

CHAPTER 9: UNIVERSITY POLICIES

The University of South Florida System has established USF Regulations, Policies and Procedures on a variety of topics that provide valuable guidance to members of the University community and the larger community. USF System Regulations, Policies and Procedures are maintained by the USF System Office of the General Counsel and are available on the web page maintained by the Office of the General Counsel (<http://generalcounsel.usf.edu/>)

A few policies that may be of particular interest to faculty are described below however the full-text of the rule or policy should be referred to for authoritative guidance.

UNIVERSITY SAFETY

Emergencies (Operation Alert)

USF 6-008 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-6-008.pdf>

In the event of a major emergency on the USF St. Petersburg Campus, as outlined below, dial 911 or the USFSP Police Department at 727-873-4140 (3-4140).

Emergencies Covered:

Fatal or life threatening accidents occurring on a campus, involving students, employees, or members of the public when injuries require medical attention

Violence of a major nature, occurring on or in close proximity to University property, which might endanger life or interfere with University activities

Sexual assaults and relationship violence requiring medical attention

University-related transportation accidents, involving hazardous materials, severe personal injury, or major property damage

Reports of illness, involving humans or animals, due to chemical waste emissions

Reports of outbreaks of illness or injury due to food poisoning or consumption of similar products, whether sold by the University or distributed privately on University property

Environmental incidents, including major spills or major air emissions

Explosions

Natural disasters, including fire, flood, hurricane, or tornado

Unauthorized work stoppages, emergency cancellations of University sponsored events, boycotts or threatened boycotts, or demonstrations that may lead to civil disorder or disruption of University activities.

Notification of power, steam, or water service interruption, with particular emphasis as it affects special lab experiment research projects or residence areas.

Reports of major vandalism or graffiti that appears to be motivated by ethnic, racial, religious, or sexual orientation bias

General Safety Issues

The University makes every attempt to maintain a safe campus for students, faculty, staff, and visitors. University police maintain 24-hour patrols throughout campus and are available to assist anyone who feels his or her safety may be in jeopardy. Faculty and staff who must be in their offices late at night or on the weekend are encouraged to let the University police know they are on campus and when they expect to leave.

The emergency (blue light) telephone system, located throughout campus, provides direct and immediate access to the USF St. Petersburg Police Services Department dispatcher when the caller opens the telephone box. Maps of the exact location are available through the USF Police Services Department and the Welcome Center located on the corner of 2nd Street and 5th Avenue South.

The University's Police Services Department will help with unlocking cars, jumping batteries, or changing a flat tire. They will also provide a free escort service for anyone who wishes to be accompanied to his or her car, class, or office after dark.

Bomb Threat Policy

USF 6-002 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-6-002.pdf>
Sec. 790.164, F.S.

It is unlawful for any person to knowingly make a false report concerning the placing or planting of any explosive, or concerning any act of arson or other violence. Any violation is punishable as a second degree felony.

Immediately upon receiving such a threat, the person receiving the call should report this information to the immediate supervisor and call the University Police. The supervisor should at this point inform the appropriate dean, chairperson, as well as, the appropriate vice president. If, in the opinion of the administrative official in charge of the building or the Director of Public Safety, immediate evacuation shall be required, all occupants of the building will be notified. This decision will be final and all occupants will be advised to leave the building immediately, and to take with them personal possessions such as brief cases, purses, or handbags. Persons evacuating from a building will be required to remain at least 100 yards from the building until reentry is announced.

If the recommendation is not to evacuate the building, the building supervisor, or his/her designee, shall immediately notify all occupants so they may decide whether or not to remain in the building.

Faculty may want to make advance preparations in the case of a bomb threat by contacting Resource Analysis and Planning no earlier than one week prior to an exam in order to find an alternate room.

UNIVERSITY CLOSING

Chancellor's Memorandum: CM-M-18.00-03/00

Each university president is in the best position to assess local emergencies and conditions, and to coordinate safety procedures with local disaster officials to protect public health and safety. The university president shall determine closure of all or portions of the campus in the event of an emergency and the employees who are required to provide essential services. The Chancellor shall be notified of anticipated or actual closings as soon as possible.

DIVERSITY AND EQUAL OPPORTUNITY: DISCRIMINATION AND HARRASSMENT

USF 0-007 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-007.pdf>

The University of South Florida St. Petersburg is committed to the principles of Equal Educational and Employment Opportunities without regard to race, color, marital status, sex, religion, national origin, disability, or age, as provided by law, and in accordance with the University's respect for personal dignity. The University is also committed to the employment and advancement of qualified veterans with disabilities and veterans of the Vietnam era. It is the goal of USF St. Petersburg to create and maintain a work and study environment that is positive and free of unlawful discrimination. Further, the University encourages the recognition of the diversity of its population and seeks to promote delivery systems, curricular activities, and programs that reflect this diversity in all facets of University life.

Unlawful discrimination is unacceptable conduct that will not be tolerated at the University. It is prohibited for any administrator, supervisor, or other employee to discriminate or to take any other retaliatory action against an individual who, in good faith, has opposed an alleged unlawful practice or has made a charge, testified, assisted, or participated in any manner in an investigation or proceeding, under provisions of applicable law.

Any applicant, student, or employee who believes he or she has not been treated in accordance with the University's Equal Education and Opportunity Policy may file a complaint with the Equal Opportunity Affairs staff member in the Office of Human Resources.

HIV/AIDS POLICY

Sec. 240.2097(3), (4), F.S.

CM-K-01.00

Each university shall implement a comprehensive program that provides education, information, and activities relating to human immunodeficiency virus (HIV) infection, and acquired immune deficiency syndrome (AIDS). Institutional programs shall comply with the Americans with Disabilities Act of 1990, 42 USC 12101 et seq., and the Occupational Safety and Health Act of 1970, 29 USC 651 et seq., and federal regulations implementing said acts and shall include the dissemination of information to students and employees related to known modes of transmission, signs and symptoms of infection, associated risk factors, and procedures to control the spread of infection. Each institution shall designate HIV/AIDS counselor(s) to answer questions and provide counseling to students and employees. The name, telephone number, location, and hours of availability of the HIV/AIDS counselor(s) shall be included in the university's student and employee handbooks.

SEXUAL HARASSMENT

USF 0-008 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-008.pdf>

The University of South Florida community is most successful when it is based on respect and fair treatment of all people. The University of South Florida will strive to provide a work and study environment for faculty, staff and students that is free of discrimination, including sexual harassment. As part of the effort to create an environment that is comfortable for all people, the University establishes this policy. Sexual harassment and discrimination are prohibited at the University of South Florida, and behavior that constitutes sexual harassment and discrimination is unacceptable.

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education experience; 2) submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or 3) such conduct is sufficiently severe and pervasive so as to alter the conditions of, or have the purpose or effect of substantially interfering with, an individual's work or academic performance by creating an intimidating, hostile, or offensive working or educational environment. Sexual harassment also includes any conduct or activity which creates an adverse impact on an employee's ability to acquire or retain a benefit of employment (including hiring, promotion, salary increases, disciplinary actions or any other terms and conditions of employment), which acts to limit a student's access to, participation in or benefit from an educational program or which creates a hostile or abusive employment or educational environment. Harassment does not include verbal expression or written material that is relevant and appropriately related to the subject matter of a course/curriculum or to an employee's duties. This policy is not intended to abridge academic freedom or the University's educational mission.

Prohibited actions are as follows:

- A. Sexual harassment by or between any faculty member, staff or student, including individuals of the same sex;
- B. Sexual harassment by any faculty member, staff or student against any individual who is not a faculty member, staff or student while assigned to duties or academic programs of USF regardless of their work location;
- C. Sexual harassment by any vendor or individual external to the University against any faculty member, staff or student during the transaction of business with the University;
- D. Retaliation by any faculty member, staff or student against any individual who, in good faith, has made any allegation of sexual harassment, or who has testified, assisted, or participated in any way in any investigation, proceeding, or hearing conducted under this policy or any federal or state law.
- E. Knowingly making, false accusations or allegations of sexual harassment, or making false statements in any inquiry or investigation of alleged sexual harassment.

The University of South Florida strives to create and maintain a professional, collegial environment for work and study. Professional and collegial relationships are based on mutual respect and trust. When persons in positions of unequal power engage in amorous or sexual relationships they should be aware that they may be at risk of being accused of sexual harassment, either during the relationship or after the relationship ends, or being accused of having a conflict of interest. For additional information concerning conflicts of interest please refer to Ch. 112, Part III, Florida Statutes, the applicable collective bargaining agreement, Board of Regents Rules and University Rules.

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

If a person believes they are being sexually harassed and wishes to explore resolution within the University, they should take one or more of the following actions:

- A. If possible, tell the person whose actions you find offensive that you want the behavior to stop and/or that the behavior or conduct is unwelcome, and/or,
- B. Tell your supervisor or the head of the department in which you are enrolled or employed, or the supervisor/department head's supervisor of the offensive behavior, and/or,
- C. USFSP Contact Human Resources, 727-873-4USF

The University of South Florida St. Petersburg has a designated Victim's Advocate, Counseling Center and an Employee Assistance Program. These offices are available to provide information and clarification concerning the University's sexual harassment policy, but are not authorized or designated to investigate or resolve sexual harassment complaints or otherwise participate in the sexual harassment complaint process. These offices are obligated to refer allegations of sexual harassment to the Office of Human Resources.

Allegations of sexual assault and/or battery may also be referred to the USFSP University Police: 727-873-4140.

Employee Assistance: Call the Counseling, Health and Wellness Center 727-873-4422

Victims' Advocacy Program: 24-hour crisis lines:

Domestic Violence (CASA) 727-898-3671

Florida Domestic Violence Hotline 800-500-3671

Rape Crisis 727-530-7233

Pinellas County Helpline 727-344-5555

Internal complaints or allegations regarding sexual harassment should be filed as follows:

- A. The Office of Human Resources is responsible for investigating sexual harassment complaints/allegations.
- B. Who can file under the University's Policy:
 - 1. The person who believes they have been sexually harassed; or
 - 2. Any person on behalf of any individual by:
 - a. any student, faculty member or staff member, in accordance with the section, who has knowledge of the alleged sexual harassment; or
 - b. University employees (faculty or staff) who are in supervisory positions and who are aware of, or become aware of, instances of alleged sexual harassment.
- C. Who must report under the University's Policy:
 - 1. Supervisory employees are required to promptly report (either verbally or through written communications) allegations of sexual harassment to the Office of Human Resources.
 - a. Supervisory employees are any administrative personnel or any employee who supervises one (1) or more individual employees, and may include but is not limited to: Deans, Directors, Department Chairs, Coordinators, Unit Heads, Principal Investigators.
 - b. Supervisors, with respect to students, include all of the positions listed above and all members of the faculty (including adjunct faculty) when they are supervising or teaching the student who is complaining.

D. Allegations of sexual harassment will be reviewed by the Office of Human Resources to determine if an investigation is required. If the decision by the Office of Human Resources is to conduct an investigation, the complaint will be investigated and/or resolved in accordance with the Office of Human Resources procedure(s).

E. A formal complaint must be filed within ninety (90) days of the incident(s) with the Office of Human Resources.

F. An appeal of a decision rendered by the Office of Human Resources may be available in accordance with their procedure.

Additionally, a complaint may also be filed with one of the following external agencies: (Please note that filing an internal charge of sexual harassment or discrimination does not affect any deadlines that may be imposed by any agency external to the University of South Florida St. Petersburg.)

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

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

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

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

SEXUAL BATTERY

| USF 0-014 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-014.pdf>
Secs. 794.023, 794.027, 794.05, F.S.

Sexual battery (rape) is a felony under the criminal laws of the State of Florida and will not be tolerated at the University of South Florida St. Petersburg. Any such act is a violation of University policy, which, in the case of students, is subject to disciplinary action under the USFSP student code of conduct rule; and, in the case of employees, is subject to disciplinary action under applicable University rules and Collective Bargaining Agreements.

It is the intent of the University to create and maintain a work and study environment that is safe from sexual battery. In addition, the University is committed to establishing policies and procedures that are responsive to victims of sexual battery. Other related crimes are: sexual battery by multiple perpetrators; failure of certain witnesses to report sexual batteries; and carnal intercourse with unmarried person under 18 years.

The USFSP Police Department is responsible for the investigation of campus sexual battery incidents. The USFSP Police Department provides immediate assistance to the victim and initiates investigative processes to apprehend the perpetrator of the crime. The USFSP Police Department promptly informs the Pinellas County State Attorney's Office of sexual battery complaints and may consult with the State Attorney during the investigation of the complaint.

Employee perpetrators are subject to institutional disciplinary action including termination as provided by such rules/agreements in addition to those stated above, in accordance with State law.

Victim's Rights under Florida State Statutes

Victims of sexual battery have a right to not have their identity willfully and knowingly disclosed by a public employee or officer; the right to maintain a cause of action for damages in certain circumstances when their identity is inappropriately disclosed prior to open judicial proceedings; the right to be exempt from the printing, publishing or broadcasting in any instrument of mass communication of information leading to their identity; and the right (or the right of the victim's legal guardian) to request from the court an order to have the persons charged in certain listed crimes (which include sexual battery) tested for HIV.

Certain rights shall be accorded to victims in connection with proceedings involving alleged student perpetrators under the USF student code of conduct (see Rule 6C4-6.0021).

Assistance and Referral

The Victims' Advocacy Program (See Ch. 10 for full description of services offered by Victims' Advocacy) will assist USFSP students or employees who are victims of actual or threatened violence including assault, battery, sexual battery, and attempted sexual battery. Services are available on-call 24 hours per day, 7 days a week. The Victim Advocate telephone number is 898-3671 (CASA). An on-call advocate can be reached any time by contacting the program telephone number. The Victim Advocate is required by the Jeanne Clery Act to report the occurrence of sexual battery to the University Police Department immediately after the incident is brought to their attention. This information only includes the specifics of the incident and not the victim's name.

Police reports are strongly encouraged however reports are not required for information and referral assistance.

Counseling for students is available from the USFSP Counseling, Health and Wellness Center
Phone: 727-873-4422
Employee Assistance: Call the Counseling Center at 727-873-4422

Victims' Advocacy Program: 24-hour crisis lines:
Domestic Violence (CASA) 727-898-3671
Florida Domestic Violence Hotline 800-500-3671
Rape Crisis 727-530-7233
Pinellas County Helpline 727-344-5555

The USFSP Police Department offers a variety of programs designed to educate students on protection and personal safety. The Campus Alcohol and Drug Resource Center sponsors National Collegiate Alcohol Awareness Week in the fall and National Collegiate Drug Awareness Week in the spring, both of which include programming on sex under the influence.

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

DISCRIMINATION AND HARASSMENT BASED ON SEXUAL ORIENTATION

Unlawful discrimination and harassment have no place on a university campus, particularly one that strives to meet the needs of an increasingly diverse student, faculty, and staff population. The University of South Florida is such an institution. Discrimination and harassment based on sexual orientation hinder the ability of any academic institution to foster a safe, open environment for its students, faculty, and staff and they have no place at USF.

Although, at this time, there is no state or federal law that specifically prohibits discrimination based on sexual orientation, the Florida Legislature has enacted the State Hate Crimes Act, Sec. 775.085, F.S., which provides for enhanced penalties for any felony or misdemeanor evidencing prejudice based on sexual orientation. In addition, the University currently maintains rules and policies that govern the conduct of all members of the University community. To the extent that any rules and policies are violated, the University will vigorously support all actions necessary to achieve conformance with its rules and policies

AMERICANS WITH DISABILITIES (USF ADA POLICY)

USF 0-108 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-108.pdf>

It is the policy of the University of South Florida System to comply fully with the requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, and all other Federal and State laws and regulations prohibiting discrimination on the basis of disability or handicap. Sponsors of programs and events, such as campus cinemas, lectures and speakers must advise potential attendees who may require reasonable accommodation to participate that such accommodation must be requested of the program sponsor at least 5 working days prior to the event.

USF St. Petersburg will not unlawfully discriminate against its employees on the basis of disability and will provide accessibility and reasonable accommodation to its employees with regard to any aspect of employment including fringe benefits, training, conferences, professional meetings, and recreational/social activities sponsored by USF St. Petersburg.

To request a reasonable accommodation under the ADA, an employee of USF St. Petersburg must submit a written request outlining the requested accommodation(s) to his/her immediate supervisor, with a copy sent to Human Resources. Attached to the request must be documentation, including diagnosis of a disability, from the employee's primary health care practitioner (e.g., medical doctor, psychiatrist or licensed psychologist). The determination of reasonable accommodation will be made by the Equal Opportunity Manager following consultation with the supervisor.

Students with disabilities who require reasonable accommodation in order to meet the academic requirements of USF St. Petersburg or to participate in Student Affairs activities or services must request an accommodation in writing from the USF St. Petersburg Office of Student Disability Services. (For accommodating students with disabilities, see Chapter 5).

USF St. Petersburg may request any person seeking accommodation to provide documentation of a specific and generally recognized physical or mental impairment that shows that the specific modification being requested is appropriate and necessary for the diagnosed disability.

The University of South Florida System Office of the General Counsel is available to assist with questions concerning the ADA and the law and should be notified in the event an

accommodation requestor retains a lawyer or otherwise makes claims in an external legal or administrative forum.

SMOKING

The "Florida Clean Indoor Air Act" states that no smoking areas shall be designated within any University facility, including, but not limited to, classrooms, offices, dining facility, or any other building owned or leased by the University. It is the University's policy that no smoking is allowed in any building on campus, including office and classroom buildings, bookstore, and dining facility.

ILLEGAL USE OF ALCOHOL AND OTHER CONTROLLED SUBSTANCES

USF 30-023 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-30-023.pdf>

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or the unlawful possession and use of alcohol by an individual under 21 years of age is wrong, harmful, and prohibited in and on University of South Florida St. Petersburg owned or controlled property or as part of any of its activities. The sale, use, or possession of a controlled substance will not be tolerated, with the exception of prescribed medication when taken in accordance with the prescription.

Furthermore, providing alcohol to an individual younger than 21 years of age will not be tolerated. Any University of South Florida St. Petersburg employee or student determined to have violated this policy shall be subject to disciplinary action for misconduct, which action may include termination/expulsion and referral for prosecution.

No employee/student is to report to work/class or any University activity while under the influence of illegal drugs or alcohol. Violation of these policies by an employee/student will be reason for evaluation/treatment for a drug/alcohol use disorder and/or for disciplinary action up to and including termination/expulsion in accordance with applicable collective bargaining agreements, policies, and procedures and/or referral for prosecution consistent with local, State, and Federal law.

DOGS ON CAMPUS

USF 6-004 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-6-004.pdf>

Except for seeing eye dogs, dogs are not permitted in University of South Florida St. Petersburg patio areas adjacent to swim facilities, in recreational facilities such as the boat docks, in the food facility, inside University buildings, or at special events.

In all other parts of the campus where dogs may be permitted, such animals must be kept securely tied by a line or leash not to exceed ten (10) feet in length. Dogs are not permitted to run at large on any streets, unimproved lots or premises within the boundaries of the University of South Florida St. Petersburg and should not be tethered and left unattended.

UNIVERSITY FIREWORKS POLICY

USF 6-015 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-6-015.pdf>

All campus organizations or individuals considering contractual agreements requesting the use and/or storage of fireworks or other explosive pyrotechnics, as defined below, at any USF System location, shall have the request approved in writing by USF System Office of Environmental Health and Safety, the appropriate University Police department and the local fire authority prior to entering into said contractual arrangement. Fireworks displays shall be conducted only by pyrotechnics companies licensed by the State Fire Marshall.

Fireworks and other explosive pyrotechnics shall mean and include any combustible or explosive mixture or any substance or combination of substances except sparklers or toy

pistol caps, prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges (except those under University Police control). Devices used for signaling at sporting events are exempt.

PERSONAL LIABILITY

Sec. 768.28(9)(a), F.S

CBA Article 21.4

State law provides that no officer, employee, or agent of the State or any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of his employment or function unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton or willful disregard of human rights, safety, or property.

In the event a faculty member is sued for an act, event, or omission arising out of the performance of university duties or responsibilities, the individual should immediately inform his/her chairperson and/or dean or director and deliver directly to the USF System Office of the General Counsel, upon receipt, any pleading, summons, subpoena, or similar legal documents, in order that the Office might evaluate the rights and responsibilities of the affected faculty member. Failure to notify the University in a timely fashion may affect the rights of the parties and the ability of the University and the USF System Board of Trustees to defend any action.

Where a faculty member is named in a civil action in his or her individual capacity, or if it is otherwise alleged that he or she acted in bad faith, with malicious purpose or otherwise in a manner exhibiting wanton and willful disregard of human rights, safety, or property, the faculty member may be required to seek outside counsel. The University System General Counsel's Office does not provide personal legal counsel to faculty members or legal counsel to faculty who grieve or appeal actions taken by the University administration. The office serves as the legal representative of the University.

AUTHORITY TO SIGN CONTRACTS AND OTHER DOCUMENTS

USF 0-100 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-100.pdf>

The USF System President's authority includes the approval and execution of all contracts, agreements, letters of understanding, and other documents regarding legal assurances, commitments, and obligations on behalf of the University and its constituent units. The USF System President requires that all such contracts be submitted to the General Counsel for review and approval as to form and legality.

The USF System President has delegated to the System Vice Presidents and Regional Chancellor(s) (and his/her designee(s), in certain circumstances) the authority to sign certain described contracts and other documents. Examples of such delegated authority include the following:

The Vice President for Research and Innovation (and designee(s)) has the authority to sign research contracts, solicitations and acceptances of research grants and donations, representations and certifications incidental to research contracts and grants, and agreements related to the exploitation of intellectual property.

The Vice President for Administrative Services (and designee(s)) and the Associate Vice President for Administrative Services have the authority to approve and execute all contracts not in excess of \$1 million related to the acquisition of commodities, goods, equipment, services, leases of real and personal property, and construction to be rendered to or by the University.

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

COMMERCIAL SOLICITATION, DISTRIBUTION OF LITERATURE AND OTHER SPEECH ACTIVITIES

USF 0-018 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-018.pdf>

The University of South Florida System authorizes the solicitation and/or sale of goods and services by external organizations at USF Tampa only through formal written contractual relationships or through authorizing vendors to participate in the Bull Market. Commercial solicitation or the sale of goods and services by external organizations at USF St. Petersburg is otherwise prohibited. This policy will be enforced by the University Police Services Department.

The University prohibits the posting, distributing, stacking or placement in racks of any commercial material or advertisements. Additionally, no material of any kind may be placed on automobile windshields. Other non-commercial material or literature, the author of which is identified, may be handed out in any outdoor University location open to the general public. Other non-commercial speech activities are permitted in outdoor University locations open to the general public exclusive of sidewalks, building entrances or other areas where normal traffic may be obstructed.

The USF System President has delegated to each vice president and the Regional Chancellor(s) the authority to enter into written contractual agreements with external organizations permitting the solicitation and/or sale of goods and services when it is in the best interest of the university, when it is appropriate to provide convenient goods or services for faculty, staff, and students, and when the goods or services support the educational mission of the university.

Student, faculty or staff or individual members of the university community shall not serve as agents or sales representatives on the campus for external organizations, since this violates University policy and will be considered unauthorized solicitation by the business entity involved. All fund-raising or promotional activities planned by student organizations shall be reviewed and approved in accordance with USF System Regulation 6C4-6.017. Fundraising and promotional activities by employees shall be reviewed and approved by the appropriate System Vice President or Regional Chancellor.

CANDIDACY OF EMPLOYEES FOR PUBLIC OFFICE

USF 0-012 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-012.pdf>

The right to be a candidate for and hold public office is a valuable one which requires a significant expenditure of intellectual and physical energy and time. Generally, University employees will be expected to take a leave of absence when running for public office would interfere with the full discharge of the employee's University duties. Employees must take all reasonable steps to avoid conveying the impression that the employee is an agent or representative of the University and avoid even an appearance of a conflict in this regard. Generally, University employees should resign, if elected, when holding public office is incompatible with University duties.

USF St. Petersburg faculty who intend to seek election to and hold public office shall notify the Regional Vice Chancellor for Academic Affairs of their intentions by letter which includes facts sufficient for a determination to be made whether the candidacy and office will interfere with the full discharge of University duties. Specifically, the Regional Vice Chancellor for Academic Affairs shall be advised of the office sought, the qualifying date, duties of office, hours of work involved in campaigning and holding office, and what effect the candidacy will have on University duties. If it is determined that candidacy for and holding public office will interfere with University duties, the employee must take a leave of absence or submit a resignation.

CONFLICT OF INTEREST

Sec. 112.313, Sec. 112.3145, F.S.

CBA Art. 19

As State of Florida employees, faculty members must abide by the Code of Ethics for State Employees. The Code provides standards of conduct for state employees, requirements concerning disclosure of financial interests for certain employees, a description of the role of the Florida Commission on Ethics, and penalties and procedures with regard to violations of the standards of conduct. The penalties for infractions include dismissal from employment, suspension without pay, demotion, reduction in salary, forfeiture of a portion of salary, a civil penalty not to exceed \$5,000, restitution of benefits received because of violation, and public censure and reprimand.

In general terms, a conflict of interest is defined by Statute as any "situation in which regard for a private interest tends to lead to disregard of a public duty or interest."

No University employee may use staff, office, or other University facilities or materials for the private practice of his profession or consulting activities without administrative approval. A condition of such approval, where indicated, will be the payment of a reasonable fee to the University for use of these facilities.

No University employee may allow his or her association with the University of South Florida to be used in advertising by a private firm. University letterhead should not be used for personal correspondence or when conveying correspondence regarding an outside activity. Faculty should take reasonable precautions when expressing opinions as a private citizen that she/he does not give the appearance of acting as a representative or spokesperson of the University, unless authorized.

DISCLOSURE

A faculty member should provide written disclosure for any of the activities described in this section on the Outside Activities Report form, which should be submitted to the chair or immediate supervisor. If the proposed activity is deemed to constitute a conflict of interest, the dean (or director) will notify the faculty member. If the employee desires to challenge the University's determination, the employee may request an expedited arbitration hearing under Article 20, Grievance Procedure. The employee may engage in such outside activity pending the decision of the arbitrator.

Faculty must disclose outside activities and financial interests as follows:

Incidental use of University facilities, equipment, and/or services

Direct or indirect supervision of a student or University employee in an outside activity if the faculty member in any way supervises or evaluates that student or University employee at the University

Management, employment, consulting, and contractual activities with, or ownership interests in, a business entity that does business with the University or competes with the University

Required use of books, supplies, equipment, or other instructional resources at the University that are created or published by the employee or by an entity in which the employee has a financial interest. For faculty-authored textbooks or instructional materials that the author/creator requires to be purchased by students, see Required Use of Textbooks, Ch. 5.

Professional compensated activities, such as employment by another state agency or teaching at another institution including one in the State University System.
Business activities, including service on the board of directors or other management interests or position, with regard to a business entity in the same discipline or field in which the faculty or staff member is employed

Any employment, contractual relationship, or financial interest of the employee which may create a continuing or recurring conflict between the employee's interests and the performance of the employee's public responsibilities and obligations, including time commitments, This includes any outside activity in which the employee is required to waive rights to intellectual property.

Any employee submitting a federal grant proposal or conducting research or educational activities pursuant to a federal grant of contract as an investigator (principal investigator, co-principal investigator, or any other employee responsible for the design, conduct, or reporting the funded or proposed research activities) must report outside activities and financial interests (including activities and interests of the investigator's spouse or dependent children) that would reasonably appear to be directly and significantly affected by the proposed or funded research or educational activities, including interests in entities that would be so affected. The initial report must be made at the time the proposal is submitted.

Activities, including the receipt of honoraria in excess of expenses, which the employee should reasonably conclude may create an actual or apparent conflict of interest, including conflict of time commitments.

EMPLOYMENT OF RELATIVES (NEPOTISM)

FAC 6C4-10-0003

An employee may not employ a related person (husband, wife, parent, child, brother, sister; spouse of a child, brother or sister ;_or parent, child, brother, or sister of spouse) where the employee participates in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, evaluation, promotion, demotion, or salary of the related person.

HOLIDAY GREETING CARDS

Sec. 286.27, F.S.

Florida statute prohibits the use of any State funds to purchase, prepare, print, or mail any card the sole purpose of which is to convey holiday greetings.

USE OF UNIVERSITY NAME AND SYMBOLS

USF 0-215

The use of the USF System, or USF St. Petersburg name or symbols in is not allowed for commercial or other advertising or promotional materials where such use implies University

endorsement of the advertiser or product or service unless approved by the System Vice President for University Advancement.

All requests for the commercial use of the USFSP name or symbols should be referred to the Regional Vice Chancellor for External Affairs. All requests from non-University third parties for non-commercial use of the USFSP name or symbols should be referred to the System Vice President for University Advancement. Organizational units of the University, registered student organizations, and official USF St. Petersburg Faculty and Staff groups do not require permission to use the USF St. Petersburg name and symbols for non-commercial purposes.

Persons interested in acquiring a license to use the University name or symbols for non-commercial purposes must apply to the Foundation through the Office of the System Vice President for University Advancement.

STANDARDS FOR UNIVERSITY LETTERHEAD

USF 0-201 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-201.pdf>

The University of South Florida System (USF System) has implemented an official letterhead and envelope design policy. Official USFSP letterhead and envelopes will be used by all offices, departments, divisions, colleges and other units. Exceptions must be pre-approved by the Director of University Communications & Marketing or designee. Faculty-sponsored centers and institutes should use the USFSP official letterhead and envelopes. Elements of the Student Government Association may use the official USFSP letterhead and envelope if established policy is observed. Other student, faculty or staff organizations must have written approval from the Director of University Communications & Marketing or designee to use the official USFSP design.

USFSP stationary (letterhead, envelopes, and business cards) is printed by the designated print vendor using templates designed by the USF System. Any deviation from the approved style must be authorized by the Office of University Communications & Marketing or designee. Official USFSP stationary for all offices, departments, divisions, colleges and other units may be ordered online by visiting University Communications & Marketing website: www.usf.edu/ucm

EXTERNAL ADVERTISING

USF 0-213 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-213.pdf>

All proposed advertising paid from USFSP funds, or that include the name of USFSP shall be reviewed as necessary by the Director of University Communications & Marketing or designee. External advertising is defined as the purchase of space in any non-USF System publication or time with broadcast media. For these purposes, it does not include classified advertising.

Guidelines

Advertising as a communications tool should be pursued only after all other non-cost communications alternatives have been explored.

If and when advertising is planned, all copy and design should be reviewed by the appropriate area Vice President/designee and reviewed and approved by the USF Director for University Communications & Marketing or designee(s).

The standard electronic "Requisition to Purchase" is the primary method used to secure advertising. The University Procurement Card (PCard) may also be used under specific circumstances shown in PCard rules. The requisition or PCard charge request should be prepared by the Department involved, signed by the Department

Head, Dean, or Director and approved by the appropriate area Vice President.

All requisitions for advertising shall be channeled through Purchasing and Property Services after the requestor has obtained approval of copy and design from the USF Director for University Communications & Marketing or designee(s).

The Office of University Communications & Marketing does not review legal notices or position vacancy notices. Legal notices are generated by the Office of the General Counsel. Human Resources is directly responsible for processing and posting position vacancies for the USF System, including all accredited institutions and regional campuses.

Advertising in an internal USF System publication to be paid with USF System funds shall be subject to this external advertising policy.

USE OF UNIVERSITY SPACE

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

University space should be used solely to support the instruction, research, and public service mission of the University. The University is not in the business of leasing space and, therefore, should not allocate its space resources to uses that do not support the University mission. Conflicting requests for use of space occur infrequently because of the variety of facilities and time periods available. However, because space is a limited resource, if a conflict occurs, use should be scheduled in accordance with the following priority order:

- Credit instruction, research, curricular events such as recitals and symposia, and administration, University-sponsored, non-credit instruction
- Co-curricular public service - an event or program that is associated with a part of the University curriculum, offered by an academic department, and targeted for a non-university audience, in addition to University participants
- Extra-curricular events or programs that enrich the University student experience such as intramurals, recreational sports, club activities, lecture series, and student government sponsored programs.
- University-sponsored conferences and institutes
- Alumni and Foundation activities
- Professionally associated activities - events or programs offered by professional associations that are related to the academic disciplines or career fields of University faculty or staff in which University faculty or staff are members

Other public service events

When considering requests to use University space, priority be assigned in the following order: University members conducting University business, University-related groups and organizations, non-University, not-for-profit organizations, and non-University, for profit organizations.

Either a licensing agreement or a location permit should be signed whenever a University-related customer or a non-University customer is to use USF St. Petersburg space. Whether a licensing agreement or a location permit should be used will be determined by the extent of risk (to the University) associated with the activity.

Fees

While University-related groups are not to be charged for occupancy of University space, they may be charged a fee for set-up and clean up. Non-University, not-for-profit groups may be charged for occupancy of any University facility at the discretion of the accountable officer scheduling the facility. Non-University, for-profit groups should be charged for occupancy of space in any USF St. Petersburg facility.

CAMPUS SIGNAGE

USF 3-008 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-3-008.pdf>

All requests for exterior permanent signs must be sent to the Facilities Planning and Construction Division for approval. Any request for an exception to this program must be approved by the Vice President for Administrative and Financial Services.

Temporary signs and notices are to be placed only on authorized boards or A-frames. No signs are to be attached to any University building, tree, or light post. Nothing is to be attached to walls, doors, or windows by means of tacks, tape or adhesives. Signs must not block any passageway, obstruct any University buildings, signs, or other structures or otherwise unreasonably distract or interfere with members of the University community in carrying out their normal functions. Signs should not be placed in a manner which would block a driver's view at an intersection.

WHISTLEBLOWER PROTECTION (REPRISALS)

USF 0-020 <http://generalcounsel.usf.edu/policies-and-procedures/pdfs/policy-0-020.pdf>

The University of South Florida St. Petersburg recognizes the right of its employees and students to voice their concern on campus issues or personal issues of concern to them. The University respects the right of its employees and students to participate in the grievance process and will not take any negative, retaliatory, or reprisal action as a result of an employee or student electing to lodge a grievance, appeal, or claim, whether filed before a campus body or officer or before an external regulatory board or commission.

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