Admission is a form of dual enrollment that enables qualified Brevard County public, private and home education students to enroll at EFSC instead of enrolling at their high school in the fall term of 12th grade. Students must register for at least four courses equaling twelve credit hours or more each term and earn sufficient credits at the college to meet high school graduation requirements. Upon completion of the senior year, students are no longer eligible for Dual Enrollment.

Early admission candidates must complete the EFSC Early Admission Application and present:

- College level scores in reading, writing and mathematics on a state approved placement test, and
- A minimum state cumulative unweighted GPA of 3.00.

Although students accepted for Early Admission take all their classes at EFSC, they remain eligible for extracurricular activities and clubs at their high school. The college credits count toward a high school diploma and associate degree or certificate.

Early admission candidates from public high schools must have completed all required courses for graduation with the exception of 1 high school credit each in English, Mathematics, Science and Social Studies. These courses must be successfully completed through equivalent postsecondary courses at EFSC.

A student whose term GPA falls below a 2.0 shall be withdrawn from the Early Admission program for academic reasons and returned to his/her high school program to complete their graduation requirements. The student may continue as a part-time dual enrollment student. Early admission students are also expected to comply with EFSC policies/procedures.
Early College Credit Option (ECCO)
ECCO provides qualified dual enrollment students with the opportunity to register for any Eastern Florida college credit course for which they are qualified so long as the course is creditable toward an associate degree or college credit certificate and is not part of a limited access program or otherwise prohibited by Florida statute or EFSC. Developmental courses many not be taken through ECCO. Credits earned using the Early College Credit Option (ECCO) will count toward the student’s associate degree or college credit certificate and the grade will be posted on the student’s college transcript. The credits will NOT count toward high school graduation and the grade earned in the course will not be posted on the student’s high school transcript. Students taking a class through ECCO are responsible for the payment of all tuition and fees and for purchasing their instructional materials.

Documentation of High School Graduation
Students who participate in any of the accelerated education programs are required to submit a final, official transcript to EFSC upon completion of high school.
412 Credit by Examination

Program length is appropriate for each of the institution’s educational programs (SACSCOC R9.2)

The institution has policies and procedures for determining the credit hours awarded for courses and programs that conform to commonly accepted practices in higher education and to Commission policy (SACSCOC R10.7 in part)

412.1 General Information
Section 1007.27(2), Florida Statutes, requires the Articulation Coordinating Committee (ACC) to establish passing scores and course and credit equivalents for Advanced Placement (AP), Advanced International Certificate of Education Program (AICE), International Baccalaureate (IB), DSST (DANTES), Defense Language Proficiency Test (DLPT), UExcel (Excelsior College Exams), and College-Level Examination Program (CLEP) exams. Public community colleges and universities in Florida are required to award the minimum recommended credit for AP, AICE, IB, DSST, DLPT, UExcel (Excelsior), and CLEP exams as designated.

1. The Office of the Registrar will publish and maintain the college transfer credit practices and lists of credits awarded in compliance with the articulation committee guidelines and publish current practices on the website.

2. In addition to those exams identified by the Articulation Coordinating Committee, EFSC will award credits through Credit by Institutional Exam.

3. Students may earn a maximum of 45 credits through the various credit-by-examination mechanisms.

4. Credit awarded may not duplicate other credit.

5. EFSC will not award credit for scores below those listed in the guidelines for awarding credit.

6. If student has scores prior to November 2001, the college may either use the new minimum scores and course equivalents, or the institution’s policy in effect when the student took the exam, whichever best serves the student.

7. For degree completion at least 25 percent of the credit hours required for the program must be earned through instruction offered at EFSC.

8. If no minimum credit is recommended for a particular exam, award of credit is at the discretion of the institution.

412.2 Procedure for Requesting Credits for Credit by Examination
Student must submit an official transcript or score report to the Registrar’s office. Upon receipt, credit for courses earned through credit-by-examination will be recorded with an “S” grade. If the student does not pass the exam, nothing will be recorded on the student’s record.
Institutional Course Challenge Exam

Program length is appropriate for each of the institution’s educational programs (SACSCOC R9.2)

The institution has policies and procedures for determining the credit hours awarded for courses and programs that conform to commonly accepted practices in higher education and to Commission policy (SACSCOC R10.7 in part)

Eligible students may earn credit for college credit courses through successful completion of a Credit by Institutional Exam. This exam is not available for credit in courses for which CLEP or other exam mechanisms exist, or for a course that has been identified as “no acceleration mechanism available” on the official course plan. Credits received through Credit by Institutional Exam do not apply toward the 25% residency requirement for EFSC degrees and/or certificates.

Credit by Institutional Exam will be noted as the designated acceleration mechanism on the Course Objectives and Plan Summary for applicable courses. It is the responsibility of faculty in the discipline to create the exams and follow the procedures stated below.

Procedure for creation of institutional exam assessment:
1. Faculty in the discipline may create an institutional exam(s) for the course subject they consider appropriate to allow a challenge exam.
2. Student may petition faculty in the discipline to provide an exam that is not in inventory via the Discipline Cluster Chair.
3. When faculty provide an answer key to the Institutional Test Administrator (ITA), a raw score will be provided. (Note: credit will only be awarded if student earns a grade of “C” or higher.)
4. Prior to any CBIE administration, the ITA will confirm validity of exam in inventory for the current course being challenged. If no longer valid, a new exam must be created for CBIE to be administered
5. Challenge exams and answer keys are to be housed in the ITA and will be kept in a secure location.
6. Hands-on assessments will be determined by the discipline faculty, and noted as a requirement of the challenge exam, with instructions on how the exam will be administered. Hands-on challenge exams should only be administered by a full-time faculty member in the discipline, or a program coordinator/manager in the discipline.

Procedure for master test location, exam security, and test administration:
1. Once faculty creates a challenge exam, it is to be sent to the ITA and securely maintained.
2. Student is to contact the ITA to schedule a test.
3. Test will be administered in a dedicated testing lab by a Testing Specialist. Hands-on assessments will be administered by the discipline faculty, in coordination with the Testing Specialist.

4. Testing Specialist will score the exam based upon the answer key established by faculty who created the exam, if one is provided.

5. Testing Specialist will annotate exam administration detail in SPACMNT and scoring detail on the original approval form. Xerox copy of test answer entries and approval form with signatures will be routed to the faculty or Cluster Chair for determining the award of college credit, along with an email notification sent to Coordinator of Accelerated Learning.

6. Testing specialist will maintain the final exam and associated documentation in a secure location.

7. Faculty will approve/disapprove of awarding credit on the approval form with original signatures, and route to Coordinator of Accelerated Learning for recording of final disposition.

**Eligibility for students to take a Credit by Institutional Exam:**

1. Student may only request an exam based upon the bank of exams that are currently available.

2. Student must be currently enrolled and in good academic standing at EFSC.

3. Student must be an active degree-seeking student. If exam is requested to satisfy a prerequisite for admission to a limited access program, the program must be listed as a minor on the student’s record.

4. Students may be provided the opportunity for Credit by Institutional Exam (CBIE) for those courses where accelerated mechanisms have been identified in the course plans and/or otherwise approved by the appropriate cluster chair.

5. Student must have completed the residency requirement of 25% of credits for the applicable EFSC degree/certificate.

6. Student must be otherwise eligible for enrollment in the course (i.e. has met placement and prerequisite standards, be within the allowable number of course attempts).

7. Student must not be currently enrolled in the course.

8. Student must not previously have received a grade of “C” or higher in the course.

9. Student must not previously have attempted CBIE for the course.

10. Student must have completed the appropriate request form, obtained the appropriate approvals, and paid the appropriate fee.

11. Student may attempt the same subject exam only once.

**Procedure for student to request Credit by Institutional Exam:**

1. Student will contact the Coordinator of Accelerated Learning to obtain approval. The Credit by Institutional Exam Form authorizing CBIE will be issued to the student, as well as the ITA, which provides notification that test administration has been approved.

2. If the request is for an exam not currently in inventory, student will be directed to appeal to Discipline Chair for a creation of an exam to be added to current inventory.

3. Student will contact ITA to schedule an exam and receive direction regarding fee payment.

4. Student will take request form to any cashier on any campus to pay the current exam fee and take the exam during the scheduled appointment.
Procedure for posting grades and credits:

1. ITA and/or faculty will notify the Coordinator of Accelerated Learning of the score and corresponding grade student received on the exam by sending a copy of the completed Credit by Institutional Exam form within 10 business days of the exam date.

2. ITA or the Coordinator of Accelerated Learning will annotate the unsuccessful attempt in Banner if the student does not achieve a grade of “C” or higher and keep copy of exam and form.

3. The Coordinator of Accelerated Learning will award credit or not depending on the outcome of the exam. A grade of “S” is given for each successfully completed exam and will not be calculated as part of a student’s GPA.
Title: Advance Standing

Program length is appropriate for each of the institution’s educational programs (SACSCOC R9.2)

The institution has policies and procedures for determining the credit hours awarded for courses and programs that conform to commonly accepted practices in higher education and to Commission policy (SACSCOC R10.7 in part)

Agreements between EFSC and the Brevard Public Schools enable EFSC students enrolled in selected certificate and technical degree programs to receive postsecondary credit at no cost to the student. Advance Standing Credit allows students to avoid duplication of course content. Advance Standing Credit agreements are designed for students who are working towards an associate in science degree, a college credit certificate or a postsecondary adult vocational certificate. Students must petition the Registrar to have credits posted to their record and present evidence of the following:

Student must meet the following criteria:
1. Cumulative grade point average at the Brevard Public high school as specified in the Memorandum of Understanding for the program in which credit is sought
2. High School Graduation or GED
3. After graduation, apply to EFSC and declare the appropriate Career and Technical program major
4. Enroll and successfully complete 12 credits OR complete the remaining credits required for the program at EFSC with a grade of “C” or better in the program for which the advance standing credit is to be awarded following completion of the required credits at EFSC, students must petition the Registrar to have advance standing credit placed on their permanent record.
   a. Credit will be awarded with the grade of “S” which will not affect the GPA
   b. Credit is not intended to be used for AA elective credit
   c. Transfer of credit to another postsecondary institution is dependent on the policy of the transfer institution
5. The student must enroll in the appropriate EFSC courses or program no later than three years after the last high school attendance.
415 Class Attendance and Withdrawals

The institution makes available to students and the public current academic calendars, grading policies, and refund policies. (SACSCOC R10.2)

415.1 General Attendance Policy
Class attendance is required beginning with the first class meeting. Students are expected to attend all class sessions for which they are registered. It is the responsibility of the student to arrange to make up work missed because of legitimate class absences and notify the instructor when an absence will occur. The instructor determines the effect of absences on grades.

However, students who are receiving financial aid or veteran’s benefits, who are reported as never attending a course, will be withdrawn from the class and benefits adjusted or rescinded. In order to obtain credit for a course, a student must be in attendance at least 85% of the contact hours listed for a particular course. However, based on documented unusual circumstances, individual instructors are given the option of allowing a student to complete the course based on the individual student’s circumstances and his or her progress in the course.

eLearning students also have specific attendance requirements. Students are expected to “logon” to their classes on a regular basis (according to the class syllabus). It is the responsibility of the student to secure other resources to “attend” class if computer or Internet problems are encountered. See Section 415.9 Online Class Attendance.

415.2 Collegiate Representative
A collegiate representative is defined as a student who represents the college extramurally as a student-athlete, student-performing artist, student government member, or student academic competitor or award winner. These four categories are defined in the following manner;

1. Student-athlete defines an individual who engages in any Eastern Florida State College (EFSC) sponsored intercollegiate sport.
2. Student-performing artist defines an individual who engages in any EFSC sponsored performing arts events.
3. Student government member defines an individual who has been elected to the executive board of the campus based, EFSC Student Government Association and reports directly to the Director of Campus Student Activities.
4. Student-academic competitor defines an individual who has been invited to present his or her works at a recognized, academically-based conference, is academically competing (e.g. brain bowl), or participating in educational training (e.g. OUR workshop, rehearsal, scholarship auditions)
5. Student-Award winner defines an individual who receives a non-athletic award and the student is approved by EFSC to represent the college.

Students as defined in the section below are expected to attend all scheduled classes unless excused according to one of the criteria outlined below.

1. Student-athlete who is sponsored by EFSC and is participating in an athletic competition against another institution. Practices are not excused absences.

2. Student-performing artist who is sponsored by EFSC and is participating in an exhibition or recital, as part of a performing arts event. Practices are generally not considered an excused absence, but in the case of a dress rehearsal or ensemble rehearsal, it would be considered an excused absence.

3. Student government member who is sponsored by EFSC and is attending a mandatory training conference as part of the requirements for his or her elected position.

4. Student-academic competitor who is representing EFSC and has been invited to present his or her works at a recognized academically-based conference, is academically competing (e.g. brain bowl) on behalf of EFSC, or participating in EFSC approved educational training (e.g. OUR workshop, rehearsal, scholarship auditions).

5. Student-Award winner who receives a non-athletic award and is approved by EFSC to represent the college.

A student anticipating the need for an excused absence must notify the instructor in writing with documentation from the appropriate EFSC representative within the first week of the start of the term. A student anticipating a need to be excused from assignments due in an online course must provide documentation from the appropriate EFSC representative that the student’s attendance at such college sponsored event prevented the student from performing work online. This documentation should reflect that the student did not have access to a computer and/or an internet connection for a specified period of time. In the case of a student-academic competitor, award winner, invitation to present at a conference, invitation to perform, or student-athlete invited to participate in a playoff series, the notification to the instructor must be made within three business days from the time of receipt of the invitation. The notification letter must originate from the appropriate EFSC representative, e.g. coach or sponsor, be written on EFSC letterhead, include the student’s name, B-number, the student’s category, and a list of anticipated absentee dates. This time away from the classroom will not be counted in the general attendance policy. The student is expected to complete all missed classroom and homework assignments within the time frame designated by the instructor.

Special Note:

These parameters are not limited to those in specialized programs, but exist for the entire college community. In instances where a student fails to communicate his or her travel plans or extenuating circumstances in regards to this policy in a timely manner, the student will not be allowed to make up any missed work because of the time constraints of the course calendar.

It will be at the instructor’s discretion to allow the student the opportunity to make up an assignment that will adversely affect his or her grade.
415.3 Instructor-Specific Attendance Policy
Instructors are required to monitor their attendance and report students who are not attending class during the designated reporting periods – normally on a monthly basis – each term. Faculty members shall publish and distribute a class syllabus at the inception of each course. The syllabus should include the instructor’s individual policies and procedures on student absenteeism, special circumstances under which students’ absences may be excused, and their stipulations for making up work and exams missed during instructor-excused absences.

415.4 Religious Observances
In accordance with federal and state statutes, students enrolled in credit or certificate courses may be granted excused absences from classes that are scheduled during a religious holiday. During the first week of class, the student must request in writing approval from the instructor for the absence(s). The instructor should provide alternative arrangements for the student to complete the work scheduled for the missed session.

Students excused for religious observances will be expected to meet the class requirements for those days without undue delay.

Absences due to religious holidays are excluded from all absence calculations. In case of such absences, the instructor shall provide equivalent assignments or the opportunity to make-up missed work without penalty.

415.5 Withdrawal from Class for Non-Attendance
A student who is excessively absent from class may be subject to administrative withdrawal from class. It is up to the instructor to decide whether the student is permitted to make up missed work. “Excessive absences” is defined as being absent more than 15% of class meetings (more than twice the number of class hours in one week.) See Section 415.10 Clock Hour Class Attendance for an exception to this. Individual instructors must report students who never attend or stop attending class during the open reporting periods. Students who are reported as not attending will receive a final grade of “W7” Withdrawn Never Attended or “W8” Withdrawn Stopped Attending.

It is important that instructors report attendance during the open attendance period to avoid overpayment of financial aid to students, and to avoid a violation to the college for payment of fees to students who are not attending.

Individual faculty members are authorized to establish more rigorous attendance standards for their classes. Each semester, faculty members must notify students via their syllabus of the attendance standards for the class in which they are enrolled. Every semester, faculty must provide students in each class a course syllabus outlining their attendance policy, assignments, grades, office location, office hours and office telephone numbers.

415.6 Tuition Refunds for Withdrawals
Tuition refunds are not awarded for withdrawals except through the appeals process. Any student receiving Federal financial aid who withdraws or is administratively withdrawn from all courses within the first 60% of the term may be required to repay grant disbursements.
415.7 Veterans
Under federal regulations, VA educational benefits will be discontinued for those students whose GPA falls below 2.0 in three consecutive terms. Students who have been warned or suspended should contact the Office of Financial Aid/Veterans Affairs for assistance.

415.8 Withdrawal due to Military Service
Currently enrolled students who are called to, or enlist in, active military service shall not incur academic or financial penalties by virtue of performing military service on behalf of our country. Such student shall be permitted the option of either completing the course or courses at a later date without penalty or withdrawing from the course or courses with a full refund of fees paid. If the student chooses to withdraw, the student's record shall reflect that the withdrawal is due to active military service. The transcript will reflect the non-punitive grade of “W6.”

Student will provide a copy of military orders to the Associate Provost.

1. The Associate Provost will determine whether the student is allowed to complete the course(s) at a later date or withdraw with a full refund.
   a. If student chooses to complete the course(s) at a later date the Associate Provost will request the instructor(s) to create an “Incomplete Grade” contract that outlines student’s course progress to date and outstanding assignments.
      i. The Associate Provost will make a comment on the student’s record in the database indicating decision and retain all documents.
      ii. Instructor will award a final grade of “I – Incomplete.”

415.9 Online Class Attendance
The eLearning department has a strict attendance policy that must be adhered to by all online students.

• **3-Day Initial Attendance Policy:** Students must enter each of their online class(es) within the first 3 days of the semester. Students should ensure that they check with the instructor to determine any required initial attendance activities.

• **Regular Attendance Policy:** Students must maintain acceptable attendance in online course(s). Just logging into an online course does not constitute attendance. Students must complete a required activity. Failing to complete two consecutive weeks of required work in online course(s) may result in instructors reporting students as Stopped Attending and the college will withdraw those reported students for nonattendance from the course.

• If for some reason students anticipate missing an assignment, they should obtain prior approval or permission from their instructors. Students should not assume that they can ask for forgiveness or an extension after the fact. Documentation may be required by the instructor.

**Important:** If students decide not to attend their class(es), they should not assume that non-payment will result in being "dropped" from the class(es). There are many factors that will prevent students for being dropped for non-payment. It is the students’ responsibility to review their account to ensure they are dropped for non-payment from the class(es). The students are responsible for any charges on their account, even if they did not attend, and outstanding charges will be sent to a collection agency to recover monies owed to the College.
415.10 Clock Hour Class Attendance

1. Only 10% class absence is permitted in a clock hour (vocational) course, unless stricter guidelines are defined in State frameworks. EXCUSED ABSENCES may only be counted if student does not have to make up the time to earn a certificate issued by the State.

2. No more than 10% of class time may be considered excused absences. An instructor may follow a stricter policy in his/her class.

3. Attendance Records: instructors must take attendance; they must be able to prove attendance by documented evidence
416  Student Health and Safety

The institution takes reasonable steps to provide a healthy, safe, and secure environment for all members of the campus community. (SACSCOC R13.8)

416.1  Student Injuries
The college staff shall plan and regulate classroom and campus conditions with due concern for the mental and physical health and safety of the students. No medical facilities are provided by the college, but in the event of a serious injury or sudden onset of illness, first aid may be administered within capabilities.

1. On-Site First Aid
First-aid kits are located in every building on each of the campuses and centers. The College-wide Safety and Security Department is responsible for the maintenance of the first-aid kits.

2. Accident Notification
When someone is injured on campus, the person in charge (faculty member, staff, coach, etc.) should immediately call Security or 911, if needed. Security will then determine what course of action should be taken. Security will assist the person in charge with filling out an Accident/Incident report.

3. Ambulance Assistance
The Security Office, the Office of the Associate Provost or the Office of the Provost will make the arrangements for an ambulance when needed. In the event that none of these offices can be reached, the injured party or the college employee should contact the ambulance directly through the police emergency number 911. The student should be notified that the college is not responsible for ambulance or medical expenses incurred.

4. Incident Report
Incidents, accidents, or injuries occurring on campus or at college-sponsored off-campus events that involve employees, volunteers or students shall be reported immediately to the Security office. The Security office shall in turn complete and turn in all proper forms to the College Risk Management office.

5. Information Posting
A notice concerning procedures to be followed in the event of student injury will be posted near the entrances to each building by the Building Coordinator.

416.2  Student Health Insurance
Insurance coverage with respect to injuries or accidents sustained during college activities will be affected by private contract between an insurance company selected by the Board and the
student or parent. Applications will be made available to the students through the Associate Provost on each campus. Neither the Board nor any employee of EFSC will be accountable for money transactions between the insurance carrier and students.

1. **Compulsory Insurance**
   Students who are enrolled in certain programs, classes, or clubs will be required to show proof of insurance for injury and accident coverage.

2. **International Students**
   During the registration process, international students will be required to show proof of an accident, illness and hospitalization policy which is acceptable to the college. Students having no acceptable coverage may take advantage of a low-cost insurance policy designed for international visitors. An individual may choose the desired plan, complete the application form, place the premium check in the envelope provided, and submit that envelope for mailing during the registration procedure.

3. **Intercollegiate Sports**
   In order to be certified as eligible to participate in intercollegiate athletics at the college, a prospective athlete must demonstrate proof of an active policy for accident and injury, or must purchase a 24–hour coverage policy from the college-approved carrier. Once an athlete has been certified as eligible, the college will purchase a supplementary policy for him/her, which will extend to 100% the original accident/injury coverage.

4. **Clubs and Activities**
   Sponsors of college clubs and activities may, at their option, require students to show proof of or to purchase insurance in order to participate in activities.

5. **Optional Insurance**
   All students or employees of the college are eligible for accident and injury insurance through a college-approved carrier. Forms may be found in the Offices of the Associate Provost.
417 Student Governance

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in e-Learning courses. (SACSCOC R6.1 and R6.2.b)

Student government at EFSC is comprised of elected representation from the all college approved clubs and organizations and from the student body at large (SGA Executive Board).

417.1 Student Government Association
The Student Government Association (SGA) Executive Board is based on elected representation from the student body. The SGA meets on a regularly scheduled basis during the fall and spring semester, and plays a role with requests concerning:

- New clubs and organizations
- Student activities
- Travel funded through the Student Activity Budget
- Appointments to College-wide committees

417.2 SGA Elections
Campus-based SGA Executive Board members will be elected annually. Please refer to the SGA Constitution in the Student Activities Handbook for more information on candidacy.

417.3 Chartered Student Organizations
Campus clubs and organizations may be established according to policies outlined in the Student Activities Handbook.

417.4 Student Fund-Raising Activities
All requests for student-sponsored activities must be submitted to the SGA Executive Board and receive college approval. The policies for requesting and hosting activities, as well as information on required authorities, are listed in the Student Activities Handbook.

417.5 Student Public Communications
No fundraising shall be conducted by any students, clubs or organizations without following the appropriate request process. College policies for requesting and hosting fundraising, as well as allowable activities, are detailed in the Student Activities Handbook.
418  Student Travel

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in eLearning courses. (SACSCOC R6.1 and R6.2.b)

The Associate Provost/Dean will review and ensure supervision of college approved off-campus student, student group, or student instructional activities. The aforementioned will ensure that the sponsor of off-campus student activities is aware of pre- and post-travel responsibilities. After review of the purpose and documentation, the Associate Provost/Dean will make a recommendation for the approval or denial of the activity.

418.1 Sponsor Responsibilities (Pre-Travel)
Sponsors of student travel must receive authorization at least 14 business days prior to departure. Requests for authorization will be submitted on the appropriate EFSC student travel request form(s) for approval as stated in 418.2.

The requests will include:
- departure, destination and return dates and times
- method of travel and estimated costs
- list of student names and student identification numbers
- course, club, or team name
- statement of benefit indicating the purpose of the travel and the benefit to the college

Requests for funds in advance for student travel will be submitted for approval as stated in 418.8.

Travel funded through the Student Activity Budget for Student Government Association, student group, student or instructional activities must be initially submitted to the Student Government Association Executive Board in accordance with Student Government Association procedures.

418.2 Authorization
The approval authority for off-campus student activities is delegated as follows:
- Office: Vice Presidents
  - College-wide, Athletics, Student Government Association Activities, and Student Group activities
- Office: Provost Office
  - Instructional Activities
418.3 Athletic Events
Athletic events that appear on the yearly schedule are exempt from the need for prior approval. All other travel requests require submission of the appropriate student travel request form(s) for approval as stated in 418.2.

418.4 Out-of-State/Out-of-Country Travel
The Vice President Academic and Student Affairs must approve all out-of-state student travel. Required student travel forms with appropriate signatures must be sent to the Vice President for authorization. Additionally, out-of-country travel requires the approval of the College President.

418.5 Transportation Vehicles
The activity sponsor will reserve vehicles for transportation for in-state use in accordance with the EFSC Rental Car Procedure. Only a pre-approved full-time or part-time college employee may serve as the driver of a vehicle. The activity sponsor will identify the requesting college organization and the names of all vehicle occupants on the appropriate student travel request form(s).

It is the activity sponsor's responsibility to cancel a vehicle reservation as soon as it is determined that there is no longer a need for its use.

418.6 Other Transportation
When the use of private vehicles is necessary, the student must sign the appropriate waiver.

418.7 College Liability
Under Florida Statutes, the college retains sovereign immunity where private vehicles are concerned, leaving the driver of a private vehicle solely responsible for litigation resulting from an accident.

418.8 Advance Funds
Sponsors are encouraged to use the college purchasing card to minimize the need for travel advances and prepayments. The sponsor of college approved student travel is authorized to receive approved monies in advance for student travel. In addition to the requirements of 418.1, the sponsor must ensure that the following information is submitted to the appropriate office at least 10 business days before the expected receipt of funds:

- Participating student names and student identification numbers;
- Organization and sponsor;
- Reason for travel and travel dates;
- Estimated itemized expenses;
- Submit the Acknowledgement/Receipt of Meals or Money form listing all students attending the event with B numbers. Check off each meal that the student would be eligible to receive and add the amount per student. Make sure the form is totaled.

Meal money will be advanced at the following rates:

- Breakfast $3.00
- Lunch $6.00
- Dinner $10.00

Meal money will be advanced only to the sponsor (employee) via check or ACH deposit.
Prior to the request for an advance of funds, the sponsor must obtain funding approval by accomplishing the following:

- When the sponsor represents a student club, student group, student, or an instructional activity, the appropriate student travel request form(s) will be submitted to the campus Student Government Association Executive Board or Student Life Coordinator for consideration by the Student Government Association. If approved at that level, the request will be forwarded as required for funding approval consideration.
- When the sponsor represents a college-wide activity or athletics, the request will be submitted to the Vice Presidents on the appropriate EFSC student travel request form(s) for funding approval consideration.

The sponsor should carry a copy of the official sales tax exemption certification (available from the EFSC Document Center) to obtain tax exemptions at hotels and other vendors.

418.9 Communication to Students
Students who participate in an authorized off-campus college activity are credited with excused absences in their courses. It is each student's responsibility to initiate arrangements with his/her instructors. It is the sponsor's responsibility to inform students of the policy concerning excused absences and arranging for make-up work.

418.10 Sponsor Responsibilities (Post-Travel)

1. Expenditure Verification
Sponsors will be responsible for remitting itemized receipts for the following expenditures attached to the Student Travel and Reimbursement Form:
   - Registration fees (exclusive of meals and lodging)
   - Common Carrier Transportation (Airfare, Rental car/van, Bus, etc.)
   - Lodging
   - Miscellaneous expenses (with appropriate justification)

The sponsor is authorized to provide each student with funds for meals or may provide group meals from advanced monies. Each student must sign the Student Acknowledgement/Receipt of Meals or Money form acknowledging the number of meals or amount of money received. Sponsors will be reimbursed at the pre-approved rate.

Sponsors or students will contact the Accounting Department if there is any concern regarding the accuracy of information on the Student Acknowledgement/Receipt of Meals or Money form.

2. Post-Travel Reimbursement
The sponsor is responsible for submitting a Student Travel and Reimbursement Form and the Acknowledgement/Receipt of Meals or Money form within one (1) week of returning to the campus. The Acknowledgement/Receipt of Meals or Money form must be signed by all students that received money for their meals. If the form is not signed, the sponsor will owe the college the advanced funds. If all the students listed on the prior submitted Acknowledgement/Receipt of Meals or Money form do not attend, the sponsor must pay back the advanced funds for that student(s).
3. Advanced Monies
When the student group travel terminates, the sponsor will attach the check voucher (for advanced funds) to the Student Travel and Reimbursement Form.

When the sponsor returns with unexpended money, it will be remitted to the Cashier, in exchange for a receipt. The receipt number, date and amount will be recorded on the check voucher. When the sponsor returns with itemized receipts totaling more than the original amount of approved funds, the sponsor will indicate such on the Student Travel and Reimbursement Form, and attach all receipts.

Failure to document expenditure of advanced funds or remit unexpended funds within one (1) week of return will result in notification of the sponsor’s supervisor. Continued failure to document expenditures or remit unexpended funds may result in payroll deduction of amounts advanced.

4. Incident Reports
It is the activity sponsor’s responsibility to inform the appropriate college office or his/her supervisor of any incidents on the trip which involve college equipment, personnel or students.

This includes:
• Any malfunction or state of disrepair of a college vehicle;
• Any accident involving a college vehicle or a college-approved vehicle and its passengers;
• Any injury to a student, staff member, or other involved parties;
• Any violation of the law on the part of a student or staff member.

418.11 Travel of Minor Students
• For travel involving minor students, please refer to EFSC Procedures Manual 806/Notice to Students Under Age 18.
419 Student Comportment

Notification
Eastern Florida State College students are both citizens and members of the academic community. As citizens, students enjoy freedom of speech, peaceful assembly, and the right to petition. As a member of the academic community, they are subject to the obligations which are theirs by virtue of this membership.

Student Responsibility
When student attends the college, they become subject to its jurisdiction. Students are expected to conduct themselves in a responsible manner in all areas of campus life. By enrolling, they pledge to obey the rules and regulations of the college and are responsible for observing all Board of Trustees’ Policies and Procedures.

Code of Conduct
This code of conduct relates to all actions disruptive to the educational process and includes both physical and virtual (online) educational communities and communications. Violation of the standard of conduct herein will be considered as a disciplinary matter and treated in accordance with procedures of due process and with respect of the right and welfare of all members of the College community. Standards of conduct for which students are subject to disciplinary action, such as suspension or expulsion from EFSC, are addressed in the student code of conduct in procedure 201.

Disciplinary Sanctions
A list of disciplinary sanctions that may be imposed are addressed in Procedure 201 Complaint and Grievance Procedure.

Disciplinary Procedures: Disciplinary procedures are addressed in Procedure 201 Complaint and Grievance Procedure.
420  Student Records

The institution protects the security, confidentiality, and integrity of student records and maintains special security measures to protect and back up data. (SACSCOC R12.5)

420.1  General Information
The College retains the permanent educational records for all students who have ever enrolled as a credit-seeking student at Eastern Florida State College. The Office of the Registrar will oversee the retention, maintenance and confidentiality of student records.
1. The privacy of student records is protected in compliance with the Family Educational Rights and Privacy Act (FERPA), which is Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
2. Student records will be retained and disposed of in accordance with Florida Statutes and Administrative Code Rules relating to archives and records management, including the General Records Schedule GS5 for Universities and Community Colleges.

The Office of the Registrar will publish and maintain documents outlining the College guidelines for FERPA compliance, as well as a records retention schedule, and provide appropriate training.

420.2  Student Rights
FERPA grants four specific rights to eligible students in regards to their education records.
1. The right to inspect and review their education records
2. The right to request the amendment of inaccurate or otherwise inappropriate education records
3. The right to consent to disclosure of his/her records
4. The right to file a complaint concerning alleged failure by EFSC to comply with the requirements of FERPA with the Family Compliance Office in the US Department of Education in Washington.
5. The College will notify students annually of their rights under FERPA by publishing the information in the College Catalog and on the EFSC website.

420.3  Permanent Educational Record
The permanent educational record of an Eastern Florida State College student shall consist of: student name, social security number or student identification number, courses enrolled each term, cumulative grade point average (GPA), term GPA, hours attempted, hours earned, grades, quality points earned, term dates, degrees and certificates earned and transfer credit. This
information comprises a student’s transcript. The permanent record of current students will be maintained in the electronic database and is available for student to view online. The permanent record of inactive students who are no longer in the current electronic database will be maintained electronically and/or on microfiche, microfilm or paper copy.

420.4 Accessing Student Records Online
Students may access their records online through the secure website, BANNER WEB. A Username and are required to login to the secure system. Faculty may access class lists and information for their students through the secure website, myEFSC. A Username and password are required to login to the secure system.

420.5 Changes to Student Records
Students may request a change to their records online or in writing. Typical changes include name, address, telephone number, social security number and program code (major).

Most changes require the student to complete the appropriate change form and present substantiating documentation. Changes are processed by the campus Admissions and Records Office. Address and phone changes can be made online by the student logging into the secure website.

420.6 Confidentiality of Student Records
The confidentiality and privacy of student records will be maintained at the college, and only authorized personnel and the inquiring student will have access to the student records. The college will not release any information to anyone other than the eligible student without a written release from the student. This includes requests for enrollment and degree verifications and parent requests for student information. The Vice President of Enrollment Management and Student Success, Associate Provost, Director of Enrollment Services, and the College Registrar will address exceptions as permissible by law.

Definition of Education Records
Records in any format, including handwriting, print, computer, videotape, audiotape, film, microfilm, microfiche or email, that
• Contain information directly related to the student and
• Are maintained by an agency or institution or party acting in its behalf.

Student Access to Education Records
An EFSC student is guaranteed access to his/her records and files, subject to reasonable regulation of time, place and supervision as specified by FERPA.

Student Request for Confidential Status of Records
An active student may request that his or her records be flagged as “confidential” by submitting the form: REQUEST FOR CONFIDENTIAL STATUS OF DIRECTORY INFORMATION to the campus Admissions and Records office. Staff will not release any information regarding the student whose record has been identified as “confidential” without a written request or viewing the student’s photo ID.

To remove the confidential flag, student must submit the form: REQUEST to REMOVE CONFIDENTIAL STATUS OF DIRECTORY INFORMATION.
420.7 Release of Student Record Information
The college must have written permission from the eligible student in order to release any personally identifiable information (PII) from the student's education record, except to the extent that FERPA authorizes disclosure without consent.

420.8 Release of Student Lists
All requests for Eastern Florida State College student mailing lists or any other type of student list will be forwarded to the Office of the Registrar or the Vice President of Academic & Student Affairs. The Vice President of Academic & Student Affairs must approve release of student lists or information to the local media and student publications. The Registrar may approve release of student lists in response to requests from the federal government for armed forces recruiting purposes, in accordance with the Solomon Amendment.

All requests from other organizations or agencies, including educational institutions, will be forwarded to the Vice President of Academic & Student Affairs who will review the request and make the decision whether or not to release the information requested. All approved requests may be subject to a release fee. Only the President may grant a fee waiver.

The Vice President of Academic & Student Affairs must approve the electronic release of student lists to vendors providing services to the college and its students.

The release of lists of student names required to obtain state licensure or training in specific programs will be coordinated by the Program Coordinator in cooperation with the Registrar. Upon admission to these limited programs, the student must sign an Information Release Form approving the release of their name and other required information.

The Registrar will maintain a record of all releases of student lists.

All students who have a “Confidential” flag set on their student records indicating that they do not wish to have any directory information released, will not be included on any student list.

420.9 Directory Information
The college has designated the following student records as Directory Information. While FERPA states that directory information may be released at the discretion of the college, the college will not release any information without a written consent from the student.

Directory information includes:
- Student name
- Degree of study
- Participation in officially recognized college activities
- Weight and height of members of athletic teams
- Terms of attendance
- Degrees and awards received
420.10 Releasing Student ID Numbers
Student ID numbers will not be released over the phone, via fax or email. Students must come into the office and provide photo ID or submit a request in writing with a copy of a legible photo ID attached. Students may also obtain their numbers on the EFSC website.

If a student cannot or will not physically come into the office, he/she may mail or fax their request for their ID number using the appropriate release form. A copy of the release form will be available for downloading on the EFSC website. Only designated staff in the Admissions and Advising Office or Office of the Registrar have the authority to release the student's ID if the student is not physically present and does not provide Photo ID.

Upon receipt of the mailed or faxed request, the Admissions and Advising office will verify the signature, update the student's address if necessary, and mail the student's ID Number to the address provided by the student. ID numbers will not be sent by fax or email. New students or students who are re-admitting will be provided their ID number through the admissions acceptance letter.

420.11 Resetting a Student Password
Only IT Support has the authority to reset a student password. The default format for the password is the birth date followed by “Efsc” in the form of MMDDYY-EFSC.

- Students with a confidential flag on their record may reset their password online or in person.
- If protocol has been followed. Student must provide their STUDENT ID number, not SSN.
- If student is unable to answer any of the questions, or information they provide does not match what is on file, they must physically come to the campus to have their password reset.
Transcripts of Student Records

The Office of the Registrar will maintain permanent educational records for all students who have ever enrolled at Eastern Florida State College. Upon request, these records will be released in the format of a transcript.

The institution protects the security, confidentiality, and integrity of student records and maintains special security measures to protect and back up data. (SACSCOC R12.5)

Transcript Definition

The transcript of an EFSC student’s permanent educational record shall consist of: student’s name, last four digits of the Social Security number, date of birth, courses enrolled each term, cumulative grade point average (GPA), term GPA, hours attempted, hours earned, grades, quality points earned, term dates, degrees and certificates earned and transfer credit.

Release of Transcripts

Students may obtain unofficial copies of their transcripts online via https://www.floridashines.org/. A student’s ID and PIN are required for online access. Unofficial transcripts for archive student records are unavailable.

Official transcripts may be requested online or upon written request. Official transcripts will not be released for students with an outstanding financial obligation to the college, students who have not completed any credit courses at the college or students who have not completed the admissions or graduation process by submitting all required documents (e.g. official transcripts from other schools attended.)

No individual borrower who has been determined to be in default in making legally required scholarship loan, student loan, or guaranteed loan repayments shall be furnished with his or her academic transcripts or other student records until such time as the loan is paid in full or the default status has been removed.

Transcripts may also be withheld from students who are found to be in violation of the student code of conduct or other college guidelines.

Eastern Florida State College has appointed Credentials Solutions (TranscriptsPlus) as the designated agent for sending official EDI (electronic through FASTER) and PDF transcripts; as well as printing and mailing official paper transcripts. The transcripts sent by Credentials Solutions contain all pertinent course and degree information. Credentials Solutions has been granted the authority to deliver all such transcript requests on behalf of EFSC and respond to any inquiries regarding transactions.
Telephone or email requests for transcripts are not accepted.

Written transcript requests must specify:
• Student’s name, ID, birth date and dates of attendance if known.
• Name and address of recipient.
• Permission to release transcript to a third party, and third party name, if applicable.
• Student signature.
• All official transcripts are printed and processed in the Office of the Registrar College-wide. Transcripts will be mailed according to student instructions; however, a student may designate pickup in the Office of the Registrar. A photo ID must be presented at time of transcript pickup.

Fees for Transcripts
There is a fee for each official transcript requested. Students are provided a voucher for two complimentary transcripts upon graduation. There is no fee for unofficial transcripts.
422 Enrollment Verification Protocol

The Office of the Registrar (OR) oversees the enrollment and degree verification process at Eastern Florida State College (EFSC). The Associate Provost (AP) and EFSC Security may also provide information as outlined in this procedure. The OR provides routine training and updates.

The institution makes available to students and the public current academic calendars, grading policies, and refund policies. (SACSCOC R10.2)

422.1 Procedure

Current term enrollment will not be certified until after the add/drop period. Courses that are dropped, withdrawn, audited or non-credit classes do not count in credit hours toward enrollment verification. Enrollment status is certified as follows:

Eastern Florida has authorized the National Student Clearinghouse to provide enrollment and degree verifications for students and vendors through its online Student Self-Service program. This service is available 24 hours a day, 7 days a week, and allows the user the ability to print, save, or email official enrollment verification certificates free of charge.

All requests for written enrollment verification must be submitted in writing using the Enrollment Verification form, to the campus Admissions and Records Office or the Office of the Registrar. If a student has an enrollment verification hold, the request will not be processed.

College Credit Courses

Eastern Florida State College (EFSC) certifies student enrollment per semester using the following guidelines:

- **FT (full time)**: 12 credit hours
- **QT (3/4 time)**: 9 credit hours
- **HT (half time)**: 6 credit hours
- **LT (less than half time)**: Under 6 credit hours

Clock Hour Programs

EFSC certifies student enrollment in clock hour programs using the following guidelines:

- **FT (full time)**: Classes meeting 24 or more hours per week
- **HT (half time)**: Classes meeting 12 – 23 hours per week

422.2 Protocol for Release of Student Record Information

No enrollment verifications or student record information may be released over the phone or without a written release from the student. Exceptions are handled through the OR.
General Information
- Students should be directed to the Student Clearinghouse to download an enrollment verification certificate whenever feasible
- All written requests must be accompanied by the “Request for Enrollment Verification” form SC-221
- All forms must be complete and signed
- Written verifications may only be done by the designated person in the Admissions Office on each campus and the OR
- Designee will use prescribed templates for letters

Campus Admissions and Records Office
- Campuses will accept the Enrollment Verification form from the student and mark the Office Use Only box for student ID, Received by, Received date, and Student ID verified.
- Campuses will make sure that the Enrollment Verification form is signed by the student, a legible phone number is provided, and a legible 3rd party name is available if needed.
- Campuses will scan document into the Registrar’s folder.
- If document is a deferment form, campuses will determine if the student has signed in the proper places prior to sending to the OR

Office of the Registrar
Requests to process the following verifications must be sent to the OR. Submit a completed “Request for Enrollment Verification” form and attachments.
- International requests
- Common Application
- Requests that need official school seal
- Requests that need signature from the Registrar
- Verification of pending graduation
- Military early out
- Archived student records
- Subpoenas and other Court Orders
- Any requests from attorneys or the court systems
- Requests for transcripts
- Requests for student lists from military, other schools, and vendors
- Clock hour enrollment verifications

Common Application – send to OR
EFSC is unable to complete forms for the Common Application online; only paper forms can be processed.
1. Student must complete the “Request for Enrollment Verification” form and attach forms from the Common Application.
2. The only form from the Common Application that OR will process is the “Transfer College Report.” If the student wants us to attach other documents when we mail the information, the student must first attach them to the “Request for Enrollment Verification.”
3. Forward both the “Request for Enrollment Verification” and Common Application form(s) to the Office of the Registrar.
4. OR will process and send to school or university address provided by student.
5. Student must send request for letters of recommendation directly to the person who will provide the recommendation and that person will be responsible for mailing as directed by the student.

FBI, Homeland Security, Office of Personnel Management (OPM)
(Note: this is for non-emergency situations only)

- Must have release from student
- Refer them to go through National Student Clearinghouse
- If the requestor is wanting character references, disciplinary record, or financial information, refer them to the AP.
- Requestors are not authorized to contact instructors or other staff directly. Do not release office locations or student schedules. Persons requesting such information should be referred to the AP.

Emergency Situations
In some cases, a credentialed law enforcement officer may make a request for specific student information which may be needed to protect the safety of those on campus, thwart a terrorism threat or prevent some other violent act that could endanger the lives of others. In these cases, refer the requestor directly to the AP.

Occasionally, law enforcement officers may request a student’s location so that they may serve a warrant or capias resulting in the student’s arrest. Advise the officer the protocol is to contact EFSC Security who will assist the requesting law enforcement officer. Contact the EFSC Security Office and request a Security Officer respond to assist the arresting officer. Contact the AP’s office and advise them of the situation. EFSC Security Officers will validate the arresting officer’s law enforcement credentials and will work with the officer to ensure the student is taken into custody as safely as possible with as little disruption as possible to the educational environment.

An educational agency or institution may disclose personally identifiable information from an education record to appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or individuals. Persons authorized to release that information at EFSC are limited to Administration, the Communications Office, or Public Safety/Security.
## Requests to Associate Provosts

<table>
<thead>
<tr>
<th>Action</th>
<th>What to do:</th>
</tr>
</thead>
</table>
| Notification of student attendance from probation officer               | **FDOC document received by the Office of the Registrar, scan document, update SOAHOOLD with DH hold, description = FDOC; SPACMNT comment type FER-FERPA.**  
If student is active OR will email campus Provost and AP office indicating FDOC document received and scanned.  
If student is not active, OR will scan, place hold, add comment and send Closure letter.  
If Person is not in Banner, OR will send letter or email to sender (email is preferred).  
**FDOC notice received by Associate Provost Office**  
Scan document, place hold on SOAHOOLD, Update SPACMNT. If active student, AP will send Initial Letter to student to schedule meeting and scan letter.  
If not active AP will scan document, place hold and send Closure Letter  
If person is not in Banner, AP will send document to OR. OR will send letter or email to sender (email is preferred) that no student record exists for this person. OR will scan document into Collegewide>FDOC NOF.  
**FDOC notice received by another office:**  
Send to Office of the Registrar. Make note on SPACMNT if person has ID number.  
If student stops attending; OR will notify sender in writing within 30 days.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
<p>| Student is trespassed; shows up on campus                               | Documented on SOAHOOLD as “TRESPASSED” and noted on SPACMNT. Contact security immediately, and contact Associate Provost office. If the trespassed person has been reported to be or appears to be dangerous or threatening in any manner, call 911 and EFSC Security immediately followed by notification to the AP’s Office. If the person is not deemed to be dangerous, contact EFSC Security immediately followed by notification to the AP’s office. Persons who are trespassed from the campus are in violation of the law when they return to the property and are subject to arrest. You may not grant permission for a trespassed person to come on EFSC property. Refer those requests to the Security Department.                                                                                                                                                                                                 |
| Student is suspended but is not trespassed; wants to readmit           | Documented on SOAHOOLD/SPACMNT. Do not readmit. Admissions will send a letter instructing student to contact the Associate Provost.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |</p>
<table>
<thead>
<tr>
<th><strong>A credentialed Law Enforcement Officer wants to speak with student or faculty</strong></th>
<th>FERPA may still apply. Send the law enforcement officer, agent, investigator, etc. to the AP office. Security concerns can be exempt from FERPA but certain requirements must be met. Sometimes law enforcement officers need to enforce legal orders of the courts, e.g. to serve a subpoena. We should accommodate that in such a way that meets the needs of the officer but least intrudes on the student’s privacy or causes embarrassment. (As an example, instead of sending the Law Enforcement Officer to the classroom to find the student; bring the student to the Law Enforcement Officer). Before complying with the officer’s request, ensure they have valid law enforcement credentials If you have any concerns the credentials are falsified, contact EFSC Security immediately and ask them to respond to your location for assistance. EFSC Security Officers should be used to escort the requested student out of class to investigator. Request EFSC Security is present during the process.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A credentialed Law Enforcement Officer shows up and wants character, conduct, or disciplinary references (probably for background check).</strong></td>
<td>If the officer shows up doing a background check, he or she should have a signed waiver from the student. Most often, the investigator would be looking for any history of disciplinary action. The AP will provide, but should not provide other protected student-specific information that is not applicable to the request, e.g. grades.</td>
</tr>
<tr>
<td><strong>Requests for character, conduct, or disciplinary references – written request.</strong></td>
<td>If signed by student, forward to AP.</td>
</tr>
<tr>
<td><strong>EFSC Security Officer wants student schedule.</strong></td>
<td>Refer EFSC Security Officer to Associate Provost office.</td>
</tr>
<tr>
<td><strong>Law enforcement wants student schedule</strong></td>
<td>Refer Law Enforcement Officer to Associate Provost office.</td>
</tr>
<tr>
<td><strong>Investigator/law enforcement wants student academic information or transcript</strong></td>
<td>Refer them to the Clearinghouse. If additional information is requested, refer to Office of the Registrar. Transcripts are only released through Office of the Registrar.</td>
</tr>
</tbody>
</table>
423 Graduation

At least 25 percent of the credit hours required for the degree are earned through instruction offered by EFSC. (SACSCOC R9.4)

The College publishes requirements for all programs, including its general education components. (SACSCOC R9.7 in part)

At least 25 percent of the course hours in each major at the baccalaureate level are taught by faculty members holding an appropriate terminal or equivalent degree.

423.1 General Information

Degrees and certificates are awarded in accordance with Florida State Board of Education Rules, Florida Statutes, and criteria established by the Southern Association of Colleges and Schools Commission on Colleges.

Students must complete at least 25 percent of the program through traditional coursework at Eastern Florida.

Refer to EFSC Procedure 424 for degree-specific requirements.

423.2 Procedure

Students must apply for graduation by the published deadline in the term they plan to complete all requirements. Students may apply online or submit the Intent to Graduate Application paper form. A separate application must be submitted for each degree or certificate for which the student is applying.

1. A graduation fee must be paid for each application. Note: If a student is applying for a degree(s) with embedded certificates, they do not need to submit separate applications or fees for those certificates. However, if a student is only applying for the certificates prior to the degree(s) with embedded certificates, the student will need to apply and pay for each certificate.

2. Students must apply and pay for graduation in order to receive a diploma and walk in the commencement ceremony.

3. The application deadline date is published each term on the Academic Calendar, the catalog, and the EFSC website.

4. Students who apply for graduation after the published deadline will be assessed an additional late fee for each application submitted, not able to reserve guest tickets, and are not guaranteed that their name will appear in the commencement booklet.

5. All admissions requirements must be satisfied prior to graduation. Students who do not meet the requirements to graduate in the term they initially apply will have three weeks
after the start of the next term to complete requirements. After that time, the student must submit a new Intent to Graduate Application and repay the application fee in the term they satisfy the requirements.

423.2.1 The Office of the Registrar will process the graduation applications as they are received, and do the following:
1. Notify the student via their EFSC email, the application has been received.
2. Run degree audits and communicate via EFSC student email, any outstanding requirements prior to the end of the term for those candidates who submitted by the published deadline.
3. Communicate commencement ceremony information to all applicants.
4. Post degrees at the end of the term.
5. Notify students by US mail who do not meet graduation requirements.
6. Print and mail diplomas to students four to six business weeks after degrees are posted.
   Note: Diplomas for clock hour graduates will be released during the same time as all other diplomas.

423.3 Posting Graduation to the Student's Record
Degrees are not conferred until all grades have been posted and a final verification of the student's record is completed by the Office of the Registrar. The college will post the degree and award date to student records as follows:
1. At the end of the spring and fall term for all programs except clock hour programs
2. At the end of the first and second six-week summer terms except for clock hour programs
3. At the completion, the last course of a clock hour program.

423.3.1 Auto Graduate
The College may certify a student as a graduate and post the degree or certificate once he or she has met all requirements and has not been in attendance since two continuous academic terms, whether or not the student applied for graduation. These students will be notified by a letter from the Registrar's office.

423.4 Commencement Ceremonies
The College will hold two commencement ceremonies: one in May and one in December.

Students who complete their requirements in the summer term, apply and pay for graduation and respond they will attend the ceremony by the published summer deadline will be officially graduated during the term and are invited to participate in the December ceremony.

- Early ceremony: Aerospace Technology programs, Dental Assisting Technology & Management, Dental Hygiene, Medical Assisting Advanced, Medical Assistant Specialist, Medical Laboratory Technology, Medical Coder Biller, Phlebotomy, Structural Assembly Technician, and Veterinary Technology majors.
- Late ceremony: Central Sterile Processing Technologist, Computed Tomography, Diagnostic Medical Sonography, Magnetic Resonance Imaging, Nursing, Patient Care Assistant, Pharmacy Technician, Physical Therapist Assistant, Practical Nursing, Radiography, Respiratory Care, and Surgical Services majors.

423.4.1 Students who request to walk at a ceremony other than their assigned time may do so by notifying the Office of the Registrar. Students who request to walk at a ceremony in a term other
than the one in which they are graduating must submit an application for graduation and pay the graduation fee for that term.

423.4.2 Regular business attire is appropriate for the commencement ceremony. Students may wear all appropriate regalia, e.g. Phi Theta Kappa (PTK), Honors Program, etc.

423.5 Diplomas
Students may change their middle name and suffix for their diploma via the online application. Otherwise, diplomas will be printed with the student name as it appears in the student database. Formal name changes must be made through the campus Admissions and Records office. After verification that all degree requirements have been completed, diplomas will be mailed from the Office of the Registrar within four to six business weeks after degree posting.

423.6 Financial Obligations
EFSC will not release the diploma or official transcripts to students who have any outstanding financial obligations to the college.

423.7 Graduation with Honors
A student completing degree or certificate requirements with a cumulative grade point average of 3.50 or higher will graduate With Honors.

423.8 Graduating with Multiple Degrees
Students may earn more than one degree or certificate from EFSC. Students may earn only one associate in arts degree in the state of Florida. However, they may earn unlimited associate in science degrees and certificates upon completion of all degree requirements. Students who have a previous A.A.S. degree may receive an A.S. degree in the same area upon completion of additional coursework. Students will not be required to complete courses that are identical in two or more programs.

While some degrees and certificates have multiple specializations, students may receive the respective degree only once. The transcript and diploma will be posted with the degree name, not the specialization.

423.9 Designations and Recognition
Applicable graduation accomplishments may be recognized and designated as follows:

- Commencement Booklet: PTK, Honors Program, Citizen Scholar, graduates will be identified.
- Commencement Ceremony: Students graduating with a 4.0 GPA, Honors, Honors Program, PTK, Citizen Scholar, and/or Veteran or active duty military service members will be recognized.
- Graduation with Honors (3.5 GPA or higher): A complimentary white tassel will be given to the student at the commencement ceremony.
- Diploma: A seal designating PTK and/or Honors Program graduate will be placed on the diploma.

423.10 Graduation Fees
Fees for graduation, including application fee, late fee, duplicate and replacement diploma fees are posted online in the Tuition and Fee Schedule.
423.11 Grades
Degrees are not conferred until all grades are on file.

- Applicable grade forgiveness will be processed prior to posting the degree. The student may not receive grade forgiveness for any course that is repeated after student has been awarded an Associate in Arts degree.
- An “I” grade received in the term of graduation will be converted to an “F” for purposes of finalizing the student’s graduation if the course is not required for the degree and student is in agreement of option for graduation. If student does not want grade converted, will need to reapply and repay.
  - If the course is required for the degree, students who receive an “I” grade in the term they apply to graduate will have three weeks from the start of the next term to have the grade changed. After that time, students must reapply for graduation and pay the reapplication fee in the term they complete the work.

423.12 Governing Catalog
The college catalog is the official document that describes the policies, academic programs and requirements for students attending Eastern Florida State College. Students are held responsible for knowing and adhering to the policies and requirements that affect them.

The governing catalog is the College catalog in effect at the time of the student’s initial enrollment in credit courses at EFSC. Student must follow the university or college graduation requirements in the governing catalog except when changed by law or by the Board of Trustees, in accordance with the following guidelines.

- The initial governing catalog term is the same as the initial term of registration. To maintain that catalog term, student must complete at least one course within three consecutive terms. Completion of a course means student earned a grade in the course, including a letter grade, I or W%. Spring, summer, and fall are each considered a term.
- The governing catalog is valid for five academic years. The governing catalog for students whose catalog has expired will be the one in effect in the next term of enrollment.
- A student may officially declare any subsequent catalog as his/her governing catalog and follow its requirements providing he/she has continuous enrollment and the catalog is not more than 5 years old.
- If a student changes his/her degree or certificate program, he/she is required to choose from the current program offerings and follow the requirements of that catalog.
- The governing catalog for students pursuing limited access programs will be the catalog in effect when they are accepted into the program.
- After three consecutive terms of non-attendance, student will be inactivated and catalog term will be updated upon readmission.
- In all instances, students who return to EFSC after enrolling at another college or university (except with transient or cross-registration permission) must follow the university graduation requirements of the catalog in effect at the time of their readmission.

Official Catalog
The official version of the catalog is the online version on the EFSC website. Should the Board of Trustees approve changes in program requirements to be effective within an academic year, the revised requirements will be available in the online catalog. It is expected that the only changes will be the correction of errors and the inclusion of new courses and programs approved for offering mid-year; however, in rare instances changes to policy may occur mid-year.
424 Course Substitutions and Waivers

The institution offers one or more degree programs based on at least 60 semester credit hours or the equivalent at the associate level; at least 120 semester credit hours or the equivalent at the baccalaureate level; or at least 30 semester credit hours or the equivalent at the post-baccalaureate, graduate, or professional level. If an institution uses a unit other than semester credit hours, it provides an explanation for the equivalency. The institution also provides a justification for all degrees that include fewer than the required number of semester hours or its equivalent unit. (SACSCOC R9.2)

Students may request a course substitution or waiver to satisfy degree requirements for graduation. Substituted or waived courses will not appear on the student’s transcript; they are for degree completion purposes only.

Course substitutions and waivers must be requested for each degree the student is pursuing. Approval for one degree does not automatically approve the action for a second degree.

424.1 Descriptions

Course Substitution

A course substitution is used when it is determined that a required course could be replaced by another appropriate course. Course(s) to be used as substitutions must have a minimum grade of “C.”

Course Waiver

A course waiver exempts the student from taking a required course in the curriculum because it is determined the student already has the knowledge and skills taught in the course and would not benefit from repeating the content. Students do not earn credits for a course that has been waived. The student must still complete the number of credits required for the program of study.

424.2 Procedure

1. Student must complete the “Petition for Course Substitution or Waiver” form and submit to the Office of the Registrar (OR) for review. Within 5 business days, OR will make a decision and update the student’s record.
2. The OR may request additional information from the student, e.g. course description or syllabus from the school in order to make a final determination of eligibility.
3. If OR is unable to make a determination, the petition will be forwarded to the appropriate cluster or program chair/manager. Within 5 business days, the cluster or program chair/manager will respond to the OR.
4. If cluster or program chair/manager is unable to make a determination, petition will be forwarded to the Campus Provost. Within 5 business days, the Provost
will respond to the OR.
5. The Office of the Registrar will notify the student of the final decision via EFSC e-mail, and if appropriate, post the update to the student’s record.

424.3 Course Substitutions for Persons with Disabilities

In accordance with Florida Statute 1007.265(1) and the Rehabilitation Act of 1973, Section 504, colleges must be willing to modify academic requirements to prevent discrimination against eligible students with disabilities. Therefore, qualified students with disabilities may request that appropriate course substitutions be considered as a programmatic accommodation.

The Student Access for Improved Learning (SAIL) office will consider a course substitution request on a case-by-case basis, based on the student's disability, as determined by documentation, if there is no substantial change to the course learning outcomes. A review will be conducted to determine eligibility and to reasonably accommodate qualified students with alternative course work that will fulfill the appropriate degree/certificate requirement.

Since a course substitution may have the effect of fundamentally altering the nature of the degree/certificate, a course that is deemed essential to the degree/certificate may not be appropriate for substitution. Please note that this procedure pertains to course substitutions only; course waivers are not considered.

424.3.1 Process to Request a Course Substitution Based on a Disability

1. Student must complete the "Petition for Course Substitution or Waiver" form and submit to the Student Access for Improved Learning (SAIL) Office, EFSC's Student Accessibility/ Disability Services Department, with provided appropriate documentation.
2. Courses proposed as a substitution must be relevant and consistent for the purpose of the degree/certificate requirements and must be approved by appropriate administrators.
3. The Director, Student Accessibility Services will analyze the student's disability documentation in terms of type, severity and relevance to the requested substitution. Note: A course substitution will not automatically be made simply because the student has documentation of a disability impacting a particular area of academics.
4. The Director, Student Accessibility Services will review the avenues that have been pursued by the student in an attempt to successfully complete the course/s for which a substitution is sought.
5. Within 8 business days, the Director, Student Accessibility Services, will convene a committee to review the request. The committee will be composed of: the Director, Student Accessibility Services; the Associate Vice President, Student Affairs; and the Registrar.
6. If the substitution would result in a substantial change in the course learning outcomes, the substitution will be denied.

The following will be considered in the final determination of approval:
- The types of accessible technology, tutoring, and other reasonable accommodations that have been utilized in an effort to enable the student to succeed in standard course work.
- Clarify whether the student has worked closely with the academic division.
- Review of student transcript to determine whether the student has attempted and not passed the course/s in question despite having used appropriate accommodations and other college resources. (This is not a The types of accessible technology, tutoring, and
other reasonable accommodations that have been utilized in an effort to enable the
student to succeed in standard course work.

- Clarify whether the student has worked closely with the academic division.
- Review of student transcript to determine whether the student has attempted and not
passed the course(s) in question despite having used appropriate accommodations and
other college resources. (This is not a requirement for approving a program modification
but may be a factor.)
- Confirmation that the student is "otherwise qualified" according to the ADA to participate
in the degree program as specified in the degree program requirements.
- If pertinent, the Director, Associate Vice President, and Registrar will explore alternatives
to a program substitution with the student (such as other degrees or other courses),
without violating the student’s right to obtain the preferred degree.

The SAIL staff will notify the student of the determination regarding a course substitution. The
Office of the Registrar will post the decision to the student’s record.

424.4 Alternatives for Course Substitutions or Waivers
If the student’s petition for course substitution or waiver is not approved, the student will be
advised that other options, such as CLEP, credit by institutional exam, or CAEL portfolio may be
available.
OVERVIEW OF DEGREES, CERTIFICATE AND COMPLETION STANDARDS

The College will offer degree programs based on at least 60 semester credit hours or the equivalent at the associate level; and at least 120 semester credit hours or the equivalent at the baccalaureate level. (SACSCOC R9.2)

The College will degree programs that embody a coherent course of study that is compatible with its stated mission and is based upon fields of study appropriate to higher education. (SACSCOC R9.1)

In each degree program, the College requires the successful completion of a general education component at the collegiate level that:

1. is at least 15 credit hours for each AS or AA degree and 30 credits for each Baccalaureate degree,
2. ensures breadth of knowledge, and
3. is based on a coherent rationale. These credit hours are to be drawn from and include at least one course from each of the following areas: humanities/fine arts; social/behavioral sciences; and natural science/mathematics. (SACSCOC R9.3)

The institution provides instruction for all course work required for at least one degree program at each level at which it awards degrees. If the institution does not provide instruction for all such course work and (1) makes arrangements for some instruction to be provided by other accredited institutions or entities through contracts or consortia or (2) uses some other alternative approach to meeting this requirement, the alternative approach must be approved by the Commission’s Board of Trustees. In both cases, the institution demonstrates that it controls all aspects of its educational program. (SACSCOC R3.1.b)

Bachelor in Applied Science Degree

The Bachelor in Applied Science (B.A.S) is a college level program that students may transfer to after completing an Associate in Arts (A.A.) or Associate in Science (A.S.) degree at a regionally accredited college. The B.A.S. degree is comparable to the junior and senior years (upper division) of a university program and requires a total of 120 college-level credit hours when the lower and upper division college-level credits are combined for completion.

Graduation Requirements for the Bachelor of Applied Science Degree

Responsibility for meeting the requirements of graduation rests with the student. The Bachelor of Applied Science Degree is awarded to those students who have:

- Filed an Intent to Graduate Application and paid the graduation fee one term prior to the semester in which student intends to graduate
- Satisfied the foreign language requirement. This requirement can be met in one of the following ways.
1. Satisfactory completion of coursework as follows:
   - Second course in high school (Spanish II, French II, German II, etc.)
   - Second or higher postsecondary course (Spanish 2, French 2, German 2, etc.) as long as the course is for 4.0 credit hours.
2. Earn the minimum score required for proficiency as determined by the Articulation Coordinating Committee (ACC) and the State Board of Education for CLEP and AP examinations.
3. If a student's proficiency is in a language for which there is no test available to determine proficiency, a transcript documenting formal education equal to two years of high school coursework in that language, or in English in a non-English-speaking country, may be used
   - Completed all admissions requirements, including submission of all outstanding transcripts and removed all financial obligations to the college. Final transcript and diploma will not be released until student has removed all financial obligations to the college.
   - Satisfactorily completed the prescribed course of study totaling 120 semester hours that includes 36 semester hours of general education coursework.
   - Completed at least 25% (30 hours) of the college credit hours through traditional coursework at Eastern Florida State College.
   - Achieved a "C" or higher in all courses used to fulfill communications, mathematics, humanities and social/behavioral sciences general education requirements.
   - Achieved a cumulative GPA of 2.00 or higher in all college work attempted.
     - An "I" received in term of graduation is calculated as an "F" grade for purposes of computing the student's GPA for graduation.

**Associate in Arts Degree**

The Associate in Arts Degree (A.A.) is a university parallel degree designed for students who intend to earn a bachelor's degree from a four-year college or university. The A.A. degree is comparable to the freshman and sophomore years (lower division) of a university program and requires a total of 60 college-level credit hours for completion.

Within the 60 credit hours, students must successfully complete 36 credit hours of general education courses from within the subject areas of communications, mathematics, humanities, behavioral/social sciences, and natural sciences. The remaining 24 credit hours are electives. A specific number of credit hours are required in each general education subject area. A grade of "C" or higher must be earned in all courses designated as Gordon Rule.

The *Community College Transfer Student Bill of Rights* guarantees students who graduate from Florida community colleges with an A.A. degree admission to one of the public Florida universities.

A student may earn only one Associate in Arts degree in the state of Florida. Students who have already earned an associate or higher degree from another state may also receive the A.A. degree in the state of Florida.

**Graduation Requirements for the Associate in Arts Degree**

Responsibility for meeting the requirements for graduation rests with the student. The Associate in Arts Degree is awarded to those students who:

1. Are admitted to the college in a regular, degree-seeking status
2. Satisfy all admissions requirements
3. Satisfactorily complete a prescribed course of study totaling at least 60 semester hours that include 36 semester hours of general education course work and 24 hours of elective credit.

4. Complete the residency requirement of at least 25% of the required program credits at EFSC (15 credit hours).

5. Achieve a "C" or higher in all courses used to fulfill communications, mathematics, humanities and social/behavioral sciences general education requirements.

6. Achieve a cumulative GPA of 2.00 or higher in all college work attempted. An "I" received in the term of graduation is calculated as an "F" grade for purposes of computing the student's GPA for graduation. If the course work is completed, resulting in a passing grade, the student's transcript will be amended and final GPA calculated.

7. File Intent to Graduate Application. This includes an advisor's signature and the payment of graduation fee.

8. Remove all financial obligations to the college. Final transcript and diploma will not be released until student has removed all financial obligations to the college.

9. **Foreign Language Requirement**
   Beginning with students initially entering Eastern Florida in 2014-2015 and thereafter, coursework for an associate in arts degree shall include demonstration of competency in a foreign language at a level equal to two years of high school world language (sequential, in the same language) or American Sign Language coursework. This is pursuant to F.S. 1007.262. This requirement can be met in one of the following ways:
   
   1. Satisfactory completion of coursework as follows:
      a. Second course in high school (Spanish II, French II, German II, etc.)
      b. Second or higher postsecondary course (Spanish 2, French 2, German 2, etc.) as long as the course is for 4.0 credit hours.
   
   2. Earn the minimum score required for proficiency as determined by the Articulation Coordinating Committee (ACC) and the State Board of Education for CLEP and AP examinations.
   
   3. If a student's proficiency is in a language for which there is no test available to determine proficiency, a transcript documenting formal education equal to two years of high school coursework in that language, or in English in a non-English-speaking country, may be used.

10. **College-Level Communication and Computation Skills**
    All A.A. degree students are required to meet College-Level Communication and Computation Skills requirements. These are posted on the catalog and on the EFSC website.

**Associate in Science Degree**

The Associate in Science (A.S.) Degree is a career education degree of the community colleges in Florida, including EFSC. The A.S. is intended to prepare students for entry into employment.

The A.S. requires successful completion of a minimum of 15 college credits of general education. A grade of C or higher in general education courses is required for transfer but is not required for degree completion unless specified in the program requirements.

**Graduation Requirements for the Associate in Science degree**

Responsibility for meeting the requirements for graduation rests with the student. The Associate in Science degree is awarded to those students who have:
1. Satisfactorily completed a prescribed course of study that totals at least 60 hours and satisfactorily completed all courses within the student's selected program.

2. Satisfied entry assessment requirements and/or complete with a grade of “S” or better all required developmental education in reading, writing, and mathematics, unless student is deemed exempt pursuant to Florida Statute 1008.30.

3. Completed at least 25% of the program credit hours through coursework at Eastern Florida State College.

4. Achieved a cumulative GPA of 2.00 or higher in all college work attempted. An "I" received in term of graduation is calculated as an "F" grade for purposes of computing the student's GPA for graduation. If the course work is completed within three weeks of the beginning of the following term, resulting in a passing grade, the student's transcript will be amended and a final GPA calculated.

5. Filed an ‘Intent to Graduate’ Application on or before the published deadline. This includes an advisor's signature and the payment of graduation fee.

6. Submitted all outstanding transcripts and removed all financial obligations to the college. Final transcript and diploma will not be released until student has removed all financial obligations to the college.

**Advanced Technical Certificate**

Advanced Technical Certificates are designed for individuals who have already completed a degree (at least an associate degree) and are seeking advanced, specialized preparation in a particular career field to supplement their degree. Eastern Florida State College offers Advanced Technical Certificates in a few limited career areas in which advanced training beyond the associate degree level is needed.

**Advanced Technical Certificate Graduation Requirements**

In order to be awarded an advanced technical certificate, students must meet the following requirements:

1. Satisfactorily complete courses within the selected program in accordance with the governing catalog.
2. Satisfy all admissions requirements, including submission of all high school and prior college transcripts.
3. Complete at least 25% of the program credit hours through coursework at Eastern Florida State College.
4. Achieve a cumulative GPA of 2.00 or higher in the courses that comprise the program.
5. An "I - Incomplete" received in term of graduation is calculated as an "F" grade for purposes of computing the student's GPA for graduation. If the course work is completed within three weeks of the beginning of the following term, resulting in a passing grade, the student's transcript will be amended and a final GPA calculated.
6. File an ‘Intent to Graduate’ Application on or before the published deadline. This includes the payment of graduation fee.
7. Remove all financial obligations to the College. Final transcript and diploma will not be released until student has removed all financial obligations.

**Applied Technology Diploma**

The Applied Technology Diploma (A.T.D.) consists of a course of study that is part of an Associate in Science (A.S.) or an Associate in Applied Science Degree (A.A.S.), is less than 60 credit hours, is approximately 50% technical components (non-general education), and leads to employment in a specific career field.
Graduation Requirements for the Applied Technology Diploma
Responsibility for meeting the requirements for graduation rests with the student. The Applied Technology Diploma is awarded to those students who have:
1. Satisfactorily completed courses within the selected program.
2. Met all admissions requirements, including submission of all high school and prior college transcripts.
3. Completed at least 25% of the program credit hours through coursework at Eastern Florida State College.
4. Achieved a cumulative GPA of 2.00 or higher in the courses that comprise the program.
5. Filed an ‘Intent to Graduate’ Application on or before the published deadline. This includes the payment of graduation fee.
6. Removed all financial obligations to the college. Final transcript and diploma will not be released until student has removed all financial obligations to the college.

College Credit Certificate
The Postsecondary Vocational Certificate, or College Credit Certificate (C.C.C.), is a series of college credit courses that prepare students for entry-level employment in specific career fields or for career advancement. Upon completion of the certificate program, students continuing their education in the related A.S. or A.A.S. degree program may have the credit applied toward the related degree as noted in specific catalog listings. A high school diploma or GED is a requirement for admission.

Graduation Requirements for the College Credit Certificate
Responsibility for meeting the requirements for graduation rests with the student. The College Credit Certificate is awarded to those students who have:
1. Filed an ‘Intent to Graduate’ Application on or before the published deadline. This includes payment of the graduation fee.
2. Satisfactorily completed courses within the selected program.
3. Met all admissions requirements, including submission of all high school and prior college transcripts.
4. Completed at least 25% of the program credit hours through coursework at Brevard Community College.
5. Achieved a cumulative GPA of 2.00 or higher in the courses that comprise the program.
   - An "I - Incomplete" received in term of graduation is calculated as an "F" grade for purposes of computing the student's GPA for graduation. If the course work is completed within three weeks of the beginning of the following term, resulting in a passing grade, the student's transcript will be amended and a final GPA calculated.

Removed all financial obligations to the college. Final transcript and diploma will not be released until student has removed all financial obligations to the college.

Postsecondary Adult Vocational Certificate
A Postsecondary Adult Vocational Certificate (P.S.A.V.) program consists of a series of vocational and/or college credit courses that prepare students for entry level employment in specific career fields. Upon completion of the Certificate program, students continuing their education in the related A.S. or A.A.S. degree program may be awarded credit in selected A.S. or A.A.S. degree courses as noted in specific catalog listings.
Some programs require the student to take the TABE (Test of Adult Basic Education) and meet minimum cut-off scores in reading, language, and mathematics prior to graduation with the certificate.

**Graduation Requirements for the Postsecondary Adult Vocational Certificate**
Responsibility for meeting the requirements for graduation rests with the student. The Postsecondary Adult Vocational Certificate is awarded to those students who:

1. Are admitted to the college in a regular status
2. Satisfy all admissions requirements
3. Complete the residency requirement of at least 25% of the required program credits at EFSC
4. Obtain a cumulative GPA of 2.0 or higher in the courses that comprise the certificate.
5. Satisfy TABE exit requirements, if applicable
6. File *Intent to Graduate Application*. This includes an advisor’s signature and the payment of graduation fee.
7. Remove all financial obligations to the college. A final transcript and the diploma will not be released until student has removed all financial obligations to the college.

Also refer to Procedure 509, Program, Credit Hour and Academic Year Definitions.
426  Department-Issued Certificates

Some departments may award certificates to students for course completion. Students must be made aware that these certificates cannot be duplicated if lost and are not an official indication that student has completed a degree or certificate program. These certificates serve as recognition of a specific accomplishment only; the only official documentation of degrees is done through the Office of the Registrar.

Certificates of Achievement
Certificates of achievement may be awarded by the appropriate department for satisfactory achievement in a group of identified courses by approved departments, if a student has met all programmatic requirements and require the certificate to complete state or national certification examinations.

Before issuing a certificate to enable a student to sit for a licensure or board exam, the department must ensure that:

1. Student has satisfied all admissions requirements to the college and program
2. Student has met all requirements for completion of the program
3. Student has applied to graduate and paid the graduation fee
4. Student has no outstanding financial obligations to the college.

Certificate Verbiage
Certificates issued by a department other than the Office of the Registrar should have the following verbiage to ensure the student does not construe the certificate as an official indication of degree completion:

Certificate of Achievement
This is to certify that
Name
Has successfully completed the course(s) titled:
(list of courses or program title)
This ------ day of--------, year
Signed by Instructor and/or Department Chair

Department-Issued
Certificates must be approved by the Vice President of Academic Affairs.
427  Student Activity Budget Formulation

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in eLearning courses. (SACSCOC R6.1 and R6.2.b)

Budget Committee
The Associate Vice President for Academic Affairs will chair the budget formulation committee (Student Activities Council.) The Council’s membership should provide for substantial student representation from all campuses with staff and faculty also represented as follows:

- Student Government Association President, Vice President and one additional Student Government Officer or designees from each campus (The Student Government Executive Committee working in conjunction with the Campus Associate Provost will decide upon the third student representative and upon any needed designees for SGA President and Vice President),
- Two faculty persons appointed by the Provost of each campus,
- Student Life Coordinators, and
- The Associate Provost from each campus. Each committee member will have one vote. Approval of the Budget recommendation to the President of the college will be accomplished with a simple majority of the members.

Each committee member will have one vote. Approval of the Budget recommendation to the President of the college will be accomplished with a simple majority of the members.

Requisition of Student Activities Funds
1. Before the full Student Activities Council meets each year, the Associate Vice President for Academic Affairs (Committee Chair) will inform the Student Government Association (SGA) of the SASF budget formulation process through an email (EFSC student email) and refer students to the Associate Provost for further information. Associate Provost will inform all interested student organizations of the budget formulating process before the end of the fall semester. The Associate Provosts will then meet as necessary with the Student Government Association Executive Committee prior to the Student Activities Council meetings in March or April in order to formulate campus budget requests.

2. The Associate Provosts and Student Life Coordinators should develop procedures to ensure that all student activity requests are submitted with a detailed, itemized list of needs and costs.
3. The Associate Provost should report to the Student Activities Council on how all events, programs, and services funded through the Student Activity Budget support the needs of students.

**Budgetary Process**

1. The Chief Financial Officer provides the Committee Chairman with the anticipated student activities budget allocation, including anticipated carry forward funds for the next fiscal year, by March 15th.

2. The Committee Chairman solicits from Campus Associate Provosts and Student Life Coordinators their budget reports from the current year and requests (to include dollars requested and justification) for the next fiscal year.

3. The committee meets as necessary to review college-wide budget requests balancing revenue against requests, creates an operating budget for the next fiscal year, and recommends the allocations of the college-wide student activity and services budget.

4. Following committee approval, the Vice President for Financial and Technical Services forwards the recommendations to the President for approval.

5. The budget shall be completed, finalized, and approved by the close of the Spring Semester.

6. Recommended distribution of funds to campuses should be generally based on the percentage of unduplicated college credit headcount at each campus in the preceding fiscal year with appropriate consideration for district-wide student activities. It should be noted that if a particular campus submits justification for special projects, the committee may decide to waive the guideline of having the allocation of funds be in approximate proportion to student headcount per campus.

7. The Associate Vice President of Financial Services is responsible for ensuring that the restricted Student Activity and Service fees are utilized in a manner consistent with current state statute and rule and local Board of Trustees policy.
Credit for Prior Learning

The institution awards academic credit for course work taken on a noncredit basis only when there is documentation that the noncredit course work is equivalent to a designated credit experience. (SACSCOC R10.7 in part)

General Information related to Credit for Prior Learning
Eastern Florida State College will provide mechanisms for the assessment of prior learning to enable the student to continue their educational goals. These mechanisms include, but are not limited, to the following:
- Transfer of credit from previously attended postsecondary institutions
- Credit for prior military training and educational experience
- Credit for experiential learning
- Credit for professional licensure and exams.
- Credit by exam

Procedure
1. Student must provide final, official transcripts or other documentation as appropriate to demonstrate previous learning, or
2. Student will submit a “Petition for Articulated Credit,” along with documentation, through the Program Coordinator, to the Office of the Registrar to request credit.
3. The Registrar’s office will post all credit awarded for prior learning to the student’s permanent record.
4. Student must be degree seeking at EFSC or transfer credit will not be awarded.

Acceptance of Transfer Credits from Other Postsecondary Institutions
Only final, official transcripts will be used to award credit to a student’s record. Incomplete, courses in progress, or unofficial transcripts will not be considered for the award of transfer credit, but may be used for placement and advising purposes.

Effective January 2013, transfer work is evaluated per the guidelines below. Credits will toward course attempts; however course grades will not normally be included in the EFSC cumulative grade point average. Courses that meet EFSC’s program requirements will satisfy those same requirements, i.e., only courses with a grade of "C" or better will be accepted for credit in Math, English, and other Gordon Rule classes. Other courses or grades may satisfy elective credits.

The college participates in the Florida Statewide Course Numbering System (SCNS). The system facilitates the transfer of courses between participating institutions. Equivalent courses at different institutions are identified by the same prefixes and last three digits of the course
number and are guaranteed to be transferable between participating institutions that offer the course.

428.1.1 Transfer Credit from a Regionally Accredited Institution

1. EFSC will transfer freshman through senior (1000-4000 level) courses earned with a grade of “C” or better at colleges or universities accredited by one of the six regionally accrediting associations, if the course is applicable to the degree the student is pursuing at EFSC.
   a. Developmental education courses, withdrawals and audited courses will not transfer.
   b. Grade will appear on student’s record as “TA,” “TB,” or “TC.”
   c. Grades of “D” may be transferred upon written request of the student, will count as attempts and be computed into the student’s GPA. It will appear as a grade of “D” on student’s record.

2. EFSC will transfer in vocational courses as follows:
   a. Student is currently enrolled in the program to which the credits will apply
   b. Program is not prohibited from using transfer credits by the licensing agency
   c. Course was taken within the state of Florida and is part of the SCNS or was taken at an institution or agency with whom the college has an articulation agreement
   d. Grade will appear on student’s record as “TA,” “TB,” or “TC.”
   e. Grades of “D” may be transferred upon written request of the student, and will count as attempts and be computed into the student’s GPA. It will appear as a grade of “D” on student’s record.

3. Students who transfer to EFSC with a degree (associate level or above) from a US regionally accredited institution, will have their course work evaluated on a course-by-course basis applicable toward their major at EFSC.

4. Students who do not transfer in college-level math or English courses with a grade of “C” or higher must take the College Placement Test unless otherwise exempt.

5. Students who successfully complete developmental education courses at one of the SUS schools will have their records noted so they do not have to repeat the course.

428.1.2 Transfer Courses for Non-Public Institutions Participating in the Statewide Course Numbering System

1. The college will follow the guidelines provided by the Florida SCNS for awarding credit for courses taken at non-public institutions participating in the system. SCNS maintains a list of eligible schools and courses, and identifies the transfer practices the institutions are to use when evaluating transcripts.

2. Courses are identified as credentialed for AA and academic transfer; credentialed for AS transfer only; or not guaranteed for transfer. The effective date the course was credentialed is also noted.

3. When appropriate, EFSC will transfer courses earned with a grade of “C” or better if the course is applicable to the degree the student is pursuing at EFSC.
a. Developmental education courses, withdrawals and audited courses will not transfer.
b. Grade will appear on student’s record as “TA,” “TB,” or “TC.”
c. Grades of “D” may be transferred upon written request of the student, will count as attempts and be computed into the student’s GPA. It will appear as a grade of “D” on student’s record.

4. General education courses that are taught on the quarter system that do not equate to at least 6 credits at EFSC but are listed as transferable in the SCNS will be equated as directed. However, a student who is short credits in a specific area, such as mathematics, will be required to take other EFSC courses in the same area to meet the graduation requirements.

5. The college may also award credit for non-general education courses that have an equivalent taught at EFSC if applicable to the degree student is pursuing.

428.1.3 Transfer Credit from a Non-Regionally Accredited Institution, Not Participating in the SCNS

1. EFSC will evaluate credits earned from non-regionally-accredited institutions on a course-by-course basis. Normally, no general education classes will transfer. Credit will be awarded only for courses for which EFSC teaches an equivalent course.

2. When appropriate, EFSC will transfer courses earned with a grade of “C” or better if the course is applicable to the degree the student is pursuing at EFSC.

3. Developmental education courses, withdrawals and audited courses will not transfer.

4. Grade will appear on student’s record as “TA,” “TB,” or “TC.”

5. Students seeking a degree from EFSC who transfer credit or earned an associate or higher degree from a non-regionally accredited institution must take the College Placement Test. However, students who earned an associate or higher degree from a non-regionally accredited institution will be waived from the TABE test if it is required for program completion.

6. Student may request consideration of courses on an individual basis by providing the following information to the Office of the Registrar:
   a. A Petition for Course Evaluation form identifying which course(s) is to be evaluated.
   b. An official transcript from the institution they are transferring. Only those courses in which the student earned a grade of “C” or higher will be eligible for review.
   c. A copy of the course description from the institution catalog at the time student took the course.
   d. A syllabus for the course.
   e. Name and documentation of instructor credentials for the course.
   f. Any other information the college deems necessary to conduct a thorough evaluation.
7. The Office of the Registrar will evaluate the package, and if not able to determine an equivalency, will forward the complete package to the appropriate curriculum coordinator or cluster chair to review the information and determine equivalency to EFSC courses.

8. Upon coordinator recommendation, the Office of the Registrar will award credit as applicable or make a note on student record that credit will not be awarded.

9. A student who has been denied credit will be advised of other options for obtaining credit for the course, such as CLEP, credit by institutional exam or CAEL.

428.1.4 Transfer Courses from a school on Quarter Hours
Courses will be equated at .66 times the hours received. A course must be at least four quarter hours (2.6 semester hours) to equate to a three semester hour general education course at EFSC. Transfer courses not meeting the equivalency will be considered elective credit.

428.1.5 Transfer Credit from International Institutions
Students are not required to submit international transcripts. To have the transcript considered for transfer or placement purposes, however, students must submit an original transcript with a course-by-course evaluation completed by a member organization of the National Association of Credential Evaluation Services (NACES). The following companies are recommended: World Education Services - www.wes.org or Josef Silny & Associates - www.jsilny.com. Recommendations made by the evaluation agency will be considered. Coursework may be accepted provided the courses are offered and are applicable to the student's program at EFSC. General education courses are normally not accepted.

428.1.6 Transfer Credit from Correspondence Schools
Award of transfer credits for courses completed through correspondence schools will be evaluated on the basis of school accreditation under the same guidelines as above.

428.2 Credit for Prior Military Training and Educational Experience Evaluation Policy
EFSC will award up to 30 hours of undergraduate work based on the provided documentation as recommended by the American Council on Education (ACE) guidebook. Credits will appear on the student's transcript as earned credit with an "S" grade only. No duplicate credit may be earned.

Required Documentation
Students who wish to receive transfer credit for military service must provide a transcript from their respective military branch. Certificates will not be used for evaluation. Further instructions are available on the EFSC website.

If no transcript service is available (enlisted prior to 10/1/81), then the DD214 will be used for evaluation according to the recommendations of the ACE Guide.

428.3 Credit for Experiential Learning
The college has adopted the Credit for Adult Experiential Learning (CAEL) process for recognition of prior learning. Students with sufficient learning experience can be recognized through CAEL by documenting their learning activities and receiving college credit.

1. Up to 25 percent of college credit may be granted for a degree or certificate for specific EFSC elective courses.
2. The student will register for the course SLS 1371 – Credit for Experiential Learning
   a. The student will pay appropriate tuition for the course.
   b. This course will be graded with a standard letter grade.
   c. Through the course the student will prepare a portfolio for each course in which he is seeking credit.

3. The student will pay a fee for each portfolio submitted for credit consideration.
   a. Credit is awarded on a course-by-course basis only.
   b. The recorded grade for the course will be an “S” and will not affect the student GPA.
   c. Credits will be granted based on the validation of prior college-level learning through the completion of academic verification processes designed to substantiate student competence levels in particular courses offered at the college.
   d. Appropriate academic personnel will determine the amount of credit to be awarded, following standards stipulated by the Council for the Advancement of Experimental Learning.
   e. The CAEL Program Coordinator will submit the appropriate documentation to the Registrar to authorize credit to be awarded to the student.

428.4 Professional Licensure, Certifications and Articulation Agreements
The college will award credits toward applicable degrees or certificates to students with current professional licensure, professional certifications, or who qualify under specific articulation agreements per current memorandum of understanding.

Examples include but are not limited to credit for:
   Certified Professional Secretary Exam, Medical Laboratory Technology, Emergency Medical Services, CISCO CCNA, Manufacturing Skills Standards Certification Exam (MSSC).

To receive credit, the student must
1. Possess a current, valid license
2. Be a currently enrolled student
3. Have met all admissions requirements (transcripts, assessment, etc.)
4. Be enrolled in a program to which the credits are applicable
5. Have completed at least 25% of the required program credits through traditional coursework at EFSC.
6. Have a minimum cumulative 2.0 GPA
7. Satisfy any other program-specific requirements per the current memorandum of understanding.

The Program Coordinator or Manager will
1. Submit a memo through the Provost to the Office of the Registrar, identifying courses and credits to be awarded.
2. Attach a copy of the license, certificate and/or other documentation to the memo.
3. Verify all of the above requirements have been met.

The Office of the Registrar will
1. Apply the courses and credits to the student’s permanent record.
2. Award the grade of “S” to the courses.
3. Notify the student that the credits have been awarded.
4. Scan the memo and applicable documentation into the student’s record.
428.5 Petitions for Course Re-Evaluation, Substitutions and Waivers
To facilitate their degree completion, students may petition the College if they desire further evaluation of courses taken at another institution. Additionally, students may request course substitutions or waivers based on previous coursework to satisfy specific degree requirements.

428.5.1 Petition for Course Re-Evaluation
Students who disagree with a course equivalency or wish to have courses from a non-regionally accredited institution evaluated must submit a Petition for Transfer Credit Evaluation form to the Office of the Registrar.

Guidelines
1. Only those courses in which the student earned a grade of "C" or higher will be eligible for review
2. Only those courses taken within the last 5 years at the transfer institution will be eligible for review
3. The petition form must be submitted within the same semester as the original evaluation was done, or within the student's first term of attendance at EFSC
4. The official transcript from the institution must be on file at EFSC

Procedure
1. Student must submit the Petition for Transfer Credit Evaluation form to the Office of the Registrar, with the following information attached:
   a. A written request identifying which course(s) is to be evaluated.
   b. A copy of the course description from the institution catalog at the time student took the course.
   c. A syllabus for the course.
   d. Instructor name and documentation of credentials for the course.
   e. Institutional and programmatic accreditation information
   f. Any other information the college deems necessary to conduct a thorough evaluation.
2. Upon receipt of the petition and documentation, if unable to make the determination of EFSC course equivalency, the transfer evaluator will forward the complete package to the appropriate faculty subject expert to review and determine equivalency.
3. Upon faculty recommendation, the transfer evaluator will award credit as applicable or make a note on student record that credit will not be awarded.

428.5.2 Petition for Course Substitution, Waiver or Other Options
If an appeal for course re-evaluation is not approved, but credits were awarded, student may pursue a course substitution or waiver for a course required for a specific program. Substituted or waived courses will not appear on the student’s transcript; they are for degree completion purposes only.

428.5.2.1 Petition for Course Substitution
Students who, through previous coursework, feel they have mastered the competencies for a course required in their current degree or certificate may request a course substitution by completing the “Petition for Course Substitution” form and submitting to the Office of the Registrar. If unable to make the determination that the substitution is a viable request, the OR will forward the request to the Curriculum Cluster Chair responsible for instruction in the
academic area in which the substitution is requested. If the cluster is unable to make the determination, OR will forward to the Campus Provost.

Procedure
1. Substitution requests must be submitted to the Office of the Registrar.
2. If unable to make the determination that the substitution is a viable request, the OR will forward the request to the Curriculum Cluster Chair responsible for instruction in the academic area in which the substitution is requested.
3. The cluster will respond via email to the OR.
4. If deemed necessary, the OR will forward the request to the Campus Provost.
5. The Office of the Registrar will process the request and send an email to the student indicating the process has been completed and the outcome.

428.5.2.2 Petition for Course Waiver
Students who, through previous work or educational experience, feel they have mastered the competencies for a course required in their current degree or certificate may request a course substitution by completing the “Petition for Course Waiver” form and submitting to the Office of the Registrar. If unable to make the determination that the substitution is a viable request, the OR will forward the request to the Curriculum Cluster Chair responsible for instruction in the academic area in which the substitution is requested. If the cluster is unable to make the determination, OR will forward to the Campus Provost.

Procedure
1. Substitution requests must be submitted to the Office of the Registrar.
2. If unable to make the determination that the substitution is a viable request, the OR will forward the request to the Curriculum Cluster Chair responsible for instruction in the academic area in which the substitution is requested.
3. The cluster will respond via email to the OR.
4. If deemed necessary, the OR will forward the request to the Campus Provost.
5. The Office of the Registrar will process the request and send an email to the student indicating the process has been completed and the outcome.

428.5.2.3 Options if Petitions Are Not Approved
If the student’s petition for course re-evaluation, substitution or waiver is not approved, the student will be advised that other options, such as CLEP, Credit-by-exam or Credit for Adult Experiential Learning (CAEL) may be available.
429  **Academic Second Chance**

The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in eLearning courses. (SACSCOC R12.1)

Academic Second Chance (ASC) allows students to restore their academic standing at the College by eliminating EFSC historical grades and credits from their current Grade Point Average (GPA).

Qualified students may request that grades for up to two semesters be removed from their GPA. Course grades will no longer be calculated into the student's GPA, and earned credits for the selected terms will no longer count toward the student's degree completion. Courses will count as attempts for financial aid purposes.

429.1 **Academic Second Chance Committee**

The ASC committee, comprised of the Director of Collegewide Admissions, Associate Director, Enrollment Planning, Director, Collegewide Financial Aid, a representative from the Academic Affairs Council, four Campus Advising Coordinators, the Associate Registrar, and the Registrar, will meet at least once per term to evaluate requests. A designee from the Office of the Registrar will collect and prepare the requests for review and convene the meetings. The designee will be a non-voting member of the committee.

429.2 **Guidelines**

Student must meet the following conditions to qualify for Academic Second Chance:

1. Be a currently registered, degree-seeking student at EFSC.
2. Meet with an Advisor to discuss the process and complete the *Student Request for Academic Second Chance* form.
3. Select up to two semesters to remove from the GPA. Five or more years must have elapsed since the semester(s) for which Academic Second Chance is requested.
   a. Semesters selected to be forgiven must have a term GPA below 2.0.
   b. ALL courses and grades from the selected semesters, including those already passed, will be "forgiven" from the student record and may need to be repeated.
   c. Student must have earned twelve semester credit hours at EFSC with no U's, D's or F's in courses numbered 1000 or above, and have a cumulative GPA of at least 2.0 since re-enrollment or subsequent semesters following the 5 year gap.
d. Vocational coursework will be considered for ASC if appropriate.
e. If the student receives a D or an F in the semester(s) following the 5 year period, the student is not eligible unless the course has been retaken and passed. Final grades of "W", "W7", and "W8" may also be taken into consideration.
f. The Academic Second Chance form should only be submitted once the student has met all requirements.

4. Academic Second Chance may be granted only once to any student and is irrevocable.
5. The Student Request for Academic Second Chance will be reviewed in the term it is received. If submitted in the term in which student plans to graduate, it must be received prior to the end of the term.
6. Students who have earned a college credit degree or certificate in which the requested semester grades have already been calculated for graduation purposes will not qualify for Academic Second Chance.

429.3 Procedure
1. Student must meet with an Advisor to discuss the process and complete the Student Request for Academic Second Chance form. Advisor will sign the form and return to the student.
2. After meeting with an Advisor, student must submit the signed and completed Student Request for Academic Second Chance form to the Office of the Registrar. A letter and applicable documentation from the student, explaining why student should receive ASC, must be attached at the time the form is submitted.
3. Designee from the Office of the Registrar will collect and prepare the forms for review and convene a meeting as soon as practical.
   - If the committee determines that the student is eligible for Academic Second Chance, the designee will update the student's record accordingly and send an updated transcript to the student.
   - If the committee determines that the student is not eligible, the designee will send a letter to the student and place a comment on the student's record.
4. If the request is approved, grades for all EFSC courses taken in the semester or semesters for which Academic Second Chance is requested will be marked for exclusion from the institution GPA. The student may not choose specific courses to be included or excluded; all courses taken within the term will be marked.
5. All previously attempted course work at EFSC continues to be recorded on the student's official transcript, but courses within the approved ASC terms will be marked by an "X" preceding the grade. For example, grades of A, B...F will be changed to XA, XB....XF. These hours and grades will remain on the transcript, but will not count toward cumulative hours or GPA, nor can they be used to fulfill any degree requirements, regardless of the original grade.
6. Academic Second Chance may be granted only once to any student and is irrevocable.

429.4 Advising Notes
1. ASC, when granted, applies only to EFSC courses.
2. There is no guarantee, expressed or implied, that any other college, university, or employer will recognize ASC.
3. Since all courses taken in an ASC term will no longer count as earned credits or grades, student may need to repeat a required course that he or she has already passed.
   a. Student should be aware that financial aid may not fund the repeated attempt.
b. ASC does not preclude students from paying full cost tuition for courses taken as a third or subsequent attempt.
The College will provide student support programs, services, and activities consistent with the mission that are intended to promote student learning and enhance the development of the students, including off-campus instructional sites and students enrolled in eLearning courses. (SACSCOC R12.1)

The College President has ultimate responsibility for, and exercises appropriate administrative and fiscal control over, the College’s intercollegiate athletics Programs (SACSCOC R5.2.a and R 5.2.b)

College Athletic Program
Athletic programs for students will be established in keeping with the basic purpose of the college. All students at the college will be encouraged to participate in a variety of intramural, extramural, and intercollegiate sport programs.

Intercollegiate Sports

Authorization
The President, based on the recommendations of the Director of Athletics and the availability of funds, will authorize all student participation in out-of-state tournaments and meets for which the standards of eligibility are met.

Mission and Purpose for Athletics
The purpose of the EFSC athletics program is to reinforce the attitudes, values and overall mission of the College; to promote lifelong learning, integrity, leadership, tolerance, good citizenship, diversity, and academic excellence in concert with developing the student athlete’s physical health, skills and abilities.

Athletics Principles
1. The student athlete’s primary responsibility is to pursue academic achievement.
2. The coach’s primary responsibility is to teach, mentor and look to maintaining the health and safety of athletes.
3. Recruitment of athletes shall focus on Brevard County and State of Florida student-athletes.
4. Academic achievement, citizenship, and athletic ability are key elements in student-athlete recruitment per Florida Statute.
5. The coaches will adhere to all National Junior College Athletic Association (NJCAA), Florida College Systems Activities Association (FCSAA) rules and regulations and other applicable procedures and rules.
6. The College will adhere to Title IX guidelines and requirements.

**Regulations**
Based on the rules and regulations of the National Junior College Athletic Association (NJCAA), a Florida State Championship athletic team (and a runner-up team, when permitted by state rule) will be eligible to compete in meets or tournaments leading to regional, state or national awards. With the approval of the Coach and the Director of Athletics, an individual who has won first, second or third place in state tournaments or meets is eligible to participate in national competition, as are individuals in some sports who have matched one of the top ten national qualifying times or scores.

Teams or individuals engaged in sports which have not yet been sanctioned by the Florida Community College Activities Association (FCCAA) will be considered for participation in national tournaments and meets only with a special recommendation from the Director of Athletics and only after FCCAA-approved sports teams and individuals have been authorized and funded for national competition.

**National Competition Requirements**
EFSC will meet the qualifying requirements for the approved intercollegiate sports and the qualifying requirements to be met in order for students to be eligible to participate in national competitions.
431 Student Assessment

431.1 General Information
In accordance with Florida Statutes and Board of Education Rules, the college administers several tests through the campus Assessment Centers. All testing will be conducted in accordance with Eastern Florida State College’s College-wide Testing Guidelines, initially approved by the College Learning Council, February 17, 2004.

The college will administer the following tests to appropriate students. Not all tests are given at each campus.

- Proctored test administration for EFSC students:
  - EFSC online course exams
  - make-up exams for students in hybrid or face-to-face classes
  - accommodated testing for students with disabilities
- Secure proctor testing services for students from other institutions
- State approved Placement Tests required of non-exempt students
- National and Institutional Credit by Exam Assessments
- Foreign Language exams to satisfy graduation requirement for foreign Language competency
- Limited Access Program Application Examinations
- Industry certification exams

Some exams are fee based. Information regarding any fees associated with using the campus Assessment Centers can be found in the Schedule of Fees section of the EFSC website. A list of certification exams offered by EFSC, prices and payment process can be confirmed by contacting the Industry Certification Specialist.

Procedures for Secure Testing

- All those taking tests in the Assessment Center will present to the test proctor a photo ID to verify identity. A valid, government issued ID with a photo and signature is required for most exams. EFSC Student ID may be used for academic testing.
- Those testing will be monitored using desktop monitoring software, video surveillance and the attention of an in-person proctor.
- Assessment Specialists will keep all testing materials and educational records on their person or secure them in a locked cabinet within a locked room. The records will only be transferred in person or through official email communication. Materials will be destroyed after 6 months or in accordance with State of Florida General Records Schedule GS5 For Universities and Colleges.
- Enrolled students will access some tests by using their unique Titan single sign on username and password.
431.2 College Placement Test

As part of the admissions process, all non-exempt degree-seeking students must undergo assessment of reading, writing, and mathematics skills for placement into the appropriate level of courses. The college administers the placement test at no charge to the degree or certificate seeking student. Optional retesting may require a fee, time interval between initial testing and retesting, as well as documentation of subject review. A full description of retesting policies can be found in the Testing/Assessment Services section of the EFSC website.

First-time in college students must present scores, no more than two years old, on one of the state approved college placement tests as follows:

- Scholastic Aptitude Test (SAT)
- American College Test (ACT)
- ACCUPLACER Computer Placement Test (Classic or Next Generation)
- Florida’s Postsecondary Education Readiness Test (PERT)

Guidelines

State Board Rule 6A-10.0315 Common Placement Test and Instruction describes requirements and exemptions for placement testing, approved placement exams, college ready cut scores, and developmental education requirements. EFSC will administer the initial Postsecondary Education Readiness Test (PERT) at no charge to exempt and non-exempt degree seeking students. Optional retests are offered for a fee and may require retesting in an alternate test form. The tests will be administered regularly at all four campuses.

State statute indicates that students do not have to retake any subtest they had previously passed, with the assumption enrollment did occur. Students may retake the entire test one year from original test administration date without a fee, provided they have not enrolled in any coursework.

Required to Test

- All first time in college non-exempt students who designate themselves as degree seeking require placement test scores. Such students may not register for any credit course at EFSC until they have the appropriate test scores on file.
- All high school students who plan to take college credit courses under Dual Enrollment.
  - High school students whose scores place them in developmental education for math courses are not permitted to dual enroll in math courses.
  - High school students whose scores place them in developmental education for both reading and writing courses are not permitted to dual enroll in any college coursework.
  - All non-exempt students seeking a degree or certain certificates, who have not enrolled within two years of taking a placement examination.

Exemptions from the college placement test

- Students who have earned a grade of “C” or higher in a college-level English composition course are exempt from the writing and reading subtests. Students who have earned a grade of “C” or higher in a college-Associate Degree level mathematics course from a United States regionally accredited institution are exempt from the algebra subtest.
• Transient students who are enrolling in courses to transfer back to their primary institution and who are not seeking a degree at EFSC. Transient students may register only for classes designated on the transient letter by their home institution.

• Exception: students who are attempting to enroll in a course that is not designated on their transient letter must provide proof of prerequisite. Scores may be documented on an official transcript or sent directly from the home institution to EFSC.

• Students who present ACCUPLACER, SAT or ACT, or other approved test scores that meet State requirements. For use as a placement test score, these scores must be no more than two years old.

• Students who have entered 9th grade in a Florida public school in the 2003-2004 school year or later AND graduated from a Florida public high school with a standard high school diploma

• Students who serve as an active duty member of any branch of the United States Armed Services

Cut-Off Scores and Placement Guidelines for Non-Exempt Students
Scores must meet or exceed the scores established by the Florida Department of Education to place students into college credit courses. Exemption status does not prohibit the exempt student from placement testing or enrollment in any developmental education option. Students whose placement test scores identify them as needing additional preparation shall enroll in college developmental courses. Students may also pursue alternative methods of preparatory instruction.

Developmental Education Coursework
All non-exempt students who are required to complete a developmental course must successfully complete the required studies as expeditiously as possible or attain college ready cut score on an approved placement test.

431.3 Career and Technical Program Students
Per State Board Rule 6A-10.040, all non-exempt students who are enrolled in designated postsecondary certificate programs shall complete a basic skills examination within the first six (6) weeks after admission into the program. Students who do not meet the State-mandated cut scores for their respective program cannot graduate until they meet the scores or qualify for an exception.

Guidelines
State Board Rule 6A-10.040 describes the basic skills requirements for Postsecondary Career and Technical Programs. EFSC will administer the Test of Adult Basic Education (TABE) to all eligible students. The test will be administered at all four campuses regularly.

• Student must complete the TABE within the first six weeks after registering for vocational courses.

• EFSC will administer the TABE Level A 11/12 Complete Battery to all vocational students.

• Per FDOE memo OWE 2003-05: “Transferability of TABE Scores between Institutions” EFSC will accept an official copy of test scores from other public [educational] institutions. An official copy should be sent to EFSC either in electronic version (including fax) or in a sealed envelope from the institution that administered the test.

• For assessment purposes, EFSC will accept the TABE Level A 11/12, either Complete Battery or Survey forms. Survey forms will only be accepted that meet or exceed the
Basic Skills Exit levels for the program of enrollment, as EFSC only offers remediation services in the Complete Battery.

- All tests must have been administered according to the test publisher's guidelines.
- If students' scores in any of these tests do not meet exit requirements, they will be retested in TABE Level A (the same test version they originally took).

Exceptions

- Students entering an apprenticeship program or criminal justice academy program are exempt from taking the TABE test. Law Enforcement program students are instead required to take the Criminal Justice Basic Abilities Test.
- Eligible students who have taken the TABE twice, have the appropriate disability, and receive the recommendation of their program department head may be granted a waiver for graduation purposes.
- Students who are enrolled in a program that is less than 450 clock hours.

Exemptions

- Students who have received an Associate in Applied Science degree or higher.
- Students who are exempt from the college entry-level examination by demonstrating college readiness for public postsecondary education pursuant to rule 6A-10.0315 F.A.C:
  - Students who have entered 9th grade in a Florida public school in the 2003-2004 school year or later AND graduated from a Florida public high school with a standard high school diploma.
  - Students who serve as an active duty member of any branch of the United States Armed Services
  - Students with passing placement test scores that are within the two-year validity and continuous enrollment requirement.
  - Students who has successfully completed required Developmental Education coursework.
  - Students who transfer college level English and Math coursework with a grade of “C” or higher
- Students enrolled in programs of 450 clock hours or more that require a state, national or industry licensure exam for employment.
  - Students must be tested initially. Upon program completion, student may document passage of the licensure exam that is listed on the Florida Department of Education Basic Skills Licensure Exemption List and complete the TABE waiver form for exemption.
  - Student must meet all other program requirements, submit an “Intent to Graduate Application” and pay the graduation fee to receive documentation from The College allowing them to sit for licensure without completing the TABE.
  - Documentation of successful passage of the required state, national or industry exam must be provided within twelve months of completing the last course for the student to graduate from the EFSC program. Graduation will be processed for the term in which student completes the licensure.

Procedure for Processing TABE Exemption

Students may request an exemption be processed by Admissions or Assessment staff by completing the Test of Adult Basic Education (TABE) Student Exemption form. TABE Exemption due to disability will be processed in the SAIL office. Additional appropriate documentation should be attached, if not already entered in the BANNER student record:

- Copy of transcript indicating exemption eligibility
• Copy of currently awarded license for the applicable program. (For graduation purposes only) (Must be attached.)

**TABE Two-Year Limit**
Test scores are valid for two years from the test date until the date a student enters a program of study. A student needs to enter the vocational program within two years and be continuously enrolled thereafter for those scores to satisfy the program requirements.

**431.4 Testing Accommodations**
Students who provide proper documentation of their disabilities may register with the Student Access for Improved Learning (SAIL) and take any assessment with approved test accommodation(s).
Alternative Methods of Developmental Instruction

Students can seek methods other than the College's developmental education courses for improvement of skills. The Associate Provost administrative level will approve college remediation options and the Testing staff on each campus/division shall be responsible for providing students with a written listing and/or a prominent display of information on alternative remedial options that are available to each student who scores below college-level in any area on the common placement test.

The list shall include, but is not limited to, programs provided by private sector providers. The college shall not endorse, recommend, evaluate, or rank any of the providers. The list or the display materials shall include all those providers that request to be included. The written list must provide students with specific contact information and disclose the full costs of the course tuition, laboratory fees, and instructional materials of each option when required.

Procedure for Documenting Completion of Alternate Remediation
Students who pursue alternate remediation will be required to pass appropriate subtests of a state approved placement test administered by EFSC to document the attainment of required skills.

- Student must provide documentation of successful completion of remediation required for the review option selected to the campus test administrator.
- Student will schedule appropriate subject subtest administration with the campus Test administrator.
- If student demonstrates skill competency by achieving passing scores on the test, the student will not be required to complete the respective preparatory coursework.
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<table>
<thead>
<tr>
<th>Title: Fees</th>
<th>Number: 433</th>
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<tbody>
<tr>
<td>Legal Authority: F.S.1009.23,1009.28; SBE Rule: 6A-14.0541 FAC</td>
<td>Page: 1 of 3</td>
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<tr>
<td>Board Policy Governance: 700.2</td>
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<td>Date Adopted: July 18, 2006. Revised: March 1, 2011; August 31, 2012; February 18, 2014; July 1, 2014; April 5, 2016; August 2016; March 23, 2017; June 20, 2017; January 2018</td>
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433 Fees

No fees or other charges shall be assessed by the College except as provided by rule or other board action.

Credit Courses Lower Division (AA, AS and Developmental Education)

The fee per semester hour for credit courses lower division shall be assessed according to the following schedule:

<table>
<thead>
<tr>
<th></th>
<th>Florida Residents</th>
<th>Non-Florida Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall, Spring, Summer Terms</td>
<td>$104.00</td>
<td>$405.76</td>
</tr>
</tbody>
</table>

Credit Courses Upper Division (BAS)

The fee per semester hour for credit courses upper division shall be assessed according to the following schedule:

<table>
<thead>
<tr>
<th></th>
<th>Florida Residents</th>
<th>Non-Florida Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall, Spring, Summer Terms</td>
<td>$128.51</td>
<td>$508.92</td>
</tr>
</tbody>
</table>

Postsecondary Adult Vocational

The course fee assessed for postsecondary adult vocational clock hour courses shall be assessed on a per semester clock hour basis as follows:

<table>
<thead>
<tr>
<th></th>
<th>Florida Resident</th>
<th>Non-Florida Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$2.56</td>
<td>$10.25</td>
</tr>
</tbody>
</table>

Access Fee

A $10.00 per semester access fee will be charged to students enrolling in credit courses and postsecondary adult vocational courses.

Distance Learning Course User Fee

A $15 per credit hour fee will be charged to students who enroll in online courses. Online courses are those courses where instruction is delivered 100% online and students may come onsite only for course orientation or proctored assessment.
Continuing Workforce Education and Community Education
The President or his/her designee is authorized to approve fees for Continuing Workforce Education (CWE) and Continuing Education classes/programs. He/she is directed to establish such fees so that total fees collected fully support the expenditures of the CWE program within the fiscal year. Lists of CWE and Continuing Education courses/programs offered and the established fees shall be reported to the Board. The refund policy for these courses/programs is stated in the CWE and Continuing Education publications and/or the College’s CWE and Continuing Education web pages.

Audit of Credit Classes
The fee for auditing a credit course shall be assessed according to the schedule for credit classes, including the access fee (see above).

Payment of Registration Fees
Fees will be assessed to the student upon registration for classes. The student’s portion of fees, as shown on the student’s billing statement, must be paid by the deadline established in the College Academic Calendar.

1. Fees may be paid at any campus cashier’s office, or through the EFSC website.
2. Students are responsible for dropping classes they do not plan to take. Students may be dropped or withdrawn from courses(s) for non-payment of fees and/or non-attendance.
3. All fees must be received by the dates and times noted or the student may be dropped from classes. Students will be assessed a $50 late registration fee when registering or adding any class after the initial fee due date of the term.
4. The student’s original schedule of classes is not guaranteed at the time of re-registration for courses dropped due to nonpayment.

433.1 Refund Policy
The institution makes available to students and the public current academic calendars, grading policies, and refund policies. (SACSCOC R10.2)

Refund of Course Tuition and Fees
A student who drops a course(s) before the published add/drop deadline may receive a full refund of course tuition and fees except for the non-refundable $50 late fee.

The add/drop deadlines will be published in the College Academic Calendar.

Non-Credit Courses
To receive a refund for a noncredit course, a student must submit a refund request in writing at least three business days prior to the start of the class. No refunds will be issued after that period.

Exceptions: Tuition Refunds and Credits
Students may appeal through the campus Associate Provost or Academic Dean for a refund, tuition credit, or exemption to full cost tuition. The final determination of the tuition appeal will be made by the Accounting Office.

Students may request a tuition refund/credit when a student must withdraw from a course due to circumstances determined by the College to be exceptional and beyond the control of the student after the add/drop deadline. In these cases the student must apply for the tuition
refund/credit with the Associate Provost or Academic Dean, and must fill out the “Collegewide Tuition Refund/Credit Request Form.” Documentation must be provided with the form in order for it to be processed.

A list of exceptions is as follows:

**Tuition and Fees for the current term, or part thereof, shall be refunded in the following circumstances:**

- **A.** 100% refund when called to or enlisted in active military duty.
- **B.** 100% refund due to course cancellation.
- **C.** 100% refund due to the death of a student.

**Tuition credit for use in subsequent terms shall be issued in the following circumstances**

- **A.** Up to 100% tuition credit due to the documented serious illness, or serious accident to the student.
- **B.** Up to 100% tuition credit due the documented death in the immediate family of student.
- **C.** Up to 100% tuition credit due to other documented emergency circumstances or extraordinary situations as approved by the Associate Provost.

A tuition credit is non-transferable and may be used for up to two years after the date of issue.

Courses successfully completed are not eligible for a refund or tuition credit.

The College President or his/her designee reserves the right to administratively authorize a refund of tuition and fees due to documented extenuating circumstances.

**Assessment and Testing Fee**

A testing fee may be charged by the College for any student or Non-EFSC student for whom the College administers any college placement test, critical thinking test, or any other similar tests. A fee per test will be charged by the College to students for any test administered for a student more than once. Fees are listed in the College Fee Schedule available online.

All such fees are non-refundable and non-transferable.

**Returned Payment Fees**

A processing fee of a minimum of $25 or not to exceed 5% of the total payment, whichever is greater, will be assessed on any payment which is returned unpaid by a bank or other financial entity.

**Other Fees**

On recommendation by the President, the Board may approve the assessment of additional fees which involve the incurring of unusual costs and for special services provided by the College. Courses with extraordinary costs of instruction may be assessed laboratory fees and/or special course fees. Fees which are course related shall be published online in the College Fee Schedule, or supplement thereto, and assessed as an integral operation of the registration process. Other fees shall be published in the College Catalog, Fee Schedule, Student Handbook or other appropriate publication.
Registration and Financial Responsibility Agreement
Students must acknowledge and sign the Registration and Financial Responsibility Agreement prior to registering each term.
REGISTRATION and FINANCIAL RESPONSIBILITY AGREEMENT

Thank you for choosing Eastern Florida State College. In addition to all Eastern Florida State College (EFSC) academic standards and policies, I hereby agree to comply with the terms and conditions specified in this Registration and Financial Responsibility Agreement in order to enroll for courses at EFSC. I also agree to abide by rules and regulations described in the EFSC Catalog and EFSC Student Handbook.

I acknowledge that any activity I conduct through EFSC indicates my agreement to the specified terms and conditions, including my agreement to be financially responsible to EFSC for payment of all tuition, fees and related costs of enrollment for classes in which I am registered whether or not I attend the class.

I understand that course(s) must be dropped before the end of the drop period in order to be eligible for a full refund. It is my responsibility to drop my classes as the college will not automatically drop them for me.

I acknowledge that if I withdraw from a course(s) after the end of the drop period, or if I am administratively withdrawn for non-attendance or other reasons, I will be responsible for repaying any applicable Bright Futures Scholarship funds, Federal Title IV financial aid funds, or any other amount due as a result of the withdrawal. Any reduction in financial aid based on nonattendance will result in a balance due to EFSC.

I understand past due student account balance will result in a financial hold, which prevents future registrations as well as other services being offered in accordance with college policy. I understand and agree that EFSC will withhold transcripts, diplomas, and other services until all outstanding balances have been satisfied in full.

I acknowledge that all outstanding obligations (along with appropriate personal information including social security number) may be referred to an outside collection agency and credit reporting bureaus.

I understand that I am responsible to reimburse EFSC the fees of any collection agency, which may be based on a percentage not to exceed 33% of the debt, including attorney fees and court costs.

In addition, I agree to allow EFSC and its agents to contact me at any cell phone number that I provide now or use in the future, using automated telephone dialing systems, artificial or pre-recorded voice or text messages, or personal calls regarding my obligation to repay my debts to the EFSC.

I also authorize EFSC or its agents to contact me via my easternflorida.edu address or an email address that I provide to EFSC. I understand that others may be able to review my messages and/or emails related to my debts sent to or from EFSC including its contents, which may include information about my debt and its status.

I understand that EFSC uses Titan E-mail, a free student email system, as the official means of communication for registered students. Financial Services utilizes this system for notifications regarding student accounts. Students should maintain and check their EFSC e-mail accounts regularly.

I understand this agreement shall be construed in accordance with Florida law, and any lawsuit to collect unpaid fees may be brought in the appropriate court sitting in Brevard County, Florida, regardless of my domicile at the time of bringing such action.

I understand by signing this form, I am agreeing to all terms and conditions set forth herein above and agree to the incorporation of any other related documents. I enter into this Registration and Responsibility Agreement with full knowledge of its legal implications and without coercion and/or promises made to me by the college. I also agree and acknowledge that prior to agreeing to this Agreement, I have the right and option to discuss the terms and conditions herein with a private attorney at my sole expense.


Student Signature ____________________________________________________________________ Date ___________

Student ID Number ____________________________________________________________________

Received by: ________________________________________________________________________ Term: __________________________________________

SC-003 R110614

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Eastern Florida State College Procedures Manual

Title: Sexual Predators/Sexual Offenders

Legal Authority:
Board Policy Governance: 700.3

Date Adopted: July 18, 2006. Revised: March 1, 2011; August 31, 2012; February 18, 2014; July 1, 2014; February 1, 2015; August 2016; November 2016; January 2018
Previously 432

434 Sexual Predators/Sexual Offenders

The Florida Sexual Predators Act, FS 775.21, requires sexual predators and sexual offenders to notify the state or sheriff, as appropriate, of enrollment, employment, or the carrying on of a vocation at an institution of higher education in Florida. Each change of enrollment or employment status must be similarly reported. Local and state law enforcement must promptly notify each institution of the sexual predator’s or sexual offender’s presence and any change in the sexual predator’s or sexual offender’s enrollment or employment status.

The Florida Sexual Predators Act, FS775.21, states in part, “repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims that are never reported, and are prosecuted for only a fraction of their crimes.”

Florida law, in section 943.0434, states in part, “the Legislature finds that sexual offenders, especially those who have committed offenses against minors, often pose a high risk of engaging in sexual offenses even after being released from incarceration or commitment, and that protection of the public from sexual offenders is a paramount government interest.”

The institution takes reasonable steps to provide a healthy, safe, and secure environment for all members of the campus community. (SACSCOC R13.8)

434.1 Applicants for Admission to the College

Eastern Florida State College has determined that the presence on campus of students officially designated as Sexual Predators/Sexual Offenders will be disruptive to the orderly process of the College’s programs and/or would interfere with the rights and privileges of other students. In accordance with 1001.64 (*) (a)F.S., the College may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant because of misconduct if determined to be in the best interest of the College.

Students seeking admission to Eastern Florida State College will be required to self-disclose on the EFSC admissions application if they have been convicted as a sexual predator/sexual offender. Accordingly, the College denies admission to applicants who are officially designated as Sexual Predators/Sexual Offenders. No refund of the admissions application fee will be granted.

This decision may be appealed in writing to the Vice President within ten (10) business days of receipt of notification.
1. To submit this appeal, the applicant/prospective student must send a letter to the Vice President that contains:
   a. The compelling reason the applicant believes an appeal should be granted.
   b. Documentation of legal proceedings that led to the applicant being listed with the State of Florida as a Sexual Predator/Offender including police reports, court proceedings, adjudication, time served, and parole information. If this information is not received with the letter of appeal, the Vice President may attempt to collect it through other means or render a final decision based only on the applicant's letter.
   c. The names, titles and contact telephone numbers of at least three professional references who can attest to the applicant's ability to function without harm to a learning community (which includes persons under the age of 18). This should include probation officers, therapists, employers, educators and clergy.

2. Once the full documentation is received, the Vice President will review it carefully, and may conduct telephone interviews with references provided, share all of the information with the Campus Provost and Associate Provost on the campus that the applicant plans to enroll, and talk with the applicant about the situation as presented.

3. If there is sufficient reason at this point to believe an appeal may be granted, the Vice President and appropriate Associate Provost will conduct a face-to-face meeting with the applicant to determine the risk the applicant poses to the campus learning environment. The final decision will be made by the Vice President in consultation with the appropriate Campus Provost and Associate Provost based on the full documentation received and the meeting with the applicant.

4. A certified letter, return receipt requested, will be sent to the applicant/prospective student at their current address on file of the final decision by the Office of the Vice President.

5. If the final decision is to permit conditional admission/enrollment to the College, the applicant/prospective student is required to meet with the appropriate Associate Provost within ten (10) business days of receipt of such notification to discuss and sign a statement agreeing to the terms and conditions as stipulated by the Vice President, and appropriate Campus Provost and Associate Provost. Stipulations may include but are not limited to the following:
   - The prospective student will abide by the EFSC Student Code of Conduct at all times.
   - The prospective student will not come in close contact with minor children on campus, with students enrolled in the College’s Collegiate High School program, or dual enrolled students outside of the educational setting.
   - The prospective student will be ineligible for on-campus employment.
   - The prospective student will not enroll in any classes or programs that require contact with children.
   - The prospective student will not visit or be in close proximity to the College's five (5) on-campus Child Development facilities.

6. Failure to meet with the appropriate Associate Provost as stipulated above will result in revocation of the prospective student's admission to the College, and the prospective student will not be eligible to re-apply for admission to the College.

7. The appropriate Associate Provost will monitor the student’s enrollment each term through their degree completion at Eastern Florida State College. Any behavioral issues will result in immediate and permanent expulsion from Eastern Florida State College.

8. Faculty will be notified by the appropriate Associate Provost of the enrollment of a sexual predator/offender in their class(es) within five (5) days of the beginning of the term.
434.2 Currently Enrolled Students
Eastern Florida State College denies admission/enrollment to students who are officially designated as Sexual Predators/Sexual Offenders. If an academic term has already begun at the time that the College receives such notification, the student’s admission will be revoked by the Vice President of Enrollment Management and Student Success, and if the student is registered in class(es), an administrative withdrawal and hold, and refund of fees paid for the term in progress will be processed by the appropriate Associate Provost. No refund of the admissions application fee will be granted. The student may also receive a credit for required textbooks purchased for classes from which the student is withdrawn.

This decision may be appealed in writing to the Vice President within five (5) business days of receipt of such notification.

1. To submit this appeal, the student must send a letter to the Vice President that contains:
   a. The compelling reason the student believes an appeal should be granted.
   b. Documentation of legal proceedings that led to the student being listed with the State of Florida as a Sexual Predator/Sexual Offender including police reports, court proceedings, adjudication, time served, and parole information. If this information is not received with the letter of appeal, the Vice President of Enrollment Management and Student Success may attempt to collect it through other means or render a final decision based only on the applicant’s letter.
   c. The names and contact telephone numbers of at least three professional references who can attest to the student’s ability to function without harm to a learning community (which includes persons under the age of 18). This should include probation officers, therapists, employers, educators and clergy.

2. Once the full documentation is received, the Vice President will review it carefully, and may conduct telephone interviews with references provided, share all of the information with the appropriate Provost and Associate Provost on the campus that the student was primarily enrolled, and talk with the student about the situation as presented.

3. If there is sufficient reason at this point to believe an appeal may be granted, the Vice President and appropriate Campus Associate Provost will conduct a face-to-face meeting with the student to determine the risk the student poses to the campus learning environment. The final decision will be made by the Vice President in consultation with the appropriate Campus Provost and Associate Provost based on the full documentation received and the meeting with the student.

4. A certified letter, return receipt requested, will be sent to the student at their current address on file of the final decision by the Office of the Vice President.

5. If the final decision is to permit conditional re-admission/enrollment to the College, the student is required to meet with the appropriate Campus Associate Provost within 24 hours (2 business days) of such notification to discuss and sign a statement agreeing to the terms and conditions as stipulated by the Vice President, and appropriate Campus Provost and Associate Provost. Stipulations may include but are not limited to the following:
   - The student will abide by the EFSC Student Code of Conduct at all times.
   - The student will not come in close contact with minor children on campus, with students enrolled in the College’s Collegiate High School program, or dual enrolled students outside of the educational setting.
   - The student is ineligible for on-campus employment.
- The student will not enroll in any classes or programs that require contact with children.
- The student will not visit or be in proximity to the College’s five on-campus Child Development facilities.

6. Failure to meet with the appropriate Associate Provost as stipulated above will result in denial of the student’s re-admission/enrollment to the College, and the student will not be eligible for re-admission.

7. The appropriate Campus Associate Provost will monitor the student’s enrollment each term through their degree completion at Eastern Florida State College. Any behavioral issues will result in immediate and permanent expulsion from Eastern Florida State College.

8. Faculty will be notified by the appropriate Campus Associate Provost of the enrollment of a sexual predator/sexual offender in their class(es) within five (5) days of the beginning of the term.
435 Student Exemption to the Full Cost Requirement for Courses

Per Florida Statute, a student enrolled in the same course more than twice shall pay 100 percent of the full cost of instruction to support continuous enrollment of that student in the same class. However, a student may be exempt from paying 100% of the full cost of instruction for their third attempt either by extenuating circumstances or financial hardship.

An exemption, for the third attempt, based on extenuating circumstances shall be granted only once for each course. Extenuating circumstances are those considered to be exceptional, documented, and beyond the control of the student. Criteria used to determine extenuating circumstances may include but not be limited to:

- Serious illness
- Death of an immediate family member
- Called to or enlisted in active military duty
- Other emergency circumstances or extraordinary situation, such as natural disasters
- Financial Hardship

An exemption based on a financial hardship may be granted for a fourth attempt after the student has demonstrated reasonable effort to succeed in the course. Criteria for determining a financial hardship include but are not limited to:

- Qualification for federal need-based financial aid
- Documented financial hardship (examples: loss of income, bankruptcy, unmet need, or facing eviction/foreclosure).

435.1 Process for Applying for an Exemption
A student applying for an exemption must complete an Application for Exemption to Full Cost Requirement Form. It is the responsibility of the student to attach all relevant documentation. The Associate Provost or designee, who will either approve or deny the exemption request, will review the application. New, current documentation must be submitted with each request.

435.2 Process for Appealing the Decision of the Associate Provost
A student whose application for exemption has been denied by the Associate Provost may appeal to the Provost. The appeal should be based on additional information and/or evidence that were not initially considered by the Associate Provost.
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436 Students with Disabilities

436.1 Admission to the College or a Program of Study
The college will provide access to education for students who have the potential for completing the requirements for courses or programs to which they have been admitted. The college will provide reasonable substitutions for criteria for admission to the institution or admission to a program of study for students with documented disabilities.

436.2 Identification of Impairment
The President or designee will authorize criteria for the identification of persons eligible for reasonable accommodations or substitutions. The Student Access for Improved Learning (SAIL), the College’s disability/accessibility department, will make recommendations to the appropriate administrator concerning student requests for substitutions, waivers, or reasonable accommodations based upon documented disabilities recognized by Americans with Disabilities Act of 1990 (ADA), as amended.

436.3 Services Provided
The SAIL office will work cooperatively with students to provide individualized services for students with documented disabilities.

- Establish guidelines for implementing reasonable academic accommodations or substitutions on an individual basis;
- Track the academic progress of students with disabilities using a case management approach.
- Identify and assist in the remediation of educational, physical, attitudinal, and informational barriers to accessibility in the College environment,
- Establish a student appeals process for those students denied eligibility for admission or graduation substitutions;

436.4 Information on Options and Special Services
The College will publicize information concerning college-approved options and individualized services available to students with disabilities in the college catalog and in other college publications as identified in procedure 302.6 Compliance with the Americans with Disabilities Act.

436.5 Student Responsibility
The College recognizes that the student is an adult learner and as such has responsibility to work with the College to meet their educational needs. The SAIL office will work with the student upon notification by the student of a need for an accommodation or the denial of an accommodation. Upon notification of a need for an accommodation, the College will review pertinent information through an interactive process, which includes required application forms,
current documentation with a clear diagnosis from a relevant professional evaluation, the challenges to participation in college life, and, if reasonable and appropriate, recommend specific accommodations. Requests for accommodations may be submitted at any point during the semester; however, students are strongly encouraged to begin this process prior to beginning classes. When a student has been approved for specific accommodations, the student must request, in writing, each semester, for the SAIL office to notify their instructors of the approved accommodations.

Once processed as a student registered with the SAIL office, the student will agree to follow the instructions listed in the approved accommodations, have conversations with and remind the instructor(s) of the specific accommodations they have been approved for, and review the SAIL web page for SAIL-specific information and updates.

Students with service animals, enrolled in laboratory classes, are required to ensure that their service animal is equipped with appropriate personal protective equipment (PPE). Individual requirements for PPE will be determined via a collaborate process between the student, faculty, and SAIL designee.

Information on Options and Special Services. The College will publicize information concerning College-approved options and special services available to students with disabilities in the College catalog and in other College publications as identified in procedure 302.6 Compliance with the Americans with Disabilities Act.

436.6 Graduation, study program admission, and upper-division entry
A student with a disability may be eligible for reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division where documentation can be provided that the person's failure to meet the requirement is related to the disability and where failure to meet the graduation requirement or program admission requirement does not constitute a fundamental alteration in the nature of the program. See procedure 424.3 Course Substitutions for Persons with Disabilities.

436.7 Disability Waiver for the Test of Adult Basic Education (TABE)
Eastern Florida State College (EFSC) may provide waivers to students with disabilities as defined in Section 1004.02(7) of the Florida Statutes to meet the career basic skills grade levels required for completion of career and technical programs as described in rule 6A-10.040 (2). An EFSC student with a documented disability who is registered with SAIL office and has completed a career and technical program of study with a cumulative grade point average (GPA) of 2.0 or greater, may petition to receive a waiver for the TABE exit exam after attempting to pass it on at least two occasions.

Prerequisites for Requesting an Exemption of the TABE Exit Requirement:
1. The student must have completed the career and technical program of study with a cumulative GPA of 2.0 or greater;
2. Student must have the recommendation of the program manager;
3. Student must have documentation on file in SAIL office that shows student’s disability substantially interferes with his/her ability to pass the TABE exit requirements;
4. Student must have taken the TABE two times before petitioning for an exemption.

Process to Request a TABE Exemption:
1. Students will complete a TABE Waiver Request Form after meeting the requirements
listed above. Forms are available in any SAIL office. A TABE Waiver committee will convene to deliberate the waiver request. The Committee may consider the following:

a. The student has a disability that substantially interferes with the ability to pass the TABE exit requirements
b. and the student is registered with SAIL;
c. The student’s achievement in the career and technical program of study;
d. The student’s remediation effort to satisfy the TABE exit requirement;
e. The student’s job opportunities and any other pertinent data.

2. The Committee shall approve or disapprove the student’s request for a TABE Waiver based on a majority vote.

3. The TABE Waiver committee may include the following college officials:
   a. The Dean of Career and Technical Programs or designee
   b. The program manager of the specific program of study or designee
   c. The campus Associate Provost
   d. The SAIL Director
   e. The Testing/Assessment Director

4. Documentation of a student’s petition for TABE Waiver shall be maintained by the College for audit purposes. EFSC may report a student with a TABE Waiver as a program completer.

Whenever the committee disapproves a student’s petition for a waiver of the TABE exit requirement, the student may appeal the decision to the Associate Vice President, Student Affairs. The student must file a written appeal within thirty (30) days of receiving the written notification of disapproval. The Associate Vice President shall render a decision in writing to the student within thirty (30) days after receiving the appeal.

436.8 Provision of Special Equipment
The SAIL office may issue equipment to students who have been approved for a specific accommodation requiring the use of that equipment or technology. All student equipment rentals must be approved by the appropriate SAIL designee and may only be rented for the duration of one semester at a time. Students will sign a release form upon receipt of the equipment affirming that they are responsible for returning the equipment in good working order at the end of the term. Students who do not return the equipment as required will have a registration hold placed on their record that will prohibit further registration and the release of EFSC transcripts, enrollment verifications, and graduation diplomas.
Academic Status: Academic Standing and Satisfactory Academic Progress

The institution evaluates success with respect to student achievement consistent with its mission. Criteria may include: enrollment data; retention, graduation, course completion, and job placement rates; state licensing examinations; student portfolios; or other means of demonstrating achievement of goals. (SACSCOC R8.1)

At the end of the fall 2014 semester, Eastern Florida State College initiated the Academic Standing process to identify student progress and to provide progressive intervention measures when needed. **Academic Standing is a set of standards imposed by the College relating to a student's progress toward degree completion and Satisfactory Academic Progress (SAP) standards are imposed by the U.S. Department of Education relating to student's financial aid eligibility. Information regarding SAP is available on the Financial Aid website.**

### 437.1 Academic Standing

At the end of each semester, student records are flagged progressively as Good Standing, Academic Warning, Academic Probation, Continued Academic Probation, or Academic Suspension. This is based on the student’s cumulative grade point average (GPA). To maintain satisfactory academic progress at Eastern Florida, students must achieve a minimum cumulative grade point average (GPA) of 2.0 each semester.

Successful completion of a course is defined as earning a grade of A, B, C or D except for courses which require a grade of C or better for successful completion. Some programs have more stringent procedures. See the specific program procedures manual for more information.

#### Early Alert

Early Alert is a mid-semester notification letter that may be generated during the fall and spring semesters. Students determined by the instructor to be in academic jeopardy in specific course(s) are strongly encouraged to consult with their instructor to develop a plan to ensure the student’s success in the course(s).

#### Semester GPA

Students who have an end of semester GPA below a 2.0 will receive an email from the Office of the Registrar. This is not punitive and does not affect academic standing.

### 437.2 Good Academic Standing

Students who have a minimum 2.0 cumulative GPA at the end of the semester will be considered in Good Academic Standing.
437.3 Academic Warning
The first term the student’s cumulative GPA falls below 2.0, student will be placed on academic warning.

Actions:
• Student will be notified by e-mail and letter.
• Hold will be placed on student’s record; this hold will stop registration.
• Student must meet with an Advisor before they can register for classes to complete an “Academic Success Plan” to discuss resources available to assist them in meeting their educational goals.

When student’s cumulative GPA returns to a minimum of 2.0, student will be on “Good Academic Standing.”

437.4 Academic Probation
If the cumulative GPA remains below 2.0 at the end of the next term, the student on Academic Warning will be placed on academic probation.

Actions:
• Student will be notified by e-mail and letter.
• Hold will be placed on student’s record; this hold will stop registration.
• Student must meet with the Associate Provost or Dean to complete a “Student Success Plan” and discuss resources available to assist them in meeting their educational goals.
• Student may not register for more than twelve credits.

When student’s cumulative GPA returns to a minimum of 2.0, student will be on “Good Academic Standing.”

437.5 Continued Academic Probation
If the cumulative GPA remains below 2.0 at the end of the next term, the student on Academic Probation will be placed on Continued Academic Probation.

Actions:
• Student will be notified by e-mail and letter.
• Hold will be placed on student’s record; this hold will stop registration.
• Student must meet with the Associate Provost or Dean to review their “Student Success Plan” and discuss resources available to assist them in meeting their educational goals.
• Student may not register for more than twelve credits.

When student’s cumulative GPA returns to a minimum of 2.0, student will be on “Good Academic Standing.”

437.6 Academic Suspension
If the cumulative GPA remains below 2.0 at the end of the next term, the student on Continued Academic Probation will be placed on Academic Suspension.

Actions:
• Student will be notified by e-mail and letter.
• Hold will be placed on student’s record; this hold will stop registration.
• Student may not register for EFSC credit courses for one semester. If already registered, student will be dropped from classes
• Student must meet with the Associate Provost or Dean
• Student may not apply for transient status at another institution during suspension
• Students who are placed on academic suspension a second time will not be permitted to register for EFSC credit courses for one year

Student may request a waiver of suspension through the Associate Provost or Dean. If approved, student may register for no more than six credits. Continued enrollment under the status of “Suspension Status Waiver” will be determined based on the student’s success.

When student’s cumulative GPA returns to a minimum of 2.0, student will be on “Good Academic Standing.”

437.7 Reinstatement from Suspension Status
The student may request approval to re-enroll after suspension by submitting a Petition for Academic Reinstatement form available in the Associate Provost/Dean’s office. If permitted to return, the student will be readmitted on Academic Probation as outlined above. Criteria for reinstatement will include a commitment by the student to adhere to the guidelines set forth by the subsequent professors in the classes they are to be enrolled. This includes, but is not limited to, the following:
• Maintaining proper adherence to the professor’s attendance policy.
• Completing of all assigned work in a timely fashion
• Discussing with faculty if/when academic difficulties arise
• Other academic success strategy requirements as determined and communicated, in writing, by the Associate Provost/Dean
• Routine meetings with the Associate Provost/Dean to monitor and assist in the student’s academic progress

437.8 Appeal of Academic Suspension or Refusal of Reinstatement
Students have the right to appeal an academic suspension decision by filing an appeal with appropriate documentation with the campus Provost. The Provost’s decision is final.
• If student’s appeal is approved, the student will be permitted to enroll in a status of “Suspension Status Waiver” for one semester, and is expected to complete all classes with a minimum semester GPA of 2.0 and have earned credit in one-half of the total hours attempted.
• The student must request approval to continue enrollment in the status of “Suspension Status Waiver” each semester by obtaining and completing the appropriate form in the Associate Provost/Dean’s office.

Continued enrollment under the status of “Suspension Status Waiver” will be determined based on the student's success.
438  Student Advising

Advisors recognize and respect that students' diverse backgrounds are comprised of their ethnic and racial heritage, age, gender, sexual orientation, and religion, as well as their physical, learning, and psychological abilities. Advisors help students develop and reinforce realistic self-perceptions about what it takes to be a college student at EFSC. The primary purpose of academic advising is to assist students in the development of meaningful educational pathway plans compatible with their goals, focusing on the following activities:

1. Introduce and assist students with their transitions to the collegiate world by helping them gain perspective on the college experience, become more responsible and accountable, set priorities and evaluate their academic pathway progress, and uphold honesty with themselves and others about their successes and limitations.

2. Encourage self-reliance and support students as they strive to make informed and responsible decisions, set realistic goals, and develop lifelong educational goals via first time in college case management efforts.

3. Assist students with establishing goals and objectives and encourage them to be responsible for their own progress and success at it pertains to their academic educational plans.

4. Respect student confidentiality rights regarding personal information. Advisors practice with an understanding of the institution's interpretation of applicable laws such as the Family Educational Rights and Privacy Act (FERPA).

5. Seek access to and use student information only when the information is relevant to the advising process. Advisors enter or change information on students' records only with appropriate institutional authorization to do so.

6. Document advising contacts adequately to meet institutional disclosure guidelines and aid in subsequent advising interactions.

7. Provide accurate and consistent information as it pertains to course requirements and selection in order to promote on time graduation completion.

8. Clarify program specific requirements, specifically for limited access programs.

9. Assist and connect students to appropriate institutional resources.
10. Facilitate relationships between the student and other individuals on campus who may provide assistance.

11. Uphold the academic standards of the institution.

12. Assist the student with course selection and registration.

**Comprehensive Advising Plan**
EFSC will provide advising to all entering, first-time-in-college students. The initial advising session will be used to establish a meta-major academic pathway. Students will then be informed of the academic pathway that correlates to their selected meta-major, including the appropriate gateway courses.

For students who are not exempted from the common placement test, scores shall be used to advise students regarding developmental education options if those scores indicate a need pursuant to SBE 6A-10.0315. Included in the advising meeting will be a review and consideration of the student's high school transcript, GPA, subjects completed, placement test scores, work history, military experience, Meta-Major, declared program of study, and any previous postsecondary studies. Also during the advising meeting, students will be informed of all developmental education options, opportunities for tutoring, online resources, adult basic education, student support programs, and private provider instruction. Any student who is not college ready based on common placement scores will be informed of all developmental education options and will be allowed to select the developmental education option that best fits the student’s need.

The advisor will document the session in Banner so that data can be extracted for mandatory State reporting and assessment.

**Case-Management Efforts**
All students are assigned an advisor college wide based on their declared major. First time in college students are intrusively advised during their first two semesters to assist them with understanding how to use college learning systems such as their student portal and their graduation plan. Advising also case manages students on Academic Warning. Students who obtain a 2.0 GPA or lower are placed on Academic Warning. These students will be closely monitored by their assigned advisor to ensure they are on track with their grades and exams and to assist them with the necessary resources that will help them to have a successful semester.

**Statewide Articulation Agreement**
To improve articulation and reduce excess credit hours, students who initially enter EFSC in 2013-2014 and thereafter and are seeking an associate in arts degree must indicate a baccalaureate degree program offered by an institution of interest by the time the student earns 30 semester hours. The advisor shall inform the student of the prerequisites for the baccalaureate degree program offered by an institution of interest. The advisor will document the session in Banner so that data can be extracted for mandatory State reporting and assessment.

**Graduation Advising**
An advisor or graduation specialist in the OR will communicate any outstanding graduation requirements to the student or assist in identifying solutions to facilitate degree completion.
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439 Recording Class Sessions

Eastern Florida State College (EFSC) recognizes that there are a number of reasons why students might wish to record lectures and other teaching sessions in order to support their learning. EFSC also recognizes that the privacy of the faculty and students are affected by the recording of lectures and other teaching sessions since their personality, behavior, and opinions will be open, and potentially freely accessible. For this reason EFSC seeks to protect the intellectual rights and privacy of its faculty and students against unauthorized recordings. This policy sets out the circumstances in which such recordings may take place; the respective roles and responsibilities of those involved in such recordings; and the implications of breaches of this policy.

Policy on Recording Class Sessions

Students may request permission to record any class session delivered as part of their program of study. All such requests will be made in writing to the faculty member prior to the recording; the decision on whether to grant permission is at the sole discretion of the faculty member. Students may only record teaching sessions where the faculty member responsible for that session has given their consent. Covert recording of lectures is not permitted and will be treated as a disciplinary offence.

Exceptions to Policy

If it has been annotated on the Faculty Notification Form from the Office for Student Access for Improved Learning (SAIL) that under the Americans with Disabilities Act (ADA), the recording of class sessions is an approved accommodation for a student, and that said student has delivered to the faculty member their approved accommodations form, there will be no requirement for said student to seek any additional permission from faculty to record the teaching session.

EFSC recognizes that there may be exceptional circumstances where, notwithstanding the requirement to make reasonable accommodations for students with disabilities in accordance with the ADA, the faculty member might regard the recording of a teaching session (or some parts of it) to be inappropriate (e.g. due to issues of patient/client confidentiality in practice-based situations). If such a situation arises, the faculty member will contact the SAIL to determine if a reasonable/alternative adjustment to the student’s accommodation (e.g. allowing students to record part of a lecture but not all) would be acceptable. This change would be noted in the Faculty Notification Form and presented to the faculty.

Notification of Recording

When permission is granted to one or more students to record a lecture, the faculty member leading the session should advise all students of this prior to the start of the session. This may be addressed by a notation in the syllabus for the class.
When permission has been granted to one or more students to record a teaching session other than a lecture, the approval of the other students involved in the teaching session should be obtained. If recording such sessions has been included as an approved accommodation and the approval of the other students is not given, the faculty member will contact the SAIL to consider whether reasonable/alternative adjustments can be made to the student’s accommodation.

**Use of Recordings**

Permission to record a session is granted to a student on the understanding that no intellectual property right in the recording passes to the student.

Recordings of teaching sessions may only be made for the personal and private use of the student making the recording.

Students may not:

- a. Record teaching sessions on behalf of other students;
- b. Pass such recordings to any other person;
- c. May not publish such recordings in any form (this includes, but is not limited to, the internet and hard copy publication).

Students may store recordings of teaching sessions for the duration of the semester in which the recording takes place. Once the semester has ended, the student will destroy all recordings of teaching sessions.

**Implication of Breach in Policy**

Should students breach this Policy, EFSC will regard this as a disciplinary offence. All such breaches will be dealt with in accordance with the Student Code of Conduct up to and including suspension.

A breach of the ESFC policy will result in a violation of student code of conduct.
501 Instructional Programs

The College offers credit programs which are vocational or transfer oriented. The College also provides developmental courses for those students who need preparation for college level course work. The college offers community and professional non-credit courses for students age 16 and older.

501.1 Competency-Based Instruction

Programs at the College follow the concept of competency-based instruction, which allows a student to work toward fixed standards of progress in attaining course objectives, rather than competing against the abilities and rates of progress of other students.

501.2 Writing Competency

All AA Degree students are also required to:

- Earn a “C” or higher in all courses used to fulfill English, mathematics, humanities, and social/behavioral science general education requirements. The “C” or higher in those courses assures that all Associate in Arts Degree students have attained the required level of competence in writing and mathematics as required by SBE Rule 6A-10.0330 as amended periodically.

501.3 Cooperative Education, Internships and Shadowing

The College supports Cooperative Education/Internship programs in which students may receive college credit for practical work experience. Work experience will be evaluated by employers and the College will assign grades.

Students who have completed at least fifteen credit hours in their course of study are eligible for enrollment in the appropriate co-op/internshipD courses.

501.4 Credit for Experiential Learning

EFSC has adopted the CAEL (Credit for Adult Experiential Learning) process for recognition of prior learning. Students with sufficient learning experience can get recognized through CAEL by documenting their learning activities and receiving college credit. Up to 25% of college credit can be granted for a degree or certificate for specific EFSC courses. More information may be found in the procedure Credit for Experiential Learning.

501.5 Directed Study

Courses available by directed study are designed to help students meet course requirements through individual student/faculty interaction in situations in which a regular class schedule is not available. Approval must be obtained from the appropriate department chairperson.
501.6 International/Intercultural Education
The College recognizes the importance of providing an international/intercultural dimension to education. The College supports the development of international partnerships; study-abroad programs; service to international students; international programs for the community; and student, faculty, and staff exchange and development programs.

501.7 Service-Learning
The College strives to make community service an integral part of students’ education. Service-Learning, the integration of community service and academic study, provides a powerful teaching methodology that is immersed throughout the College’s curriculum. The Center for Service-Learning recruits, places and supports thousands of students annually in service learning projects.

501.8 Community and Professional Programs of Instruction
Instructional programs, conferences, workshops, and customized training and noncredit courses are offered through EFSC. These programs focus on continuing workforce education and recreation and leisure.

These courses are generated to meet the on-going continuing education needs of individuals and businesses within the community.

These courses are open to the community. Each course will have a registration fee which will vary depending upon the length and cost of the course.

501.9 New Program Development (SACSCOC 6.2b, 6.2c, 8.2a, 9.1)
The faculty have primary responsibility for the development and approval of new curriculum and new programs. Creating a new program involves steps to ensure that the new program is an appropriate addition to the College’s programs. Following this procedure will ensure that the newly developed program has a sufficient number of full-time faculty assigned coordinate the program and maintain program quality. Newly developed programs will have clearly stated program learning outcomes, must embody a coherent course of study, be compatible with the EFSC mission, and be based on fields of study appropriate to higher education.

Each proposed new program will be reviewed in terms of applicable job placement within our service area. The proposed new program will be assessed based on the information available on the Florida Targeted Occupations list for program stability and continued work force placement opportunities. The program will also be reviewed per a standardized occupational projection software for the region to ensure the appropriate level of educational requirements, job title and continued employability. In addition to these reviews, a survey of local employers will be conducted to determine community interest and need. At least annually, the Board of Trustees will review and approve new programs.

The first step in the process of new program development involves discussion with the academic cluster and advisory committee as appropriate. With approval of the cluster, a faculty member will be assigned to lead the formal process of program development and approval. Administrative Liaisons will also be assigned to help facilitate the development of the potential new program.
With support of the New Program Committee, the Lead Faculty and Administrative Liaison will utilize the New Programs Checklist as a guide to ensure all required elements of new programs are covered. These elements include, but are not limited to, establishing demand through review of local workforce needs, surveying local employers and students, developing program learning outcomes and curriculum, and submitting substantive change documentation to SACSCOC when needed. All documents related to the development of new programs including the New Programs Checklist will be stored in the EFSC New Programs SharePoint site.

If a framework for the new program exists in the Florida Department of Education program inventory, the framework will be followed in the development of the program and the competencies in each course within the program. If the framework does not currently exist, the faculty member will draft a framework for sponsorship by the Vice President of Academic and Student Services.

The new program Lead Faculty will facilitate the development of curriculum with the approval processes established by the Curriculum Development Committee (CDC) and the Academic Affairs Council (AAC).
502 Distance Education

502.1 Eastern Florida Online Distance Education
The distance educational courses and programs are identified by the name Eastern Florida Online. Distance education is a teaching modality at Eastern Florida State College and follows all requirements and standards of teaching and competencies as their corresponding face-to-face courses. (SACSCOC 10.6)

502.2 Definition of Distance Education
Distance education is a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. Instruction may be synchronous or asynchronous. A distance education course may use the internet; one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; audio conferencing; or video cassettes, DVD’s, and CD-ROMs if used as part of the distance learning course or program.

502.3 Integrity of Distance Education
In accordance with SACSCOC The Principles of Accreditation: Foundations for Quality Enhancement: Section 10 Educational Policies, Procedures, and Practices Number 6: EFSC ensures that the student who registers in a distance education course or program is the same student who participates in and completes the course or program and receives the credit by verifying the identity of the student through use of a single, secure User ID and password. Further, EFSC has written procedures for protecting the privacy of students enrolled in distance education courses and programs, including the provisions of the Family Educational Rights and Privacy Act, or FERPA, as written in Section 420 Student Records and Section 806.8 Notice to Students under 18 FERPA of the College Procedures Manual, maintained by the College Registrar, and incorporated into written procedures posted on the College website; and the Technology/Internet Ethics and Acceptable Use Policy administered by the office of Information Technology and posted on the College website. Finally, students will be notified in writing at the time of registration of any projected additional student charges associated with verification of student identity should verification options change.

502.4 Curriculum and Instruction

502.4.1 The faculty assumes primary responsibility for and exercises oversight of distance education, ensuring both the rigor of programs and the quality of instruction.

502.4.2 The technology used is appropriate to the nature and objectives of the programs and courses and expectations concerning the use of such technology are clearly communicated to students.
502.4.3 Distance education procedures are clear concerning ownership of materials, faculty compensation, copyright issues, and the use of revenue derived from the creation and production of software, telecourses, or other media products and reflect the same standards as those applied to traditional coursework.

502.4.4 Academic support services are appropriate and specifically related to distance education and are commensurate with the support provided to traditional students.

502.4.5 Program length is appropriate for each of the institution’s educational programs, including those offered through distance education and traditional programs. For all degree programs offered through distance education, the programs embody a coherent course of study that is compatible with the institution’s mission and is based upon fields of study appropriate to higher education. Courses at EFSC, whether through distance education or traditional approaches, are developed from a common curriculum to ensure comparable competencies and consistent amount and level of credit awarded.

502.5 Faculty

502.5.1 Faculty at EFSC must adhere to the same credentialing standard and approval processes whether they are assigned to teach distance education or face-to-face. The same expectations concerning the appropriate number/ratio of full time to part time faculty exist regardless of the teaching modality.

502.5.2 Faculty at EFSC will be evaluated with the same evaluation tool regardless of teaching modality.

502.5.3 Faculty who teach in distance education programs and courses receive appropriate training and academic support.

502.6 Institutional Effectiveness

502.6.1 EFSC utilizes the same institutional effectiveness plan to ensure the evaluation of educational effectiveness, including assessments of student learning outcomes, student retention, and student satisfaction in traditional and distance education courses and programs.

502.6.2 The institution regularly assesses the effectiveness of its provision of library/learning resources and student support services for distance and traditional students. Students have access to and can effectively use appropriate library resources. Access is provided to laboratories, facilities, and equipment appropriate to the courses or programs.

502.7 Student Services

502.7.1 Students have adequate access to the range of services appropriate to support the programs offered through distance and traditional education.

502.7.2 Students in distance or traditional programs have the same established procedure for resolving their complaints.
502.7.3 Advertising, recruiting, and admissions information adequately and accurately represent the programs, requirements, and services available to students. Students enrolled in distance education courses are able to use the technology employed, have the equipment necessary to succeed, and are provided assistance in using the technology employed.

502.8 SARA and Out-of-State Distance Education Students
Consistent with federal law governing Title IV institutions and the authorization by the State of Florida for EFSC to issue degrees, the College is a member in good standing of the State Authorization Reciprocity Agreement, or SARA, at both the state and national levels since 2018. SARA pertains to approval of distance education courses and programs offered across state lines by postsecondary institutions that have degree authorization in at least one state. SARA centralizes the authorization process for each institution in a single state, called the institution’s home state. The College as a SARA institution in the State of Florida has state authorization to offer distance education to students in any other SARA member state, subject to certain limitations.

States who are members of SARA agree to follow uniform processes for approving their eligible institutions’ participation in SARA; deal with other states’ SARA institutions in a common way; have a comprehensive state process for consumer protection in regard to SARA activities; and designate a “lead entity” to coordinate SARA policies for the state. In Florida, that entity is the Postsecondary Reciprocal Distance Education Coordinating Council (PRDECC), aka the State Portal Entity, and is recognized by S-SARA, the SARA partner for the Southern Region. Florida institutions approved by PRDECC then become part of FL-SARA, which in turn is recognized by NC-SARA. Joint membership in FL-SARA and NC-SARA is required. The approval is for one year, to be renewed annually with appropriate fees paid depending on size of College enrollment. The College has identified its primary or lead SARA contact to be the Provost of Eastern Florida Online.

According to National SARA 2019 Manual 19.1-Section 5.2(1), any SARA-affiliated institution that offers distance courses or programs potentially leading to professional licensure must notify all out-of-state distance education students, applicants, and potential students as to whether successful completion of such offerings meets state licensing requirements in their state. To do this, the College through the appropriate Program Manager determines whether the course or program meets the educational requirements for professional licensure in the state where the applicant or student resides and provides that information in writing to the applicant or student. The burden of verification is on the College. If unsuccessful in verifying after due diligence in making reasonable attempts, the College through the Program Manager notifies the applicant or student in writing that the institution cannot confirm whether the course or program meets professional licensure requirements in the applicant or student’s home state, provides the student with current contact information for any applicable licensing boards, and advises the student to determine whether the program meets requirements for licensure in the state where the student is located. The College through the appropriate Program Manager keeps all students, applicants, and potential students informed as to whether such offerings meet state licensing requirements; notifies students in writing; and emails this information to the last known email address. This notification is triggered when the student contacts the College and when the College becomes aware of changes in licensing requirements in that student’s state of residence. Both the Program Manager and the administrative office of Eastern Florida Online maintain records of all such student notifications.
The College has approved the following template for written notification by the appropriate Program Manager to an out-of-state distance education student or applicant when home state professional licensure requirements can be verified by the College:

“Dear __________.

Thank you for your interest in our ____ Program. Eastern Florida State College is excited to offer these courses to distance learners in the medical imaging field. To ensure enrolling into our program will support your career goals, as well as comply with your state’s licensure and certification requirements, we have taken the initiative to research your case, individually.

Upon reviewing your current credentials of ________________ and verifying (state)’s requirements for ______ Technologists, I have determined that our _____ program (meets/does not meet) the educational requirements for professional licensure in your current state of residence. Please see your state’s requirements below.

Insert statute here”

The College has approved the following template for written notification by the appropriate Program Manager to an out-of-state distance education student or applicant when home state professional licensure requirements cannot be verified by the College:

“Dear __________.

Thank you for your interest in our ____ Program. Eastern Florida State College is excited to offer these courses to distance learners in the medical imaging field. To ensure enrolling into our program will support your career goals, as well as comply with your state’s licensure and certification requirements, we have taken the initiative to research your case, individually.

Upon reviewing your current credentials of ________________ and verifying (state)’s requirements for ______ Technologists, I am unable to determine, through due diligence, whether our ______ program meets the educational requirements for professional licensure in __________, your current state of residence. At this time, I must ask you to determine whether our _________ program meets the educational requirements for professional licensure in _______ by contacting state licensing officials at _________________________________.

Insert statute here”
**Eastern Florida State College Procedures Manual**

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<thead>
<tr>
<th>Title: Instructional Resources</th>
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<td>Board Policy Governance: 100.1 and 200.2</td>
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<td>Date Adopted: July 18, 2006. Revised: October 10, 2011; August 31, 2012 August 31, 2015, October 9, 2018</td>
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503 Instructional Resources

503.1 Library

503.1.1 The four libraries of Eastern Florida State College provide materials and equipment at each campus location in support of the college curriculum. Students, faculty, staff, and community patrons have access to electronic databases, print, and non-print materials for check-out or library use; this includes interlibrary loan service (ILL). The electronic catalogue of holdings includes all EFSC campuses, the Florida University System libraries, Florida Community Colleges, and the Florida Electronic Library (FEL). Faculty, staff, and students have comprehensive and remote access to all library materials and services; community patrons have limited access.

503.1.2 Inquiries for the acquisition of commercial instructional materials should be directed to the campus Library. Faculty and staff may make arrangements for the previewing, reserving, and purchase of audio, visual, print and electronic materials.

503.2 Academic Technology

Academic Technology provides instructional design and digital content support and production college-wide. Academic technology service is offered on each campus.

The Academic Technology provides the delivery, maintenance, necessary set-up, instruction and use of equipment and support for instructional design.
504 Student Related Faculty Imperatives

504.1 Textbook Choices
Faculty must adhere to the textbook requirements as identified in the collective bargaining agreement. Also refer to Procedure 511, Textbook Affordability and Instructional Materials.

504.2 Class Syllabus
During the first class period, an instructor should disseminate a class syllabus. The template for the syllabus is provided in the faculty handbook.

504.3 Student Success -Academic Intervention System
Designed to improve student retention, the Student Success Alert program is a warning letter generated by faculty at any time during the semester to alert students and support services to the learning needs of students. Students determined to be in academic jeopardy in a specific course are encouraged to take the steps necessary to successfully complete their course(s). Instructors identify students who are having academic difficulty in a particular class.

504.4 Tests and Examinations
Classroom assessment (and assessment make-up policy) is at the discretion of the faculty member. Exams for each course may be standardized and administered college-wide or individually developed by the faculty member.

504.4.1 Final Examinations
At the end of each term, a special final examination schedule is followed. Students may not be excused from taking a final examination which is required as part of a course.

504.4.2 Distance learning
Distance learning classes may have proctored exam requirements as determined by the instructor and specified in the course syllabus. EFSC students enrolled in on-line courses must take any proctored exams either on campus or at an instructor/college approved proctoring site. EFSC provides a secure testing environment at no charge for proctored tests related to EFSC courses.

504.4.3 Dual Enrollment
Dual enrollment instructors at high school campuses follow Brevard School District’s policy as it relates to testing. All final examinations provided at the high school will be reviewed and approved by EFSC faculty as defined by statute.

504.5 Grading Procedures
Grading procedures are identified in the faculty handbook. Faculty may be more restrictive than the EFSC procedure, but not less restrictive.
The College uses a 4.00 grading scale. Students are awarded letter grades for course work attempted. Performance grades awarded at the College are used in the computation of grade-point averages.

The grades and corresponding quality points:
- A = Excellent = 4 points
- B = Good = 3 points
- C = Satisfactory = 2 points
- D = Poor (lowest passing grade) = 1 point
- F = Failure (not passing) = 0 points

Non-performance grades are not included in the computation of grade-point averages.
Nonperformance grades are:
- W = Withdrawal
- W6 = Withdrawal called to military duty
- W7 = Withdrawn; Never Attended
- W8 = Withdrawn; Stopped Attending
- I = Incomplete
- N = Student progressed but did not achieve course objectives and must re-enroll (N grades are awarded only in College Developmental courses)
- S = Student satisfactorily completed course competencies and may progress to the next course, if appropriate
- AU = Audit
- U = Unsatisfactory

504.6 Credit and Audit
Courses at EFSC may be taken on a credit or audit basis. Audit registration allows a student to enroll in a course and participate in the learning activities therein without mandatory tests or exams and receive no college credit. The transcript will reflect a grade of AU. The fee for auditing a course is equal to the fee for credit registration. Audit courses may be changed to credit status only during the week of the designated add/drop time period. Credit status in a course may also be changed to audit status during the same time period. Vocational courses may be audited by permission of the instructor only. College developmental courses may not be audited.

504.7 Withdrawal
A student may choose to withdraw from any course without academic penalty (non-performance, withdrawal grade of `W`) by the established deadline published each semester. It is the student’s responsibility to complete a withdrawal form. The student will be permitted a maximum of two (2) withdrawals per course.

Upon the third attempt, the student WILL NOT be permitted to withdraw and will receive an earned grade for that course. Tuition refunds are not awarded for withdrawals.

Withdrawals can be initiated by the student, the instructor or proper college official upon request to the Admissions office. The grade of “W” will be assigned. Instructors will inform students immediately upon the determination that participation is absent and that satisfactory progress
cannot be achieved. After the last date to withdraw, the instructor may assign a grade of “F”; however, students may appeal to the instructor based upon extenuating circumstances. Any student who is reported as never attended a class will be withdrawn from the class, with a final grade of “W7 – Withdrawn; Never Attended.” A student who is reported as stopped participating will be withdrawn from the class, with a final grade of “W8 – Withdrawn; Stopped Attending.” Since this is a final grade it will appear on student’s transcript, and can be awarded by the instructor at any time during the term. A student who is withdrawn for never attending or stopped attending, resulting in a final grade of W7 or W8, may not subsequently withdraw from the class by submitting a Course Withdrawal Form.

The student may appeal to the instructor for reinstatement into the course. If the instructor determines that the student can still be successful in the course and agrees to reinstate the student, the instructor must e-mail the admissions and records office to reinstate the student, with the date student resumed attending class.

After the end of the term, the student must appeal to the Associate Provost or Dean to remove the W7 or W8. At this time it becomes a grade change. With appropriate documentation, the Associate Provost can determine on an individual basis if the W7 or W8 should be changed to W. If the Associate Provost determines that there is sufficient documentation to warrant the change, it must be documented on a Grade Change Form, and then forwarded through the Provost to the Office of the Registrar to update the student’s record.

504.8 Maximum Attempts per Course
A student may have only three attempts per course including the original grade, repeat grades and all withdrawals. A fourth attempt may be allowed only with approval of the Associate Provost based upon an appeals process which requires documenting major extenuating circumstances.

504.9 Dual Enrollment Students
Students may not enroll in the same course more than one time through dual enrollment unless the student meets the established criteria for re-taking the course for the purpose of grade forgiveness. Twelfth grade students may not register under dual enrollment for courses that conclude after their high school graduation. Dual enrollment students are not permitted to receive a final grade assigned of an “incomplete” unless extenuating circumstances are such that the High School Principal and the Associate Provost give approval.

504.10 Incomplete (I)
An “I-Incomplete” may be given in courses where the student has completed a minimum amount (75%) of the required course work by the end of the term and is unable to complete the remaining work due to extenuating circumstances. The student must make arrangements with the instructor to complete the work and to have the “I” changed to a grade by the instructor during the next full semester (summer term is not considered in this time limit). If no change is initiated during the next full semester, the “I” will convert to an “F” on the student’s permanent record.

At the instructor’s discretion, a grade of “I – Incomplete” may be given when a student is unable to complete the required coursework because of clearly documented extenuating circumstances; however, the student must have demonstrated through successful completion of at least 75% of the coursework that they have a reasonable chance of making a passing grade.
Instructors who award a grade of “I” must submit an *Incomplete Grade Form* (IGF) and provide a copy of the form to the student and department chair. The instructor must document on the IGF the work already completed during the term, as well as outstanding requirements, file the IGF with the department chair, and provide a copy to the student.

- A grade of “I” cannot be assigned to a course if the student drops or withdraws from the course.
- A grade of “I” does not satisfy the prerequisite need of subsequent courses.
- Students must make arrangements with the instructor to complete coursework for the removal of the grade of “I”.
- The coursework must be completed prior to the last class day in the next major term immediately following the initial course attempt.
- To process the grade change, the instructor will submit a *Grade Change Form* through appropriate channels prior to the last class day of the next major term (spring and fall).
- The “I” grade will convert to a grade of “F” on the permanent record if not removed by the last class day of the next major term (summer term is excluded).
- Instructors may not submit a *Grade Change Form* to change the converted “F” grade for work submitted after the deadline for the completion of coursework.
- Students may not re-enroll in a course in which they have an outstanding grade of “I”. Once the “I” has changed to a grade of “F” students MUST re-enroll in the course and use the grade forgiveness procedure.
- An “I” grade received in the term of graduation will be converted to an “F” for purposes of finalizing the student’s graduation if the course is not required.
- If the course is required for graduation, students who receive an “I” grade in the term they apply to graduate will have three weeks from the beginning of the next term to have the grade changed. After that time, students must reapply for graduation and pay the reapplication fee in the term they complete the work.

**504.11 Progress**

The “S”-Satisfactory’ grade is for those students who achieve satisfactory progress in the course and are ready to move to the next level. The “N”-Needs improvement grade is for those students who have progress, but has not achieved the course objectives. This grade permits the student to re-enroll in the developmental class without grade penalty.

**504.12 Final Grades**

At the end of the course, Instructors will record students’ letter grade for the course on the secure Web site. Using a log-on and personal identification number instructors will access his/her final class lists, enter the grades & submit the grades electronically by the published deadline. Grades for classes that are taught as “special sessions” are due by noon of the next business day.

**504.13 Change of Grade**

Grade changes must be documented on a Grade Change Form and by the instructor submitted to the Department Chair and the reasons must be provided for each change. Forms for grade changes may be found in each Department office. The Grade Change Form is then forwarded by the Department Chair to the Provost, then to Office of the Registrar. The student’s transcript will be changed. Grade Change Forms are not to be hand carried by the student.
504.14 Early Awarding of Grades
Students who are withdrawn for never attending or stopped attending classes are administrative given a final grade of “W7” or “W8” at the time they are reported. By exception, an instructor may choose to award a grade before the end of term. To do this, the instructor must complete and submit the “Grade Change” form, indicating a change from no grade to the final grade, through the appropriate channels. The Office of the Registrar will enter the final grade once the form is received.

504.15 Course Repetition (Forgiveness Policy)
A course in which the student has earned a grade of `C' or better may not be repeated for the purpose of raising the GPA. A course in which a student has earned a grade of `D' or `F' may be repeated. Only the last grade earned is included in the computation of the cumulative grade average at EFSC. A course may be counted only once toward meeting requirements for graduation, except where permitted by course description.

504.16 Service-Learning Field Studies Elective Credit

Overall Procedure
The College has established a clearly defined, comprehensive, and published mission statement that is specific to the College and appropriate for higher education. The mission addresses teaching and learning, and public service. (SACSCOC R 2.1)

The Center for Service-Learning and Civic Engagement (CSLCE) offers students an opportunity to take an additional elective credit hour of service-learning in specific courses. Service-learning is a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities.

504.16.1 Service-Learning Field Studies Elective Credit Process
At the beginning of each semester, participating instructors notify the CSLCE office of their intent to offer a service-learning field study elective credit. The CSLCE office creates the one credit field study for a specific class section with a prefix that is the same as the core course and the course number 2948. Instructors who teach honors courses also have an opportunity to offer these elective credits if the prefix is approved. Instructors are given a brief overview of the forms and process.

The elective credit course must be approved through the curriculum development process. If an instructor requests a new service-learning field study elective credit, the CSLCE and instructor work in conjunction to create the course and submit for approval (http://www.easternflorida.edu/faculty-staff/academic-affairs-council/curriculum-forms-instructions.cfm).

Service-learning field studies elective credits may supplement 1000-2000 level courses only and are applicable only toward college-credit degrees or certificates. They are not applicable to clock hour or bachelor’s programs.

The requirements for a service-learning field studies elective credit option are minimum of 20 hours of community service-learning, reflection seminar, service-learning contract, journal/essay or other reflection tools. Each instructor has the discretion to increase the community service-learning hours and require students to do service-learning hours within a specific field.
504.16.2 Student Registration Process
The CSLCE publishes a list of courses in various disciplines in which a participating instructor makes this option available each term. (Courses are listed on the College website and provided to student advisors; they are not listed in the regular Schedule of Classes.)

Students must be registered in the instructor’s core course in the term they plan to register for the service-learning elective credit. For example, an instructor offering a core class of PSY 2012 (3 credit course) could have an elective credit option as PSY 2948. Student must register for the elective credit as well as visit the CSLCE.

Students may earn up to three elective credits of service-learning field studies; however, credits are not repeatable within the same prefix. For example, a student cannot earn an elective credit for two courses that are under the PSY prefix.

NOTE: Students must adhere to the posted deadlines for registering, dropping and withdrawing from the service-learning field studies elective credit course. Students may not drop the course more than 3 days after registration. Students must register/drop this elective credit with an advisor, no on-line registration/drop is offered.

504.16.3 Purpose of CSLCE
The CSLCE provides assistance to students in finding organizations to do their service-learning hours and guidance on required forms needed to complete the elective credit hour process.

The CSLCE also provides service-learning experiences, incentives and opportunities not related to the service-learning field studies elective credit for all EFSC students.

The CSLCE monitors student registration to ensure students are compliant with procedures.
505 Responsiveness to Students

505.1 Accessibility
The faculty member is required to post the hours during which a student may approach his/her office to seek help. Office hours must be posted where accessible to students & listed on the course syllabus.

505.2 Referrals
Services offered by the College are available to students who are having academic problems and who discuss their situation with an individual faculty member. When an instructor determines that this is the case, the student should be referred to the appropriate offices where support services are offered. These offices are part of the Student Services of the College and include the Student Access for Improved Learning (SAIL), Academic Advising, Learning Labs, Veterans’ Programs and Student Support Services and EFSCares.

505.2.1 Student Access for Improved Learning (SAIL)
Each campus offers services for students with disabilities. Students, who choose to self-identify in order to take advantage of services provided by Student Access for Improved Learning (SAIL), may receive different types of accommodations, auxiliary aids, modifications and services. Students are responsible for providing documentation of their disabilities to Student Access for Improved Learning (SAIL) from a qualified diagnostician or health professional in the appropriate field. Accommodations are then determined by SAIL personnel and approved by the Director.

Support services may include academic advising, proctoring and administration of classroom tests, academic advisement, use of adaptive furniture and software, services of a sign language interpreter, assistance with course substitution and test waivers, and other services as needed.

All services are free, and information is kept confidential and cannot be released without permission from the student. SAIL also serves as a resource for faculty and staff. Personnel from the office will speak in SLS classes and others as requested, and will also speak at department meetings.

If an instructor has a question regarding the accommodations approved for a student, or would like information as to how to better serve a student with a specific disability, that instructor should contact the campus SAIL Access Specialist or SAIL Director.
505.2.2 Advisement Center
Each campus has an Academic Advisement Center where students may discuss academic
questions in confidence with an Advisor. The center also works with students in planning career
choices and other matters.

505.2.3 Learning Lab
Learning Labs have been established on each campus and are comprehensive resource
centers that provide academic support to students. Students exhibiting academic problems
should be referred to the Lab for assistance. A Learning Lab may offer the following: testing,
including placement, teacher make-up tests and online proctored examinations; computer
assisted instruction including mathematics and writing; vocational preparatory instruction for
certificate seeking students who need remediation; job placement and career exploration
including career interest assessment and free tutoring conducted by professional tutors.

505.2.4 Veterans’ Office
The Melbourne and Cocoa campus maintain an Office of Veterans’ Services to help veterans in
completing proper enrollment forms and to provide counseling and tutoring for veterans as
needed.

505.2.5 Student Support Services
Student Support Services offers personal, academic, career, and financial aid counseling, as
well as tutoring and study skills assistance to degree-seeking citizens who are low income
and/or first generation students (neither parent holds a bachelor’s degree) or are physically or
learning disabled. Services are provided without cost and are available at all campuses.

505.2.6 TRiO - Student Support Services
TRiO - Student Support Services offers personal, academic, career, and financial aid
counseling, as well as tutoring and study skills assistance to degree-seeking citizens who are
low income and/or first generation students (neither parent holds a bachelor’s degree) or are
physically or learning disabled. Services are provided without cost and are available at all
campuses.

505.2.7 EFSCares
Eastern Florida State College offers students a self-referral process for personal or emotional
issues that may affect the student’s academic progress. This is a free, confidential referral to
licensed professionals in the local community.
506 Institutionally-Related Faculty Imperatives

506.1 Class and Office Hours
Work schedules for instructors are to be reviewed by the appropriate Department Chair and Provost and then posted. These hours are part of the state mandated minimum for student contact. A work schedule should adhere to the Collective Bargaining Agreement and the following guidelines:

1. Faculty schedules should include the building and room number where on-campus hours will be met. If hours are met off-campus, faculty must provide a means of access.
2. A full time faculty member teaching as an adjunct will adhere to the additional office hours identified in the collective bargaining agreement.
3. Schedules for Library faculty members and counselors will account for their weekly hours according to the Collective Bargaining Agreement and will be approved by the Provost.

506.2 Professional Development
EFSC provides faculty members with opportunities for professional growth and development through staff and program development initiatives. Programs may include:

1. Extended Professional Leave
2. Tuition Reimbursement
3. On-Campus Workshops/In-service opportunities
4. Graduate-Level Courses
5. Distinguished Educator Award

506.3 Attendance Reporting
Faculty are expected to conduct initial attendance reporting as required by the college. The instructor’s attendance policy must be posted on his/her class syllabus.

The instructor’s decision concerning make up work is authoritative. The instructor may withdraw the student in case of lack of participation, or other performance issues.

506.4 Class Lists
Class lists can be accessed any time via the EFSC Web-site. The attendance and final grades lists will be open during designated times for attendance and final grade reporting.

506.5 Facility Maintenance
Faculty members are expected to maintain a policy of “no smoking, eating or drinking” in the classrooms, laboratories and in the Library. All college buildings are smoke free. If a faculty member encounters any hazard within the college property, the Office of Maintenance or Security should be notified immediately.
507 Copyright and Patent

The College has a responsibility to promote the legal and ethical use of copyrighted materials and patents and supports and encourages its employees to develop scholarly and creative works and educational materials and products. This intellectual property may be subject to copyright or patent and may generate royalty income. Such development may involve the use of college time and resources. In order to balance, protect, and define the respective rights of the College and its employees regarding intellectual property that may be subject to copyright or patent, the following procedure is established.

Copying, distributing, adapting or performing a work generally requires the permission of the copyright owner. However, the law balances the rights of the creator with the interests of society as a whole and provides exemptions for particular types of uses. It is impossible to document all possible situations, so the purpose of this procedure is to provide College personnel with guidance, references, and resources to access additional help.

507.1 Materials Subject to Copyright and Patent

The following types of published and unpublished materials may be subject to copyright and patent:

All written works, including books, journal articles, texts, glossaries, bibliographies, study guides, resource materials, laboratory and other manuals, syllabi, tests, and proposals which may include:

- Programmed instructional materials such as lectures, musical or drama compositions, and unpublished scripts, Films, filmstrips, charts, transparencies, and other visual aids and teaching devices
- Video and audio files or broadcasts
- Computer programs
- Pictorial, graphic, and sculptural works
- Other materials subject to the U.S. copyright laws and controls
- An invention or discovery of any new and useful process, machine, manufacture, or composition of matter, or any new or useful improvement thereof, may be patented.

The Technology Education and Copyright Harmonization (TEACH) Act modifies and clarifies the ways in which copyrighted material may be used without permission of the copyright owner. Faculty and Instructors (in this policy, all references to Faculty include Instructors) are protected under the TEACH Act only if they are in compliance with the requirements under the Act. Such requirements include:

1. The materials are lawfully made and acquired.
2. Faculty will not interfere with technological controls within the materials they want to use.
3. The materials are specifically for students enrolled in a class, and only those students will have access to the materials. The class is part of the regular offerings of EFSC.
4. The materials are directly related and of material assistance to the course, and under the control or actual supervision of the instructor.
5. Faculty will include a notice on the materials that the materials are protected by copyright.
6. Faculty will use technology that reasonably limits the students’ ability to retain or further distribute the materials.
7. Faculty will make the materials available to the students only for a period of time that is relevant to the context of a class session.
8. Faculty will store the materials on a secure server and transmit them only as permitted by this law.
9. Faculty will not make any copies other than the one needed to make the transmission.
10. The materials are of the proper type and amount the law authorizes: Entire performances of non-dramatic literary and musical works; Reasonable and limited parts of a dramatic literary, musical, or audiovisual works; Displays of other works, such as images, in amounts similar to typical displays in face-to-face teaching.
11. Materials specifically marketed for classroom use for digital distance education are NOT protected under the TEACH Act.

507.2 Exemptions Within Copyright Law
Copyright Law includes several provisions that, in certain cases, offer the public in general, and educators in particular, exceptions to the need to seek permission. Understanding and making appropriate use of these provisions can help to further the educational mission of the College.

Fair Use:

Fair Use is a legal doctrine found in 17 U.S.C., § 107 to provide exceptions to the owners’ exclusive rights “for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research.” Fair Use provides:

“In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

1. The purpose and character of the use, including whether such use is of a commercial nature, or is for nonprofit educational purposes.
2. The nature of the copyrighted work.
3. The amount and substantiality of the portion of the work used in relation to the work as a whole.
4. The effect of the use in question upon the potential market for, or value of, the copyrighted work.”


Faculty should use the checklist as a guide in the assessment of whether the educational resources they wish to use for academic purposes is protected by copyright or is subject to an exemption. The completed checklist should be forwarded to the copyright officer to be retained by the institution. The copyright officer can assist faculty in requesting permission to use
protected material when they have determined that an exemption does not exist and no other reasonable alternative for the educational material is available.

Questions about the copyright process should be directed to the copyright coordinator at EFSC. Questions about compliance with the law and the copyright policy should be directed to the office of the General Counsel at EFSC.

507.3 Determination of Rights
To determine the disposition of rights to copyrightable materials and patents developed by college employees, materials or patents will be assessed within the framework of the following four categories:

1. Independent Work: Rights to copyrightable material or patents that are generated as a result of individual initiative and not as a specific college assignment and with only incidental use of college facilities or resources shall reside solely with the author or inventor. These materials and patents shall include only those which the author or inventor could have developed even in the absence of employment at the college.

2. College Assisted Work: When the college provides partial support of an individual effort resulting in copyrightable material or a patent by contributing employee time, facilities, or other college resources, the college is entitled to share in the rights to ownership and disposition of these materials or patents and a sharing of all royalty income. Such partial support exists when the college employee could not have developed the material or patent in the absence of employment at the college. A written agreement to reimburse the College for institutional time or resources used in developing the work or a written Copyright/Patent Royalty Agreement of joint ownership shall be required and college personnel engaged in such efforts shall be responsible for contacting the President for execution of the Agreement before undertaking such college assisted activities.

3. College Initiated and Supported Work: Ownership of copyrightable material or a patent specifically developed as a result of specific assignment by the college or arising out of the duties for which the individual was specifically employed by the college shall reside with the College. Under appropriate circumstances, the College may share royalty income with the author or inventor upon agreement with the Board.

4. Sponsor Supported Work: College employees who produce copyrightable material or a patent under sponsor supported projects shall be governed by the specific terms and conditions of the sponsorship contract. In most instances, the agreement between the sponsor and the college vests title to the copyrightable material or patent in the College, with the sponsor retaining a royalty-free license for sponsor's use. In some instances, a domain is assigned to the College. Some grants or sponsorship programs specifically require that the author or inventor and the college must relinquish rights to the copyrighted material or patent created under the sponsored effort. College personnel are responsible for determining, in advance, the terms of sponsorship and executing a Copyright/Patent Royalty Agreement with the College or the sponsor.
507.4 Royalty income from copyrighted materials and patents shall be disbursed as follows:

1. Independent Work: Income derived from materials and patents produced from the individual initiative of college employees as defined above shall accrue solely to the author or inventor.

2. College Assisted Work: Income derived from individual efforts which are complemented by college employees and facilities or resources shall be distributed in accordance with a written agreement to reimburse the College for institutional time or resources used in developing the work or a written Copyright/Patent Royalty Agreement between the employee and the College. In the absence of a written agreement, the income shall be distributed thirty percent to the college and seventy percent to the author or inventor. The author or inventor shall be responsible for notifying the Vice President of engagement in any copyrightable effort and executing a written Copyright/Patent Royalty Agreement of joint ownership with the college before beginning any effort which results in the production of royalties. Failure to execute a written agreement with the college shall not, however, deprive the college of its rights to thirty percent of the royalties generated from all copyrightable material or patents.

3. College Initiated and Supported Work: Where copyrighted material or a patent is generated by a specific college assignment or as a result of labors for which the individual was employed, the college shall be the sole recipient of all income derived therefrom. In specific instances, where an exceptional individual-initiative product results and only after specific Board approval, the Board may share portions of income derived therefrom with the author or inventor. Such efforts shall be determined on a case-by-case basis.

4. Sponsor Supported Work: Income derived from sponsor supported work shall be disbursed in accordance with the specific terms of governing contractual or grant documents. The college and the author or inventor shall be governed by the conditions of the applicable grant or contract. Income derived from copyrighted material or patents shall be disbursed in accordance with stated college policies when the contract or grant document is silent as to disbursement of royalties or items of value.

507.5 Copyright/Patent Administration
The Vice President shall be responsible for the administration of copyright/patent procedures at Eastern Florida State College. His or her duties shall include the following:

1. Provide assistance and guidance as set forth in Florida Statutes, Section 1001.64 in obtaining a publisher for college personnel for all college assisted, college initiated and supported, and sponsor supported works or efforts that are subject to copyright or patent.

2. Recommend procedures to the President for the administration of the college's copyright and patent policies and Copyright/Patent Royalty Agreement.

3. Provide review of all programs expected to generate copyrightable materials and patents with support by the college or a sponsor in order to determine in advance the disposition of the material and income generated. The President, with approval of the Board and
the author or inventor, shall execute an agreement governing the determination of rights, disposition, and distribution of income prior to program commencement.

4. Recommend necessary changes to the college copyright and patent rule and procedure.

5. Register copyright/patent
   a. Independent Work - The author or inventor shall be responsible for registering the copyright or patent and paying all fees applicable thereto.
   b. College Assisted Work - Unless otherwise agreed, the College, pursuant to Florida Statutes, Section 1001.64, may register the copyright or patent and costs and fees shall be borne as follows:
      • College - 30%
      • Author - 70%
   c. College Initiated and Supported Work - The College may register the copyright or patent and pay all the fees.
   d. Sponsor Supported Work - This shall be negotiated in the Sponsorship Agreement.

507.6 Disclosure
College employees will inform the College of the development of copyrighted or patented work and of royalties received for the work.
### 508 Program Closing Procedure

A decision will occasionally be made to close programs affecting current or former students. When a program is recommended for closure by the faculty through the Academic Affairs Council (AAC), or upon approval by administration, the college is committed to providing an opportunity for students currently in the program to complete the program, or to provide students with the proper guidance to change majors. Students making adequate progress in the program who have maintained continuous enrollment and have the approved program as their declared major will be invited to an advisement session to create a plan for completion within the designated time frame. Continuous enrollment is defined as enrollment in at least one credit course in both the fall and spring terms each academic year.

The following steps will be taken to ensure students and staff are informed of the program closing and appropriately advised.

1. As part of the close-out process, the SACSCOC liaison and appropriate academic staff will determine how quickly the program must be completely closed, i.e. the last term for graduating students under the program major.
2. The Curriculum Specialist will notify SACSCOC liaison, the Registrar, the Director of Admissions and Advising, and the other administrators of the action.
3. A letter of program closure notification will be sent to SACSCOC by the liaison.
4. The Executive Director of Academic and Student Services will inform all student services staff of the program closure.
5. The Office of the Registrar will update Banner to stop any new students from declaring the major.
6. The Office of the Registrar will request a list of students who have the declared program major and share the data with the appropriate program specialist and program coordinator.
   a. To ensure all possible students are included, the list will be requested for students enrolled in the current and three previous major terms.
   b. If no program specialist or no program coordinator exists, the list will be provided to the Executive Director of Student and Academic Services, who will coordinate a plan to work with applicable students and staff to accomplish steps 7 through 9 outlined below.
7. The program specialist or program coordinator will do a degree audit on each student. The student data will be used for student letters, as an advising tool, and to determine the courses that must be offered to enable students to complete the program.
8. The program specialist will mail and email students informing them of the program closure and their options, including an invitation to an individual advisement session.
9. Individual advisement sessions will be offered to students on an appointment
basis and will cover the following issues:

a. Students will be advised about similar programs that may be appropriate for a major change.

b. Students will be given the option to change their major and the new major will be reflected on the Program Completion Contract form completed during the advisement session.

c. If the student opts to complete the closed degree, specific course substitutions will be identified, and a sequence of courses will be outlined to complete the program.
   i. The EFSC catalog that the student is following must be designated at the time the advising plan is developed.
   ii. Catalog term may not be more than five years old.

d. The student will be informed that active student status must be maintained.

Based on the data analysis, the response from the letters, and the advisement sessions, the college will develop a schedule of classes or suitable substitutions that will enable students to complete the program in a timely manner.

Students must apply for graduation and pay applicable graduation fees in the term they will complete the program.
509  Program, Credit Hour and Academic Year Definitions

Eastern Florida State College (EFSC) employs a number of strategies to ensure that
determination of the amount and level of credit awarded for courses follows sound academic
practice and promotes quality, regardless of the course delivery method.

1. All courses offered by the college are processed through the Florida State Common Course
   Numbering System (SCNS), which ensures that all courses offered under a given prefix and
   number are comparable across the state.

2. EFSC courses are developed and course numbers are assigned according to the tenets of
   State Board of Education Rule 6A-10.033, which delineates the level and amount of credit
   appropriate for all types of courses offered in the Florida postsecondary system.

3. College procedures place responsibility for the development of courses with the faculty
   members qualified in the given subject area. All credit courses offered by the college require
   advance review and approval by the EFSC Academic Affairs Council (AAC), using
   established criteria that specify college level breadth, depth, and rigor.

4. Offering a course in a non-traditional delivery method, including blended and text-based or
   online distance learning formats, requires advance approval by the AAC. The approval
   process includes a commitment that the non-traditional format of the course will conform to
   the learning objectives, assessments, topics, skills, content, and course quality controls
   applicable to the traditional version of the course.

The college is authorized to provide instruction and to confer degrees, certificates and diplomas,
as set forth in the Florida Board of Education Rules and Florida Statutes. Legal authority is
found in Florida Statutes 1001.64, 1004.03, 1004.68, FAC 6A-10.0242, 6A-10.033, 6A-10.038, 6A-14.030

509.1 Programs: Instruction and Award
The College is authorized to provide instruction and to confer degrees, certificates, and
diplomas only as prescribed herein. Any degree program, certificate, or diploma program offered
at a College shall be offered at the established standard credit hour length. Revisions to the
standard credit hour lengths and the lengths of new programs added to the Statewide Program
Inventory list must be approved by the Division of Florida Colleges.

Bachelor of Applied Science Degree (BAS) The College will provide courses in a four-
year degree designed to accommodate the unique demands for entry and advancement
within specific workforce sectors. The programs will be comprised of 120 hours, 60 of which
are obtained from the student’s associate degree; 21 hours in a technical concentration, and
39 undergraduate level courses in the core and specialization. The courses shall be based in theory and of sufficient complexity, rigor, and theory to be undergraduate level. The B.A.S. degree shall be awarded upon satisfactory completion of a planned program of study comprised of the standard credit hour length established, including demonstration of the attainment of predetermined and specified performance requirements, and subject to law and rule.

**Associate in Science Degree (AS)** The College shall provide programs of instruction consisting of college-level courses to prepare for entry into employment. The courses shall be based in theory and of sufficient complexity, rigor, and theory to be college level. Satisfactory completion of courses within the programs shall be recognized by the award of units of measure called college credit. The associate in science degree shall be awarded upon satisfactory completion of a planned program of study comprised of the standard credit hour length established, including demonstration of the attainment of predetermined and specified performance requirements, and subject to law and rule.

**Advanced Technical Certificate (ATC)** The College shall provide programs of instruction consisting of a course of study that is an advanced, specialized preparation in a particular career field where advanced training is needed. Courses are college credit. The ATC will be awarded upon completion of all requirements.

**Applied Technology Diploma (ATD)** The College shall provide programs of instruction consisting of a course of study that is part of an associate in science degree (A.S.) or an associate in applied science degree (A.A.S.), is less than sixty (60) credit hours, and leads to employment in a specific occupation. A diploma may be awarded to students who have met the requirements. An applied technology diploma program may consist of either technical credit or college credit.

**College Credit Certificate (CCC)**. Certificate programs of instruction which consist of less than sixty (60) credits of college-level courses, which are part of an associate in science degree (A.S.) or an associate in applied science degree (A.A.S.) program, and which prepare students for entry into employment, are offered in the State of Florida. Upon satisfactory completion of the requirements, the college shall award a College Credit Certificate.

**Career and Technical Certificate - Postsecondary Adult Vocational Certificate (PSAV)**. The college shall provide programs of instruction consisting of vocational and/or college credit courses to prepare for entry into employment. The non-college level courses shall be classified in the Community College Management Information System as postsecondary adult career and technical courses. Satisfactory completion of courses within the programs shall be recognized by the award of units of measure called technical credit. Upon satisfactory completion of a planned program, including the demonstration of the attainment of predetermined and specified performance requirements, and subject to law and rule, the career and technical certificate shall be awarded.

**Continuing Workforce Education, Lifelong Learning, Recreational and Leisure Time Instruction**. The College shall address the needs of the community by providing continuing education instruction tailored to individual needs and designed to improve job performance; instructional activities to address social and economic issues related to health and human relations, government, parenting, consumer economics, and senior citizens; and
instructional activities to develop recreational or leisure time skills. These activities will be classified as noncredit.

509.2 Credit Definitions

**Credit.** Credit is a unit of measure assigned to courses or course equivalent learning. Credit is awarded if the learning activity it represents is part of, or preparatory for, an organized and specified program leading to a postsecondary certificate or degree. Credit is a device which indicates to the learner, to educational institutions, to employers, and to others how much of the program the learner has completed. The College offers the following types of credit:

**College Credit.** College Credit is the type of credit assigned to courses or course equivalent learning that is part of an organized and specified program leading to a graduate, baccalaureate, or associate degree. One college credit is based on the learning outcomes expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction. It is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester hour of credit or the equivalent amount of work over a different amount of time, or at least an equivalent amount of work for other academic activities, including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

**Career Credit (Vocational Credit).** Career credit is a type of credit assigned to courses or course equivalent learning that is part of an organized and specified vocational degree or certificate program that is also measured in clock hours. According to the U.S. Department of Education, one semester credit hour is equal to at least 37.5 clock hours of instruction, including a minimum of 30 clock hours of classroom or direct faculty instruction. The remaining 7.5 clock hours may include acceptable and documented student work outside of class and/or instructional hours.

**Developmental Education Credit.** Developmental education credit is based on the learning expected from the equivalent of fifteen (15) fifty-minute periods of classroom instruction, with credit for such things as laboratory instruction and individualized study determined by the college based on the proportion of direct instruction to the laboratory exercise or individualized program. College preparatory courses provide competency-based instruction to develop college entry skills in communication and computation.

**Noncredit.** Noncredit is a term indicating that credit is not awarded. It applies to the instructional classifications of noncredit continuing education. The unit of measure is hours of instruction.

**Undergraduate Credit.** is the equivalent of College Credit, but is 3000 or 4000 level coursework that is part of the BAS degree.

509.3 Academic Year

For a program that measures progress in credit hours, the academic year will include at least 24 semester credit hours and a minimum of 30 weeks of instructional time. In general, a week of instructional time is defined as any consecutive seven-day period in which at least one day of regularly scheduled instruction occurs.
For a program that measures progress in clock hours, the academic year will have at least 900 clock hours and a minimum of 26 weeks of instructional time. Each program will be reviewed by financial aid for actual instructional time and federal funding eligibility.

Also refer to Procedure 406, Credit Hours and Procedure 425, Degrees, Certificates and Completion Standards.
510 Course Inventory and Maintenance

The College will follow the guidelines for maintaining the course inventory as outlined in Florida Statute 1007.24 - Statewide course numbering system. All courses offered by the college are processed through the Florida State Course Numbering System (SCNS), which ensures that all courses offered under a given prefix and number are comparable across the state.

EFSC courses are developed and course numbers are assigned according to the tenets of State Board of Education Rule 6A-10.033, which delineates the level and amount of credit appropriate for all types of courses offered in the Florida postsecondary system.

The College will also adhere to the guidelines for awarding transfer credit for courses from other postsecondary institutions that participate in the Florida SCNS.

To enable easy access to course information, current and archived course plans are housed in the Electronic Course Plan Repository (eCPR) on the college website. This is accessible to both the public and staff.

510.1 Procedures for the Purge of Courses
Per SB Rule 6A-10.0331 - Deletion of courses from catalogs and common course designation and numbering system, the college has implemented the following procedures that are completed each academic year or as required by the Florida SCNS:

1. The Institutional Liaison to the Florida SCNS requests a list of courses not taught for five years.
2. The list of courses is distributed to the Campus Provosts, applicable faculty members, workforce directors, and the Vice President for Academic Affairs and Chief Learning Officer for review, with a deadline for responding to the liaison.
3. If a reviewer wants to retain a course, they must submit a request in writing to the liaison. Request must include the reason and the term in which course will next be offered.
4. The liaison will send the final list of courses to be purged to the Florida SCNS for deletion. These courses are then closed out in the college course inventory data bank and will no longer be active in the catalog.
5. The liaison will inform the Vice President for Academic Affairs and Chief Learning Officer when the purge is complete. The liaison will also inform EFSC faculty and staff that courses have been purged.
6. The Vice President for Academic Affairs and Chief Learning Officer will certify to the President that the purge has been completed.
7. The President will certify to the Board of Trustees that the College has complied with the law.
511 Textbook Affordability and Instructional Materials

The adoption of textbooks and other instructional materials will comply with Florida Statute 1004.85, State Board of Education Rule 6A-14.092 and any other applicable state and federal laws.

1. No employee of Eastern Florida State College may demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value present or promised, in exchange for requiring students purchase a specific textbook for coursework or instruction.

2. An Eastern Florida State College employee may receive:
   a) Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation.
   b) Royalties or other compensation from sales of textbooks that include the instructor’s own writing or work.
   c) Honoraria for academic peer review of course materials.
   d) Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks pursuant to guidelines adopted by the State Board of Education or the Board of Governors.
   e) Training in the use of course materials and learning technologies

3. In compliance with Florida Statute 1004.85, Eastern Florida State College posts, on the web site via the Bookstore at least 45 days prior to the first day of class for each term, a list of each textbook required for each course offered at the institution during the upcoming term. This posted list will include the International Standard Book Number (ISBN) for each required textbook or other identifying information, the title, all authors listed, publishers, edition number, copyright date, and published date. Information for classes added after the 30 day notification deadline will be posted on the website as soon as the information becomes available.

4. The College shall ensure that:
   a) Textbook adoptions are made at least 45 days prior to the first day of class for each term to allow sufficient lead time for the bookstore to confirm availability of the requested material and, where possible, ensure maximum availability of used books.
   b) Before the adoption of textbooks is finalized the course instructor or academic department offering the course confirms that all items ordered will be used, particularly each individual item sold as part of a bundled package.
   c) Before the adoption of textbooks is finalized the course instructor or academic department offering the course confirms the extent to which a new edition differs significantly and substantively from earlier versions and the value of changing to a new edition or the extent to which an open-access textbook may exist and be used.
d) Faculty and academic departments are encouraged to participate in the development, adaptation, and review of open-access textbooks, and in particular, open access textbooks for high-demand general education courses.
601 Use of College Facilities

The College reserves its buildings, grounds, and equipment (collectively, “facilities”) for those activities that are related to its broad educational mission. On occasion, College facilities may be made available to the community for use in a manner consistent with the College’s mission. The purpose of this procedure is to establish reasonable controls for the use of College facilities by non-College affiliated individuals and organizations.

The primary purpose of College facilities is to serve the instructional programs and activities of the College. However, the facilities, when not required for College use, may be available for use in accordance with the College’s current fee schedules and other relevant terms and conditions. College facilities may not be used unless the facilities have been duly reserved and confirmed in writing in advance.

Primary consideration shall be given to requests that specifically relate to or advance the College’s mission, and no arrangements shall be made that interfere with or operate to the detriment of the College or its educational programs and activities. In addition, facilities use requests shall be reviewed and permitted in the following order of priority:

1. Use by the College for instruction and its programs and activities.
2. Use by community public educational institutions.
3. Use by community governmental institutions.
4. Use by community not-for-profit organizations.
5. Use by others.

601.1 Requests for Use of College Facilities

Requests for use of College facilities must be initiated in writing through the designated event scheduler’s office (which is currently located in the Melbourne Campus Provost’s Office), who shall be deemed the designee and agent of the College for consummating use agreements. Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to ensure the proper maintenance and security for the requested use.

Requestors shall complete the College’s “Community Campus Event Form” and submit it to the designated event scheduler. Once completed and submitted, the form will be reviewed by the applicable Campus Provost; and if recommended for approval, shall then be reviewed and require the approval of the Chief of Security, the Vice Presidents, legal counsel, and the College President (if alcohol is being requested).
601.1.1 General Conditions for Use of College Facilities

1. Users of College facilities shall comply at all times with all use agreement terms, directives of College officials, College procedures and policies, including without limitation College Procedure 606 titled “Free Speech and Expression on College Property,” and state and federal law.

2. Users of College facilities shall agree in advance to abide by all local, state, and federal laws, rules, and regulations, and all College policies and procedures.

3. Use of College facilities shall not: (i) invade the rights of others to be secure and let alone, or be reasonably foreseen to do so; (ii) materially disrupt or cause substantial disorder to the College’s educational environment, or be reasonably foreseen to do so; or (iii) cause an undue burden on College staff or resources, or be reasonably foreseen to do so; or (iv) pose an undue security or liability risk to the College, or be reasonably foreseen to do so.

4. Requests from individuals or organizations (or their affiliates) who have previously used College facilities, and: (i) caused damage or injury to person(s) or property; (ii) failed or refused to obey applicable laws or College policies, procedures, or regulations; (iii) failed or refused to pay required fees or other charges or honor any legal obligations; and/or (iv) otherwise failed or refused to cooperate with College officials and/or other lawful authorities shall be denied.

5. No person may enter onto College property possessing a firearm or other weapon, except specifically as allowed by law or College policy or procedure.

6. Fees will be charged in accordance with the rates available from the designated event scheduler. The College reserves the right to make pricing changes without prior written notice.

7. Alcoholic beverages are prohibited on College property unless approved in advance by the College President. For alcohol-approved events, the user shall be responsible for obtaining necessary licenses, adequate staffing and supervision, and liquor-liability insurance coverage naming the College as an additional insured.

8. Smoking is prohibited on College property except in designated smoking areas.

9. Users of College facilities may not use the name of the College, nor its photos, likenesses, logos, or trade or service marks in any advertisements or promotional materials, in any form or medium, without the express written advance consent of the College.

10. Audio-visual equipment and materials are intended to support and supplement the College’s curriculum. The existence of equipment in College facilities does not mean the user has the right to use it. Further, the College reserves the right to have trained College staff operate any and all technical equipment at the user’s expense. Rates and fees for use of facilities are available from the designated event scheduler.
11. Funeral services are prohibited on College property. A funeral service is a ceremony that takes place with the body of the deceased present, or the cremated remains. A memorial service without the body or cremated remains present may be permitted.

12. The College may require users to provide security and/or pay security-related expenses, including but not limited to reimbursement for the services of College security personnel, as determined by the College to be reasonably necessary and appropriate for the requested use at the College’s sole and absolute discretion.

13. When using College facilities, an individual or organization may be required to make an advance deposit, post a bond and/or obtain insurance to protect the College against cost or other liability.

14. When the College grants permission to an individual or organization to use its facilities, it is with the expressed understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the College against any loss or damage claim arising out of such use.

15. Authorization for use of College facilities shall not be considered an endorsement of or approval of any individual or organization using the facility nor the purposes they represent.

601.1.2 College Retained Rights
Notwithstanding any provision of this Procedure to the contrary, the College President (or their designee), may at any time restrict, prohibit, or terminate any use of College facilities that violates, or is reasonably foreseen to violate, any term of this or any other College Procedure or any local, state or federal law, and the College President (or their designee) may restrict, prohibit, or remove any individual(s) or organization(s) in those circumstances.

The College President (or their designee) reserves the right at any time to assess reasonable costs against any individual(s) or organization(s) that use College facilities for any security-related expenses incident to such activities, including but not limited to reimbursement for any extraordinary services of College security personnel, as determined by the College President (or their designee) to be reasonably necessary and appropriate at the College President’s (or their designee’s) sole and absolute discretion.

The College President (or their designee) may limit, deny, terminate, cancel, or prohibit facilities use at any time in case of an emergency or other situation beyond the control of the College, or if imminent danger exists or unlawful activity is practiced by the user, or if there is any violation of any term, condition, or provision of any applicable use agreement, College policy or procedure or state or federal law.

The College President (or their designee) may enlist the assistance of the College’s Security Department and/or law enforcement personnel to effect compliance with any provision of this or any other College Procedure or any local, state or federal law.
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602 College Information

602.1 Publications
Printing and Graphics Services is responsible for the design and layout of all college publications such as the catalog, class schedules, newsletters, brochures and fliers and provides faculty support through word processing preparation of tests, syllabi and handouts.

602.1.1 College Letterhead
Eastern Florida State College letterhead may be used only by College employees for College-related business. Care must be taken to ensure that correspondence printed on College letterhead not be construed as an endorsement by the College or imply College support for a personal viewpoint, unless approved in advance by an appropriate administrator. College letterhead may be used for student letters of recommendation/reference with approval of the Vice President for Academic and Student Affairs/CLO. See also Section 310.2 (Reference Requests); Section 603.2 (Endorsements).

602.2 College Records
The College maintains its records in accordance with federal and state of Florida laws and regulations. The general records schedules established by the Department of State are used to ensure retention periods and the scheduling and disposition of records follow established guidelines. The College records retention schedule is published on the intranet and is maintained by a committee comprised of representatives from all administrative areas and faculty.

602.2.1 Public Record Requests
1. Inspection or Copying of Public Records. Inspection or copying of public records under Florida’s Public Records Act, Chapter 119, Florida Statutes, may be permitted at reasonable times, under reasonable conditions, and under the supervision of the custodian of public records. In order to ensure that the College’s obligations under the law are met, and that any exempt or confidential material is protected from disclosure, all public record requests must be directed to the College’s designated custodian of public records identified in Section 2 below.

2. Custodian of Public Records. The term “Custodian of Public Records” includes multiple employees at the College. Accordingly, the Office of Human Resources is the College’s designee to permit the inspection and copying of public records. Any requests, questions, or complaints regarding public records should be directed to:
3. **Employees Receiving a Public Record Request.** While public record requests should be directed to the designated custodian identified in Section 2, various College employees may encounter persons seeking to make a public records request. In that event, the employee should take the request and immediately notify the Office of Human Resources. There is no particular format required for a public records request; it may be made orally or in writing. An employee receiving a request may ask that the requestor put their request in writing for the sake of clarity, but may not require it. In addition, the requestor may not be required to fill out any forms, provide identification, or explain the purpose or reason for the request. However, an employee should not provide the requestor any records on the spot. All public record requests must be directed to the Office of Human Resources. If the requestor demands on the spot inspection or copying of records, the employee should:

- Remain calm and polite.
- Tell the requestor that the employee is not the custodian of public records.
- Acknowledge receipt of the public records request, but offer no specific indication of whether, how, or when the records will be made available.
- Write down the requested records if the request is made orally.
- Ask how the requestor would like to be contacted in response to the request.
- Immediately notify the Office of Human Resources at the conclusion of the exchange.

4. **Responding to a Public Records Request.** The Office of Human Resources is responsible for coordinating the College’s response to public record requests. Each request will be acknowledged and processed in good faith within a reasonable period of time after receiving a request. What constitutes a reasonable period of time depends on the circumstances surrounding the request, including the nature of the request, the size of the request, the likely quantity of records to be produced, whether extensive use of information technology resources or clerical services are required, and the timing of the request (i.e., whether holidays intervene). Notwithstanding the above, there is no requirement under Florida law for the College to do any of the following in response to a public records request:

- Create a new record;
- Provide the record in the format requested;
- Meet the requestor’s timetable;
- Provide information in the records; or
- Explain the records or any information in the records.

5. **Public Record Exemptions.** State and federal laws exempt certain types of public records, or portions thereof, from disclosure under Florida’s public records law. Exemptions that frequently apply to College records include, but are not limited to:
• Certain personnel records (1012.81, F.S.);
• Student education records, as defined in the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g, and the federal regulations issued pursuant thereto, including records directly related to an applicant for admission who has not been in attendance at the College (1006.52, F.S.);
• Social security numbers (119.071(4)(a), F.S.);
• Financial account numbers (119.071(5)(b), F.S.);
• Medical information pertaining to a prospective, current, or former officer or employee which, if disclosed, would identify that officer or employee (119.071(4)(b), F.S.);
• Biometric identification information including fingerprints (119.071(5)(g), F.S.);
• Personal information and photographs of active or former law enforcement officers, judges, firefighters, and other designated officers and employees or their families (119.071(4)(d), F.S.);
• Complaints and other records relating to alleged discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or marital status in connection with hiring practices, position classifications, salary, benefits, discipline, discharge, employee performance, evaluation, or other related activities until a finding is made relating to probable cause, the investigation of the complaint becomes inactive, or the complaint or other record is made part of the official record of any hearing or court proceeding (119.071(2)(g), F.S.);
• Records maintained during the course of an investigation of an employee’s misconduct while the investigation is in process (119.071(2)(k), F.S.);
• Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building owned or operated by the College (119.071(3)(b), F.S.);
• Campus emergency response plan records (1004.0962, F.S.);
• All direct support organization records: the auditor's report, any information necessary for the auditor's report, any information related to the expenditure of funds, and any supplemental data requested by the board of trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability (1004.70(6), F.S.); and
• Sealed bids or proposals until such time as the College provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier. If the College rejects all bids, proposals, or replies submitted in response to a competitive solicitation and the College concurrently provides notice of intent to reissue the competitive solicitation, the rejected bids, proposals, or replies remain exempt until such time as the College provides notice of an intended decision concerning the reissued competitive solicitation or until the agency withdraws the reissued competitive solicitation. A bid, proposal, or reply is not exempt for longer than 12 months after the initial College notice rejecting all bids, proposals, or replies (119.071(1)(b), F.S.).

Documents that are exempt from the public records law will not be produced. Documents that are public records but contain exempt or confidential information will be produced only after removing the exempt or confidential information, unless the exempt or confidential information in the document is so extensive that removal is not feasible.

6. **Copying Charges.** If the requestor has asked for copies, the College may charge the following:
- $0.15 per one-sided copy (not more than 8.5 x 14).
- $0.20 per two-sided copy.
- $1.00 for a certified copy.
- For all other copies, the actual cost of duplication.

All charges must be collected before producing the requested copies.

7. **Special Service Charges.** A special service charge will be imposed if the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel, or both. For this section, the following definitions apply:

- The term "extensive" means more than 15 minutes (from the time a request is received by the Office of Human Resources).
- The term “use of information technology resources” includes, but is not limited to, the setup and implementation of any information technology resources.
- The term “clerical or supervisory assistance” includes, but is not limited to, determining whether a requested record exists, searching for and/or locating a requested record, determining whether a requested record is exempt from disclosure, reviewing for exempt or confidential information, removing exempt or confidential information, coordinating and supervising inspection, copying, re-filing, and delivering a requested record.

The College will determine which personnel are appropriate to provide clerical or supervisory assistance in responding to an extensive request. The special service charge will be computed to the nearest quarter of an hour exceeding 15 minutes based on the cost of wages and benefits of the personnel who, in the discretion of the College, have the necessary skill and training to respond to the request. If multiple departments or personnel are involved, the special service charge will be based on the aggregate amount of time spent by all involved personnel. The special service charge shall be in addition to any copying charges as provided in section 6, and will be assessed regardless of whether any copies are requested or made. If requested materials are to be delivered, the actual cost of delivery including packaging may be charged in addition to the other charges indicated above.

The requestor shall be required to pay any estimated special service charges, as determined by the College, prior to personnel rendering such services. The College will refund to the requestor any monies deposited with the College in excess of the actual costs incurred to fulfill a request, or, in the alternative, the requestor shall be required to remit additional monies to pay for any costs in excess of the deposit. In the event the requestor fails to remit additional monies to cover costs in excess of the monies deposited, the College shall withhold releasing any public records identified pursuant to that request until those amounts are paid in full.

602.3 **Sensitive Information**
Any college office that receives a request for information that might be considered sensitive should inform the Office of the Vice President, Academic Affairs / CLO of the nature of the request and the name of the individual or group asking for the information.

602.4 **Community Surveys**
All community needs assessments, polls, studies or surveys proposed by any college office must be authorized by and coordinated through the Office of Planning and Assessment.
602.5 Open Bulletin Boards
“Open” bulletin boards are located throughout each campus of the college, and are designated for public use by any individual or organization within the college or from the community. College authorization is not required for these postings and college sanction is not implied. Material posted must not violate accepted college standards of decency.

602.6 Public Forums

602.6.1 Colleges are considered public forums and as such hold freedom of speech as a critical value. College officials may determine where literature may be posted as long as it is not clearly “isolating” that posting. College officials may restrict where items are posted as long as the college provides a public board that is clearly visible. Non-students or organizations wishing to post materials at EFSC campuses or centers should first contact the Associate Provost at least two days prior to the posting or distribution. The Associate Provost will review and indicate which bulletin boards or areas are available for public distribution of literature.

602.6.2. Individuals distributing literature cannot disrupt any person or the educational processes of the institution as determined by the campus Associate Provost. College officials may stop the posting or distribution of literature materials if it:
- Disrupts the operation of the campus
- Presents a clear and present danger to persons or property
- Defaces or destroys student, employee or campus property
- Constitutes harassing, stalking or forcing literature on any person
- Is a violation of any federal, state, or local law or
- Is clearly littering the campus
603 Solicitations

603.1 Outside agents, solicitors or salespersons
Outside agents, solicitors or salespersons desiring to contact any employee or student of the college will do so as follows:

• Those interested in serving the personal needs of the employees (insurance, annuity, or similar representatives) must contact the Associate Vice President of Human Resources (Cocoa Campus). To avoid interference with employee duties, permission for on-campus solicitation in person, by telephone or mail shall not normally be granted.
• Those interested in providing goods or services to the college must contact the administrator for the finance department.
• Those desiring to set up temporary retail operations or to solicit students to act as agents must contact the administrator for the finance department.

The Associate Vice President will review the request and recommend approval or disapproval to the Provost, who will give final authorization. Distribution of literature or other solicitation materials to employees is prohibited within the work area.

603.2 Endorsements
College employees and students will not endorse a product in a manner which implies an official endorsement by the college. Non-students/non-student organizations may not use college facilities to distribute or offer merchandise for sale, nor may they offer “free” products or services whose use may generate a profit or monetary gain unless it directly benefits the college in some manner and has been specifically authorized by the President or designee.

603.3 Use of Sponsored Materials
1. Materials with an identifiable sponsor may be accepted for college or classroom use provided that the following criteria are met:
   • The material fulfills a legitimate purpose within a curricular area or directly benefits the college in some manner;
   • The material does not violate the ideals or moral standards of the college or the community.
2. No materials from sponsored sources outside of the college will be distributed to homes via students without prior approval of the President or designee.
604 Direct-Support Organizations

604.1 Provision
Direct-support organizations may be established with either or both of the following goals:

• To provide financial support to facilitate the college’s delivery of a quality educational product to its students and to the community
• To support the college mission to serve the community

Direct-support organizations are authorized to use college property, facilities, and personal services of the college staff, subject to college policies and procedures.

604.2 State-Mandated Audit
Each direct-support organization must arrange for an independent certified public accountant to carry out an annual audit of its financial statements as required by Florida Statute 1010.34.

The audit report should stipulate whether the organization has satisfied statutory requirements. The audit is not intended to reflect the opinion of the certified public accountant on the aspects of the work performed. The college may have an appropriate auditor conduct periodic examinations of the records and practices of the organizations when directed to do so by the President.

604.3 Certification
Each direct-support organization is annually required to re-certify in writing that it is in compliance with the state-mandated audit and to submit a copy of the current charter and by-laws to the Board no later than the October Board of Trustees meeting.
605  Fund Raising

Student organizations may hold small fund-raising drives such as bake sales or door prizes with the approval of the Associate Provost. Faculty and staff may hold small fund-raising drives with the approval of the Provost or appropriate district supervisor. In any instance where the general public will be canvassed to purchase items or solicited for money, prior approval of the President or designee must be obtained through the Associate Provost or the Provost.

605.1 Major Fund Raising Events Calendar
The Foundation Director will maintain a calendar for major fund raising events by Eastern Florida State College or Direct Support Organizations.

605.2 Sponsorship
College solicitation of advertising from the public will be limited to that which provides support for student newspapers, performing arts presentations, college annuals, the college Foundation and college athletics. For campus publications, the Provost will determine the need for and give approval of such solicitation prior to the commencement of the activity. The appropriate district administrative office will approve publications by the King Center for the Performing Arts and district administration. The television station will coordinate underwriting for WEFSC-TV.
606 Free Speech and Expression on College Property

The College recognizes the constitutional rights of students, faculty, staff, and others to engage in the lawful expression of their views and to assemble peacefully. Individuals and organizations may use the outdoor areas of the College’s campuses to engage in lawful expressive activity subject to the provisions set forth herein.

For the purposes of this Procedure, the term “expressive activity” includes any constitutionally protected oral or written communication of ideas, including all lawful forms of peaceful assembly, protests, and speeches, distribution of literature, carrying of signs, circulating petitions, and the recording and publication, including the Internet publication, of video or audio recorded in outdoor areas of campus.

The term “expressive activity” does not include an oral or written communication or conduct that:
(i) invades the rights of others to be secure and let alone, or is reasonably foreseen to do so; (ii) materially disrupts the College’s educational environment, or is reasonably foreseen to do so; (iii) causes substantial disorder to the College’s educational environment, or is reasonably foreseen to do so; or (iv) any form of commercial speech (all forms of commercial speech activity on College property must be approved in advance in accordance with Section 601).

The use of College property for expressive activity shall not be considered an endorsement or approval of such expressive activity by the College. In addition, expressive activity must be consistent with all College policies and procedures, and state and federal laws, including but not limited to, §871.01, §877.13, §1004.097, §1006.61, and §1012.80, Florida Statutes.

606.1 Definitions
For purposes of this procedure, the following definitions shall apply:

1. **Commercial speech** means speech in which the individual is engaged in commerce, the intended audience is commercial or actual or potential consumers, and the content of the message is commercial.

2. **Free-speech zone** means an outdoor area of campus that is designated for the purpose of engaging in expressive activity.

3. **Material and substantial disruption** means any conduct that intentionally and significantly hinders another person’s or group’s expressive rights. The term does not include conduct that is protected under the First Amendment to the United States Constitution and Art. I of the State Constitution, including, but not limited to, lawful
protests and counter-protests in the outdoor areas of campus or minor, brief, or fleeting nonviolent disruptions that are isolated or brief in duration.

4. *Outdoor areas of campus* means the generally accessible outdoor areas on any of the College’s four (4) main campuses (Cocoa, Melbourne, Palm Bay, and Titusville) in which members of the College community are commonly allowed, including grassy areas, walkways, or other similar common areas. The term does not include outdoor areas of a campus to which access is restricted (including athletic facilities), nor does it include the outdoor areas of any other non-campus buildings or property owned or controlled by the College, including but not limited to the Fred Gay Golf Academy, Orlando Melbourne International Airport hangar, firearms training complex, and various lab schools.

### 606.2 General Regulations

The public character of the College does not grant an unlimited license to engage in expressive activity that causes material and substantial disruption to the functioning of the College, infringes upon the rights of other individuals or organizations to engage in expressive activity, or contains or amounts to commercial speech. The purpose of these regulations is to establish reasonable time, place, and manner controls for expressive activity in outdoor areas of the College’s campuses. This section is intended to balance the College's responsibility to fulfill its educational mission as a state educational institution with the interests of those who wish to use outdoor areas of campuses for expressive activity.

Subject to all other provisions set forth in this procedure, a person or organization that wishes to engage in lawful expressive activity in outdoor areas of campus may do so freely, spontaneously, and contemporaneously, subject to the following:

1. Expressive activity must comply with all local, state, and federal laws and regulations, and College policies and procedures.

2. Expressive activity is prohibited within the interior portion of any buildings, structures, or facilities owned or controlled by the College, unless specifically permitted in writing by the College authority responsible for the building/structure/facility. This regulation is not intended to restrict the oral or written communication of ideas lawfully made in the context of the College’s educational programs and activities, such as a classroom discussion of ideas.

3. Expressive activity must not materially disrupt, or cause substantial disorder to, the normal operations of the College or its educational environment, either inside or outside any College building, structure, or facility, or be reasonably foreseen to do so.

4. Expressive activity must not invade the rights of others to be secure and let alone, or be reasonably foreseen to do so.

5. Expressive activity must not result in any damage, destruction, defacement, or misuse of College property.
6. Expressive activity must not contain or amount to any form of commercial speech.

7. Expressive activity must only occur during the College's regular business hours (8:00 a.m. to 10:00 p.m., Monday-Thursday, excluding College holidays and breaks), and shall not last longer than eight (8) hours from beginning to end on any given occasion. Exceptions may be approved by College officials on a case-by-case and content-neutral basis.

8. Expressive activity must not materially obstruct vehicular, bicycle, pedestrian or other traffic, or otherwise interfere with ingress or egress to and from the College, College buildings or facilities, or College programs, activities, or events, or be reasonably foreseen to do so.

9. Expressive activity is prohibited on or within any body of water located on or adjacent to any College property.

10. Expressive activity is prohibited within 200 feet of any child-care facility, elementary school, middle school, or high school located on or adjacent to any College property.

11. Expressive activity must not include the placement or affixing of signs, banners, flags, symbols, emblems, logos, placards, or other similar objects on or to College buildings, vehicles, walls, fences, trees, or other College property.

12. Expressive activity, including without limitation the chalking of sidewalks or display or distribution of materials, must not include an oral or written communication that is, or reasonably foreseen to be: (i) obscene or lewd; (ii) defamatory; (iii) inciting of violence or substantial disorder; (iv) harassing; (v) commercial in nature; or (vi) any other form of unlawful speech or conduct.

13. Expressive activity must not include littering, and any space used must be cleaned up and left in its original condition by those engaging in the expressive activity. Any space used may be inspected by College officials, and reasonable charges may be assessed against any responsible individual(s) or organization(s) for the costs of clean-up or for the repair of damaged property.

14. Expressive activity must comply with all fire, safety, sanitation, or special regulations applicable to expressive activity.

15. The College shall not be obligated to allow the use of its equipment and supplies (including tables and chairs) by those participating in expressive activity, and may restrict access to any place that does not constitute an “outdoor area of campus” as that term is defined herein (including restrooms) in its sole and absolute discretion.

16. Expressive activity must not involve a use or participation that exceeds the physical or other limitations of the outdoor area of campus being used.
17. Expressive activity must not be of such nature or duration that it cannot be reasonably accommodated in the outdoor area of campus being used.

18. Expressive activity must not unreasonably interfere with, conflict with or obstruct a prior use or reservation made by another individual or organization for an outdoor area of campus or College building, structure or facility.

19. Expressive activity must not unreasonably burden the College’s resources or accommodations under the circumstances.

20. The College may prohibit expressive activity by any individual or organization (or affiliate) who has previously engaged in expressive activity on College property, and: (i) caused damage or injury to person(s) or property; (ii) failed or refused to obey applicable laws or College policies, procedures, or regulations; (iii) failed or refused to pay required fees or other charges or honor any legal obligations; and/or (iv) otherwise failed or refused to cooperate with College officials and/or other lawful authorities.

606.2.1 Additional General Regulations
In addition to the General Regulations set forth above, any individual or organization engaged in expressive activity in outdoor areas of campus shall not:

1. Engage in physically abusive or threatening conduct towards any person.

2. Possess any animals, except certified ADA service animals.

3. Possess any weapons, including but not limited to the following: a firearm; sword; bat; electric weapon or device (e.g. taser); explosives and destructive devices (including smoke grenades, smoke producing canisters, and fireworks of any kind); chain whips; knife; metallic/brass knuckles; nunchucks; slingshot; crossbow/bow & arrow; billie (i.e. baton); tear gas gun; chemical weapon or device (e.g. pepper spray) in excess of the amount allowed by Florida law; flamethrower or blowtorch; razor blade; box cutter; broken glass; or any other object(s) capable of inflicting serious injury upon another.

4. Wear a mask, hood, or other device intended to prevent their identification.

5. Fail or refuse to truthfully identify themselves to College officials upon request. In addition, individuals engaging in any voter registration activities shall truthfully identify the Third-Party Voter Registration Organization (see §97.0575, Florida Statutes; Fla. Admin. Code R. 1S-2.042) for which they are engaging in such activities upon request of College officials.

6. Smoke tobacco (except in designated smoking areas), or consume or possess alcoholic beverages or illegal drugs or substances.

7. Utilize sound amplification through any electric, electronic, mechanical, or motor-powered means. Shouting, group chanting, and acoustic musical instruments are exempt from this restriction, but are subject to the General Regulations set forth above.
8. Place temporary structures or portable restrooms on or within any outdoor areas of campus.

9. Place generators or other gas-powered equipment on or within any outdoor areas of campus.

10. Start a fire, or use “Tiki” or oil lamps/torches or other open flame devices on or within any outdoor areas of campus. Use of candles and luminaries during religious or ceremonial events are permissible with prior written approval of College officials.

11. Use any type of grill or food preparation equipment on or within any outdoor areas of campus.

12. Plant any stakes, signs, or other similar objects into the ground on or within any outdoor areas of campus.

606.2.2 Counter Expressive Activity
Expressive activity may result in individuals or organizations seeking to engage in counter-expressive activity. In such circumstances, the College may create and enforce restrictions that are reasonable and content-neutral on time, place, and manner of counter-expressive activity that are narrowly tailored to a significant institutional interest and afford ample alternative means of expression. For purposes of this section, the term “significant institutional interest” includes without limitation the preservation, maintenance and/or safeguarding of (i) the College’s educational environment, (ii) campus safety and security, and (iii) the rights of others to be secure and let alone. Any restrictions created and enforced by the College under this section shall not be deemed a “free-speech zone” as that term is contemplated by Section 1004.097(3)(d), Florida Statutes.

606.3 College Retained Rights
Notwithstanding any provision of this Procedure to the contrary, the College President (or their designee), may at any time restrict, prohibit, or terminate expressive activity that violates, or is reasonably foreseen to violate, any term of this or any other College Procedure or any local, state or federal law, and the College President (or their designee) may restrict, prohibit, or remove any individual(s) or organization(s) engaging in such expressive activity.

In addition, the College President (or their designee) reserves the right at any time to assess reasonable costs against any individual(s) or organization(s) engaging or intending to engage in expressive activity on College property for any security-related expenses incident to such activities, including but not limited to reimbursement for any extraordinary services of College security personnel, as determined by the College President (or their designee) to be reasonably necessary and appropriate at the College President’s (or their designee’s) sole and absolute discretion.

If necessary, the College President or their designee may enlist the assistance of the College’s Security Department and/or law enforcement personnel to effect compliance with any provision of this or any other College Procedure or any local, state or federal law.
800 Compliance with the Jeanne Clery Act

The institution takes reasonable steps to provide a healthy, safe, and secure environment for all members of the campus community, (SACSCOC R13.8)

The College Board of Trustees and the President are fully committed to the safety and welfare of all students, faculty, staff and guests of Eastern Florida State College. In 1990, the “Crime Awareness and Campus Security Act of 1990,” which expanded the “Higher Education Act of 1965,” was implemented. The act required all colleges and universities receiving federal student financial assistance to openly report campus crime statistics and security information. In 1998, the law was renamed the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,” also known as “The Clery Act,” in memory of a student who was slain in her dorm room in 1986. In an effort to make college and university campuses as safe as possible, the Clery Act was further amended in 2008 and again in 2013. The Clery Act requires colleges and universities throughout the United States to disclose information about crime on and around their campuses and properties. Enforcement of the Clery Act is provided by the United States Department of Education. As a result of this landmark federal law, the EFSC Board of Trustees shall implement governance policies and the EFSC President shall implement operational procedures that will ensure comprehensive compliance with the Clery Act.

Eastern Florida State College is committed to work in partnership with jurisdictional law enforcement agencies to enhance the safety and security of our campus communities. Eastern Florida State College strives to protect the safety and security of all faculty, staff, students and visitors at all times. In its effort to meet this objective, the College has developed policies and procedures which educate the College community regarding important safety issues. The College also provides prevention and awareness programs designed to cultivate a caring population of involved and knowledgeable people who report suspicious and unlawful behavior to law enforcement personnel and designated College officials.

The College has adopted the series of policies and procedures, including those set forth in the Board Policy Governance Manual and the Eastern Florida State College Procedures Manual, which are designed to address issues of safety and security and to comply with federal and state laws and regulations including, but not limited to, the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and the “Violence Against Women Reauthorization Act” of 2013.

800.1 Appointment and Procedures Committee
To ensure that College policies and procedures continue to comply with developing laws and regulations relating to campus safety and security, the President of the College shall appoint a “Safety Policy and Procedures Compliance Committee” which will regularly review such policies and procedures and recommend approval and adoption of any new policies or procedures or revision of any existing policies or procedures to ensure continued compliance with the Clery Act.
Those persons serving on the committee shall be appointed to service by the President and shall consist of the following:

- Chief of Security
- VP of External Affairs
- AVP of Human Resources
- AVP of Information Technology
- AVP of Facilities
- AVP of Communications
- Title IX Compliance Coordinator
- Any other member as designated by the President

It is expected that the committee members or their designees will meet no less than annually to conduct a comprehensive review of the Board of Trustees’ Policy Governance Manual and College Procedures Manual to ensure the College’s policies and procedures comply with the Clery Act and enhance the safety and security of students, faculty, staff and guests.

If any revisions to the Board Policy Governance Manual or College Procedures Manual are recommended, the committee shall, within fourteen (14) days of the completion of the review, notify the President in writing of the recommendations.

800.2 Disclosure of Crime Statistics and Annual Security Report

On or before October 1st of each year, EFSC’s Chief of Security or his/her designee shall publish an Annual Security Report (ASR) containing crime, arrest, and referral statistics as required by the Clery Act.

The Clery Act requires disclosure of three general categories of reported crime statistics:

- Criminal offenses including murder and non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, and stalking;
- Hate crimes where the offender’s actions were motivated by bias on the basis of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability, involving any of the above criminal offenses, as well as larceny-theft, simple assault, intimidation, or destruction-damage-vandalism of property; and
- Arrests and referrals for disciplinary action for weapons, drugs or alcohol violations.

The College’s crime statistics shall be available in the Annual Security Report.


Click here to view the Annual Security Report.

When compiling the crime, arrest, and referral statistics, the Chief of Security or his or her designee shall apply the rules and regulations set forth in The Handbook for Campus Safety and Security Reporting, as it may be amended from time to time, or as otherwise established by the U.S. Department of Education.

Crimes will be reported regardless of the status of the victim or the offender or whether or not either the victim or the offender was a student or employee of the College.

The ASR is to include the number of reported crimes, not the identity of the victim or the person accused of committing the crime. Although the Clery Act does not require crimes to be reported anonymously, it does prohibit personally identifiable information from being included in the College’s crime statistics. Although, it is expected that College Case Reports and witness statements provided to Campus Security Authorities (CSA) may include personally identifiable information to
aid in crime investigation, the information must be omitted in the Annual Security Report and redacted from any publicly accessible web-based data collection or Campus Crime Log(s). Efforts must also be made not to disclose a fact which could lead to identifying a single person on campus.

If a person is being referred for a Student Code of Conduct violation for a drug or alcohol offense, even if the offense did not violate the law, or the person was not arrested, it is still a reportable offense under the Clery Act.

When recording reports of stalking that include activities in more than one calendar year, the College must record a crime statistic for each and every year in which the course of conduct is reported. The College shall record each report of stalking as occurring at only the first location within the College’s Clery geography in which the perpetrator engaged in the course of conduct, or the victim first became aware of the course of conduct.

The ASR shall include all reported crimes, however the College may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime, and based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless, and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report, which can only be determined to be false if the evidence from the complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports may only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A case cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can it be designated “unfounded” merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest shall not “unfound” a crime report.

In the event a crime report is “unfounded”, the College shall notify the U.S. Department of Education, disclose the “unfounded” report in its annual security report, and maintain accurate documentation of the reported crime and the basis for “unfounding” the crime. This documentation must demonstrate that the determination to “unfound” the crime was based on the results of the law enforcement investigation and evidence.

In preparing the Annual Security Report, the College’s Chief of Security or his/her designee shall survey and compile statistics reported to Campus Security Department personnel, College Campus Security Authorities (CSAs), and law enforcement agencies having jurisdiction over each campus, public property within or immediately adjacent to each campus, and non-campus property owned or controlled by the College. A crime is formally “reported” when it is brought to the attention of Security Department personnel, CSAs, or local law enforcement agents by a victim, witness, other third party (even the offender) regardless of their affiliation with the College. If a CSA receives a report, that person should document the incident and immediately notify the Security Department or jurisdictional law enforcement agency. If the CSA contacts a law enforcement agency, they must also contact the Security Department immediately following their contact with law enforcement.

CSAs consist of four groups of individuals and organizations associated with the College:

- All members of the College’s Security Department.
- Any individual who has responsibility for campus security but is not an official member of the EFSC Security Department, to include contracted security officers, student security escorts, and others having responsibilities for observing campus areas for safety reasons.
• Any individual or organization recognized by the College as a point of contact to whom students and employees may report criminal offenses.

• A representative of the College who has significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings and who has the authority and the duty to take action or respond to particular issues on behalf of the student.

• At Eastern Florida State College, CSAs include but are not limited to, Vice-Presidents, Associate Vice Presidents, Chief Financial Officer, Provosts, Associate Provosts, Deans, Directors, Security Personnel, Coaches, Assistant Coaches, Athletic Directors, Student Life Directors, Advisors/Sponsors to Student Clubs and Organizations, Title IX Compliance Coordinator and any other persons designated by the President. The Chief of Security shall maintain a list of those College officials designated as CSAs. Pastoral and professional counselors are exempt from CSA responsibilities if acting in their role as pastor or counselor. The Chief of Security shall work with the AVP of Human Resources to ensure the CSA’s receive annual training regarding their responsibilities as a CSA.

In addition to crime statistics, the Annual Security Report shall also provide a summary of College policies and procedures relating to safety and security, information about how to report a crime or suspicious behavior, and a description of crime prevention tips and security initiatives and resources available to students, staff, and guests of Eastern Florida State College.

On or before October 1st of each year, the AVP of Communications or his/her designee will notify all faculty, staff and enrolled students by e-mail of the availability of the Annual Security Report, and provide a brief description of its contents and the web address where it may obtained. The notice must also provide notification that paper copies of the report may be obtained at no cost at the Campus Security Office on each of the college’s four campuses (Melbourne, Cocoa, Titusville, or Palm Bay) or by calling the Campus Security Office at (321) 433-5839.

The AVP of Human Resources will also ensure that all new employees are made aware of the Annual Security Report during their orientation process.

Prospective students and employees may obtain a copy of the report via the College website (http://www.easternflorida.edu/our-campuses/campus-security/crime-statistics.cfm) and paper copies may be obtained free of charge from any Campus Security Office upon request. The website address to electronically access the Annual Security Report will also be included with the employment application.


800.3 Crime Reporting and Relationship with Local Law Enforcement
Eastern Florida State College utilizes the personnel of its Security Department along with assistance from various law enforcement agencies to provide security and emergency services for each campus. Security Department personnel do not have arrest authority, but may issue parking and traffic citations, and may question individuals on College property and request that they provide identification and the reason for their presence. In cases where individuals fail to comply with the legal and appropriate requests of College Security Officers, local law enforcement officers may be called to the scene for assistance.

Eastern Florida State College encourages its students, faculty, staff, and guests to report crime, suspicious activity, or emergency situations to Security Department personnel and to the appropriate law enforcement agency in a timely manner.
To report a crime in progress, or to report an incident requiring immediate police or fire/rescue response, please first contact 911, immediately followed by a call to the campus Security Department Office so that Security Officers can help stabilize the scene and assist arriving first responders.

If using a campus/classroom phone, you may dial 8911, 9911 or 911 to reach 911 emergency dispatchers.

Campus Security Offices:

Palm Bay Campus Security Office: (321) 403-5911
Melbourne Campus Security Office:  (321) 403-5909
Cocoa Campus Security Office:  (321) 403-5907
Titusville Campus Security Office: (321) 403-4200

EFSC Security Officers liaison with the local law enforcement agencies and are accessible to students, faculty, staff and guests 24 hours a day, every day of the year, on all campuses. Students and employees are encouraged to contact an EFSC Security Officer if they have any knowledge or suspicion that a crime has taken place (or may take place), or if a student has been a victim of a crime on or off campus. All persons are encouraged to report any suspicious activity or persons to the Campus Security Officers immediately for investigation. EFSC Security Officers will quickly assess the situation and contact local law enforcement if needed.

Students, faculty, staff, and guests are also welcome to directly contact the jurisdictional law enforcement agency serving the campus in non-emergency situations.

Palm Bay Campus: Palm Bay Police Department (321) 952-3456
Melbourne Campus: Melbourne Police Department (321) 608-6731
Cocoa Campus: Cocoa Police Department (321) 639-7620
Titusville Campus: Titusville Police Department (321) 264-7800
Any Campus: Brevard County Sheriff’s Office (321) 264-5100

In cases where students or employees may not feel comfortable reporting a crime or suspicious behavior to a police or security officer, individuals are also free to report any crimes or suspicious behavior to any of the identified Campus Security Authorities (CSA’s) to include Vice-Presidents, Associate Vice-Presidents, Chief Financial Officer, Provosts, Associate Provosts, Deans, Directors, Security Personnel, Coaches, Assistant Coaches, Athletic Directors, Student Life Directors, Advisors/Sponsors to Student Clubs and Organizations, Title IX Compliance Coordinator and any other persons designated by the President.

However, in cases requiring an immediate response from law enforcement, students and employees are encouraged to utilize 911. Students and employees who may be concerned or fearful about reporting the incident are not required to identify themselves to 911 dispatchers.

It is never too late to report criminal or suspicious information. Sometimes unusual or suspicious incidents are not readily apparent to the casual observer and it may be hours, or sometimes even days later when a person believes the event should have been reported. In these cases, persons are encouraged to report the information immediately as the information may still be critically needed to solve or prevent a crime.

Relationship with Local Law Enforcement.
Although Eastern Florida State College does not have a formal memorandum of understanding with any law enforcement agency, the College maintains close working relationships with the Cocoa Police Department for matters concerning the Cocoa campus, the Melbourne Police Department
for matters concerning the Melbourne campus, the Palm Bay Police Department for matters concerning the Palm Bay campus, the Titusville Police Department for matters concerning the Titusville campus, and the Brevard County Sheriff’s Office for any matters concerning any campus or other location within Brevard County.

The College desires to maintain an outstanding relationship with each of these agencies. To encourage a strong partnership, the College provides law enforcement substations on each campus for the convenience of law enforcement officers and to encourage their presence on campus to the highest extent possible. Law enforcement officers are welcome and encouraged to patrol campuses and visit with students, faculty, staff, and guests whenever time permits. Students and employees are encouraged to share any suspicious or criminal information they have with law enforcement officers both on and off campus. The College appreciates the assistance of local law enforcement agencies when developing crime prevention and security awareness programs and materials.

800.4 Security and Access to College Facilities

While Eastern Florida State College recognizes the importance of making its facilities on each campus open and available during normal hours of operation, the College also recognizes that reasonable limitations may be necessary to ensure the safety and security of each campus facility. College facilities have varying hours of operation according to schedules developed by the department responsible for the facility. When a facility is to be closed, it shall be locked by Security Department personnel or other designated officials. During these times, only approved persons may gain entry, and access shall be by key or access control cards, or by admittance via the College’s Security Department.

Section 301.7 of the College’s Procedures Manual shall govern key requests. Unauthorized duplication of College keys is prohibited.

College Security Department personnel do not have arrest authority, but may issue parking and traffic citations, and may question individuals on College property to request that they provide identification and the reason for their presence. College employees are provided with identification badges.

Section 203.1 of the College’s Procedures Manual shall apply to building and equipment security.

Sections 203.3, 203.4, 203.5, and 203.6 of the College’s Procedures Manual shall govern smoking, alcoholic beverages, and animals in College facilities.

Section 302.5 of the College’s Procedures Manual shall govern illicit drugs in College facilities.

Section 203.7 of the College’s Procedures Manual shall apply to College parking facilities. Vehicles parked illegally and without a proper annual parking permit are subject to ticketing and a fine will be imposed. College parking lots are lighted, and Security Department personnel shall escort individuals to their vehicles at night upon request. Neither the College nor the Board is responsible for any damage or theft to vehicles parked in the College parking lots or any location on College property.

All laws governing the use of motor vehicles in the State of Florida apply to College parking areas, drives and roadways. Security Department and local law enforcement personnel regularly patrol all College campuses and may issue traffic citations.

Section 604 of the College’s Procedures Manual shall govern weapons on College property.
800.5 Timely Warning Procedure
In the event of a Clery Act crime which is reported to campus security authorities and which, in the judgment of the President of the College or his or her designee in consultation with the Chief of the College’s Security Department, constitutes a serious or continuing threat to students or employees, the College shall issue a “timely warning.” In addition, timely warnings may, but are not required to be issued for incidents which are not reportable under the Clery Act.

Decision to Issue Timely Warning – Responsibility:
The decision to issue a timely warning will be made by the President of the College or his or her designee in consultation with the Chief of Security, or his or her designee.

Timing, Content, and Decision Criteria for a Timely Warning:
A timely warning should be issued as soon as the pertinent information is available because the intent of a timely warning is to alert the campus community of continuing threats, especially concerning safety, thereby enabling community members to protect themselves.

The issuing of a timely warning must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

Clery Act regulations do not specify what information should be included in a timely warning. However, because the intent of the warning is to enable members of the campus community to protect themselves, the warning should include all information that would promote safety. Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim and to protect them.

A timely warning WILL NOT include any information that would identify the victim.

How Timely Warnings are Issued:
1. Timely warnings will be issued upon the confirmation of a serious or continuing threat impacting the campus community and/or the surrounding area.
2. Once the President has decided that a Timely Warning shall be issued, the Chief of Security, Associate Vice President for Communications, and Associate Vice President for Information Technology, or their respective designees, will communicate and/or convene without delay to implement the notification process.
3. This information may be disseminated to campus community members via a variety of mechanisms or mediums. Eastern Florida State College will use one or more of the following means:
   • electronic mail messages
   • text messaging to cell phones of those enrolled in the College’s text message alert service
   • emergency messages on the College website
   • public/media announcements
   • public address system
   • postings and signage in campus buildings and other highly visible locations throughout campus including staff/faculty lounges
   • other methods deemed appropriate by the President or his or her designee

800.6 Emergency Notification Procedure
In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, the College shall issue an “emergency notification.”
The emergency notification may contain only the information that is reasonably necessary to promote the safety of the campus community as dictated by the situation.

Examples of situations that may constitute the College’s decision to issue an Emergency Notification include, but are not limited to:

1. **Situations where serious injuries may or have occurred.** Examples include, but are not limited to, an active shooter, fire, explosion, hazardous chemical spill, or ongoing criminal activity.
2. **Situations that cause major disruption to campus operations.** Examples include, but are not limited to, a gas leak, tornado, hurricane, or extreme weather conditions, power outages, water emergencies, civil unrest/rioting, or serious acts or threats to campus property.

**Decision to Issue Emergency Notification – Responsibility:**
The Chief of Security, Associate Vice President for Communications, or their respective designees, shall be responsible for confirming whether an emergency or dangerous situation exists; and if confirmed, shall notify the individuals listed below, or their respective designees, to determine the content of any emergency notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified:

- College President, (Chair)
- Vice President, Academic & Student Affairs/Chief Learning Officer
- Vice President, Operations
- Vice, President External Affairs
- Associate Vice President, Communications
- Chief of Security/Emergency Management Director
- Staff Attorney

Under normal circumstances when time permits, the President shall decide whether or not an Emergency Notification should be issued after consulting with his or her management team. However, in an extreme emergency when timing is critical, the Chief of Security may choose to act alone to determine the content of notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified.

An emergency notification will be released as soon as reasonably necessary and without delay, unless in the professional judgment of any of the individuals identified above, or any law enforcement authorities responding to the scene, it is determined that it would compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency or dangerous situation.

**How Emergency Notifications are Issued:**

1. The Chief of Security, Associate Vice President for Communications, or their respective designees shall be responsible for confirming whether an actual emergency or dangerous situation exists.
2. If confirmed, the Chief of Security, Associate Vice President for Communications, or their respective designees shall notify the President or his or her designee who may confer as needed with his or her management team to determine the content of any emergency notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified.
3. The Chief of Security, Associate Vice President for Communications, Associate Vice President for Information Technology, or their respective designees shall be responsible for disseminating the message as directed by the President.
4. This information may be disseminated to campus community members via a variety of mechanisms or mediums. Eastern Florida State College will use one or more of the following means:
   - electronic mail messages
   - text messaging to cell phones of those enrolled in the College’s text message alert service
   - emergency messages on the College website
   - public/media announcements
   - public address system
   - postings and signage in campus buildings and other highly visible locations throughout campus including staff/faculty lounges
   - other methods deemed appropriate by the President or his or her designee

5. Unlike a timely warning which must be sent campus wide, an emergency notification may be confined to a specific campus or building or may be segmented to a specific group of individuals in an area. If an emergency notification is issued, there is no need to issue a timely warning for the same circumstance.

6. The College may utilize other notifications for students, guests and/or employees (such as “Safety Advisories”) which do not rise to the level of issuing Emergency Notifications or Timely Warnings.

800.7 Emergency Response and Evacuation
The College shall maintain an Emergency Management Response Plan (EMRP), which shall be reviewed annually by the “Safety Policy and Procedures Compliance Committee” which includes the Chief of Security, VP of External Affairs, AVP of Human Resources, AVP of Information Technology, AVP of Facilities, AVP of Communications, the College’s designated Emergency Manager and any other member as designated by the President. If any revisions to the EMRP are recommended, the committee shall within fourteen (14) days of the completion of the review, notify the President in writing of the recommendations.

The purpose of the EMRP is to provide a standard administrative guideline to define the functions, response, and actions that need to be implemented for specific emergency and disaster events that may impact the operation of the College. The sole intent of the guideline is to create a response to minimize the impact an event has on quality of life, operations of College activities, and continuation of instructional and business functions, and, above all, promote the safety and security of students, faculty, staff and guests.

The EMRP has been developed to promote efficient and effective decision making and response to an emergency or disaster event that occurs on or in close proximity to any of the College campuses or properties that may cause a negative impact to the delivery of instructional programs and business functions or create life safety issues. The EMRP can be accessed at www.easternflorida.edu/discover-efsc/documents/emergency-management-response-plan.pdf.

The College reserves the right to redact certain portions of the EMRP when the interest of public disclosure is outweighed by the interest of nondisclosure as determined by the Chief of Security for safety and security purposes.

The EMRP shall include detailed information about what actions take place in an emergency to include listing the responsible persons and their roles in an emergency, communications directives, and expectations of affected students and staff.
The College’s EMRP shall be tested at least annually through scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. The College shall conduct at least one test per year which shall be coordinated by the Chief of Security, the College’s designated Emergency Manager, the AVP of Communications and the AVP of Information Technology which can be announced or unannounced, and must:

- Be scheduled. The test cannot be as a result of an actual emergency situation or a false emergency alarm.
- Contain a drill. A drill is an activity that conducts a single procedural operation to test a component of the plan. It is permissible for multiple operations to be tested simultaneously.
- Contain an exercise. An exercise is a test involving coordination of efforts typically involving different professional disciplines. (e.g., Faculty – Security, Security – Law Enforcement, Police – Fire).
- Contain follow-through activities. A follow-through activity is an activity designed to review the exercise or drill in an effort to obtain feedback from participants (e.g., surveys, interviews).
- Contain Measurable Objectives which can be assessed.

The Chief of Security shall be responsible for coordinating the tests and maintaining documentation of each test for at least seven years.

800.8 Sexual Offender Registration and Awareness

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), and the Campus Sex Crimes Act of 2000, as well as Florida Statute 1006.695, Eastern Florida State College provides a website address to the Florida Department of Law Enforcement (FDLE) Sexual Offender and Predator Registry. In addition to providing this link, these laws require all sexual offenders (to include sexual predators) to provide notice to each institution of higher education where they are enrolled, employed, or carrying on a vocation. Convicted sexual offenders and sexual predators must register with their local sheriff's office and must disclose their sexual offender and sexual predator status on College student and employment applications. Failure to do so may result in the student’s immediate suspension or expulsion from EFSC in addition to additional criminal charges.

To access FDLE’s Sexual Offenders and Predators Registry please go to [http://offender.fdle.state.fl.us/offender/Search.jsp](http://offender.fdle.state.fl.us/offender/Search.jsp) and click on the link titled “Offender Search,” then click on the link titled “University Search.”

The Brevard County Sheriff’s Office also offers an additional resource for information pertaining to Sexual Offenders and Sexual Predators. Please go to [www.brevardsheriff.com](http://www.brevardsheriff.com) and click the link titled “Brevard Sex Offenders” which will allow the search for sexual offenders and sexual predators in a specific area.

Persons may also register to receive email alerts from the Brevard County Sheriff's Office and/or the Florida Department of Law Enforcement when a registered sexual offender or sexual predator relocates to an area of interest.

To learn more about Sexual Offenders and Predators, you are encouraged to visit the “Frequently Asked Questions” about Sexual Offenders on the FDLE website at [http://offender.fdle.state.fl.us/offender/FAQ.jsp](http://offender.fdle.state.fl.us/offender/FAQ.jsp)
In addition, FDLE has also established the following toll-free number for public access to FDLE’s Missing Persons and Offender Registration: 1-888-FL-PREDATOR (1-888-357-7332). By contacting FDLE at this number, the public can request information about Sexual Offenders living in their communities and around the state. Requests may be made using this toll-free number on business days, between 8:00 a.m. and 5:00 p.m. (EST), Monday through Friday.

800.9 Crime Prevention and Security Awareness Programs

Eastern Florida State College recognizes its ongoing responsibility to provide the campus community with timely information on crime prevention and security awareness, as well as primary and ongoing prevention and awareness programs relating to dating violence, domestic violence, sexual assault, and stalking. The College is firmly committed to presenting students, faculty, and staff with educational seminars, workshops, media clips, printed materials, or similar offerings at regular intervals, and not less than once per academic year. The College may consult with local law enforcement agencies and other community resources in addition to utilizing internal resources when developing crime prevention and security awareness programs or materials.

All incoming students and new employees shall be provided with information on crime prevention and security awareness, as well as information about the College’s primary prevention and awareness programs for dating violence, domestic violence, sexual assault, and stalking. In addition, all incoming students and new employees shall be provided with the following information: the College’s statement prohibiting dating violence, domestic violence, sexual assault, and stalking, definitions of those terms, as well as the term “consent” in the State of Florida, information on risk reduction, descriptions of safe and positive options for bystander intervention, reporting procedures to be followed by victims of alleged sexual misconduct, descriptions of resources available to victims of alleged sexual misconduct, and procedures for institutional disciplinary action against perpetrators of alleged sexual misconduct. This information is available at: http://www.easternflorida.edu/our-campuses/campus-security/titleix-sexual-misconduct/.

Crime prevention programs will be provided to students, faculty, and staff on a continuing basis. Periodically throughout the year, the College will host crime prevention awareness workshops or seminars dealing with various subject matters designed to make campuses safer and to provide strategies and tips on how to better protect individuals from sexual assault and other crimes. The subject matters will include a variety of important crime prevention topics such as preventing sexual assault, dating and domestic violence, stalking, deterring theft, and preventing alcohol and drug abuse in an effort to improve personal safety both on and off campus. Students and employees will also be made aware of programs such as "EFSCares" and other services available when in need of assistance.

Students and employees can obtain information about crime prevention and security awareness programs, seminars, and College-wide initiatives by going to http://www.easternflorida.edu/our-campuses/campus-security/.

In addition to workshops and seminars, the College may produce and disseminate media clips, printed materials, or similar offerings to promote safety awareness.

Each semester, the College shall provide all students with information relating to the partnership between the College and the Cocoa, Melbourne, Palm Bay, and Titusville Police Departments, as well as the Brevard County Sheriff’s Office.

Students and employees are encouraged to be responsible for their own safety and to read the College’s Annual Security Report (ASR) available at www.easternflorida.edu/documents/asr.pdf. In addition, students and employees are strongly encouraged to participate in the various seminars
and workshops available on and off campus when offered by the College or local law enforcement agencies or community agencies specializing in safety awareness training.

The Chief of Security shall be responsible for ensuring the College’s compliance with this procedure, and shall maintain documentation of the type and frequency of programs and materials offered by the College.

800.10 Sexual Misconduct – Campus Sexual and Gender-Based Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking

Eastern Florida State College is firmly committed to maintaining a safe and healthy learning and working environment that promotes responsibility and respect, and where no one is unlawfully excluded from participation in, denied the benefits of, or subjected to discrimination in any College program or activity on the basis of sex or gender. The College is committed to maintaining a learning and working environment free from sexual or gender-based harassment, sexual exploitation, sexual violence, dating violence, domestic violence, and stalking (collectively referred to in this procedure as “Sexual Misconduct”).

Sexual Misconduct diminishes individual dignity, jeopardizes the welfare of our students and employees and impedes access to educational, social and employment opportunities. Sexual Misconduct violates our institutional values of Respect, Integrity, Accountability and Excellence. Sexual Misconduct is expressly prohibited by College policies and procedures as well as federal and state law.

The following procedures exist to prevent Sexual Misconduct when possible, explain the steps that should be taken if Sexual Misconduct occurs, and provide the manner in which the College will respond once it is made aware of reported Sexual Misconduct. These procedures are to be implemented in keeping with Section 800.10 of the Board Policy Governance Manual and to meet the College’s legal obligations under Title IX, the “Jeanne Clery Act,” the “Violence Against Women Reauthorization Act” (VAWA), and other applicable state and federal laws.

Every member of the College community should be aware that the College strictly prohibits all forms of Sexual Misconduct. The College will respond promptly and effectively to reports of Sexual Misconduct and will take any and all appropriate actions to prevent, correct, and when necessary, to discipline behavior that violates the College’s policy and procedures regarding Sexual Misconduct.

A. Implementation of the Sexual Misconduct Policy & Procedures

The Vice President of Operations, the Vice President of External Affairs, the Vice President of Academic Affairs & Chief Learning Officer and the Associate Vice President of Human Resources are the Responsible Officers for the Sexual Misconduct policy and have the authority to implement the policy and to develop procedures for the President's review and implementation as provided by the policy. Responsible Officers may apply appropriate and consistent interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

B. Scope and Jurisdiction

The College’s Sexual Misconduct policy and procedure applies to any allegation of Sexual Misconduct made by or against a student, employee, or affiliate doing business with or providing services to the College, regardless of the sex, sexual orientation, sexual identity, gender, gender expression, or gender identity of any party. The College’s prohibition against Sexual Misconduct applies not only in the educational and working environment, but also to all other academic, educational, athletic, extracurricular, or work-related settings and
activities, such as social functions, business trips, educational field trips, athletic trips, and clinical or internship placements. Moreover, the College’s prohibition against Sexual Misconduct applies not only to physical contact, but also to oral, written, and electronic and other technology-assisted communications, such as e-mail, text message, voicemail, Internet communications and the like.

The College’s prohibition against Sexual Misconduct applies whether or not the incident(s) occurs on College property and whether or not the incident(s) occurs during educational or working hours. If both parties are members of the College community, and an incident occurs away from College property or outside the context of a College program or activity, the College will consider the effects of the conduct on an individual’s educational or working experience, including the impact on the individual’s ability to participate in College programs or activities.

While there is no deadline for reporting Sexual Misconduct, incidents should be brought forward as soon as possible after the conduct occurs. Prompt reporting will better enable the College to investigate the acts, determine the issues, and provide an appropriate remedy and/or action. The College will respond to reports of Sexual Misconduct to the greatest extent possible, taking into account the amount of time that has passed since the alleged conduct occurred.

C. **Prohibited Acts**

The College prohibits all forms of Sexual Misconduct as set forth in Section Q of this procedure. Sexual Misconduct is a broad term that includes sexual or gender-based harassment, sexual violence, dating violence, domestic violence, stalking, sexual exploitation, retaliation, and aiding or facilitating the commission of a violation of this procedure. In addition, the College may treat attempts to commit any of the prohibited forms of Sexual Misconduct set forth in Section Q as if those attempts had been completed.

D. **Consensual Relationships**

This procedure specifically covers Sexual Misconduct as set forth in Section Q of this procedure. Consensual romantic relationships not involving Sexual Misconduct as contemplated by this procedure between members of the College community are subject to other College policies and procedures. While romantic relationships may begin as consensual, they may evolve into situations that lead to reports of Sexual Misconduct which are subject to this procedure.

E. **Dissemination of the Policy, Educational Programs, and Employee Training**

As part of the College’s commitment to providing a working and learning environment protected from Sexual Misconduct, this procedure shall be disseminated widely to the College community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. Educational materials shall be available to all members of the College community to promote compliance with this procedure and familiarity with reporting procedures. Education and awareness programs/materials shall include information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks, as well as safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than the individual. In addition, the Title IX Compliance Coordinator, Chief Equity and Diversity Officer, or Chief of Security may designate employees responsible for handling reports of Sexual Misconduct and provide training to those designated employees at least annually.
F. Reporting Sexual Misconduct

The College will investigate any reported incident(s) of Sexual Misconduct, even if the person(s) making the report requests that no action be taken.

Reports or inquiries regarding Sexual Misconduct may be directed to any of the following College officials:

1. Security & Title IX Compliance Coordinator, Lt. Mark Renkens, Melbourne Campus, Building 10, Room 215, 3865 North Wickham Road, Melbourne, Florida 32935; phone: (321) 433-7180; e-mail: renkensm@easternflorida.edu.
2. Chief Equity and Diversity Officer, Darla Ferguson, Cocoa Campus, Building 2, Room 113, 1519 Clearlake Road, Cocoa, Florida 32922; phone: (321) 433-7080; e-mail: fergusond@easternflorida.edu.
3. Chief of Security, Joe Ambrose, Melbourne Campus, Building 8, Room 201, 3865 North Wickham Road, Melbourne, Florida 32935; phone (321) 433-7007; e-mail: ambrosej@easternflorida.edu.

Reports may also be made to any College Security Officer or Responsible Employee. Any Security Officer or Responsible Employee who receives a report shall immediately notify the above-referenced persons, or their respective designee. For purposes of this procedure, a “Responsible Employee” is a College employee who has the authority to redress Sexual Misconduct, who has the duty to report incidents of Sexual Misconduct or other student misconduct, or who a student could reasonably believe has this authority or duty, including any employee designated as a Campus Security Authority.

In addition, anonymous reports may be made using the “Anonymous Reporting Form” available on the College website. Please note that anonymous reports will be investigated, but investigation may be limited depending on the information provided.

All members of the College community are encouraged to contact any of the above-referenced persons if they observe or encounter conduct that may be subject to the College’s Sexual Misconduct policy and procedure. If the person to whom Sexual Misconduct normally would be reported is the individual accused of Sexual Misconduct, the report may be made to any Vice President.

Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action and possible arrest and criminal action. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

Individuals experiencing alleged Sexual Misconduct also have the right to file a formal grievance with outside government agencies such as:

Florida Department of Education
Division of Florida Colleges, Equity and Civil Rights Compliance
325 West Gaines Street, Suite 1544
Tallahassee, FL 32399-0400
Phone: 850-245-9468

or
G. **Information to Reporting Parties**
Any person who provides credible information alleging conduct that may fall within the provisions the College’s Sexual Misconduct policy and procedure (“reporting party”), whether the offense occurred on or off campus, shall be provided with a hard or electronic copy of the College’s most recent Sexual Misconduct Resource Guide, which shall contain information about:
1. The College's Sexual Misconduct policy and procedure.
2. Their option to contact law enforcement authorities immediately and directly.
3. Their ability to obtain assistance of Campus Security Officers or College staff in notifying law enforcement authorities if the reporting party so chooses.
4. Their option to decline to notify law enforcement authorities.
5. The procedures and contact information needed to obtain orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts.
6. The importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault, sexual battery or stalking, or to assist in obtaining a protection order.
7. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both on-campus and in the community.
8. Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the reporting party and if reasonably available.
9. Options for resolution by the College.
10. Their rights and options as a crime victim in the State of Florida.

H. **Interim Protective Measures, Accommodations, and Disciplinary Sanctions**
Once a report of alleged Sexual Misconduct has been made to the College, the Title IX Compliance Coordinator (or designee), in consultation with other appropriate College officials, will determine whether any interim protective measures, accommodations, and/or disciplinary sanctions are needed to address the reported Sexual Misconduct. If at any point during the resolution process, the Title IX Compliance Coordinator (or designee) reasonably believes that any person(s) alleged to have violated the College’s Sexual Misconduct policy and procedure (“responding party”) poses a substantial threat of harm to the reporting party or other member(s) of the College community; threatens or endangers College property; or disrupts the stability and continuance of normal College operations and functions, the Title IX Coordinator (or designee), in consultation with appropriate College officials, may take interim actions such as those listed below.

1. **Interim Protective Measures and Accommodations for Reporting Parties.** When warranted to protect a reporting party, the Title IX Compliance Coordinator (or designee) may implement one or more interim protective measures and/or accommodations, if appropriate and/or reasonably available, including but not limited to the following:
   a. Issuing of no-contact orders to prevent any contact between a reporting party, a responding party, witnesses, and/or third parties to ensure the safety of all parties and the integrity of the process;
b. Providing the reporting party an escort on campus to ensure that he or she can move safely between classes, work, and/or activities;
c. Rescheduling class work, assignments, and examinations (with the agreement of the appropriate faculty);
d. Changing work arrangements or schedules (with the agreement of the appropriate supervisor);
e. Providing academic support services such as: providing alternative course completion options, dropping a course without penalty, or transferring to a different class section (with the agreement of the appropriate faculty);
f. Limiting an individual or organization’s access to certain College facilities or activities pending resolution of the matter;
g. Transportation accommodations, such as alternate parking arrangements to ensure safety.

2. Interim Disciplinary Measures for Responding Parties. Examples of possible interim disciplinary measures may include:

   a. Restrictions on contact with certain individuals;
   b. Restrictions on entry and/or movement on College property;
   c. Restrictions or revocation of privileges;
   d. Restrictions on, or suspension from, participation in any College-sponsored program, activity, event, organization, club, athletic team, or competition;
   e. Placement on disciplinary probation;
   f. Suspension or expulsion from the College;
   g. Change of position, duties, assignments, or job location;
   h. Placement on paid or unpaid administrative leave;
   i. Termination of employment.

The specific interim measures, whether protective or disciplinary in nature, will vary depending on the facts of each case. The Title IX Compliance Coordinator (or designee) will consider a number of factors in determining what interim measures to take, including, for example, the specific need expressed by the reporting party; the age of the parties involved; the severity or pervasiveness of the allegations; any continuing effects on the reporting party; whether the parties share the same class, transportation, job location, or residence; and whether other judicial measures have been taken to protect the parties (e.g., injunctions).

I. Preliminary Inquiry
Upon receipt of credible information alleging conduct that may fall within the provisions of the College’s Sexual Misconduct policy and procedure, a preliminary inquiry will be conducted to determine an appropriate course of action. During the preliminary inquiry, various College representatives may meet with or receive statements from the reporting party, responding party, or witnesses, and gather information regarding the allegations.

At the conclusion of the preliminary inquiry, the Title IX Compliance Coordinator (or designee) will decide an appropriate course of action in consultation, as necessary, with the reporting party, responding party, and other College officials. While the facts of each case will be different, and the Title IX Compliance Coordinator (or designee) has ultimate discretion to decide the appropriate course of action to be taken in any particular case, in general, cases will be resolved consistent with the following:
1. If there is reasonable cause to believe the allegations, if substantiated, could constitute a violation of the College’s Sexual Misconduct policy and procedure, and the reporting party elects a resolution by the College, options for Informal Resolution and Formal Investigation will be explored.

2. If there is reasonable cause to believe the allegations, if substantiated, could constitute a violation of the College’s Sexual Misconduct policy and procedure, but the reporting party does not elect a resolution by the College, requests that the College not investigate, requests confidentiality, refuses to cooperate, or if the allegations are made anonymously, the Title IX Compliance Coordinator shall determine the appropriate action to be taken, which may include a Formal Investigation.

3. If there is reasonable cause to believe the allegations, if substantiated, would not constitute a violation of the College’s Sexual Misconduct policy and procedure, or if the conduct at issue would be more appropriately addressed by another College unit or official, the matter may be referred to another College unit or official.

4. If the College does not have jurisdiction over the matter, or if the information received is insufficient to warrant further investigation, the case may be closed, subject to the right of the College to reopen it at any time for good cause.

5. Other appropriate action to be taken as determined by the Title IX Compliance Coordinator.

J. Requests for Confidentiality

Information received by the College alleging conduct that may be subject to the College’s Sexual Misconduct policy and procedure is not generally confidential due to the obligation of the College to respond to the alleged conduct. Additionally, it may be necessary for College representatives to contact law enforcement or other agencies if a victim is subject to Chapter 39, Florida Statutes (Proceedings Relating to Children; Vulnerable Persons Act), a crime has been committed, or if an individual is in danger.

Notwithstanding the above, individuals who allege they have been subjected to Sexual Misconduct have the right to (i) request that the College not investigate the information or allegation(s) reported, (ii) request confidentiality, and/or (iii) refuse to cooperate in the investigation and/or resolution of allegation(s).

The College shall take any such request and decision seriously; however, such requests and decisions may limit the College’s ability to investigate and take reasonable action in response to a report of Sexual Misconduct. In such cases, the College will evaluate such requests and decisions in the context of the College’s commitment to provide a reasonably safe and non-discriminatory environment.

In order to make such an evaluation, the Title IX Compliance Coordinator may conduct a preliminary inquiry into the alleged Sexual Misconduct and may weigh such requests and decisions against the following factors:

1. The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
   a. Whether there have been other Sexual Misconduct complaints about the same alleged perpetrator;
   b. Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
   c. Whether the alleged perpetrator threatened further Sexual Misconduct or other violence against the victim or others;
   d. Whether the Sexual Misconduct was committed by multiple perpetrators.
2. The seriousness of the alleged Sexual Misconduct, including but not limited to whether the Sexual Misconduct was perpetrated with a weapon;

3. Whether the victim is a minor;

4. The responding party’s right to receive information about the allegations if the information is maintained by the College as an "Education Record" under FERPA;

5. Whether the College possesses other means to obtain relevant evidence of the Sexual Misconduct (e.g., security cameras or security personnel, physical evidence);

6. Whether the victim’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group or person.

The presence of one or more of these factors could lead the College to investigate (and possibly even initiate a Formal Investigation) and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the victim's request for confidentiality. If the College honors the request for confidentiality, a victim must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. There are times when the College may not be able to honor a victim’s request in order to provide a safe, non-discriminatory environment for all members of the College community. If the College determines that it cannot maintain a victim’s confidentiality, the Title IX Compliance Coordinator or designee will inform the victim prior to initiating an investigation and will, to the extent possible, only share information with people responsible for handling the College’s response.

The State of Florida places a high value on being transparent with regards to public records. As a result, many documents and records maintained by public entities including public colleges and universities are public records. There are provisions under the law which protects the identity of victims of sexual abuse and other criminal acts. Any release of public information will be done in compliance with state and federal laws. In addition, all College employees shall protect the confidentiality of victims and other necessary parties in any publicly available records, reports, or disclosures, and shall maintain as confidential any accommodations or protective measures provided to a victim to the extent that maintaining such confidentiality would not impair the College’s ability to provide the accommodations or protective measures.

K. Procedures for Informal Resolution

In appropriate instances where it is deemed possible and safe, the Title IX Compliance Coordinator (or designee) may choose to attempt to resolve certain allegations of Sexual Misconduct through Informal Resolution means. If, based on the facts of the case, it is determined that an Informal Resolution may be appropriate, the Title IX Compliance Coordinator or designee will discuss this option with the reporting party and/or the responding party during the preliminary inquiry.

The College will not use the Informal Resolution process to address matters alleging any form of Sexual Violence.

It is not necessary to pursue Informal Resolution first in order to make a request for Formal Investigation. Moreover, a reporting party may terminate the Informal Resolution process at any time and proceed with a Formal Investigation. The Title IX Compliance Coordinator may also terminate Informal Resolution at any time and order that the parties proceed with Formal Investigation instead. In such cases, statements or disclosures made by the parties in the course of the Informal Resolution process may be considered in the subsequent Formal Investigation proceedings.
If Informal Resolution is determined to be appropriate, the Title IX Compliance Coordinator (or designee) may meet separately with both parties to present and discuss an informal resolution based on the information available. In the Informal Resolution process, the Title IX Compliance Coordinator (or designee) does not serve in the role of fact finder but rather identifies possible resolutions to the alleged conduct. If both the reporting party and responding party are satisfied with a proposed resolution and the Title IX Compliance Coordinator believes the resolution satisfies the College's obligation to provide a safe and non-discriminatory environment for the entire College community, the resolution will be implemented, and the matter will be closed.

If these efforts are unsuccessful, the Formal Investigation process will commence as set forth in Section L below.

The Title IX Compliance Coordinator will maintain records of all reports and conduct referred for Informal Resolution. Informal Resolution will typically be completed within thirty (30) days of receipt of the report.

L. Procedures for Formal Investigation
The College will determine whether an individual is responsible for a violation of the College's Sexual Misconduct policy and procedure, and what, if any, disciplinary sanctions and/or remedial actions are appropriate, in accordance with the procedures described below:

1. The individual(s) accused of Sexual Misconduct shall be provided with notice of the allegations, and a copy of the College’s Sexual Misconduct policy and this procedure.
2. The reporting party and the responding party are both entitled to be advised about the estimated timeframe of the investigation.
3. The College will administer a fair and impartial investigation, which may include a formal hearing at the request of the reporting party, the responding party, or Title IX Compliance Coordinator. The person conducting the investigation (“investigator”) shall be familiar with the College’s Sexual Misconduct policy and this procedure and have training or experience in conducting Sexual Misconduct investigations.
4. Formal investigations may include, but are not limited to, conducting separate interviews with the reporting party, the responding party, and any witnesses, reviewing available law enforcement investigation documents, reviewing student and personnel files, and gathering and examining other relevant documents or evidence as appropriate. A formal investigation may also include a formal hearing, which shall afford each party the opportunity to present any relevant information to the investigator. Throughout a formal investigation, disclosure of facts to parties and witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation and hearing (if applicable) and in accordance with state and federal laws.
5. Upon request, the reporting party and the responding party may each have a representative (“advisor”) present when he or she is interviewed and at any subsequent proceeding, hearing, or related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by applicable College policy or collective bargaining agreement.
6. Requests for a formal hearing must be made in writing and received by the Title IX Compliance Coordinator (or designee) within five (5) business days of the report of Sexual Misconduct for reporting parties, and within five (5) business days of receipt of the notice of allegations for responding parties. A business day constitutes a day where
the College is open for business. Any requests for a formal hearing made after these deadlines will only be granted upon showing of good cause.

7. Any formal hearing will be conducted by the investigator, and both parties shall be given reasonable notice and an equal opportunity to present relevant information to the investigator, as well as have an advisor of their choice present, although that advisor’s role may be limited at the discretion of the investigator. The investigator shall have no authority to compel the attendance of either party or any witness, and neither party, nor their advisor, may personally question or cross-examine the other party or any witness. Any questions for cross-examination must be submitted to the investigator, who shall have the sole discretion to ask or not ask a particular question as he or she deems appropriate. Further, no questions about a reporting party’s sexual history with anyone other than the responding party shall be allowed.

8. If requested or appropriate, alternative testimony options will be given for any formal hearing, such as placing a privacy screen in the hearing room, or allowing the reporting party or any witness to testify outside the physical presence of the responding party, such as by Skype or phone. While these options are intended to help make the reporting party or witness more comfortable, they are not intended to work to the disadvantage of the responding party. Any requests for alternative testimony options must be received by the investigator at least seventy-two (72) hours prior to the formal hearing.

9. If any party or witness fails to appear for a formal hearing, the hearing will be conducted in their absence.

10. Any hearings may be recorded (audio or video), transcribed, or otherwise documented at the discretion of the investigator and/or Title IX Compliance Coordinator.

11. At the conclusion of the formal investigation, a written report shall be prepared and contain, at a minimum, a statement of the allegations and issues, the positions of the parties, a summary of the evidence, the findings of fact, and a determination as to whether the College’s Sexual Misconduct policy and procedure has been violated.

12. The “preponderance-of-the-evidence” standard (i.e. more likely than not) shall be used in determining whether or not there has been a violation of the College’s Sexual Misconduct policy and procedure.

13. The reporting party and the responding party will be informed in writing of:
   a. The result of the formal investigation (i.e. whether the College’s Sexual Misconduct policy and procedure was violated);
   b. The procedures for appealing the result of the investigation;
   c. Any change to the result that occurs prior to the time that such result becomes final; and
   d. When the result becomes final.
   e. In addition to the above, the reporting party shall also be informed in writing of any individual remedies offered or provided to the reporting party, and/or any sanctions imposed on the responding party, whether or not they directly relate to the reporting party. Further, the reporting party shall be informed of steps the College has taken to eliminate the hostile environment, if the College finds one to exist, and steps taken to prevent recurrence. The responding party shall not be notified of the individual remedies offered or provided to the reporting party.

14. The reporting party and the responding party may request a copy of the investigative report pursuant to College policy governing privacy and access to personal information. However, the report shall be redacted to protect any confidential information in accordance with College policy and state law.

15. The reporting party and/or the responding party may appeal the result of the formal investigation. Any appeal must be submitted in writing to the College’s Title IX Compliance Coordinator within seven (7) days of the result becoming final. All appeals shall be based upon one or more of the following: (1) improper procedures materially
affected the result of the investigation; (2) newly discovered material information or evidence was obtained that was not available at time of the investigation or hearing (if applicable) and would have a significant impact on the result; or (3) the sanction imposed was inappropriate for the offense in question. Dissatisfaction with the result is not grounds for appeal. Any sanctions imposed will not be stayed during the appeals process.

16. The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for appeal. Upon receipt of the appeal, the College’s Title IX Compliance Coordinator or designee will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response must be submitted within seven (7) days from the notice of appeal. In the event both parties initially appeal the result, each party will be provided notice and a copy of the other party’s appeal or response.

17. Any appeal will be conducted in an impartial manner by an assigned appeals officer, which may include oral argument at the sole and absolute discretion of the appeals officer.

18. In any appeal, the burden of proof lies with the party requesting the result and/or sanction be modified in some respect, as the original result and sanction are presumed to be decided reasonably and appropriately. The appeal is not a new review of the underlying matter. The appeals officer shall consider the merits of an appeal only on the basis of the three stated grounds for appeal (as identified in paragraph 15 above).

19. The appeals officer can affirm the original result, alter the result, and/or alter the sanctions, depending on the basis of the requested appeal. If the appeal is based on improper procedures, the appeals officer can ask that a new investigation and/or adjudication, or other appropriate action, occur. In the case of newly discovered material information or evidence, the appeals officer can recommend that the case be returned to the investigator to assess the weight and effect of the newly discovered information or evidence and render a determination after considering the new information or evidence.

20. The appeals officer will communicate the result of the appeal to the parties within fourteen (14) days from the date of the submission of all appeal documents by both parties, or the date of oral argument (if any), whichever is later. The decision of the appeals officer is final.

M. Dual Agency Investigation Procedures – Criminal and Administrative

If the alleged conduct is also the subject of a criminal investigation, the College is not permitted to wait for the conclusion of the criminal investigation before beginning to perform its obligations as set forth herein. However, the College may temporarily delay performance of certain obligations while law enforcement authorities are conducting their investigation. Once notified that law enforcement has completed its investigation, the College shall promptly resume performance of any obligations temporarily delayed as a result of the law enforcement investigation. Prior to interviewing persons involved with a criminal case, efforts should be made by College representatives to discuss intentions with law enforcement investigators to ensure administrative efforts are not interfering with the criminal case.

N. Other Complaint or Grievance Procedures

An individual who believes he or she has been subjected to Sexual Misconduct may file a complaint or grievance pursuant to any applicable complaint resolution or grievance procedure provided in the Student Handbook or any applicable collective bargaining agreement. Such complaint or grievance may be filed either instead of or in addition to making a report of Sexual Misconduct to the Title IX Compliance Coordinator, Chief Equity and Diversity Officer, Chief of Security, or other appropriate official designated to review and investigate Sexual Misconduct complaints under this procedure. A complaint or grievance
alleging Sexual Misconduct must meet all the requirements under the applicable complaint resolution or grievance procedure, including time limits for filing.

1. If a complaint or grievance alleging Sexual Misconduct is filed in addition to a report made to the Title IX Compliance Coordinator, Chief Equity and Diversity Officer, Chief of Security, or other appropriate official designated to review and investigate Sexual Misconduct complaints under this procedure, the Informal Resolution or Formal Investigation shall constitute the first step or steps of the applicable complaint resolution or grievance procedure.

2. Once a complaint or grievance is filed, the reporting party shall be provided with a hard or electronic copy of the College’s most recent Sexual Misconduct Resource Guide.

O. **Remedies and Sanctions**

If a report, complaint, or grievance alleging a violation of the College’s Sexual Misconduct policy and procedure is substantiated, the College will determine the appropriate sanctions.

1. For **Students**, sanctions may include one or more of the following:
   
a. **Expulsion.** Mandatory separation from the College with no promise of future re-admission. A student who has been expelled is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College. The Provost will present recommendations for expulsion to the President. Only the President may authorize an expulsion.

   b. **Suspension.** Mandatory separation from the College for a period of time as specified in the order of suspension. A student who has been suspended is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College during the suspension. The student may re-enroll at the College when the suspension order has elapsed. The Provost will present recommendations for suspension to the President. Only the President may authorize a suspension.

   c. **Final Disciplinary Probation.** A disciplinary sanction serving notice to a student that the behavior is in flagrant violation of College standards and that the following conditions exist:

      1. The sanction is for the remainder of the student’s attendance at the College.
      2. Another violation of any College policy, procedure, or Student Code of Conduct will result in the imposition of the minimum sanction of suspension.

   d. **Disciplinary Probation.** A disciplinary sanction serving notice to a student that the student’s behavior is in serious violation of College standards and that continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation.

   e. **Disciplinary Censure.** A disciplinary sanction serving notice to a student that the student’s behavior has not met College standards. This sanction remains in effect for the duration of one complete semester. Future violations of any College policy, procedure, or Student Code of Conduct, if occurring while disciplinary censure is in effect, could result in more serious disciplinary sanctions.

   f. **Trespass from the College.** A student may be trespassed from the College for behavior which is disruptive or illegal as administered by the local police municipalities. Upon notification of trespass order from the local municipality,
security will notify the appropriate Associate Provost and Provost for follow up. Students will receive a letter of notification and instruction from the Associate Provost addressing the order, right to appeal and individual to contact for follow up.

**g. Restrictions or Revocation of Privileges.** Temporary or permanent restrictions and/or loss of privileges, including but not limited to:

i. Contact or interaction with other members of the College community;

ii. Access to, use of, or physical presence in specified areas of a campus or other property owned or controlled by the College;

iii. Participation in any College-sponsored program, activity, event, organization, club, athletic team, or competition;

iv. College-related employment, service, or assignments.

**h. Restitution.** Reimbursement for damage to, or misappropriate use of, property of the College or other persons. Reimbursement may take the form of rendering repair or compensating for damages.

**i. Community Service.** A student may be required to complete work assignments or other service to the College community.

**j. Educational or Counseling Assignment.** A student may be assigned sanctions, educational or supportive in nature, to aid in his/her development and better understanding of his/her choices. The student will be given a definite time frame for each assignment and is expected to complete assignments within that time frame in order to avoid further conduct action.

**k. Withholding of diplomas, transcripts, or other records.**

**l. Transcript notations.**

**m. Verbal or written warning or reprimand.**

**n. Other action as deemed appropriate.**

**o. No action.**

2. For **Staff** and **Faculty** employees, sanctions may include any form of discipline, up to and including termination, as set forth in the Eastern Florida State College Procedures Manual, and/or applicable collective bargaining agreement then in effect.

**P. Privacy Concerns**

The College shall protect the privacy of individuals involved in a report of Sexual Misconduct to the extent permitted by law and College policy. A report of Sexual Misconduct may result in the gathering of extremely sensitive information about individuals in the campus community. College policy, procedure, or applicable law regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of Sexual Misconduct. The College may claim an exemption to disclosure of any records relating to any investigation or resolution methods subject to this procedure as provided in F.S. 119.071.

It should be noted that the Family Educational Rights and Privacy Act (FERPA) generally prohibits the improper disclosure of personally identifiable information derived from education records. Thus, information that an official obtains through personal knowledge or observation, or has heard orally from others, is not protected under FERPA. This remains applicable even if education records exist which contain the same information. Thus, information received in conjunction with a verbal report of Sexual Misconduct is not protected by FERPA.
In addition, under FERPA, schools may disclose information from “law enforcement unit” records to anyone, including outside law enforcement authorities, without consent from parents or eligible students. A “law enforcement unit” means any individual, office, department, division, or other component of a school that is officially authorized or designated by the school to enforce any local, State, or Federal law, or refer to appropriate authorities a matter for enforcement of any law against any individual or to maintain the physical security and safety of the school. The law enforcement unit does not lose its status as a law enforcement unit if it also performs other functions for the school, including investigating allegations of Sexual Misconduct. However, education records, or personally identifiable information from education records, which the school shares with the law enforcement unit do not lose their protected status as education records because they were shared with the law enforcement unit.

Further, an individual who has made a report of Sexual Misconduct may be advised of sanctions imposed against the responding party when the individual needs to be aware of the sanction in order for it to be fully effective (such as restrictions on communication or contact with the individual who made the report).

Finally, when the offense involves a crime of violence or a non-forcible sex offense, FERPA permits disclosure to the reporting party of the final results of a disciplinary proceeding against the responding party, regardless of whether the College concluded that a violation was committed.

Q. **Terms, Definitions and Conduct Guidelines**
The terms set forth below and referenced in this procedure have the following meanings:

1. **Sexual Harassment**
   Sexual Harassment is defined as unwelcome conduct of a sexual nature, including but not limited to, unwelcome sexual advances, requests for sexual favors, other verbal, nonverbal, visual, or physical conduct of a sexual nature, such as acts of Sexual Violence (defined below), or other offensive behavior directed toward an individual because of or on account of the individual’s sex or sexual orientation, whether by a person of the same or opposite gender, when either:
   a. Submission to, rejection of, or toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, or participation in a College program or activity, or is used as a basis or factor in decisions affecting an individual's employment, education, or participation in a College program or activity (“Quid Pro Quo Sexual Harassment”); or  
   b. Such conduct creates a Hostile Environment (defined below).

   Sexual Harassment may include incidents between any members of the College community, including faculty and other academic appointees, staff, coaches, residents and interns, students, student employees (when acting within the course and scope of employment), and non-student or non-employee participants in College programs, such as vendors, contractors, visitors, and patients. Sexual Harassment may occur in hierarchical relationships or between peers, or between persons of the same sex or opposite sex.

   Sexual Harassment may occur in many forms. When determining whether alleged conduct constitutes Sexual Harassment, the conduct will be evaluated based upon the standard of a reasonable person in the position of the reporting party, taking into
consideration the context and circumstances in which the conduct occurred. Examples of behavior that might be considered Sexual Harassment include, but are not limited to:

- Threats, either directly or by implication, of adverse employment or academic action if sexual favors are not granted or punishing, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment;
- Promising favorable treatment or continued employment in return for sexual favors;
- Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex or gender-related status;
- Unwanted, unnecessary or objectively inappropriate physical contact or suggestive body language, such as touching, patting, pinching, hugging, kissing, or brushing against an individual’s body, especially after being told to such behavior was unwanted, unnecessary or inappropriate;
- Any act of Sexual Violence (as defined below);
- Physical coercion or pressure of an individual to engage in sexual activity or punishment for a refusal to respond or comply with sexual advances;
- Display or distribution of pornographic material or sexual explicit drawings, pictures, or written materials;
- Sexual rumors or ratings of sexual activity/performance or the circulation, display, or creation of e-mails or websites of a sexual nature;
- Excessively offensive remarks, including unwelcome graphic or suggestive comments about an individual’s body, appearance or dress,
- Jokes and humor about sex or gender-specific traits;
- Inappropriate use of sexually explicit or offensive language or derogatory language directed at another person’s sexuality, gender, gender identity, sexual orientation or gender expression;
- Insults and threats based on sex, gender, gender identity, sexual orientation or gender expression;
- The display in the workplace of sexually suggestive objects or pictures which create an intimidating or Hostile Environment;
- The display or circulation of written materials or pictures degrading to an individual(s) or gender group where such display is not directly related to an educational/pedagogical, artistic, or work goal;
- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping. Harassment for exhibiting what is perceived as a stereotypical characteristic for one’s sex, or for failing to conform to stereotypical notions of masculinity and femininity, regardless of actual or perceived gender related status of the harasser or her/his/their target;
- Abusive, disruptive or harassing behavior, whether verbal or physical, which endangers another’s mental or physical health, including but not limited to, threats, acts of violence, or assault based on gender related status and/or in the context of intimate partner violence;
- Other unwelcome and unwanted conduct of a sexual nature, such as leering, name calling, suggestive comments and sexual propositions or innuendos and other oral, written or electronic communications of a sexual nature that an individual communicates is unwanted and unwelcome.
Sexual Harassment in any form is prohibited by the College, and the above definition and examples will be used in determining whether a responding party is responsible for committing Sexual Harassment under the College’s Sexual Misconduct policy and procedure; with the understanding that while the above examples are illustrative, the list is not exhaustive.

2. **Gender-Based Harassment**

Gender-Based Harassment is unwelcome conduct of a non-sexual nature based upon an individual’s actual or perceived sex, including conduct based on an individual’s sexual orientation, gender identity, gender expression, and nonconformity with gender stereotypes.

Gender-Based Harassment that creates a Hostile Environment is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Gender-Based Harassment under the College’s Sexual Misconduct policy and procedure.

3. **Unwelcome Conduct**

Conduct is considered unwelcome if a person did not request or invite it and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex. Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that the person welcomed other conduct. Also, the fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

Unwelcome conduct is prohibited by the College.

4. **Hostile Environment**

A Hostile Environment exists when conduct is sufficiently serious to deny or limit an individual’s ability to participate in or benefit from the College’s programs or activities. A hostile environment can be created by anyone involved in a College program or activity (e.g., administrators, faculty members, students, and campus visitors).

In determining whether conduct has created or evinced a Hostile Environment, the College considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the individual who was harassed. But the College will also need to find that a reasonable person in the individual’s position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a Hostile Environment.

To make the ultimate determination of whether a Hostile Environment exists for an individual or individuals, the College considers a variety of factors related to the severity, persistence, or pervasiveness of the conduct including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and
the context in which it occurred; and, (5) the degree to which the conduct affected one or more student’s education.

The more severe the conduct, the less need there is to show a repetitive series of incidents to find a Hostile Environment. Indeed, a single instance of Sexual Violence (defined below) may be sufficient to create a Hostile Environment. Likewise, a series of incidents may be sufficient even if the conduct is not particularly severe.

**First Amendment Considerations** - This procedure does not impair the exercise of rights protected under the First Amendment; rather, it prohibits only conduct that creates a Hostile Environment. In this way, the College applies and enforces this procedure in a manner that respects the First Amendment rights of students, faculty, and others.

5. **Consent**
   Consent is defined as follows:
   a. Consent is informed. Consent consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent to some form of sexual activity does not imply consent to other forms of sexual activity.
   b. Consent is voluntary. It is given without coercion, force, threats, or intimidation; it is a positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.
   c. Consent is given when the person is not impaired or incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A lack of “no” does not mean “yes.” A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion, or has a mental disorder, developmental disability, or physical disability that would impair his/her understanding of the act. Consent cannot be given by persons who have not yet reached the legal age of consent in the State of Florida.
   d. Incapacitation is the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep and blackouts.
   e. Where alcohol and/or drugs are involved, incapacitation is distinct from drunkenness or intoxication, and is defined with respect to how the alcohol or other drugs consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments. The factors to be considered include whether the responding party knew, or a reasonable person in the position of the responding party should have known, that the reporting party was impaired or incapacitated.
   f. In Florida, the term “consent” is statutorily defined as intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. See Florida Statute 794.011(1)(a).

6. **Sexual Violence**
   Sexual Violence is defined as physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g. due to the person’s age or use of drugs or alcohol, or because of an intellectual or another disability that prevents the person from having the capacity to give consent). A number of different acts may fall under the category of Sexual Violence, including:
a. Sexual Assault
Sexual Assault is defined to include actual or attempted:

*Non-Consensual Sexual Contact:* Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner; or

*Non-Consensual Sexual Intercourse:* Any sexual intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force. Intercourse includes vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

Sexual Assault is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Sexual Assault under the College’s Sexual Misconduct policy and procedure.

b. Sexual Coercion
Sexual Coercion is the improper use of unreasonable and persistent pressure to compel another person to initiate or continue sexual activity against a person’s will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. Coercion may be emotional, intellectual, psychological, or moral. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another person’s freedom of will and ability to choose whether or not to engage in sexual activity.

Sexual Coercion is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Sexual Coercion under the College’s Sexual Misconduct policy and procedure.

c. Force
Force is the use or threat of physical violence or intimidation to overcome a person’s freedom of will to choose whether or not to participate in sexual activity.

Force is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Force under the College’s Sexual Misconduct policy and procedure.

d. Inducing Incapacitation for Sexual Purposes
Using drugs, alcohol, or other means with the intent to affect, or having an actual effect on, the ability of a person to consent or refuse to consent to sexual contact.
Inducing Incapacitation for Sexual Purposes is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Inducing Incapacitation for Sexual Purposes under the College’s Sexual Misconduct policy and procedure.

e. Sexual Battery
In the state of Florida, Sexual Assault is legally referred to as “sexual battery” and law enforcement the court system will utilize this definition in determining whether to pursue criminal charges. Florida Statute 794.011 defines sexual battery as “any oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

7. Dating Violence
Dating Violence is violence committed by a person who is or has been in romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating Violence is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Dating Violence under the College’s Sexual Misconduct policy and procedure.

In Florida, the term “dating violence” is statutorily defined as violence between persons who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

Florida law enforcement agencies will utilize this definition in determining whether to pursue criminal Dating Violence charges. See Florida Statute 784.046.

8. Domestic Violence
Domestic Violence is defined as felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabitating with or has cohabitated with the victim as a spouse, or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Florida, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Florida. Domestic violence is not tolerated by the College.

Domestic Violence is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Domestic Violence under the College’s Sexual Misconduct policy and procedure.
In Florida, the term “Domestic Violence” is statutorily defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. “Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common, regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Florida law enforcement agencies will utilize this definition in determining whether to pursue criminal Domestic Violence charges. See Florida Statute 741.28.

9. **Stalking**

Stalking is defined as engaging in a repetitive course of conduct (e.g. repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method) directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

The College also considers Stalking to include the concept of Cyber-Stalking, a particular form of Stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Stalking and Cyber-Stalking are prohibited by the College, and the above definitions will be used in determining whether a responding party is responsible for committing Stalking under the College’s Sexual Misconduct policy and procedure.

Stalking in Florida is defined as the willful, malicious and repeated following or harassing of a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress; or an aggravated stalking, which means the willful, malicious and repeated following or harassing another with credible threats with the intent to place that person in reasonable fear of death or bodily injury; or willfully, maliciously, repeatedly following or harassing a minor under age 16; or after injunction for protection or any court-imposed prohibition of conduct, knowingly, willfully, maliciously and repeatedly follows or harasses another person.

Sexual Cyberharassment in Florida means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person’s consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person.

Florida law enforcement agencies will utilize these definitions in determining whether to pursue criminal Stalking and/or Sexual Cyberharassment charges. See Florida Statutes 784.048 and 784.049.
10. **Sexual Exploitation**
Sexual Exploitation occurs when a person takes advantage of the sexuality of another person without consent or in a manner that goes beyond the boundaries of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of behavior that could rise to the level of Sexual Exploitation include:

- Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without the consent of all parties involved;
- Recording, distributing, publishing, or streaming images (e.g. video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;
- Prostituting another person;
- Exposing one’s intimate body parts in unwelcome or non-consensual circumstances, or inducing another person to so expose;
- Knowingly exposing another individual to a sexually transmitted infection or disease; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Sexual Exploitation is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Sexual Exploitation under the College’s Sexual Misconduct policy and procedure.

11. **Retaliation**
Retaliation is defined as taking adverse action against an individual making a report under the College’s Sexual Misconduct policy and procedure or against any person cooperating or participating in the investigation of a report or the enforcement of any interim measures or sanctions under this procedure. Retaliation includes intimidation, threats, harassment, and other adverse action including adverse job action and adverse academic action against any such complainant or third party.

Retaliation is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Retaliation under the College’s Sexual Misconduct policy and procedure.

12. **Aiding or Facilitating Sexual Misconduct**
Aiding or Facilitating Sexual Misconduct is defined as promoting, aiding, facilitating or encouraging the commission of any behavior prohibited under the College’s Sexual Misconduct policy and procedure.

Aiding or Facilitating Sexual Misconduct is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Aiding or Facilitating Sexual Misconduct under the College’s Sexual Misconduct policy and procedure.

R. **Retention of Records Regarding Reports of Sexual Misconduct**
The office of the Title IX Compliance Coordinator is responsible for maintaining records relating to Sexual Misconduct reports, investigations, and resolutions. Records shall be maintained in accordance with College records policies, generally five years after the date the complaint is resolved or five years after the termination of employment, whichever is
later. Records may be maintained longer at the discretion of the Title IX Compliance Coordinator in cases where the parties have a continuing affiliation with the College. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instructions from legal counsel.

S. Noncompliance with the Sexual Misconduct Policy & Procedures
Noncompliance with the policy and procedures is managed in accordance with the EFSC Board Policy Governance Manual, the EFSC Procedures Manual, the Student Code of Conduct and any other official College documents such as the collective bargaining agreement.

T. Free Speech and Academic Freedom
The faculty and other academic appointees, staff, and students of the College enjoy significant constitutionally-guaranteed free speech protections. This procedure is intended to protect members of the College community from sexual harassment and other forms of Sexual Misconduct, not to regulate protected speech. This procedure shall be implemented in a manner that recognizes the importance of these rights. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination or Sexual Misconduct laws.

800.11 Alcohol and Drug Prevention
Sections 203.4 and 302.5 of the College’s Procedures Manual govern alcoholic beverages and illicit drugs on College property.

The enforcement of state and federal alcohol and drug laws is primarily the responsibility of the local law enforcement agencies having jurisdiction over College property. Security Department personnel do not have arrest authority, but serve as liaisons to the various law enforcement agencies, and support efforts to enforce alcohol and drug laws.

Persons in violation of state and federal alcohol and drug laws are subject to arrest, criminal prosecution, fine, and imprisonment. In addition to criminal sanctions, students and employees violating the College’s alcohol or drug policies and procedures may also be subject to disciplinary action up to and including expulsion or termination of employment. For students, the Associate Provosts shall be notified of a violation and shall be responsible for initiating the disciplinary process. For employees, the Human Resources Department shall be notified of a violation and shall be responsible for initiating the disciplinary process. Sections 201.5 and 201.6 of the College’s Procedures Manual shall apply to student-related disciplinary action. Sections 308.3, 308.4, and 308.5 of the College’s Procedures Manual shall apply to employee-related disciplinary action.

The College reserves the right to terminate any contracts or agreements it may have with vendors, independent contractors, student organizations, or other affiliates whose agents or members violate the College’s alcohol or drug policies and procedures.

The College’s Human Resources Department shall be responsible for preparing and disseminating an annual notification to all students and employees, which shall contain College policies and procedures related to alcohol and drugs, along with a clear statement that the College will impose disciplinary sanctions for violations, and a description of the possible sanctions. In addition, the annual notification shall contain a summary of the applicable state and federal laws related to alcohol and drugs, their possible legal sanctions, known health risks, and information on counseling, treatment, and rehabilitation services available in the community, including employee assistance programs. The annual notification may be disseminated in any manner, including e-mail, as long as it is reasonably certain to be received by all students and employees.
The College’s Safety Policy and Procedures Compliance Committee shall conduct an annual review of the College’s alcohol and drug policies, procedures, and prevention programs to determine effectiveness and consistency of sanction enforcement. The Committee shall prepare a written report of its conclusions, containing at a minimum, a description of current alcohol and drug prevention programs, and their strengths, weaknesses, and recommendations for improvement to the College President within 14 days of meeting.

**Medical Marijuana in Florida.** Despite the provisions of Article X, Section 29 of the Florida Constitution, as well as applicable Florida Statutes and implementing F.A.C. Rules, marijuana remains a controlled substance under federal law, and continues to be prohibited by the College. Thus, any member of the College community who meets the definition of “qualified patient” under §381.986(1), Florida Statutes, shall continue to abide by federal law as it relates to marijuana, as well as any and all applicable College policies and procedures.

**800.12 Crime Log**

The Eastern Florida State College Security Department shall maintain a daily “crime log” in the Security Office of each campus, containing at a minimum, the date a crime was reported, the date and time the crime occurred, a brief description of nature of the crime, the general location of the crime, and the disposition of the complaint, if known.

The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported which shall be immediately available for public review during normal business hours:

- Crime log entries include all criminal offenses reported to the EFSC Security Department for the required geographic locations, not just Clery Act crimes.
- The crime log discloses specific information about criminal incidents, not crime statistics.
- The crime log is designed to disclose crime information more quickly than the annual report.
- The UCR hierarchy rule does not apply to the crime log. If multiple criminal offenses are committed during a single incident, all of the offenses must be recorded in the log.
- The log has a more specific location focus than the statistical disclosures. For example, the location might be recorded as “on the second floor of the administration building” rather than “on campus.”

An entry, an addition to an entry, or a change in the disposition of a complaint, must be recorded within two business days of the reporting of the information to the EFSC Security Department. Exceptions to this requirement would be if disclosure is prohibited by law, or would jeopardize the confidentiality of a victim. Disposition updates are not required to be updated if more than 60 days has passed since the original entry date.

Information may be temporarily withheld from the crime log in cases where there is clear and convincing evidence that the release of information would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The request for withholding the information must be forwarded to the Chief of Security for consideration and approval.

If a reported crime is investigated by law enforcement personnel, and it is determined that a crime did not occur, the crime log should indicate that the disposition of the crime is “unfounded.” Only an active, sworn law enforcement officer that has jurisdictional authority over the case can make this determination. A Campus Security Authority or Security Officer cannot determine a crime to be “unfounded.”
The crime log may be either hard copy or electronic. If an electronic crime log becomes inaccessible for technical reasons, efforts should be made to use a hard copy log as a temporary replacement until the problems are resolved.

The College will make a good faith effort to advise students and employees that the crime log is available, the information it contains, and how it may be accessed. The College may post notices on the College website, in Campus Security offices, and other locations frequented by students and employees.

The crime log for the most recent 60-day period must be open to public inspection, upon request, during normal business hours at all Campus Security offices. Security Department personnel may not request nor require a written request or disclosure of identification prior to complying with the request to review the crime log. Any person may have supervised access to the crime log, whether or not they are associated with the College. Persons requesting a copy of the crime log may have one at no cost to the requestor.

Because the crime log must be made available for immediate public inspection, the log should contain no information that is confidential in nature. Case reports and incident reports that may accompany the crime log may be viewed by the public as long as the confidential information has been fully redacted.

800.13 Protection of Minors and Reporting of Abuse, Abandonment, or Neglect

A. Introduction

The Eastern Florida State College committed to the safety and wellbeing of minor children while on College property and/or participating in College events or functions. For this purpose, and in compliance with Sections 39.201 and 39.205, Florida Statutes, and Fla. Admin. Code R. 6A-14.099, the College establishes the following community expectations and reporting obligations.

B. Definitions

For purposes of this procedure, the applicable terms are defined as follows:

1. Abuse,” “Abandonment,” “Neglect,” “Child,” and “Caregiver” are defined as set forth in Section 39.01, Florida Statutes.

   a. "Abuse" means any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

   b. "Abandoned" or "abandonment" means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both.

   c. "Neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical,
mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.

d. "Child" means any unmarried person under the age of 18 years who has not been emancipated by order of the court.

e. “Caregiver” means the parent, legal custodian, permanent guardian, adult household member, or other adult person responsible for a child’s welfare.

2. The term “Administrator” means the following high-level personnel who have been assigned the responsibilities of college-wide or campus-wide academic or administrative functions, and who serve the College with the title of: College President, Vice President, Associate Vice President, Provost, Associate Provost, Dean, Chief of Security, and Title IX Compliance Coordinator.

3. The term “Law Enforcement Agency” means the unit of the College which is vested with the authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the state. Eastern Florida State College does not have a unit vested with the authority to make arrests, or whose primary responsibility is the enforcement of the penal, criminal, traffic or highway laws of the state, and therefore does not have a Law Enforcement Agency.

4. The term “College Community” means all Eastern Florida State College faculty, staff, other employees, and volunteers.

C. College Expectations and Reporting Obligations

The College strictly prohibits abuse, abandonment, or neglect of any kind of any child by any member of the College Community while on College property or in the context of a College-sponsored event or function. Any member of the College Community who knows of, or has reasonable cause to suspect, that a child is or has been abused, abandoned, or neglected while on College property or during a College-sponsored event or function must immediately report such knowledge or suspicion to an Administrator. Upon receipt of such a report, the Administrator will provide the reported information to appropriate College personnel for investigation.

In addition, a child, while on College property, who is not a student or participant in a College-sponsored event or function must be supervised at all times by a caregiver. Any member of the College Community who encounters an unsupervised child on College property should immediately notify the nearest College security office.

D. State of Florida Statutory Reporting Obligations

1. Any Person

Section 39.201, Florida Statutes requires any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected, to report such knowledge or suspicion to the Florida Department of Children and Family Services (DCF) Abuse Hotline (see E. below). In addition to this reporting obligation, Section 39.205(1), Florida Statutes prohibits any person from knowingly and willfully preventing another person from meeting their reporting obligation to DCF. Any person may contact local law enforcement authorities to make a report of suspected child abuse at any time; however, this does not negate their statutory obligation to first report to the DCF.
2. **College Administrators**

In addition to the mandates set forth in Sections 39.201 and 39.205, Florida Statutes which apply to any person; Section 39.205(3), Florida Statutes requires Administrators, upon receiving information from faculty, staff, or other College employees of known or suspected child abuse, abandonment, or neglect committed on College property, or during a College-sponsored event or function, to report such knowledge or suspicion to DCF (see E. below); and prohibits Administrators from knowingly and willfully preventing another person from doing so.

**E. DCF/Florida Abuse Hotline**

The DCF/Florida Abuse Hotline accepts reports 24 hours a day and 7 days a week of known or suspected child abuse, abandonment, or neglect. Reporting options include:

- online at https://reportabuse.dcf.state.fl.us/
- call 1-800-962-2873
- Florida Relay 711 or TTY 800-955-8771
- fax to 800-914-0004

**F. Sanctions for Non-Compliance**

1. **State Level Sanctions for Non-Compliance**

   Florida State Board of Education (SBOE) sanctions for non-reporting or non-compliance are codified in Section 39.205, Florida Statutes and establish specific sanctions and processes for a review of an allegation of non-compliance and include a possible sanction of a fine of $1 million for each such failure to be assessed against the College in the event the SBOE determines that an Administrator knowingly and willfully failed to report known or suspected child abuse, abandonment, or neglect to DCF.

   A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, commits a felony of the third degree, punishable as provided in Sections 775.082, 775.083, or 775.084, Florida Statutes, which includes up to 5 years imprisonment and a $5,000 fine. Details concerning the SBOE review and appeal process are codified in Fla. Admin. Code R. 6A-14.099.

2. **College Sanctions for Non-Compliance**

   Any member of the College Community who fails to comply with this procedure will be subject to the applicable penalties as described above. In addition, College may impose additional direct penalties in accordance with College policies and procedures up to suspension and termination from employment.

**G. Immunity**

Any member of the College Community who makes a report in good faith to the DCF/Florida Abuse Hotline, or any law enforcement agency, regarding known or suspected child abuse, abandonment or neglect shall be immune from any civil or criminal liability (Section 39.203, Florida Statutes).
H. Non-Retaliation

Eastern Florida State College prohibits retaliation against any individual because of a good faith report of child abuse, abandonment, or neglect. In accordance with Section 39.203(2)(b), Florida Statutes, a person who makes a child abuse, abandonment, or neglect report shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting person by reason of his or her making such report.
801 College Emergencies

801.1 Overview of College Emergencies Procedure
The College takes reasonable steps to provide a healthy, safe, and secure environment for all members of the College community to enhance the accomplishment of the College’s mission and contribute to more effective risk management. (SACSCOC R13.8)

Full text for this procedure is available through the Office of Safety and Security. (The college version is available at inside.easternflorida.edu.)

801.2 Planning for Academic Responsibilities before, during and after an emergency
The College strives to be prepared for any emergency, to protect faculty, staff and students. There may be situation in which the administration of the College must close a campus, building or the entire College in order to provide for that safety with minimum disruption of the learning environment. This procedure outlines the process for closing and re-opening of classes. (SACSCOC 13.2.C.8)

Preparation for Emergency Closure of Campus
A. Alternative class expectations
   1. In preparation for emergency closure of a campus administration will discuss with faculty plan for alternative class expectations and ensure that faculty have backups of course materials/assignments that may be accessed off-campus in case of extended closure.
   2. Administration will discuss with faculty and appropriate staff what to do with special assets (live animals and specimens, chemicals, etc.) in case of extended closure.
   3. Administration will discuss with faculty the modification of course expectations/timelines for make-up materials, (i.e. online assignments, extended deadlines).
   4. Faculty are encouraged to establish Canvas shell even if it is only the current assignments and communicate this accessibility to students.
   5. Administration and Department Chairs will communicate alternative plans to adjuncts.
   6. Faculty will be instructed to communicate the alternative plans to students through the Learning Management System.
   7. Communications will post a notice on website directing students to review the Learning Management System for instructor specific directions for alternative assignments.

B. Administrative Preparation
   1. Each supervising administrator will download and retain a copy of the classroom assignments by instructor, location, and sections. This master list will assist administration to determine what classes will be impacted and when.
   2. Update emergency contact information will be sent:
      a. Each academic and student services administration will provide updated contact information to the VP Academic and Student Affairs.
      b. Each supervisor will maintain current contact information for department chairs and faculty under his supervision.
c. Each department chair will maintain current contract information for full time faculty and adjuncts in his assigned discipline.

3. In absence of VP Academic and Student Affairs, a supervising administrator will be assigned to be the primary contact person for academic and student affairs teams.
4. Administration will discuss alternative locations in case of extended closure.

Preparation for return to classrooms
A. Assessment of physical plant:
1. The Vice President of Academic and Student Affairs will confer with appropriate administration to determine which if any classrooms are not operational.
2. The Vice President of Academic and Student Affairs in conjunction with the supervising administrators will determine alternative classroom assignments as available.
3. The supervising administrators will notify faculty of alternative classroom assignment.
   a. Notices will be posted on buildings to direct students to alternative classroom assignment.
   b. Communications will post notice on the College website to direct students to alternative classroom assignment.

B. Alternative class expectations
1. The supervising administrator will discuss with faculty the modification of expectations/timelines for classroom make up materials.
2. The supervising administrators and department chairs will communicate alternative plans to adjuncts.
3. Faculty will be instructed to communicate the alternative plans through the Learning Management System.
4. Communications will post notice on the College website directing students to review the Learning Management System for instructor specific directions for alternative assignments.

C. Assess course time requirements
1. The supervising administration will determine with faculty which classes no longer meet the minimum required instructional time.
   a. A plan will be developed to make up lost time (i.e. additional meeting dates, online or out-of-class activities).
   b. A plan will be developed with the Assessment Centers if specific class assessments need to be moved to the Assessment Centers to allow additional classroom instructional time.
   c. A plan will be developed with Assessment Centers to make up any tests that were interrupted by the emergency.
   d. Department Chairs and Program Managers will contact clinical/practicum sites to determine alternative dates to make up for lost experiences.
   e. Faculty are encouraged to extend deadlines as appropriate to allow students with limited access to complete assignments.

D. Registration/Drop periods
1. If the emergency occurred over a registration or drop period, the Vice President of Academic and Student Affairs will develop a plan with the Registrar, Advising and Financial Aid to extend those deadlines appropriately.
2. Financial Aid and Associate Provosts will give consideration to students with access needs to drop the course without penalty if needed. Students should be encouraged to work with their faculty member first. Drop should be the last resort.
3. Communications will post message on the College website and text students that the College will work with the students to assist them to complete their current courses. Students should be encouraged to contact their advisor prior to withdrawing from a class.
The Registrar will track students impacted by the emergency utilizing a specific registration/drop/withdrawal code.
802 OVERVIEW OF COLLEGE SECURITY & SAFETY

The College takes reasonable steps to provide a healthy, safe, and secure environment for all members of the campus community. (SACSCOC R13.8)

The College shall maintain an active property and personnel security program in conformity with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) originally known as the Crime Awareness and Campus Security Act of 1990). Security officers shall appropriately respond to each incident, keep record of each event, and provide upon request of legal authority statistics and other data required by the Act. They may report violations of law to local law enforcement. The Campus Security Department shall publish an Annual Security Report no later than October 1st of each year which will be widely available to students, faculty, staff and guests and will provide required criminal statistical information and crime prevention strategies to ensure safe campuses.

802.1 Building and Equipment Security

College employees are expected to close and lock their offices, classrooms, and work areas at the end of the day, observing strict security of college keys, lending them neither to students, nor to student assistants. Student assistants are not permitted to work on the campus after normal working hours without supervisory permission.

Audio-visual equipment, which has been checked out to a college employee, may not be loaned to another person, nor should it be left unattended in an empty classroom.

Employees finding evidence of burglary or vandalism to the campus must immediately report the incident to their Campus’s Security Department Office.

802.2 Telephone Numbers for Emergencies

Eastern Florida State College encourages its students, faculty, staff, and guests to report crime, suspicious activity, or emergency situations to Security Department personnel and to the appropriate law enforcement agency in a timely manner.

To report a crime in progress, or to report an incident requiring immediate police or fire/rescue response, please first contact 911, immediately followed by a call to the campus Security Department Office so that Security Officers can help stabilize the scene and assist arriving first responders.

If using a campus/classroom phone, you may dial 8911, 9911 or 911 to reach 911 emergency dispatchers.

Campus Security Offices:
Palm Bay Campus Security Office: (321) 403-5911
Melbourne Campus Security Office: (321) 403-5909
802.3 Missing Property
The budget custodian will inform the Property Accounting Office (as well as the Security Office) when tagged college property is determined to be missing. After 30 days, if the missing items are not located, the Property Accounting Office will prepare a list of the items and forward it through the Business Office to the President. Inventory adjustment will be initiated by the Business Office once property has been missing for a period of 2 years.

802.4 Parking Lots
Neither the College nor the Board is responsible for any damage or theft to vehicles left in the college parking lots.

802.5 Hazardous Waste Removal
The College is committed to improving safety by reducing accidents, enhancing education of faculty, staff and students in the management of hazardous waste. The College will manage hazardous waste in compliance with state and federal regulations. Appropriate laboratory manuals and safety measures will be accessible to faculty, staff and students.

Training. Hazard Communication Standards (HCS), or “worker-right-to-know laws, regulate how information about workplace chemical hazards is communicated to employees. As with most workplace health and safety standards, worker right-to-know laws and guidelines have developed in large part according to standards adopted under the federal Occupational Safety and Health Act (OSHA). The EFSC Training Program considers multiple elements:

- **Employee Training.** All employees will be required to participate in the mandatory Hazard Communication Training offered by the Training & Development Department within the first 30 days of employment. The key changes included in the training are:
  - Safety Data Sheet Forms,
  - Hazard Symbols and Pictograms,
  - Standardized Hazard Classifications,
  - Universal Four Digit Codes for Identifying Chemical Information.

- **General Awareness/Familiarization Training.** All employees should be knowledgeable of general areas on the campuses where chemicals are used/stored, familiar with the general requirements for the handling of chemicals, and with the meaning of the various hazard symbols and pictograms—all of which are covered in the online employee training program.

- **Function-Specific Training.** Employees who work with specific chemicals should have specific training, usually from the department supervisor, regarding the safety methods of handling the chemical(s).

- **Safety Training.** In addition to safe handling of chemicals, safety training should include methods and procedures for accident avoidance (transport of chemicals, confined spaces, etc.) and emergency response information (fire, spills, etc.).

- **Security Awareness Training.** Employees working in a department where chemicals are stored should have additional training relating to recognizing, prevention of, and responding to a possible campus security threat.
Responsibilities.

- **Departments.** All departments that use or store chemicals are required to:
  - provide a complete chemical inventory list for their work areas;
  - maintain a current Safety Data Sheets (SDS) for each chemical;
  - ensure all chemical labeling is according to current GHS requirement that each label includes a:
    - signal word,
    - pictogram,
    - hazard statement,
    - precautionary statement for each hazard class and category;
  - protect the employees and the environment by following established waste removal practices.

- **Human Resources.** The HR Training & Development Department is responsible for the collegewide employee training program and for training programs in specific HazComm areas that may be requested by individual departments.

- **Maintenance.** The Maintenance Department is responsible for assisting the Human Resources Training & Development Department by providing technical information that may be needed for area-specific training programs.

- **Health Sciences, Nursing, and Labs.** The various nursing or health departments, chemistry, biology, or other labs will have specific procedures to deal with the various chemicals that are labeled and stored in their areas. All labeling will follow the GHS Classification System.

- **Contractors.** All contractors are responsible for providing relevant OSHA Hazard Communication Standards to their employees. The contractors are responsible for notifying the EFSC Project Director/Coordinator/Manager if they will be using a hazardous chemical that could result in exposure to the EFSC staff/students/community.

### 802.6 Hazardous Waste Removal

The definition of hazardous waste: a waste, or combination of wastes, which because of its concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed.

a. All projects concerning the removal of any type of hazardous waste from any of the Eastern Florida State College facilities must have prior approval from the Director of Safety before the project may commence. The approval process will involve the evaluation of the materials to be removed, the location of the materials, and the method of removal. Each project will be evaluated individually, taking into consideration the situation, location, and currently mandated guidelines.

b. Once the approval process is complete, the Associate Vice President of Facilities or designee will be involved in the removal process by making periodic safety compliance inspections (i.e. site preparation, materials handling, extraction of materials, and site clean-up). The inspections should include the assurance that all appropriate paperwork (e.g., testing data, MSDS sheets, and material Manifests) is being collected.
c. The follow up process will include the submission of all appropriate forms and records to the Office of the Associate Vice President of Facilities.

d. The project will be evaluated for procedural adherence and review once all materials have been removed from the site, the site has been cleaned, and the Associate Vice President for Facilities or a designee has conducted a final inspection of the site and a clearance for job continuation is given.

802.7 Internal Controls
The President shall institute a set of internal controls that shall properly safeguard the assets of the college. Financial records should be maintained in conformity with applicable laws and regulations. College equipment, supplies, or facilities cannot be used by employees for revenue generating activities that do not directly benefit the college, unless expressly approved by the President.
803  Firearms Procedure

Introduction

This Firearms Procedure applies to all Eastern Florida State College Security Officers authorized to carry a firearm in the course of duty.

Armed Security Officers will sign an acknowledgement of receipt of this policy, and further acknowledge that the privilege to carry a firearm, and/or chemical agent may be revoked at any time at the discretion of the President of Eastern Florida State College, or his or her designee.

Armed Security Officers shall be properly licensed, trained and qualified to use authorized firearms. Armed Security Officers shall qualify at a minimum annually with an authorized On-Duty Firearm, which shall be properly maintained and routinely inspected.

Armed Security Officers will submit to a background screening, drug test, and fingerprinting before authorization to carry a firearm.

Failure to comply with the below procedures could result in disciplinary actions, up to and including, termination. Nothing in this procedure shall constitute an amendment, modification, or alteration of the “at will” employee status of Armed Security Officers.

803.1  Definitions

The following definitions shall apply to this Firearms Procedure; this procedure may be updated periodically and it is the Armed Security Officer’s responsibility to ensure they are aware of and knowledgeable of the current procedure.

a. Active Law Enforcement Officer—Any “law enforcement officer”, “part-time law enforcement officer”, or “auxiliary law enforcement officer”, as those terms are defined in Florida Statute 943.10(1), (6), and (8) respectively.

b. Armed Security Officer—Those members of the Eastern Florida State College Security Department: (1) who have attained, and actively maintain during the course their employment in the capacity of an Armed Security Officer, a Class “D” Security Officer License and Class “G” Statewide Firearms License as provided under Chapter 493, Florida Statutes; and (2) who have been thoroughly evaluated and identified by the Chief of Collegewide Security and Vice President of External Affairs to be suitable candidates for an armed position; and (3) who have been authorized by the President of Eastern Florida State College to carry a firearm as a requirement of his or her job duties at Eastern Florida State College.
c. **Vice President of External Affairs** – The EFSC employee to whom the Chief of Collegewide Security reports.

d. **Chief of Collegewide Security** – The EFSC employee who manages and directs the EFSC Security Department.

e. **Firearms Instructor** – Any firearms instructor designated as such by the Chief of Collegewide Security who possesses a Class K Statewide Firearms License as provided under Chapter 493, Florida Statutes.

f. **On-Duty Firearms** – Only issued key locks and firearms as authorized by F.S. 493.6115 (6) and issued by Eastern Florida State College will be carried while on duty. All Security Officers that are authorized to carry an On-Duty Firearm must have their Class “G” License with them at all times while on duty and in possession of said firearm.

g. **Off-Duty Firearms** – Armed Security Officers have no authority to carry or use College-issued firearms while off-duty, except in the limited circumstances set forth in Section 3 below. This does not prohibit any Security Officer from his or her statutory right as a private citizen from carrying a concealed firearm pursuant to F.S. 790.06, while off-duty and the firearm or weapon is a personal firearm or weapon, and not a College-issued firearm or weapon.

h. **Property Officer** – Designated property officer within the Security Department.

i. **Range Master** – Designated range master responsible in part for safe firing range practices and procedures.

### 803.2 Authorized Use of Firearms

Only On-Duty Firearms may be carried or used by Armed Security Officers while on duty or special assignment.

No Off-Duty Firearms (i.e. no personal firearms) may be carried or used by any Armed Security Officer while on duty or special assignment for the College. The exception to this can be found in Section 802.14 “Active Law Enforcement Officers” of this procedure.

### 803.3 Responsibility for Safekeeping of Firearms

a. Armed Security Officers shall not leave an On-Duty Firearm unsecured at any time while in possession of said firearm.

b. Armed Security Officers are responsible for the safe handling and proper storage of his or her issued On-Duty Firearm at all times while in possession of said firearm.

c. During off-duty hours, Armed Security Officers may elect to store their issued On-Duty Firearm(s) at their assigned campus Security Office or their personal residence. However, any On-Duty Firearms stored at a personal residence during off-duty hours must be kept at all times in a secure weapons locker or safe designed to prevent unauthorized access or theft of firearms inside the dwelling where no other persons have access.
d. Armed Security Officers who elect to store On-Duty Firearms at their personal residences during off-duty hours do so at their own risk and peril, are individually responsible for compliance with the safekeeping requirements imposed by this section, and are individually liable for any consequences resulting from such election.

e. Armed Security Officers who elect to store On-Duty Firearms at their personal residences during off-duty hours are not required to disarm while traveling directly to and from their personal residence and their assigned campus or other assigned post, provided they are dressed in regular EFSC Security Officer uniform.

f. On-Duty Firearms stored at campus Security Offices during off-duty hours shall be kept in a secured gun case or closed box or other container as provided by the College and designated for such use.

g. During off-duty hours, Armed Security Officers may use On-Duty Firearms for range training on their own time and at their own expense, with the prior approval of their supervisor, and in accordance with applicable regulations of the Florida Department of Agriculture and Consumer Services, Division of Licensing.

803.4 Handling Firearms While On Duty
While on duty, Armed Security Officers shall adhere to the following protocols at all times:

a. On-Duty Firearms shall remain holstered and in plain view, unless:
   i. Drawn for immediate and necessary use of force; or
   ii. Incident to training or qualification opportunities; or
   iii. Incident to routine uniform outfitting or inspection; or
   iv. Incident other occasions requiring arming or disarming while on duty (see item c. below); or
   v. Incident to the making of necessary repairs, alterations, care, or cleaning; or
   vi. Incident to a loss of privileges to carry.

b. Armed Security Officers shall not be under the influence of any alcoholic beverage(s), drugs, medications, or other substances that affect his or her normal faculties. A supervisor who possesses reasonable suspicion that an Armed Security Officer is not fit for duty shall immediately take possession of that officer’s firearm and remove the officer from duty. The supervisor must immediately notify the Chief of Collegewide Security and the AVP of Human Resources, or their designees of the incident and situation. At the discretion of the Chief of Collegewide Security or the AVP of Human Resources, or their designees, that officer may be required to submit to a blood, breath, urine or other test(s) to ascertain the officer's fitness for duty.

c. Armed Security Officers are not required to disarm:
   i. When carrying an On-Duty Firearm and issued Chemical Agent outside of the College’s property line, provided that the carrying of the firearm is related to his or her assigned duties and is within a half-mile radius of College property; or
   ii. When traveling directly to and from any College campus or other non-campus property owned or controlled by the College, provided the site-to-site transfer is
directed by the Armed Security Officer’s supervisor or falls within the course and scope of his or her assigned duties; or

iii. When traveling directly to and from the Armed Security Officer’s personal residence and his or her assigned campus or other assigned post, provided that the Armed Security Officer is in regular uniform; or

iv. While performing tasks during duty hours such as refueling a College-owned vehicle, purchasing carryout food or beverage, or taking a restroom break, provided such activities are carried out within a two-mile radius of the Armed Security Officer’s assigned duty post; or

v. While rendering emergency humanitarian assistance or providing assistance to an Active Law Enforcement Officer when requested by that law enforcement officer; or

vi. Unless expressly required to do so by law, court order (see Section 11 below), or by any supervisor. In such circumstances, unless the firearm is being transferred to another Security Officer, which shall require a clearing barrel to facilitate transfer, the firearm shall be securely encased in a glove compartment, gun case, or closed box or container that requires a lid to be opened for access.

d. Except in the circumstances set forth in c. above, no Armed Security Officer shall wear or carry a firearm while running personal errands or taking care of personal business either for herself or himself or for any other person.

e. Armed Security Officers shall:

   i. Never point their On-Duty Firearm unless they intend to shoot at a deadly threat to save the life of his or her self or another.
   ii. Keep their finger off the trigger until their sights are on the target and they are preparing to fire the weapon.
   iii. Have full confidence their target is the deadly threat and have made the tactical adjustments necessary to avoid collateral damage.

f. An Armed Security Officer who does not have a Class G Statewide Firearm License shall not participate in operational circumstances or assignments involving the use of firearms.

g. Armed Security Officers, while on duty, MUST wear their department-issued bulletproof vests for the entire duration of their shift.

803.5 Record Keeping
The Property Officer will maintain a complete inventory of all firearms owned and issued by the College Security Department under the supervision of the Chief of Collegewide Security or designee.

803.6 College Procedures and Training
Every approved officer will sign a written acknowledgement of receipt of and instructed on the following College procedures:
   1. Firearms Procedure
   2. Use of Force Procedure
   3. Any other training required by the State of Florida and the President of Eastern Florida State College, or designee. For purposes of this section, the designee will typically be the Chief of Collegewide Security.
803.7 Standards for Armed Security Officers
   a. Armed Security Officers will be required to meet proficiency standards for each training session.

   b. Armed Security Officers shall have no more than three (3) consecutive opportunities to qualify on any qualification course per day.

   c. Armed Security Officers that fail to qualify will receive remedial instruction as soon as possible, preferably within one (1) week.

   d. If remediation occurs on the same training day, the Armed Security Officer may receive two (2) additional attempts at qualification.

   e. The Range Master or Firearms instructor will complete documentation regarding the Armed Security Officer’s qualification status, and shall forward such documentation to the Chief of Collegewide Security or his designee, to be placed into the Armed Security Officer’s training file.

802.8 Reasonable Observations and Concerns of Others
In addition to the requirements set forth in Section 802.4 b) above, the Range Master, Firearms Instructor, or any supervisor of an Armed Security Officer shall immediately notify the Chief of Collegewide Security whenever an Armed Security Officer, in their judgment, displays a lack of ability or proficiency to continue serving in an armed position, or whenever an Armed Security Officer gives such person a legitimate reason to be concerned about the Armed Security Officer’s suitability or desire to continue serving in an armed position.

The Range Master, Firearms Instructor, or supervisor shall notify the Chief of Collegewide Security immediately upon observing the alleged deficiencies and/or causes for concern, and shall provide supporting written documentation to the Chief of Collegewide Security as soon as practicable thereafter.

803.9 Loss of Privilege to Carry
Armed Security Officers that fail to qualify with their On-Duty Firearm will have their privilege to carry the firearm suspended immediately.

Armed Security Officers that fail to qualify with their On-Duty Firearm after remedial training as provided in section 7 above may be reassigned to an unarmed position or subjected to other administrative action.

There is no guarantee that an Armed Security Officer who fails to qualify after remediation will be transferred into an unarmed Security Officer position when an unarmed Security Officer position is not available which may result in the dismissal of the officer.

An Armed Security Officer’s privilege to carry may be revoked at any time for any violation of this procedure, or any other College policy or procedure, or for any other reason at the sole and absolute discretion of the President of Eastern Florida State College, or designee. For purposes of this section, the designee will typically be the Vice President of External Affairs or the Chief of Collegewide Security.
803.10 Repairs and Alterations to Firearms
Any repairs or alterations, e.g. changing of grips, require the approval of the Chief of Collegewide Security.

A certified Eastern Florida State College Armorer must complete ANY approved or authorized modifications, repairs and/or alterations. The Armorer shall document all work done on every firearm. The documentation will contain the date, time, make, model and serial number of the firearm that was altered. The property officer will maintain all records.

803.11 Court Orders Relating to Firearms
Any Armed Security Officer who becomes subject to any court order (e.g. injunction for protection, condition of bond, term of probation, etc.) relating to domestic violence (as defined in chapter 741, Florida Statutes or as contemplated in section 790.223, Florida Statutes), or that prohibits such officer from possessing, carrying, or owning a firearm shall, upon notice of said court order, immediately surrender his or her College-issued firearm(s) and ammunition to a Law Enforcement Officer or Agency, and obtain a chain of custody/property receipt. The Security Officer must then immediately notify their supervisor and provide the copy of the chain of custody/property receipt.

The Chief of Collegewide Security or his designee must be notified by the Supervisor with the accompanying paperwork.

The College Security Department will retrieve the surrendered firearm and ammunition from the law enforcement agency and make all notations on the officers’ equipment forms.

Armed Security Officers will be subject to Eastern Florida State College Procedure 302.4 “Arrest/Conviction Guidelines.”

803.12 Care and Cleaning
Care and cleaning of College-issued firearms will be the responsibility of the Armed Security Officer to whom the firearm is assigned.

a. All Armed Security officers shall be trained in the proper cleaning and care of a firearm at specified range training sessions.

b. Armed Security Officers must follow manufacturer’s recommendations. Armed Security Officers must inspect their firearms intermittently to ensure safe operation.

c. Armed Security Officers must clean and inspect their firearms after training and/or practicing at the range.

d. Firearms or other weapons inspections may occur without notice by the Range Master, the Chief of Collegewide Security or his designee, or the officer’s immediate supervisor.

e. Failure to maintain an EFSC issued firearm will result in corrective action and may result in the loss of armed status.

f. The Property Officer must collect firearms or other weapons that are found unsafe because of damage or disrepair.

g. The Property Officer will arrange to issue the Armed Security Officer a replacement firearm as soon as possible.
h. College-issued firearms, ammunition, weapons, holsters, belts, and related equipment must be returned to the Property Officer upon the armed Security Officer’s departure from an armed position.

803.13 Special Assignments Requiring Concealment of Firearms
Pursuant to F.S. 493.6115(4) and 493.6305(2)-(3), should an Armed Security Officer be assigned to a special detail that requires carrying a firearm concealed, that officer may do so only when authorized by the Chief of Collegewide Security or his designee and when the situation is necessitated.

803.14 Active Law Enforcement Officers
Off-duty Active Law Enforcement Officers who serve as unarmed Security Officers for Eastern Florida State College may carry their employing agency’s approved firearm while on duty as an unarmed Security Officer with permission of their employing agency providing it complies with their Law Enforcement agency’s directives and policies.

Any firearms carried by off-duty Active Law Enforcement Officers must be concealed while on duty as unarmed Security Officers.

Any Active Law Enforcement Officer who carries a firearm while on duty as an unarmed Security Officer for Eastern Florida State College is subject to the same College standards, policies, and procedures relating to the use of force as applied to Armed Security Officers.

Any Active Law Enforcement Officer who carries a firearm while on duty as an unarmed Security Officer for Eastern Florida State College shall be deemed to carry such firearm under his or her authority as an Active Law Enforcement Officer with approval of his or her employing agency, and not under the authority or auspices of Eastern Florida State College. The moment an EFSC Security Officer draws his or her concealed law enforcement approved firearm, they are acting in their official certified Law Enforcement capacity.

803.15 Ammunition
The ammunition used by Eastern Florida State College Department of Security must comply with Florida Administrative Code 5N-1.129 and be approved by the Chief of Collegewide Security, or his designee.

The State Department’s Administrative Code and Register Section is the filing point for rules promulgated by state regulatory agencies. Agency rulemaking is governed by Chapter 120, Florida Statutes, Administrative Procedures Act. Rules are published in the Florida Administrative Code.

Florida Administrative Code 5N-1.129 – Ammunition
Licensed agencies shall allow licensed employees to use only factory ammunition of a type and load which is appropriate for the location and duty requirements of armed employees, not including the following types of ammunition which are prohibited:
1. Glaser-type or any other pre-fragmented type bullets.
2. Exploding bullets.
3. Teflon-coated (ktw-type) or any other type of armor piercing bullets.
4. Full wadcutter bullets (except on the firing range).
5. Reloaded ammunition (except on the firing range).
803.16 Holsters
An Armed Security Officer shall carry their firearm securely in a holster and in plain view while on duty. The holster shall be the College-issued holster. Holsters must be security-style worn with all designed security measures engaged.

803.17 Firearms in Vehicles
Armed Security Officers may not leave an On-Duty Firearm unattended in any vehicle at any time, except as provided in section 4(c)(vi.) above.

803.18 Lost/Stolen Firearm
a. Armed Security Officers must immediately report the loss or theft of a College-issued firearm to his or her immediate supervisor and the Chief of Collegewide Security, or his designee.

b. Armed Security Officers must also report the loss or theft of a College-issued firearm to the law enforcement agency having jurisdiction where the loss or theft occurred. The reporting officer will file a police report. Copies of the police report will be provided to their EFSC Supervisor as soon as possible.

c. Armed Security Officers must also submit a legibly written or typed statement on an approved statement form as soon as possible to their immediate supervisor, stating the details and circumstances relating to the loss or theft of the firearm.

d. The officer's supervisor will ensure a Case Report and a Consortium A/I Report regarding the loss or theft is completed and filed with the Security Department.

e. The officer's supervisor must compile and forward a copy of all reports to the Chief of Collegewide Security, or his designee, for review and further distribution. The Chief of Collegewide Security, or his designee, at his discretion may authorize an internal investigation into circumstances related to the loss or theft of the firearm.

f. If the lost or stolen firearm is recovered, the Department of Security will ensure that the proper Supplementary Reports are filed. The recovered firearm shall be inspected by the Armorer prior to being reissued for use.

803.19 Firearms in Courthouse
Armed Security Officers subpoenaed or requested to appear in any court or legal proceedings arising from their service as a Security Officer for Eastern Florida State College shall not carry a department issued firearm into any state or federal courthouse or other location prohibiting the possession of a firearm.

803.20 Firearms Qualifications/Training and Requalification
To maintain licensure, the Class “G” license holder must complete four hours of requalifying training EACH YEAR. The annual training course will consist of a review of the curriculum topics Legal Aspects of Use of Firearms and Firearms Qualification as part of the initial training requirements to include any recent changes in the law. License holders will be required to achieve a passing score on a cycle of fire consisting of 48 rounds. If the license holder fails to achieve a passing score after three attempts, he or she must seek additional remedial training and schedule another requalification attempt later.

Approved Course of Fire for the Firearms Qualification Standard
ALL OFFICERS WILL FOLLOW THE COMMANDS AS GIVEN BY THE RANGE MASTER / INSTRUCTOR

1-3 yards (6 Rounds) 2 rounds in 4 Seconds – Single Target – Repeat X 2

3 Yards - (6 Rounds) 2 rounds in 2 seconds – Single Target – Repeat X 2

7 Yards – (6 Rounds) 2 rounds in 5 secs – Single Target – Repeat X2
   (6 Rounds) 1 round T1 -1 round T2 – Repeat X2
   (6 Rounds) 3 rounds T1 – 3 rounds T2

15 yards- Mandatory reload - (12 Rounds) 3 rounds T1 – 3Rounds T2 – Reload- 3 rounds T1 - 3 rounds T2 Reload 3 rounds T1 3 Rounds T2 continue to cover target. On command, make your firearm Safe (visually checked by instructor) Holster and secure.

Officers must meet a passing score of 70% or 168 out of a possible 240 points. K licensed instructors only will score the targets.

Each officer will be required to qualify with the EFSC issued firearm, holster, and other equipment he or she may use while on duty.

803.21 Guidelines on the Decision to Discharge a Firearm
The decision to discharge a firearm is an irreversible action. Prior to firing, if possible, an officer should evaluate the following:

a. It is prohibited to fire a warning shot for any reason, including an attempt to stop a person suspected of the commission of a crime.

b. Deadly force may never be used by an officer except for personal self-defense or in defense of another from imminent death or great bodily harm.

c. It is prohibited to use deadly force to protect property or to prevent property loss by this procedure and state law.

Additional Considerations:
1. The reason for firing the firearm;
2. The potential for harming others in the vicinity;
3. The time of day and number of persons on campus;
4. The possibility of other less lethal forms of force;
5. The age of the suspect(s) who are posing a deadly threat;
6. Direction the firearm needs to be discharged to stop the deadly threat;
7. Is the subject in plain view, armed, and dangerous?
8. Use extreme caution at night as darkness may obscure the officer's vision.
9. Will your actions be judged as reasonable and appropriate under the circumstances?

Anytime an officer discharges a firearm in the line of duty to stop a deadly threat, the officer involved in stopping a deadly threat will first contact 911 and request an immediate law enforcement and fire rescue response followed by radioing other campus security officers to alert them of the shooting and the need for immediate assistance. Once the scene is rendered safe,
the officer should immediately notify the on-duty supervisor who will in turn notify the Chief of Collegewide Security, or his designee. Security will conduct an after action shooting incident investigation in conjunction with law enforcement.

If an officer discharges his firearm accidentally on campus, the officer will notify the supervisor immediately of the incident and submit within 24 hours in writing the circumstances surrounding the accidental discharge and any resulting injury or property damage. The supervisor will ensure the jurisdictional police department is contacted and a report of the incident is documented.

If an officer discharges his or her firearm accidentally while away from campus of college property, the officer is required to report the incident immediately to their EFSC supervisor and to the law enforcement agency, which has jurisdiction over the area where the discharge took place. The officer has the responsibility of forwarding a copy of the incident report directly to their EFSC supervisor as soon as it is available.

Security will investigate every accidental firearm discharge. Failure to report an accidental discharge is cause for corrective action up to and including dismissal.

If an accidental discharge occurs in a training environment, the firearms instructor will evaluate the incident. If the officer is at fault, the Range Master or instructor will notify the officer’s supervisor immediately. The accidental discharge will be evaluated to determine if any corrective action will be implemented.

Anytime an officer discharges his or her firearm or weapon, except for training purposes, the officer involved in the incident will be placed on administrative leave, pending the outcome of an investigation.

When a firearm is discharged in the course of duty by a class “G” license holder, the Armed Security Officer and the Security Department are required to notify the Florida Department of Agriculture and Consumer Services, Division of Licensing within five (5) working days. The incident report should contain an explanation describing the nature of the incident, the necessity for using the firearm and a copy of any report prepared by a law enforcement agency. 493.6115(9), Florida Statutes.

803.22 Procedures AFTER Firearm is Discharged Against a Person in the Course of Duty

a. Ensuring the scene is safe is your initial priority. Make every effort to secure any firearms or weapons from the person(s) shot. Officers should never underestimate an injured person. Even persons with severe injuries can still present a real threat to the involved officer, responding officers and students, staff and faculty who may be nearby.

b. Call 911 and request EMS and law enforcement. If able, attempt to render aid to the person(s) shot.

c. Request assistance from other security personnel on duty and provide your location.

d. Preserve the scene as soon as it is safe to do so; cordon off the area.

e. The officer must notify their supervisor immediately. The supervisor must immediately notify the Chief of Collegewide Security, or his designee, and proceed to the scene as expeditiously as possible.

f. The involved officer(s) must be removed from the immediate scene as soon the scene is secured. The supervisor must assign other officers to maintain security of the scene.
g. The involved officer should cooperate fully with law enforcement officers and EFSC Security Supervisors who respond to or have been assigned to investigate the incident. The law enforcement agency may require the officer to surrender the weapon to them as evidence. The Officer should request a chain of custody/property receipt upon the surrendering of the firearm. The officer involved will immediately be placed on Administrative Leave and offered any available counseling services provided by Eastern Florida State College.

h. All appropriate reports must be completed as soon as possible after the incident. The officer is required to comply with any request by the Chief of Security, Vice President of External Affairs, AVP of Human Resources or the President of the College, to submit to blood testing to aid in the investigation of any incident involving the discharge of a firearm.

i. The Chief of Collegewide Security, or his designee, shall conduct or have conducted a departmental investigation into any incident involving the discharge of a firearm or weapon, for determination if proper protocols and procedures were followed, before and after the incident.

j. A completed report with all findings on any investigation will be submitted to the Chief of Collegewide Security, or his designee, who will review and forward to the appropriate college administrative personnel.

k. At the conclusion of the investigation, the involved officer must be notified within a reasonable time of the findings of the investigation. This notification shall also include any further action taken by Eastern Florida State College Department of Security or by Eastern Florida State College as outlined in Eastern Florida State College’s Policy and Procedures.

803.23 Security Licensing Reimbursement
Purpose
This procedure provides a process for Eastern Florida State College to recover the costs of providing security officers, including contracted officers, with required security license training and payment of mandated fees to the Department of Agriculture for Security “D,” “DI,” “G,” and “K” licenses in the event of a failure to pass minimum requirements or in the event of resignation within the first 360 days after the issuance (or reissuance) of license.

Procedure
Eastern Florida State College requires that all security officers, including contracted officers, obtain a minimum of a “D” security license, and an accompanying “G” license for all armed security officers. If Security Officers, including contracted officers, are current Law Enforcement Officers, they are exempt from the “D” security license requirement. Upon the approval of the Chief of Security, or his designee, certain officers may be selected to obtain additional security officer licenses, such as a “DI” or a “K” license. All training for these licenses will be provided by and paid for by Eastern Florida State College.

Types of Licenses
• Security Officer – Class “D” License – Any individual who performs security services must have a Class “D” Security Officer License and must own or be employed by a licensed Class “B” Security Agency or branch office. Class “D” licensees may not enter into subcontractor agreements with any licensed agency or other business entity. – Sections 493.6301(4) and (5), F.S.
• Statewide Firearms License – Class “G” License – Any individual who carries a firearm while on duty must have a Class “G” license in addition to his Class “D” or manager’s license. – Sections 493.6301(5) and (6), F.S.

• Security Officer Instructor – Class “DI” License – Any individual who teaches or instructs at a Class “DS” Security Officer School or Training Facility shall have a Class “DI” license, except instructors who are full-time faculty members and who teach exclusively for public educational facilities are exempt. – Section 493.6301(8), F.S. ; 5N-1.134(3)(b), Florida Administrative Code

• Firearms Instructor – Class “K” License – Any individual who provides classroom or range instruction to applicants for a Class “G” license must have a Class “K” license. Class “K” licensees must follow the standards and procedures in the Division of Licensing Firearms Instructor’s Training Manual. – Section 493.6115(7), F.S

Reimbursement Obligations
If a Security Officer, including a contracted officer, fails to pass the minimum requirements for a Department of Agriculture security license, that officer will be required to reimburse Eastern Florida State College for any and all costs (initial application fee/renewal application fee, fingerprint retention fee, and any and all other fees charged by the Florida Department of Agriculture and Consumer Services) incurred by Eastern Florida State College.

In the event a Security Officer, including a contracted officer, resigns after obtaining the mandatory licensing, that officer shall reimburse Eastern Florida State College for the fees paid by Eastern Florida State College for the current license(s) that the officer holds. Reimbursement may be prorated based on the amount of time between the date of issuance (or reissuance) of the license(s) and the date of the officer’s notice of resignation (as provided below):

0-180 Days: officer must reimburse 100% of the fees paid by Eastern Florida State College

181-360 Days: officer must reimburse 50% of the fees paid by Eastern Florida State College

361+ Days: officer not required to reimburse fees paid by Eastern Florida State College

Late Fees
If the License Renewal documents are not received by the Administrative Assistant for Collegewide Security prior to 45 days before the expiration date of the license, the Security Officer will be personally responsible for payment of any and all associated Late Fees.

Replacement Licenses
All Security Licenses are issued by the Florida Department of Agriculture and Consumer Services and are mailed to the Security Officer’s personal mailing address. If a Security Officer, including a contracted officer, loses or misplaces the physical License, the Security Officer will be personally responsible for payment of any and all fees necessary to replace the License. In addition, the Security Officer is personally responsible for initiating the process of obtaining a replacement License immediately upon discovery that the license is not in his/her possession.
804  Campus Safety and Security-Firearms and Weapons on Campus

This policy/procedure applies to all students, staff, faculty, administration, employees, and invitees to EASTERN FLORIDA STATE COLLEGE property/campuses.

A. Introduction

EASTERN FLORIDA STATE COLLEGE is committed to maintaining an educational and workplace environment that is free of violence. The College further recognizes the existence of extensive legislative acts and constitutional provisions pertaining to the rights and obligations of those who own or possess firearms, especially those addressing the right to carry, store, and transport firearms on one’s person and within motor vehicles.

B. Authority

1. While on college grounds or facilities or at college-sponsored activities and events, students, staff, faculty, administration, employees, and invitees, hereinafter referred to as “person”, are prohibited from introducing, exhibiting, possessing, using, storing, buying or selling weapons, firearms, destructive devices, or explosives. [§790.001; §790.115, Fla. Stat. (2018)]

2. Exceptions: The following circumstances shall not be a violation of this policy/procedure:

   a. It is lawful and is not a violation of Florida Statute or EASTERN FLORIDA STATE COLLEGE policy/procedure 803 for a person 18 years of age or older to possess a concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private vehicle (conveyance), without a license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing in this policy prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use. [§790.01; §790.25; §790.251, Fla. Stat. (2018)]

   b. A person may carry self-defense chemical spray while on campus; provided, the self-defense chemical spray: (i) is a device carried solely for purposes of lawful self-defense; (ii) is compact in size and designed to be carried on or about the person; and (iii) contains no more than two (2) ounces of chemical. A person does not need a concealed weapons license to carry self-defense chemical spray. [§790.001(3)(b), Fla. Stat. (2018)]

   c. A person may carry a stun gun or nonlethal electric weapon or device designed solely for defensive purposes while on campus; provided: (i) it does not fire a dart or projectile; and (ii) the person is a registered student, employee, or faculty member; and (iii) the person possesses a valid concealed weapons license under Section 790.06, Florida Statutes (2018).
d. A firearm in the possession of a law enforcement officer who is authorized to possess the firearm whether on or off duty, by the employing law enforcement agency.

e. A firearm in the possession of an Armed Security Officer, as defined by College policy and procedure.

f. Any other possession of a firearm specifically authorized pursuant to the provisions of Fla. Stat. §790.115.
805 Use of Force

**Purpose.** The purpose of the Use of Force procedure is to ensure each Security Officer’s understanding of and compliance with the Eastern Florida State College Department of Security’s provisions for the use of force in accomplishing its Security protection objectives.

**Disclaimer.** This procedure is for institutional use only and does not apply in any criminal or civil proceedings. This procedure should not be construed as creating higher legal standards of safety or care in an evidentiary sense with respect to third party claims. Violations of this procedure will only form the basis for institutional administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting. Nothing herein is intended to serve as a waiver of sovereign immunity, nor shall be deemed to affect the rights, privileges, and immunities granted to Eastern Florida State College as provided by law.

With limited exceptions, Security Officers, armed or unarmed, are not law enforcement officers and are not granted any police powers regarding arrest or use of force.

In addition, Eastern Florida State College shall not be liable in tort for the acts or omissions of a Security Officer, armed or unarmed, committed while acting outside the course and scope of her or his employment or committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

**805.1 Definitions**

The following definitions shall apply to this Use of Force Procedure:

(a) **Chemical Agent, Individual Protection Device (IPD)** is an approved aerosol spray agent, such as Oleoresin Capsicum (OC) and/or Chlorobenzylidene Manonitrile (CS) or any other formulation of chemical agent approved by the department for carry and use. No chemical agent will be utilized by any officer unless approved and issued by the President of Eastern Florida State College, or designee. For purposes of this section, the designee will typically be the Chief of Collegewide Security. Any officer approved for chemical agents must receive training on the use of and deployment prior to carrying and use. This training will be conducted by a competent certified authority.

(b) **Restraint Devices (Handcuffs/Flex Cuffs)** – Departmental approved and issued restraint devices will only be carried by officers who have been approved by the President of Eastern Florida State College, or designee. For purposes of this section, the designee will typically be the Chief of Collegewide Security.

(c) **Electronic Control Weapon (ECW/Taser)** – Weapons designed to disrupt a subject’s central nervous system by means of deploying battery-powered electrical...
energy sufficient to cause uncontrolled muscle contractions and override an individual’s voluntary motor responses. This current is delivered either by directed contact with weapon or by use of projectiles. All Tasers will be issued to officers who have been approved by the President of Eastern Florida State College, or designee. For purposes of this section, the designee will typically be the Chief of Collegewide Security. All personnel, before being issued a (ECW/Taser) will have sufficient training in the use of and deployment of the weapon.

\textbf{(d) Intermediate Weapon} – any device listed above that has been authorized and issued by the President of Eastern Florida State College, or designee. For purposes of this section, the designee will typically be the Chief of Collegewide Security.

\textbf{805.2 Authorization to Use Force}

A Security Officers affiliated with the Department of Security, Eastern Florida State College, shall not use physical force against any person except when necessary for self-defense, or in defense of another against the use of unlawful force, or to prevent or terminate a person’s unlawful trespass or interference with College real property, in accordance with Chapter 776, Florida Statutes.

A Security Officer is authorized to use only the amount of force necessary to control a person or situation. The level of force applied must be objectively reasonable based on the totality of circumstances (articulable facts) surrounding the situation.

As a person increases his/her resistance level, an officer may have to increase the level of his/her response until the resistance ceases and the officer is able to gain control of the person. As soon as the person’s point of compliance is reached, the officer must de-escalate his/her response level to the minimum force necessary to control the person, accomplish the safety objective, and notify law enforcement.

When deadly force is considered, it shall be considered only as a last resort, and may be used only in situations where it is necessary to prevent imminent death or great bodily harm. Intermediate Weapons are only to be used when lesser means have failed or are impractical.

\textbf{805.3 Decision to Use Force}

\textbf{a.} Security Officers may exercise a variety of appropriate options during an encounter with a non-compliant subject. The Security Officer may escalate or de-escalate as appropriate in an attempt to establish control. Options include:

\textbf{i. Mere Presence:} Security Officer’s mere presence is used to end minor infractions or disturbances by arriving on the scene.

\textbf{ii. Verbal Command:} Use of verbal commands to establish control over a situation; if possible, local Law Enforcement should be notified if verbal commands are insufficient to establish control over a situation.

\textbf{iii. Physical Control or Incapacitating Control:} Subject has the immediate ability and means to physically assault the officer or others. Officers may use physical or incapacitating non-lethal options to gain control until the subject is incapable of endangering the officer or others.

\textbf{iv. Deadly Force:} Deadly force could include actions by the subject that are likely to result in death, great bodily harm or great bodily injury to others or the officer. Officers in a deadly force situation are authorized to use their firearm only in the defense of themselves and in the defense of
another from imminent death or great bodily harm. Whenever practical, a Security Officer should give a verbal warning prior to using deadly force.

b. Mere presence and verbal commands will often diffuse many volatile situations. Sometimes, however, these are not enough or a Security Officer may not have an opportunity to use them. In these instances, a Security Officer may have to use physical force to gain control of a situation. For purposes of this procedure, the term “physical force” includes the use of Intermediate Weapons, Physical or Incapacitating Control and Deadly Force as described above.

c. The decision to use physical force should be accompanied by comprehending why and under what circumstances such force may be used. Physical force may only be used:

i. In self-defense; or
ii. In the defense of others; or
iii. In the course of restraining someone for their own personal safety; or
iv. In the course of preventing or terminating a person’s trespass or interference with College real property.

d. A Security Officer shall not use physical force when a subject merely shows contempt or rudeness to the officer, or for the sole purpose of “officer safety” (without clearly articulable reasons).

e. Security Officers shall be mindful of the option to de-escalate to the point of disengaging with a non-compliant subject if the circumstances do not warrant use of physical force. In those circumstances, it may be more appropriate to request assistance from law enforcement officers.

805.4 Appropriate Use of Force

a. A determination of the appropriate amount of force used in any situation will be based upon the totality of the circumstances known to the Security Officer at the time of the incident. There are several factors used in determining the totality of the circumstances. These include but are not limited to:

1. Severity or seriousness of the incident
2. Subject poses an immediate threat
3. Subject’s mental or psychiatric history, if known to the Security Officer
4. Subject’s violent history, if known to the Security Officer
5. Subject’s combative skills
6. Subject’s access to weapons
7. Innocent bystanders who could be harmed
8. Number of subjects versus number of Security Officers
9. Duration of confrontation
10. Subject’s size, age, weight, and physical condition
11. Security Officer’s size, age, weight, physical condition, and defensive tactics expertise
12. Environmental factors, such as physical terrain, weather conditions, lighting, etc.
13. Whether the subject can be identified at a later time
14. Legal justification
15. College policy and procedures
805.5 Resistance Levels
A set of guidelines established to assist Security Officers in their decision-making process regarding the appropriate use of force when met with resistance.

a. Passive Resistance
A subject’s verbal and/or physical refusal to comply with a Security Officer’s reasonable direction; non-verbal cues in attitude, appearance, demeanor or posture that indicates an unwillingness to cooperate or possibly a threat.
Examples of passive resistance:
i. The subject refuses to move at the Security Officer’s direction.
ii. Clinching and unclenching hands.
iii. Stretching motions and looking around the area.
iv. The subject refuses to take their hands out of their pockets or from behind their back.

b. Active Resistance
A subject’s use of physically evasive movements directed toward the Security Officer such as bracing, tensing, pushing, or pulling to prevent the Security Officer from establishing control over the subject. Subject is evading control without trying to injure or physically assault the Security Officer or others.
Examples of active resistance:
i. The subject physically anchors himself/herself to a person or object to prevent himself/herself from being removed.
ii. The subject braces or pulls away from the Security Officer when he or she grips the subject’s arm.
iii. The subject attempts to run when the Security Officer touches or attempts to gain control of the subject’s arm or shoulder.

c. Aggressive Resistance/Threat Posed to Security Officer or Others
A subject’s attacking movements toward a Security Officer that may cause injury but are not likely to cause death or great bodily harm to the Security Officer or others. Examples of aggressive resistance:
i. The subject balls up their fist and approaches the Security Officer.
ii. The subject takes a bladed stance while threatening the Security Officer.
iii. The subject pushes the Security Officer.
iv. The subject grabs any part of the Security Officer’s body.

d. Deadly Force Resistance/Clear Threat to Security Officer or Others
A subject’s hostile, attacking movements, with or without a weapon, that create a reasonable perception by the Security Officer that the subject intends to cause and has the capability of causing death or great bodily harm to the Security Officer or others. Examples of deadly force resistance:
i. A subject shoots or points a gun at a Security Officer or other person.
ii. A subject refuses to drop a knife when ordered to by the Security Officer and moves quickly toward the Security Officer or other person.
iii. A subject tries to run a Security Officer or other person down in a vehicle.
iv. A subject attacks a Security Officer, either standing or on the ground, and the Security Officer reasonably believes their life is endangered.
805.6 Use of Restraint Devices
a. Use of handcuffs and other Restraint Devices in the detainment of suspects should only be considered in situations deemed “extreme” under the given circumstances, including the following:
   i. Immediately proximal to an active shooting;
   ii. Suspect poses a direct physical threat to himself/herself, or to students, staff, faculty, or campus visitor, to include Security Officers;
   iii. Circumstances giving rise to the use of Deadly Force/Clear Threat to the Security Officer or others.

b. A Security Officer may use handcuffs or other Restraint Devices to detain a suspect only in those circumstances where the Security Officer personally observes the conduct that necessitates the need for restraint.

c. Restraint Devices shall not be used if a suspect is compliant with verbal commands and not involved in an act outlined in part “6a” above.

d. Cuff Procedures
   i. Except as provided in this procedure, subjects will be handcuffed with hands behind the back and palms facing outward if possible.
   ii. Subjects whose arms cannot be physically joined in back shall be handcuffed in front with hands back to back.
   iii. When the hands and wrists are too small or too large for cuffs, flex cuffs will be used.
   iv. Except under exigent circumstances, subjects shall not be cuffed to a fixed object.
   v. At no time shall an officer use any restraining technique that results in the subject being restrained with both the hands and feet together behind the back. In addition, officers shall be mindful of positioning so as to avoid placement that results in serious physical injury or death by positional asphyxiation.
   vi. Upon placement of handcuffs, the Security Officer will communicate to the suspect that the Security Officer is making a citizen’s arrest.

e. To ensure the safety of those present, a Security Officer may conduct a search of a restrained subject’s person or property incident to a citizen’s arrest, but only to the extent necessary to disclose the presence of a weapon. If a search discloses contraband in addition to a weapon, only the weapon may be seized.

f. The Security Officer shall remain present with the restrained subject at the scene, until law enforcement officers arrive and assume custody. Use of motorized carts (i.e. golf carts) to transport restrained subjects is prohibited.

805.7 Drawing Weapons
a. Drawing or exhibiting firearms should only be done so with EXTREME care and caution, and only in circumstances that warrant the use of deadly force:
   1. Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer’s alternatives in controlling a situation, creates unnecessary
anxiety on the part of individual, and may result in the unwarranted discharge of the firearm.

2. An officer’s decision to draw or exhibit a firearm should be based on the tactical situation and the officer’s reasonable belief that there is a substantial risk that the situation may escalate to the point where deadly force may be justified.

3. When an officer has determined that the potential use of deadly force is not necessary, the officer shall, as soon as is practicable, secure or holster the firearm.

4. Firing a warning shot for any reason is a violation of Florida law.

5. Only College issued weapons may be used in the course of duty. With the exception of active Law Enforcement Officers who have express permission from their department to carry concealed.

6. Officers shall not discharge a firearm at a moving vehicle.

b. When a firearm or other College-issued weapon is drawn (removed) from its holster by a Security Officer while on duty or special assignment, the officer must notify his/her immediate supervisor and submit a written report. This report must contain the facts and circumstances which prompted the drawing of the firearm or other weapon.

Exceptions—No report will be required for the following:

a. The use of the firearm or weapon for training purposes in including classroom or firing range
b. The cleaning of the firearm or weapon
c. The inspection of the firearm or weapon by a supervisor or range master
d. The securing of the firearm or weapon in a secure or lockable box.

805.8 Procedures AFTER Firearm is Discharged Against a Person in the Course of Duty

a. The law enforcement agency with jurisdiction shall be the lead investigating agency responsible for the investigation of all shootings involving a Security Officer. Eastern Florida State College Security Department will conduct an investigation in conjunction with the law enforcement agency with applicable jurisdiction. The State of Florida Department of Agriculture will be notified of the incident within five (5) days of the incident.

b. The Florida Department of Agriculture and Consumer Services is the governing body under Chapter 493, Florida Statutes for all armed security officers.

c. If an officer is involved in a critical or traumatic incident that may impair his/her ability to perform their duties, they may be placed on administrative leave from duty pending any investigations by local law enforcement, the Florida Department of Agriculture and Consumer Services, and Eastern Florida State College. Officer(s) involved in such traumatic incidents will be referred to the College’s Employee Assistance Program for mental health evaluation and counseling by the President of Eastern Florida State College, or designee for their own well-being. For purposes of this section, the designee will typically be the College’s Chief of Collegewide Security.

Officer Action Plan:

a. Make every effort to secure any firearms or weapons of the person(s) shot.
b. Call 911 and request EMS and law enforcement. If able, attempt to render aid to the person(s) shot.

c. Request assistance from other security personnel on duty and provide your location.

d. Preserve the scene as soon as it is safe to do so; cordon off the area.

e. The officer must notify their supervisor immediately. The supervisor must
   i. immediately notify the Chief of Collegewide Security, or designee, and proceed to the scene as expeditiously as possible.

f. The involved officer(s), if injured, must immediately seek medical treatment of their injuries once the scene is secured and other security personnel have arrived.

g. The involved officer(s) must be removed from the immediate scene as soon the scene is secured. The supervisor must assign other officers to maintain security of the scene.

h. The involved officer should cooperate fully with law enforcement officers and EFSC Security Supervisors who respond to or have been assigned to investigate the incident. The law enforcement agency may require the officer to surrender the weapon to them as evidence. The Officer should request a chain of custody/property receipt upon the surrendering of the firearm. The officer involved will immediately be placed on Administrative Leave and offered any available counseling services provided by Eastern Florida State College.

i. All appropriate reports must be completed as soon as possible after the incident. The officer may be required to comply with any request by the President of Eastern Florida State College, or designee, to submit to blood testing to aid in the investigation of any incident involving the discharge of a firearm. For purposes of this section, the designee will typically be the Chief of Collegewide Security.

j. The Chief of Collegewide Security, or designee, shall conduct or have conducted a departmental investigation into any incident involving the discharge of a firearm or weapon, for determination if proper protocols and procedures were followed, before and after the incident.

k. A completed report with all findings on any investigation will be submitted to the Chief of Collegewide Security, or designee, who will review and forward to the appropriate College administrator(s).

l. At the conclusion of the investigation, the involved officer must be notified within a reasonable time of the findings of the investigation. This notification shall also include any further action taken by Eastern Florida State College Department of Security or by Eastern Florida State College as outlined in Eastern Florida State College’s Policy and Procedures.

805.9 Use of Force Form/Reporting Use of Force:
The Use of Force Form, an Eastern Florida State College Case Report and a College Consortium A/I form will be completed for any level of force used by an officer. If injuries are sustained by an officer, the officer shall submit to any and all medical assistance necessary to treat his/her injuries.

805.10 The Supervisor’s Review and Reporting Responsibilities:
- Supervisors will notify the chain of command when a shooting incident occurs, even if the shooting does not result in injury or death.
- Ensure the Use of Force Form and all required written report(s) are properly completed and submitted by the officer before the end of the shift.
- Complete his/her portion of the Use of Force Form.
- Submit copies of all statements and the Use of Force Form at the end of the shift to the Chief of Collegewide Security, or designee for review.
- Ensure an Employee Accident Injury (A/I) Report is completed. (If applicable)

The Campus Sergeant will:
- Review all Use of Force incident reports and complete his/her portion of the Use of Force form.
- Submit all reports and Use of Force Forms to the Chief of Collegewide Security, or designee for review.

The Chief of Collegewide Security will:
- Review all forms and reports submitted under the requirements of this Procedure. If deemed necessary, forward all reports and information to an assigned officer for investigations for an internal inquiry. Once they have completed their investigation and forwarded the results to the Chief, Human Resources will serve as the central repository for the Use of Force Forms.
  - When a firearm is discharged in the course of duty by a class “G” license holder, the Armed Security Officer and the Security Department are required to notify the Florida Department of Agriculture and Consumer Services, Division of Licensing within five (5) working days. The incident report should contain an explanation describing the nature of the incident, the necessity for using the firearm and a copy of any report prepared by a law enforcement agency. 493.6115(9), Florida Statutes.

Annual Review of Use of Force Incidents:
The Chief of Collegewide Security, or designee, will complete an annual report documenting all incidents that involved an officer’s Use of Force. This report will be completed by January 15th of each calendar year and submitted to the Vice President of External Affairs for review. This documented analysis will provide information to determine patterns/trends, training needs, equipment review and upgrade, and modifications to existing Use of Force or Operational procedures.
Annual Training on Use of Force Procedure:
The department will review and update annually the Use of Force Procedure. To include any updated training as required by new laws, rules or policy. This training will be conducted as soon as possible before or after its affective date. Any additions or omissions will be documented and implemented by the department training unit.

Special Provisions
a. The importance of this procedure cannot be overstated. As such, every supervisor, at the time of distribution of this procedure, shall ensure that all Security Officers under their command are fully aware of the procedure content. All newly employed Security Officers, shall receive a copy of this procedure and parallel training. Documentation of receipt of the procedure and parallel training will be made a permanent part of the Security Officer’s training record.

b. The Chief of Collegewide Security, or designee, upon receipt of a complaint of an alleged excessive and/or unnecessary use of force will authorize an investigation into the facts and circumstances of the complaint. No formal adjudication will take place until the investigating officer(s) has concluded the investigation of the facts.

c. At the conclusion of the investigation, a finding of Sustained or Unfounded will be rendered and submitted to the Chief of Collegewide Security, or designee, for review. After the review by the Chief, he/she will make official notification to the Security Officer, of the investigative findings and any further actions that may be taken.
NOTICE TO STUDENTS UNDER AGE 18

Each year, many students under the age of 18 ("minor students") enroll at Eastern Florida State College. Whether part of a dual enrollment program or otherwise, these individuals and their parents/guardians should understand that the college environment is unique and unlike anything they have experienced at the elementary or high school level. To that end, the information contained in this procedure is intended to help minor students and their parents/guardians better understand the college environment to ensure a safe and positive experience at EFSC. This information is given as a precaution, and is not meant to create undue concern.

806.1 College Policies, Procedures, and Deadlines
Minor students and their parents/guardians should understand that minor students, like adult students, are subject to all institutional policies, procedures, and deadlines including but not limited to, the EFSC Student Code of Conduct and the EFSC Sexual Misconduct policy and procedure. Deadlines are outlined in the college catalog and website.

806.2 College Environment.
Minor students and their parents/guardians should understand that the minor student is entering a college environment, which is designed with adults in mind. Thus, the general atmosphere of each campus, and the classrooms in particular, will frequently reflect an adult population. In addition, courses are intended for mature audiences, and generally will not be modified to accommodate minor students.

Minor students and their parents/guardians should be aware that:

- Course materials may contain graphic or mature content;
- Course lectures, discussions, and assignments may involve sensitive or controversial topics;
- Students may be exposed to persons with differing viewpoints and opinions;
- Students may have interaction with adults of all ages, backgrounds, and life experiences; and
- Classes may be canceled at the last minute or end early. In either case, instructors are not responsible for minor students while they wait for transportation.

806.3 Course Progress Reports
Minor students and their parents/guardians should understand that course instructors will provide any updates on academic progress directly to the student. This may include graded homework, test papers, and the like. In a college environment, instructors do not generally provide formal progress reports during the semester, and are not obligated to speak with parents/guardians regarding a student’s academic progress, even with the consent of the student.
806.4 Academic Services
Minor students and their parents/guardians should understand that, while the student will have equal access to any academic support services offered to the student body, no extraordinary academic measures will be granted the student due to age.

806.5 Off-Campus Activities and Events
Minor students and their parents/guardians should understand that separate travel arrangements and accommodations may be required for minor students who wish to attend off-campus extracurricular activities and events.

806.6 Overnight Travel
Minor students must have submitted in advance of travel the Student Travel Assumption of Risk, Release, and Hold Harmless Agreement form, signed by their parent or legal guardian.

The parent or legal guardian shall also sign the Acknowledgement of Responsibility for Minor Student Travel Agreement form.

During the pre-trip planning phase, the parent or legal guardian shall provide the College representative with evidence of their relationship to the minor student and a photo ID establishing their identity. A copy will be retained with the trip documents.

The College will cover expenses for minor students as for other students with the following exception: When the minor student and parent or legal guardian are required to travel together via ground transportation, the parent or legal guardian is responsible for that expense. The parent or legal guardian is responsible for covering all of their own expenses associated with accompanying the minor student.

The minor student must be accompanied by their parent or legal guardian at all times. This includes all activities throughout the day and night including travel, lodging, meals, event activities, and free time.

The minor student is required to lodge with their parent or legal guardian.

During all times, the minor student’s parent or legal guardian shall be responsible for the minor student’s care and custody, and shall immediately notify the College representative(s) accompanying the students of any issues or incidents that affect the health or safety of their child.

806.7 Signature of Parent/Guardian
Minor students and their parents/guardians should understand that many college documents signed by minor students will also require the signature of their parent/guardian in order to be officially recognized by the college.

806.8 FERPA
The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents/guardians the right to have access to their children's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. Minor students and their parents/guardians should understand that when a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents/guardians to the student.
Students who are dual enrolled provide a unique situation. While the rights under FERPA belong to the parents/guardians with respect to high school records, they belong to the minor student with respect to college records. If the student is under 18, the parents/guardians still retain the rights under FERPA at the high school and may inspect and review any records sent by the college to the high school.

Notwithstanding the above, there are some circumstances where the college may (but is not obligated to) disclose otherwise protected information to the parents/guardians of a minor student, such as:

- If the student consents to disclosure;
- If there is a health or safety emergency involving the student;
- If the student, who is under age 21, has violated any law or institutional policy concerning the use or possession of alcohol or a controlled substance and the institution has determined that the student has committed a disciplinary violation with respect to that use or possession;
- If the parent/guardian provides proof that the student is a dependent by submission of documentation such as a tax return or court order;
- If the information is based on a college official’s personal knowledge or observation of the student;
- If the information is contained in a law enforcement unit record; or
- If the information is considered to be “directory” information.

806.9 College Security Department
The EFSC Security Department operates 24 hours a day, 7 days a week, including holidays. The campus Security office can be reached at the following numbers; however, if there is an injury or extreme emergency - call 911 first, then the Campus Security department.

Cocoa, Building 1 (321) 433-7086 (321) 403-5907
Melbourne, Bldgs. 1 & 5 (321) 433-5586 (321) 403-5909
Titusville, Building 1 (321) 433-5086 (321) 403-4200
Palm Bay, Building 1 (321) 433-5286 (321) 403-5911

806.10 Annual Security Report
Each year, in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the college publishes an Annual Security Report containing crime statistics and institutional policies and procedures relating to safety and security, including information about crime reporting, emergency announcements, sexual misconduct, registered sex offenders, alcohol and drugs, safety awareness, and resources available to the College community. Paper copies of the Annual Security Report can be obtained at any campus Security office, or online at: http://www.easternflorida.edu/documents/asr.pdf.

806.11 Child Abuse, Abandonment, or Neglect
Minor students and their parents/guardians should understand that under Florida law, college personnel must notify the Florida Department of Children and Families whenever there is credible information that a minor:
• Is being abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the minor’s welfare; or
• Is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision; or
• Is being abused by an adult other than a parent, legal custodian, caregiver, or other person responsible for the minor’s welfare; or
• Is the victim of childhood sexual abuse or the victim of a known or suspected juvenile sexual offender.

806.12 Information Technology
Minor students and their parents/guardians should understand that the college has no control over the information accessed through the Internet and is not responsible for the Internet's content. The Internet should be used with discretion and in compliance with the EFSC Technology and Internet Ethics and Acceptable Use Policy. The college may deny use of its information technology to persons under the age of 15. See Procedures Manual §106.5.

806.13 Employment at EFSC
Minor students and their parents/guardians should understand that all minor employees of the College must be at least 16 years of age and enrolled either at EFSC or in a Brevard County High School. Employees who are under 18 years of age must submit verification of date of birth and proof of current enrollment status or a home-school program affidavit to the Office of Human Resources. Exceptions must be requested through the Office of Human Resources and approved by the President. Supervisors are required to operate within the guidelines of the State of Florida Child Labor Laws. Persons age 17 or younger must not be employed for more than four hours continuously without a 30-minute meal period. Minors must have a 12-hour rest period between the end of work and the beginning of school the next day. See Procedures Manual §301.3.

806.14 Certain Program Age Requirements
Minor students and their parents/guardians should understand that some programs at EFSC have state-mandated age requirements for entry or graduation. All students must meet the age requirements for their respective program. See Procedures Manual §402.6.

806.15 Non-Credit Courses
EFSC offers community and professional non-credit courses to only those students age 16 and older. See Procedures Manual §501.

806.16 Volunteer Activities
Minor students and their parents/guardians should understand that EFSC volunteers must be at least 16 years of age with parent/guardian consent. This is consistent with the age requirement for EFSC employees. See 806.12. Minor students desiring to participate in Service Learning must be at least 14 years of age with parent/guardian consent. In all cases, volunteer activities of minor students shall be conducted in accordance with State and Federal child labor laws.
807  INTERNSHIP PROGRAM

Overall Procedure
An internship program is a paid or unpaid work-based learning experience that brings practical application to learning beyond the classroom which includes both soft and professional skill

807.1 Internship Process
Student must be declared in a degree program that requires capstone or project based learning as part of the degree requirement or option.

Internships are an experiential learning that integrates knowledge and theory learned in the classroom with practical application and skills development in a professional setting. Career Center (Internship) Coordinator will coordinate the appropriate business and/or organization ("internship site host") that will sponsor an internship in cooperation with the faculty member and the student.

The Internship Coordinator will place students with the appropriate preceptorship or internship for the established number of hours determined by the faculty or program manager for the specific course. The preceptor or employer will provide feedback as required by the course description to the appropriate faculty or program manager.

Clinical rotations In which faculty or adjuncts are directly supervising students will be arranged by the faculty or program manager.

Employers may contact the Career Planning and Development Center to request and identify specific field and/or area of internship opportunities that are available and number of interns needed.

Students may identify potential “internship site”. The Career Center will verify the site prior to student placement in the internship position.

Faculty or the program manager will provide the Internship Coordinator with internship goals and expectations or syllabus.

EFSC has designed a common course outline for all disciplines that is facilitated by faculty and includes 1-3 credit hours of course academic credit equivalent to required number of hours which will be unpaid.

The Career Planning and Development Center also provides opportunities for paid internships for students who are not in an academic internship track based on employer availability.
Internship Coordinator submits all original forms to the faculty or program manager. This is to include a final survey of the value of the internship completed by the host site and student.

The Program Manager or Department Chair is responsible for building the required course and identifying the faculty of record.

807.2 Requirements to Participate

- Student must be declared in a major that offers an internship as part of the degree requirement or option.
- Student must be approved by the faculty member or program manager.
- Student must be in good academic standing as determined by the faculty or program manager.
- All core courses must be completed or the internship approved by the program manager.
- Internship assignment must be in the field of study.
- A Learning Agreement signed by the student, instructor, and internship site host which includes measurable performance objectives and a list of on-the-job and related learning experiences will be signed.
- All documentation must be completed prior to starting for the internship experience.