



New College of Florida
The Honors College

New College of Florida Board of Trustees
Thursday, June 26, 2025 from 3:00 p.m. – 5:00 p.m. EST

Sudakoff Conference Center
5845 General Dougher Pl
Sarasota, FL 34243

Virtual viewing link:

<https://www.youtube.com/@NewCollegeofFL>

Meeting Agenda

1. Pledge of Allegiance

2. Call to Order

- Roll Call, Establish Quorum, Confirm Public Notice of Meeting

3. Call for Public Comment

4. Consent Agenda

ACTION ITEMS

- Approve Minutes for the April 9, 2025 BOT Meeting
- Approve Minutes for the May 28, 2025 Special BOT Meeting
- Approval of the New Member to the NCF Foundation Board of Directors
- Approval of New College Development Corporation, Inc. Financial Statement for FY 2024 and Annual FY 2025-26 Budget
- **Audit and Compliance Committee**
 - Approve Fiscal Year 2025-26 Internal Audit and Compliance Work Plan

INFORMATIONAL ITEM

- Third Quarterly Budget Update
- Alternative Admissions Option
- Report of Foreign Travel to Countries of Concern

**BOARD MOTION: APPROVAL OF CONSENT AGENDA ACTION ITEMS AND
ACCEPTANCE OF CONSENT INFORMATIONAL ITEM**

5. President's Report Richard Corcoran, *President*

6. **Finance & Administration Committee** Ron Christaldi, *Chair of Committee & Vice Chair of Board of Trustees*
 - Approval of 2025-26 Preliminary Operating Budget
 - Approval of 2025-26 Legislative Budget Request
 - Approval of 2025-26 Legislative Budget Request (LBR) for Fixed Capital Outlay
 - Approval of New College Foundation Financial Statement for FY 2024 and Annual FY 2025-26 Budget
7. **Tenure Consideration** David Rohrbacher, *Provost and Vice President of Academic Affairs*
 - Approval of Tenure Track Candidate – Dr. Mans Hulden
8. **Regulation Updates** David Brickhouse, *Vice President, Legal Affairs*
 - Approval of Regulation Amendment – 3-1010-Procurement-Services
 - Approval of Regulation Amendment – 3-4018-Sexual-Discrimination-Harassment
 - Approval of Regulation Amendment – 4-2003-Textbook and Instructional Materials Affordability
9. **Acceptance of Grant Funds by the New College Foundation, Inc.** David Brickhouse, *Vice President, Legal Affairs*
 - Approval of Acceptance of Grant Funds by the New College Foundation, Inc.
10. **Transfer of Surplus Real Property by the New College Foundation to Manatee County** David Brickhouse, *Vice President, Legal Affairs*
 - Approval of Transfer of Surplus Real Property by the New College Foundation to Manatee County
11. **New Business**
12. **Adjournment**

**New College of Florida Board of Trustees
Draft Minutes for April 9, 2025**

Call to Order

The meeting was called to order at 3:02 p.m. and a quorum was established.

Trustees Present: Debra A. Jenks (Chair), Ron Christaldi (Vice Chair), Mark Bauerlein, Joe Jacquot, Lance Karp, Patrick McDonald, Olivia Mikkelsen, Don Patterson, Christopher Rufo, and Matthew Spalding. Not present: Ryan Anderson, Charles Kesler, Sarah Mackie

Acknowledgment of Notice of Meeting

Chief of Staff Christie Fitz-Patrick confirmed the meeting had been duly noticed.

Call for Public Comment

Public comment process ensued. The following members of the public provided comments: Rodrigo Diaz, Mike Sanderson, Jono Miller

Consent Agenda

The consent agenda was presented and a request was made by Chair Jenks that it be approved.

ACTION ITEMS

- Approve Minutes for the February 13, 2025 BOT Meeting
- **Academic, Student, and External Affairs Committee**
 - Approval of New Academic Degree Program: Great Books
 - Approval of New Academic Degree Program: Master of Education in Educational Leadership
- **Finance and Administration Committee**
 - Approval of Temporary Student Housing Agreement
 - Approval of Proposed Amendment to Regulation 3-1002 Tuition and Fees
 - Approval of Proposed Amendment to Regulation 3-4012 Employee Bonus Plans
- **INFORMATIONAL ITEM**
 - FY 2024 State Financial Audit

Trustees Mikkelsen and McDonald requested that the Approval of New Academic Degree Program: Master of Education in Educational Leadership and Approval of Proposed Amendment to Regulation 3-1002 Tuition and Fees be pulled from the Consent Agenda.

A motion to approve the remaining consent agenda was made by Trustee Karp, seconded by Trustee Patterson, and was approved by voice vote unanimously.

New Academic Degree Program: Master of Education in Educational Leadership

A motion to approve the New Academic Degree Program: Master of Education in Educational Leadership was made by Trustee Karp, seconded by Trustee Christaldi, and was approved by roll call vote 2 voting no and 8 voting yes.

Proposed Amendment to Regulation 3-1002 Tuition and Fees

A motion to approve the Proposed Amendment to Regulation 3-1002 Tuition and Fees was made by Trustee Karp, seconded by Trustee Christaldi, and was approved by roll call vote unanimously.

President's Report

President Richard Corcoran shared his remarks.

Tenure Consideration

Chair Jenks requested that David Rohrbacher, Provost and Vice President of Academic Affairs present the candidate for tenure consideration.

A motion to approve Tenure Track Candidate – Dr. Andrey Skripnikov was made by Trustee McDonald, seconded by Trustee Bauerlein, and was approved by roll call vote unanimously.

2025 Accountability Plan

Chair Jenks requested that David Rohrbacher, Provost and Vice President of Academic Affairs present the 2025 Accountability Plan.

A motion to approve the 2025 Accountability Plan was made by Trustee Karp, seconded by Trustee Patterson, and was approved by roll call vote unanimously.

New Academic Degree Program

Chair Jenks requested that David Rohrbacher, Provost and Vice President of Academic Affairs present the New Academic Degree Program: International Commerce & Society.

A motion to approve the New Academic Degree Program: International Commerce & Society was made by Trustee McDonald, seconded by Trustee Mikkelsen, and was approved by roll call vote unanimously.

New College of Florida Campus Naming Opportunities List

Chair Jenks requested that Sydney Gruters, Vice President of Advancement and Executive Director, New College Foundation, Inc. present the New College of Florida Campus Naming Opportunities List.

A motion to approve the New College of Florida Campus Naming Opportunities List was made by Trustee Karp, seconded by Trustee Patterson, and was approved by roll call vote unanimously.

New Business

No new business ensued.

Adjournment

There being no other business, the meeting was adjourned at 4:10 p.m.

Respectfully submitted

Christie Fitz-Patrick
Chief of Staff/BOT Liaison

**New College of Florida Board of Trustees
Draft Minutes for May 28, 2025**

Call to Order

The meeting was called to order at 11:32 a.m. and a quorum was established.

Trustees Present: Debra A. Jenks (Chair), Ron Christaldi (Vice Chair), Ryan Anderson, Kyla Baldonado, Mark Bauerlein, Lance Karp, Sarah Mackie, Patrick McDonald, Don Patterson. Not present: Joe Jacquot, Charles Kesler, Christopher Rufo, Matthew Spalding

Acknowledgment of Notice of Meeting

Chief of Staff Christie Fitz-Patrick confirmed the meeting had been duly noticed.

Call for Public Comment

Public comment process ensued. The following members of the public provided comments: Mike Sanderson, Rodrigo Diaz, Kathleen Coty, Stuart Clarry, Judy Burns

Revised 2025 Accountability Plan

Chair Jenks requested that David Rohrbacher, Provost and Vice President of Academic Affairs present the Revised 2025 Accountability Plan.

A motion to approve the Revised 2025 Accountability Plan was made by Trustee Karp, seconded by Trustee Patterson, and was approved by roll call vote 1 voting no and 8 voting yes.

New Business

No new business ensued.

Adjournment

There being no other business, the meeting was adjourned at 12:11 p.m.

Respectfully submitted

Christie Fitz-Patrick
Chief of Staff/BOT Liaison

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Approval of the New Member to the NCF Foundation Board of Directors

PROPOSED BOARD ACTION

Approval of Ken Collier to the NCF Foundation Board of Directors.

BACKGROUND INFORMATION

Regulation 3-7001 New College of Florida Direct Support Organizations requires the Board of Trustees to approve all appointments to the New College Foundation, Incorporated.

Supporting Documentation Included: New College Foundation, Inc. Board Minutes

Facilitators/Presenters: *Christie Fitz-Patrick, Chief of Staff & Vice President of Finance & Administration*

**New College Foundation
Board of Directors Meeting MINUTES**
February 19, 2025
8:30 am – 11:30 am

<p>New College Foundation, Inc. <i>Adam Kendall</i>, Chair, Board of Directors</p> <p>Board of Directors, Present <i>Debra Jenks</i>, Chair, Board of Trustees <i>Lance Karp</i>, Ex Officio <i>Christie Fitz-Patrick</i>, Ex Officio, Interim Chair of Finance Committee <i>Jim McDonald</i>, Chair, Advancement Committee <i>JJ Miranda</i>, Chair, Audit Committee <i>Greg Douglas</i>, Chair, Investment Committee <i>Ben Brown</i>, Chair, New College Alumni Association <i>Rob Bilott</i> <i>Hazel Bradford</i> <i>Mark Esbeck</i> <i>Mary Gratehouse</i> <i>Josh Ingram</i> <i>AJ Janson</i> <i>Brian McCarthy</i> <i>Elizabeth Moore</i> <i>Eric Robinson</i> <i>Dave Smith</i></p> <p>Board of Directors, Not Present <i>Mike Rahn</i>, Chair, Governance Committee</p>	<p>Foundation Staff, Present <i>Sydney Gruters</i>, Executive Director <i>Shan-Mei Phillips</i>, CFO <i>David Brickhouse</i>, VP of Legal Affairs <i>Katrina Hoeft</i></p> <p>Invited Guest, Present <i>Richard Corcoran</i>, President <i>New College of Florida</i> <i>Brian Carter</i>, <i>Mauldin & Jenkins</i></p>
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8:30 am

Call Meeting to Order/Welcome/Overview of Meeting Agenda

Adam Kendall

8:33 am

Roll Call/Quorum Certification/Meeting Duly Noticed

Alice Rothbauer

8:35 am

Public Comment

Adam Kendall

No requests were made to make a public comment

8:40 am

Board Orientation

Each board member introduced themselves and shared their connection to New College. Board books were also provided to all Board members. These books include a history of New College, Foundation Board and Alumni Association By-Laws and a member directory.

9:00 am

New College Update

President Corcoran

President Corcoran gave an update on building students, building money and building prestige. The Foundation received a significant gift for the naming of the baseball field.

9:10 am

Board Member Roles and Responsibilities

Sydney Gruters

9:17 am

Committee Structure

Each Board chair in attendance gave an overview of the roles and responsibilities of their Committee.

9:30 am

Financial Overview

Shan-Mei Phillips

9:40 am

Overview of Board Members Legal Obligations

David Brickhouse

David overviewed Florida Sunshine laws regarding board conduct. Each board member also has a conflict of interest form to sign and return.

9:50 am

Introduction and Presentation of OCIO Firm

Mary Jane Babyock

10:00 am

Break

10:15 am

Consent Agenda*

Adam Kendall

- 2024.08.21 Board Meeting Minutes
- 2024.12.11 Board Meeting Minutes
- 2025.01.23 Investment Meeting Minutes
- 2025.01.24 Advancement Meeting Minutes
- 2025.01.27 Finance Committee Meeting Minutes
- 2025.02.04 Investment Committee Meeting Minutes
- 2025.02.11 Governance Committee Meeting Minutes

Motion: To approve the Consent Agenda

MOTION: Debra Jenks

Second: AJ Janson

No Discussion.

Vote: Unanimous, Motion carried.

10:20 am

Governance Committee Report

Sydney Gruters

Motion: To approve Kenneth Collier as a Foundation Board member

MOTION: Lance Karp

Second: AJ Janson

No Discussion.

Vote: Unanimous, Motion carried.

10:30 am

Investment Committee Report

Greg Douglas

Greg asked Gary Price of FEG to give an overview of the OCIO transition. The next priority of the Investment Committee will be to update and approve our Investment Policy Statement.

10:40 am**Audit Committee Report**

JJ Miranda

JJ reported that Maudlin and Jenkins conducted our annual audit with clean results. The next audit will be late summer/fall of 2025.

10:50 am**Finance Committee Report**

Shan-Mei Philips

At the direction of the board, Shan-Mei presented updated financial documents that compared actual to budget expenditures for the current year. The board requested that she add a prior year to date to actual reporting.

11:00 am**New College Alumni Association Report**

Ben Brown

Ben gave an update of recent activity in the New College Alumni Association. Elections to fill upcoming open board director positions are being planned for June of 2025. Also Ben's term as chair will end on 6/30/25. The board needs to nominate and approve a member in the Chair-Elect position who would then become Chair on 7/1/25.

11:10 am**Advancement Committee Report**

Jim McDonald

Jim gave an update of the work of the Advancement Committee. They are working with AmPhil on grant applications. The current focus is for the Masters in Marine Mammals Science program. The Committee also recommended a reception with President Corcoran and the New College Alumni. The reception is scheduled for April 4th, 5pm to 7pm in College Hall. For those alumni and other stakeholders who are not local, a quarterly digital newsletter is being planned that will feature students, faculty and alumni spotlights.

11:20 am**New Business**

Hazel made a request for additional education regarding the Board's fiduciary responsibilities. Erin Robinson commented that the recent change in the Foundation Board By-Laws is strengthening transparency to donors.

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: New College Development Corporation, Inc. Financial Audit for FY2024 and Annual FY 25-26 Budget

PROPOSED BOARD ACTION

Review and approve the New College Development Corporation, Inc's (NCDC) Financial Audit FY 2024 and Annual FY 25-26 Budget.

BACKGROUND INFORMATION

Regulation 3-7001 New College of Florida Direct Support Organizations requires all direct support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the Board of Trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General. Additionally, the operating budgets of the DSO shall be prepared at least annually, and approved by the Board of Directors and subsequently submitted to the Board of Trustees for approval.

The NCDC Board of Directors approved the budget on May 30, 2025.

Supporting Documentation Included: Financial Audit FY 2024 and NCDC FY 2025-26 Budget

Facilitators/Presenters: *Christie Fitz-Patrick, Chief of Staff, Vice President of Finance & Administration*

**NEW COLLEGE OF FLORIDA DEVELOPMENT
CORPORATION**

FINANCIAL STATEMENTS

JUNE 30, 2024 AND 2023



MAULDIN & JENKINS

CPAs & ADVISORS

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION

**FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023**

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INDEPENDENT AUDITOR'S REPORT

Board of Directors
New College of Florida Development Corporation
Sarasota, Florida

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of New College of Florida Development Corporation (the "Development Corporation"), a component unit of New College of Florida, as of and for the years ended June 30, 2024 and 2023, and the related notes to the financial statements, which collectively comprise the Development Corporation's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Development Corporation, as of June 30, 2024 and 2023, and the changes in its financial position and cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Development Corporation and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Development Corporation's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Development Corporation's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Development Corporation's ability to continue as a going concern for a reasonable period of time.

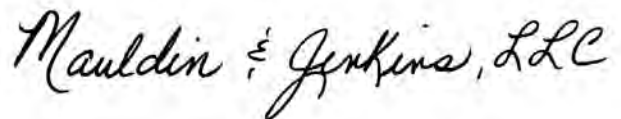
We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4 through 8 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated September 4, 2024, on our consideration of the Development Corporation's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Development Corporation's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Development Corporation's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "Mauldin & Jenkins, LLC". The signature is written in a cursive, flowing style.

Bradenton, Florida
September 4, 2024

**NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024 AND 2023**

Overview of the Financial Statements and Financial Analysis

This section of the New College of Florida Development Corporation's (the "Development Corporation") annual financial report presents a discussion and analysis of the financial performance of the Development Corporation during the fiscal years ended June 30, 2024 and 2023. It provides an analytical overview of the financial activities during the fiscal years ended June 30, 2024 and 2023, with the 2022 fiscal year data presented for comparative purposes. This discussion should be read in conjunction with the financial statements and related notes. Responsibility for the completeness and fairness of this information rests with the Development Corporation's management.

This annual report consists of a series of financial statements, prepared in accordance with the Governmental Accounting Standards Board ("GASB") Statement No. 34, *Basic Financial Statements and Management Discussion and Analysis for State and Local Governments*, and GASB Statement No. 35, *Basic Financial Statements and Management Discussion and Analysis for Public Colleges and Universities, as amended*. The Development Corporation is considered a Business-Type Activity ("BTA") under the provision and reporting model of GASB Statement No. 34 and No. 35. It is prepared under the accrual basis of accounting, whereby revenues and assets are recognized when the service is provided and expenses and liabilities are recognized when goods or services are received, regardless of when cash is exchanged.

Financial Highlights

As a condition for the financing of the new dorms, New College of Florida (the "College") entered into a ground lease with the New College of Florida Property Corporation (the "Property Corporation"). The College leases the respective project land on its campus to the Property Corporation, which assigned all of its interests in the lease to the Development Corporation. The property covered by the Master Ground Lease, together with improvements (i.e., student housing) thereon, is leased back by the College to manage and operate through the Master Operating Lease and Facilities Sublease and Management Agreement. The master lease shall terminate on the date which the certificates and any related obligations are paid in full. Revenues from student housing are pledged to pay rent to the Development Corporation or its assignees equal to the debt service on the long-term debt, as well as any operating costs.

The Housing complex is managed and operated by the College's Department of Housing and Residence Life and consists of the following facilities:

- A 79-bed dorm style student residential facility (Johnson Hall-opened 1965)
- A 82-bed dorm style student residential facility (Bates Hall-opened 1965)
- A 85-bed dorm style student residential facility (Rothenberg Hall-opened 1965)
- A 74-bed apartment style student residential facility (Dort Hall-opened 1998)
- A 74-bed apartment style student residential facility (Goldstein Hall-opened 1999)
- A 32-bed dorm style student residential facility (B Dorm Hall-opened 1966)
- A 203-bed apartment style student residential facility (V-Z Halls-opened 2007)

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024 AND 2023

Statements of Net Position

The statements of net position present the assets (current and noncurrent), liabilities (current and noncurrent), and net position (assets plus deferred outflows of resources minus liabilities) as of the end of the fiscal years. The purpose of the statement of net position is to present to the reader of the financial statements a fiscal snapshot of the Development Corporation at June 30, 2024 and 2023.

From the data presented, readers of the statements of net position are able to determine the assets available to continue operations of the Development Corporation. In addition, they are also able to determine how much the Development Corporation owes vendors and other parties. For 2024, 2023, and 2022 as noted below, the decrease in total assets is primarily due to the reduction in the Investment in Direct Financing Lease. The increase in current liabilities reflects an increase in the current portion of long-term debt payable. Noncurrent liabilities have decreased due to a decrease in long-term debt payable. The changes in total assets and liabilities resulted in an overall decrease in net position of \$2,492 from 2023 to 2024, and \$2,492 from 2022 to 2023. Over time, the changes in net position provide an indication of the overall financial condition of the Development Corporation. The following is a condensed version of the statements of net position as of June 30, 2024, 2023, and 2022:

Net Position of the Development Corporation

<u>Years Ended June 30,</u>	<u>2024</u>	<u>2023</u>	<u>2022</u>
Current Assets	\$ 1,880,733	\$ 1,876,313	\$ 1,874,895
Noncurrent Assets	17,592,428	18,670,715	19,700,625
Total Assets	<u>19,473,161</u>	<u>20,547,028</u>	<u>21,575,520</u>
Current Liabilities	\$ 1,273,716	\$ 1,232,582	\$ 1,196,074
Noncurrent Liabilities	17,920,680	19,033,189	20,095,697
Total Liabilities	<u>19,194,396</u>	<u>20,265,771</u>	<u>21,291,771</u>
Total Net Position, restricted	<u>\$ 278,765</u>	<u>\$ 281,257</u>	<u>\$ 283,749</u>

Statements of Revenues, Expenses, and Changes in Net Position

Changes in net position of the Development Corporation, as presented on the statements of net position, are based on the activity presented in the statements of revenues, expenses, and changes in net position. The purpose of the statements is to show the operating and nonoperating revenues earned by the Development Corporation, the operating and nonoperating expenses incurred by the Development Corporation, and any other revenues, expenses, gains, and losses earned or incurred by the Development Corporation. Operating revenues represent rental income received from the College and operating expenses represent expenses paid for debt service on outstanding bonds payable. Operating revenues during 2024 fiscal year decreased 2.89% over the 2023 level and 36.09% between 2023 and 2022. On the following page is a condensed version of the changes in net position for the years ended June 30, 2024, 2023, and 2022.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024 AND 2023

Changes in Net Position of the Development Corporation

<u>Years Ended June 30,</u>	<u>2024</u>	<u>2023</u>	<u>2022</u>
Operating Revenues	\$ 672,660	\$ 692,687	\$ 1,083,804
Operating Expenses	(672,660)	(692,687)	(1,083,804)
Nonoperating Revenues and Expenses	(2,492)	(2,492)	(2,491)
Change in Net Position	(2,492)	(2,492)	(2,491)
Net Position, Beginning of Year	281,257	283,749	286,240
Net Position, End of Year	<u>\$ 278,765</u>	<u>\$ 281,257</u>	<u>\$ 283,749</u>

Statement of Cash Flows

The statements of cash flows present detailed information about the cash activity of the Development Corporation during the fiscal years ended June 30, 2024 and 2023. The statements are divided into two parts. The first part deals with operating cash flows and shows the net cash used in the operating activities of the Development Corporation. The second deals with cash flows from capital and related financing activities.

The major source of funds included in operating activities is student residence, net rental income received from the College and interest paid on debt. The largest outflow of funds in the capital financing group includes principal payments on debt. The following includes condensed information from the statements of cash flows for the years ended June 30, 2024, 2023, and 2022:

Cash Flows of the Development Corporation

<u>Years Ended June 30,</u>	<u>2024</u>	<u>2023</u>	<u>2022</u>
Net Cash Provided by Operating Activities	\$ 1,702,020	\$ 1,692,484	\$ 2,040,121
Net Cash Used in Capital and Related Financing Activities	(1,702,020)	(1,692,484)	(2,040,121)

**NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024 AND 2023**

Capital Assets and Debt Administration

The Development Corporation issued Series 2006 Certificates of Participation ("COPS") in the amount of \$30,110,000 during April, 2006. The COPS are to be repaid from housing system revenues of the College. At June 30, 2024 and 2023, the total amount of debt to be repaid was \$19,065,000 and \$20,130,000, respectively. COPS are presented net of the unamortized discount in the statements of net position.

In order to hedge its interest rate risk on the variable rate debt, the Development Corporation entered into an interest rate swap agreement, which effectively fixed the interest for a ten-year period which was due to expire July 1, 2016. The Swap agreement was amended in 2016 in order to match the terms of the debt as noted below.

Due to the increased cost of renewing the Letter of Credit secured by SunTrust Bank, the Development Corporation requested and received proposals for alternative options to restructure the Series 2006 COPS from qualified financial institutions. The proposal submitted by SunTrust Bank to purchase and hold the Series 2006 Certificates for its own account for a period of at least ten years, presented the most favorable terms. In order to remarket the original Series 2006 COPS to SunTrust Bank, it was necessary to amend and restate the Series 2006 Supplemental Trust agreement and the Series 2006 Lease to provide for the direct purchase of the Series 2006 COPS by SunTrust Bank. The Series 2006 COPS were remarketed on April 9, 2012 as a non-bank qualified tax-exempt variable facility with an interest rate equal to 77% of the sum of the 30-day London Interbank Offered Rate ("LIBOR") index plus 185 basis points. The amended swap agreement was for a ten-year period, which expired in April of 2022. The swap provided an effectively fixed rate as follows: 77% of the 30-day LIBOR is fixed at 3.30%, plus 77% of 1.85% equaling 1.4245%. The sum of these two components provided a total effective fixed interest rate of 4.7245%.

With the enactment of the Federal Tax Cuts and Jobs Act, the Development Corporation's tax-exempt bond did not have the same value as it did prior to this act due to the corporate maximum tax rate being reduced to 21% from 35%. As such, SunTrust adjusted the interest rate on the SWAP to be 77% of the 30-day LIBOR, fixed at 3.30%, plus 93.584% of 1.85%, equaling 1.7313%. The sum of these two components provided a total effective fixed interest of 5.0313%.

Effective April 1, 2022, the Development Corporation restructured the existing variable rate COPS as allowed under the master trust indenture. The existing COPS were restructured as a non-bank qualified tax-exempt plain refinancing with an interest rate of 3.330%. The existing maturity and principal payment requirements were not modified.

**NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024 AND 2023**

Factors Impacting Future Periods

The most significant factor in the Development Corporation's economic position relates to the College's ability to recruit and retain high quality students to live in the student resident facilities. Being able to maintain a high occupancy rate (96% or higher) is critical for the housing operations to be able to fully cover the annual debt costs.

Outlined below, are the student residence facilities' annual average occupancy statistics, for the past ten years. In six of the ten years the occupancy rate exceeded the 96% target.

Year Ended June 30, (Fall Semester)	Enrolled Students	Housing Capacity	Average Number of Students Living in Housing	Occupancy Rate
2015	835	629	634	101%
2016	863	638	638	100%
2017	861	638	637	99%
2018	836	638	657	103%
2019	807	638	621	97%
2020	706	638	566	89%
2021	646	629	353	56%
2022	633	629	471	75%
2023	671	629	527	79%
2024	712	586 (*)	556	95%

(*) During the 2023-2024 academic year, some residential facilities were taken off-line resulting in a decreased capacity by 278 beds. The College accommodated the displaced students utilizing 235 off campus hotels.

For the 2024-2025 academic year, New College continues to implement the transformation strategy that started during the 2023-2024 academic year and has received a number of incoming first-year and transfer students deposits far greater than in previous years. The expectation is to have over 800 students enrolled for Fall 2024.

The Board of Governors of the State of Florida (the "Board of Governors") approved a Carryforward Spending Plan for each State University to ensure adequate coverage for required housing debt service and preserve bond credit ratings. The use of carryforward funds is subject to evaluation by staff from the Board of Governors Office and the Division of Bond Finance.

Requests for Information

This financial report is designed to provide a general overview of the New College of Florida Development Corporation's finances for all those with an interest. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Development Corporation at 5800 Bay Shore Road, Sarasota, Florida 34243.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION

STATEMENTS OF NET POSITION JUNE 30, 2024 AND 2023

	2024	2023
ASSETS		
Current assets		
Due from New College of Florida	\$ 158,716	\$ 167,582
Note receivable, current	1,722,017	1,708,731
	<u>1,880,733</u>	<u>1,876,313</u>
Other assets		
Note receivable, less current portion	16,565,864	17,369,150
Due from New College of Florida	1,026,564	1,301,565
	<u>17,592,428</u>	<u>18,670,715</u>
TOTAL ASSETS	<u>\$ 19,473,161</u>	<u>\$ 20,547,028</u>
LIABILITIES AND NET POSITION		
Current liabilities		
Accrued interest payable	\$ 158,715	\$ 167,582
Current maturities of long-term debt	1,115,000	1,065,000
	<u>1,273,715</u>	<u>1,232,582</u>
Long-term liabilities		
Long-term debt, net of unamortized discount	17,920,681	19,033,189
TOTAL LIABILITIES	<u>19,194,396</u>	<u>20,265,771</u>
NET POSITION		
Restricted	<u>278,765</u>	<u>281,257</u>
TOTAL LIABILITIES AND NET POSITION	<u>\$ 19,473,161</u>	<u>\$ 20,547,028</u>

See Notes to Financial Statements.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION

STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

	2024	2023
Operating revenues		
Net income from New College of Florida	\$ 672,660	\$ 692,687
Total operating revenues	672,660	692,687
Operating expenses		
Interest expense	637,020	672,484
Other expenses	35,640	20,203
Total operating expenses	672,660	692,687
Operating income	-	-
Nonoperating expense		
Amortization of bond discount	2,492	2,492
Total nonoperating expense	2,492	2,492
Change in net position	(2,492)	(2,492)
Net position, beginning of the year	281,257	283,749
Net position, end of the year	\$ 278,765	\$ 281,257

See Notes to Financial Statements.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION

STATEMENTS OF CASH FLOWS FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

	2024	2023
CASH FLOWS FROM OPERATING ACTIVITIES		
Income from housing operations	\$ 1,737,660	\$ 1,712,687
Payments for goods and services	(35,640)	(20,203)
Net cash provided by operating activities	1,702,020	1,692,484
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES		
Interest paid on debt	(637,020)	(672,484)
Principal payments on debt	(1,065,000)	(1,020,000)
Net cash used in capital and related financing activities	(1,702,020)	(1,692,484)
Net increase in cash	-	-
Cash, beginning of year	-	-
Cash, end of year	\$ -	\$ -
Reconciliation of operating income to net cash provided by operating activities		
Operating income	\$ -	\$ -
Adjustments to reconcile operating income to net cash provided by operating activities		
Interest paid on debt	637,020	672,484
Amortization of direct financing lease	790,000	755,000
Changes in assets and liabilities		
Due from New College of Florida	283,867	273,492
Accrued interest payable	(8,867)	(8,492)
Net cash provided by operating activities	\$ 1,702,020	\$ 1,692,484

See Notes to Financial Statements.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

New College of Florida Development Corporation (the “Development Corporation”) was created on November 4, 2005 by the New College of Florida Board of Trustees. The Development Corporation is a direct support organization and component unit of New College of Florida (the “College”) and is a not-for-profit corporation organized under the provisions of Florida Statutes, Chapter 617, as a direct support organization of the College as defined by Florida Statutes 1004.28. The Development Corporation was established to provide aid in the form of money and other forms of property and services to the College. The Development Corporation also has the authority to issue revenue bonds, certificates of participation, or other forms of indebtedness upon the approval of the College’s Board of Trustees, as well as to enter into agreements to finance, design, construct, lease, lease-purchase, and purchase and/or operate facilities necessary and desirable to serve the needs of the College.

Specifically, the operations consist of contracting for the design and construction of student residential housing and the issuance of bonded debt to finance such construction. As such, the Development Corporation supervises and accounts for the respective construction. With the completion of the student residential housing, the Development Corporation transferred the value of the completed buildings to the College to operate in return for a direct financing lease (“Master Operating Lease”). Accordingly, the College leases the respective facility from the Development Corporation in an amount equal to the net rental proceeds. These net rental proceeds are then used to service the outstanding debt and pay for the operating costs of the Development Corporation. The Development Corporation issued Certificates of Participation, Series 2006 (“COPS”) in the amount of \$30,110,000 during the year ended June 30, 2006 and were remarketed on April 14, 2012 and April 1, 2022. The proceeds were used to pay for construction and renovation of student residences as well as to service the related debt and to refinance certain outstanding obligations of the College.

The governing body of the Development Corporation is its Board of Directors (the “Board”). The Board is composed of at least five but no more than seven Directors. The Development Corporation is managed, supervised, and controlled by its Board subject to applicable law and the powers and duties reserved in the New College Board of Trustees and the President of the College.

Based on the application of the criteria described in the Governmental Accounting Standards Board (“GASB”) Codification of Governmental Accounting and Financial Reporting standards, the Development Corporation is included within the financial statements of the College as a blended component unit for the years ended June 30, 2024 and 2023.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Basis of Accounting and Presentation

The Development Corporation's accounting policies conform to accounting principles generally accepted in the United States of America applicable to colleges and universities as prescribed by the Governmental Accounting Standards Board (GASB).

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The Development Corporation's financial statements are presented using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange activities are generally recognized when all applicable eligibility requirements, including time requirements, are met.

The statements of net position is presented in a classified format to distinguish between current and noncurrent assets and liabilities. When both restricted and unrestricted resources are available to fund certain programs, it is the Development Corporation's policy to first apply the restricted resources to such programs followed by the use of the unrestricted resources.

Cash

When applicable, amounts reported as cash consist of cash in demand accounts and unexpended bond proceeds held by a trustee. Cash in demand accounts are held in banks qualified in accordance with the provisions of Chapter 280, Florida Statutes, as a public depository. Deposits are fully collateralized by a mutual collateral pool as provided by Florida Statutes.

Note Receivable

The note receivable whose assets are restricted is recorded by the Development Corporation at the capitalized amount of the completed student residences and renovation projects, which approximates the sum of the minimum lease payments of the Master Operating Lease.

For the years ended June 30, 2024 and 2023, no depreciation expense was recorded as the Development Corporation held no assets used in its operations.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Due from the College

The amount due from the College represents the amount transferred to escrow on behalf of the College to refund the 1996B and 1998 bonds as outlined in the COPS, series 2006. The amount due from the College is being repaid at the same rate that the outstanding amount of principal on the COPS is being repaid.

Long-Term Debt

Long-term debt includes principal amounts of COPS issued, which are reported net of the unamortized discount. The unamortized discount is being amortized over the life of COPS using the straight-line method. The use of the straight-line method is not materially different from the interest method for the years ended June 30, 2024 and 2023.

Net Position

Net position, gains, and losses are classified based on the existence or absence of donor or grantor imposed restrictions. Accordingly, net position and changes therein are classified and reported as follows:

Restricted – Restricted net position is reserved for the construction projects and purpose of the Development Corporation by the bondholder.

Net Income from New College of Florida

Net income from New College of Florida relates to payments received on the Master Ground Lease further discussed in Note 3. Net income from New College of Florida is recognized when earned under the terms of the Master Ground Lease and consists of the following components for the years ended June 30:

	<u>2024</u>	<u>2023</u>
Cash income from housing operations	\$ 1,746,527	\$ 1,721,179
Change in due from New College of Florida	(8,867)	(8,492)
Principal payments made	(1,065,000)	(1,020,000)
Net lease income from New College of Florida	<u>\$ 672,660</u>	<u>\$ 692,687</u>

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Tax Status

The Development Corporation is generally exempt from federal income and state income taxes under Section 501(c)(3) of the Internal Revenue Code and comparable state law. The Development Corporation is not classified as a private foundation within the meaning of Section 509(a) of the IRC but is a corporation described under section 509(a)(3). The IRC provides for taxation of unrelated business income under certain circumstances.

Use of Estimates

The preparation of financial statements in accordance with accounting principles generally accepted in the United States of America ("US GAAP") requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Subsequent Events

Management has evaluated subsequent events through September 4, 2024 the date the financial statements were available to be issued.

Starting the Fall 2023 term, the residential facilities Johnson Hall, Bates Hall, Rothenberg Hall and B Dorm Hall were taken off-line. The College accommodated the displaced students at off campus hotels and the corresponding housing charges are being retained as Housing Revenues. This situation has continued through the Spring 2024 term and into the new 2024-2025 academic year but does not currently appear to impact the College's ability to pay their obligations under the Note Receivable.

As a more permanent solution, during the 2024-2025 academic year, the College has purchased modular units to replace some of the lost residential capacity. This is in addition to the use of off campus hotels and rooms rented from the University of South Florida Sarasota-Manatee (USF) campus.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 2. NOTE RECEIVABLE

As a condition of the financing arrangement, the College entered into a ground lease with the New College of Florida Property Corporation (the "Property Corporation"). The College leases the respective project land on its campus to the Property Corporation, which assigned all of its interests in the lease to the Development Corporation. The Property covered by the Master Ground Lease together with the improvements (i.e. student housing) thereon is leased back to the College to manage and operate through the Master Operating Lease and Facilities Sublease and Management Agreement. The payments on the lease are equal to the amount of the annual debt service requirements of the related bond debt and operating costs of the Development Corporation. The lease shall terminate on the date on which all certificates and obligations under any related financing documents are paid in full, at which time title passes to the College. The Development Corporation classifies this agreement as a note receivable.

At June 30, 2024, aggregate future minimum note payments are \$23,418,684, with \$5,130,803 in unearned income and a net value of \$18,287,881. At June 30, 2023, aggregate future minimum note payments are \$25,127,414, with \$6,049,533 of unearned income and a net value of \$19,077,881. Future minimum amounts to be received are as follows:

	Aggregate Future Minimum Note Payments
2025	\$ 1,722,017
2026	1,728,764
2027	1,748,638
2028	1,756,763
2029	1,768,098
Thereafter	14,694,404
	<u>\$ 23,418,684</u>

These aggregate future minimum note payments approximate the schedule of annual debt service requirements as adjusted for reductions in the amounts due from the College for the refunded bonds.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 3. LONG-TERM LIABILITIES

Bonds payable activity for the year ended June 30, 2024 were as follows:

	Beginning Balance	Additions	Payments	Ending Balance	Amounts Due Within One Year
COPS, Series 2006	\$ 20,130,000	\$ -	\$ (1,065,000)	\$ 19,065,000	\$ 1,115,000
Less Unamortized Discount	(31,811)	-	2,492	(29,319)	-
	<u>\$ 20,098,189</u>	<u>\$ -</u>	<u>\$ (1,062,508)</u>	<u>\$ 19,035,681</u>	<u>\$ 1,115,000</u>

Bonds payable activity for the year ended June 30, 2023 were as follows:

	Beginning Balance	Additions	Payments	Ending Balance	Amounts Due Within One Year
COPS, Series 2006	\$ 21,150,000	\$ -	\$ (1,020,000)	\$ 20,130,000	\$ 1,065,000
Less Unamortized Discount	(34,303)	-	2,492	(31,811)	-
	<u>\$ 21,115,697</u>	<u>\$ -</u>	<u>\$ (1,017,508)</u>	<u>\$ 20,098,189</u>	<u>\$ 1,065,000</u>

On April 7, 2006, the Development Corporation issued a variable rate COPS, series 2006 in the amount of \$30,110,000. The proceeds derived from the sale of the COPS were used to finance the acquisition, construction, renovation, and equipping of apartment-style student residence facilities. The COPS mature in 2036, and were issued at a discount of \$74,748.

In April 2012, the Development Corporation, through a resolution of the Board, restructured the existing variable rate COPS as allowed under the master trust indenture. The existing COPS were restructured as a non-bank qualified tax-exempt variable facility (New College of Florida Development Corporation Series 2012 conversion) with an interest rate of 77% of the sum of the 30-day LIBOR plus 185 basis points. Effective April 1, 2018, the variable interest related to the conversion increased approximately 94% the sum of the 30-day LIBOR plus 185 basis points, which was 1.92% at June 30, 2021.

The revised swap agreement associated with the original restructuring is for ten years, and expired on April 1, 2022. However, the existing maturity and principal payment requirements pursuant to the original 2006 debt issuance were not restructured.

NEW COLLEGE OF FLORIDA DEVELOPMENT CORPORATION
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024 AND 2023

NOTE 3. LONG-TERM LIABILITIES (CONTINUED)

On April 1, 2022, the Development Corporation, through a resolution of the Board, restructured the existing variable rate COPS as allowed under the master trust indenture. The existing COPS were restructured as a non-bank qualified tax-exempt plain refinancing (New College of Florida Development Corporation Series 2022 refunding) with an interest rate of 3.330%. The existing maturity and principal payment requirements pursuant to the original 2006 debt issuance were not restructured.

Revenues from the student residence facilities of the College are pledged to pay rent to the Development Corporation or its assignees equal to the debt service on the debt.

The table that follows represents debt service payments on the fixed rate debt as of June 30, 2024:

	Principal	Interest	Net Cash Flows
2025	\$ 1,115,000	\$ 607,017	\$ 1,722,017
2026	1,160,000	568,764	1,728,764
2027	1,220,000	528,638	1,748,638
2028	1,270,000	486,763	1,756,763
2029	1,325,000	443,098	1,768,098
2030-34	7,570,000	1,489,259	9,059,259
2035-37	5,405,000	230,145	5,635,145
	<u>\$ 19,065,000</u>	<u>\$ 4,353,684</u>	<u>\$ 23,418,684</u>

Total interest expense incurred for the years ended June 30, 2024 and 2023, was approximately \$637,000 and \$672,000, respectively.

OTHER INDEPENDENT AUDITOR'S REPORT

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

**Board of Directors
New College of Florida Development Corporation
Sarasota, Florida**

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of New College of Florida Development Corporation (the "Development Corporation"), a component unit of New College of Florida, as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the Development Corporation's basic financial statements, and have issued our report thereon dated September 4, 2024.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Development Corporation's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Development Corporation's internal control. Accordingly, we do not express an opinion on the effectiveness of the Development Corporation's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Development Corporation's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Development Corporation's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Mauldin & Jenkins, LLC". The signature is written in a cursive, flowing style.

Bradenton, Florida
September 4, 2024

New College of Florida Development Corp.

Budget for NCDC (Cash Basis)

Fiscal Years 2026, 2025

Account	Title	FY26 Budget	FY25 Budget	FY25 Projection	Difference
5901	Income from Housing Operations Transferred In	\$1,914,600	\$1,763,227	\$1,742,482	\$172,118
Operating Expenses					
7101	Accounting/Auditing Services	\$20,000	\$15,500	\$17,100	\$2,900
7119	Independent Contractor	\$170,000	\$29,500	\$8,000	\$162,000
7805	Interest on Debt	\$559,108	\$597,735	\$597,735	(\$38,627)
7807	Debt Amortization Expense	\$2,492	\$2,492	\$2,492	\$0
7812	Debt Service-Agents	\$3,000	\$3,000	\$2,155	\$845
Non-Operating Expenses					
	Housing Principal payment	\$1,160,000	\$1,115,000	\$1,115,000	\$45,000
Net Increase in Debt Service Expenses					\$7,218

New College of Florida Development Corp.
Budget for NCDC
Fiscal Year 2026

Account	Title	FY26 Budget
5901	Interfund Transfers In	\$754,600
7101	Accounting/Auditing Services	\$20,000
7119	Independent Contractor	\$170,000
7805	Interest on Debt	\$559,108
7807	Debt Amortization Expense	\$2,492
7812	Debt Service-Agents	\$3,000
	Net Total	\$0
The Principal payment is reflected on the Housing auxiliary.		\$1,160,000

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Fiscal Year 2025-26 Internal Audit and Compliance Work Plan

PROPOSED BOARD ACTION

Approve the Fiscal Year 2025-26 Office of Internal Audit and Compliance Annual Work Plan and Budget

BACKGROUND INFORMATION

In accordance with Board of Governor Regulation 4.002, *State University System Chief Audit Executives*, the Chief Audit Executive shall develop an annual risk-based audit plan for approval by the Board of Trustees. A copy of the approved audit plan will be provided to appropriate university management and the Board of Governors Office, through the Office of the Inspector General.

Supporting Documentation Included: FY 25-26 Internal Audit and Compliance Work Plan

Facilitator(s)/Presenter(s): *Alexander G. Tzoumas, Chief Audit Executive and Chief Compliance Officer*

2025-26 Fiscal Year Internal Audit, Risk Management, and Compliance Activity Plan Final

Project Description	Company Contact	Auditor	Hours To Complete	Location	Audit Budget Impact	Planned Audit Period	Objective/Status	Risk Management Impact
Internal Audits								
Support State Auditor and BOG Audits	V.P. Finance and Administration	Audit Exec	80	Finance	\$0	February through April	Support seamless completion of State Auditor Financial Statement audit as well as BOG audit requests.	Ensure good standing with State Auditor's office and Board of Governors with timely and complete request responses and reliable identified deficiency remediation.
IT General Control and Cyber Security Follow-up Audit, including Access Security & Data Warehouse	Chief Information Security Officer (CISO)	Audit Exec	120	Campus wide IT Resources	\$0	December	Confirm the design and effectiveness of IT general controls and security measures, including SOC2 reports from 3rd parties. Follow-up on phishing vulnerability test to enhance access security. Confirm effective data library and security are in place	Reduce risk of cyber breach and data ransom including interruption in access to, corruption of, or loss of university data processing systems and/or critical information. Avoid reputation damage.
Follow-up Prior State AG Operational Audit Report Findings	Various	Audit Exec	40	Campus wide	\$0	Depends on Auditee's Remediation Timeline	Evaluate the extent to which reported findings have been remediated.	Improve the control environment to help prevent fraud, improve compliance and assure the achievement of the university's strategic goals.
Budget Controls and Efficiency	V.P. Finance and Administration	Audit Exec	240	Campus wide	\$0	January	Evaluate budget controls and fiscal responsibility in support of the approved strategic plan. Evaluate efforts to streamline processes, innovate, and improve employee productivity and spending reductions.	Improve budget and resource allocation controls to support the focus of resources on the most efficient achievement of the university's strategic goals. Reference Florida Executive Order No. 2544, Insuring Government Efficiency.
Follow-up Prior Post Tenure Review Findings	Provost	Audit Exec	80	Campus wide	\$0	Depends on Auditee's Remediation Timeline	Evaluate the extent to which reported findings have been remediated.	Improve the control environment to help prevent fraud, improve compliance and assure the achievement of the university's strategic goals.
Fixed Asset Audit Including Attractive Assets	Controller	Audit Exec	120	Campus wide	\$0	August	Evaluate controls over the ledgering, depreciation, and periodic inventory of fixed assets. Trace location of recent attractive asset purchases.	Mitigate the risk that university property is misappropriated and fixed asset depreciation is misstated in the financial statements.
Performance Funding Metrics	V.P. Finance and Administration	Mauldin & Jenkins Audit Exec	80	Remote	\$24,000	November through March	Audit to confirm the reliable, complete, accurate and timely reporting of data submissions to the Board of Governors in support the Performance Funding Metrics model.	Assure compliance with Board of Governor's Regulation 5.001, Performance-based Funding, requirement for an annual audit.
Annual DAVID Audit	V.P. Finance and Administration	Audit Exec	40	Remote	\$0	July	Audit to confirm the Driver and Vehicle Information Database (DAVID) was only used for authorized activities.	Assure the university has continued access to DAVID for follow-up on parking tickets and to confirm in-state tuition.

2025-26 Fiscal Year Internal Audit, Risk Management, and Compliance Activity Plan Final

Project Description	Company Contact	Auditor	Hours To Complete	Location	Audit Budget Impact	Planned Audit Period	Objective/Status	Risk Management Impact
Annual Duplicate Payment Audit of Foundation and Universtiy AP.	Foundation CFO & University Controller	Audit Exec	40	Procurement & Accounts Payable	\$0	January	Use data analytics to identify duplicate vendor payments resulting from use of invoice date vs. invoice number.	Reduce the risk over loss from vendor duplicate payments.
Pcard Card Charges Continuous Audit	V.P. Finance and Administration	Audit Exec	80	Procurement & Accounts Payable	\$0	February	Review executive and other material Pcard user expense report statements for inappropriate expenditures. Confirm controls are operating effectively. Identify any trends in vendor preferences in the past three fiscal years.	The ongoing expenditure review will help mitigate the risk of significant policy violations, adverse public image, and fraud/whistleblower investigation.
Compliance Activities								
Work with Compliance Partners on Annual Compliance Reports and Implementation of new laws and regulations.	President's Cabinet	Audit Exec	80	Various	\$0	July through September	Work with thirteen university Compliance Partners to prepare annual audit reports, resolve obstacles, and promote compliance. Support General Counsel and leadership team with implementation of new compliance laws and Board of Governor regulations.	Reduce risk of undetected compliance issues.
Follow-up on Process Control Evaluation Recommendations	Human Resources, Enrollment, Student Gov't	Audit Exec	40	Various	\$0	September through December	Support development of integrated process controls that assure student applications are evaluated timely, without bias, and in support of the achievement of Performance Funding metrics.	Avoid repeat allegations of misconduct and a second external investigation.
Develop and implement new regulations as BOG, State, and Federal regulations change.	V.P. Legal Affairs	Audit Exec	40	Remote	\$0	Ongoing	Develop university regulations to mirror new or changed Board of Governor (BOG), state, or Federal regulations and statutes.	Avoid regulatory agency compliance or legal issues.
Annual Review of Consumer Information and other Key Website Information and Links	President's Cabinet	Audit Exec	24	Remote	\$0	April	Confirm all compliance information links are functioning, information is current, information is accessible to hearing impaired, and all required sites are listed.	Avoid regulatory agency compliance or legal issues.
Evaluate University's Employee Compliance Training Program	Associate V.P. Human Resources	Audit Exec	120	Remote	\$0	July through September	Confirm university's employee training program includes all required Federal, State, and BOG required new employee and refresher training. Confirm all employees participate in training as scheduled.	Avoid legal action, sanctions, and losses associated with compliance violations or inappropriate acts performed by university employees.
Follow-up on NAIA Financial Aid Compliance Report Findings	V.P. Legal Affairs	Audit Exec	40	Cook Hall	\$0	October	Confirm compliance with NAIA and Title IX regulations applicable to the granting of student athletic financial aid.	Personnel do not understand compliance requirements resulting in the violation of laws or regulations, fines, and adverse publicity.
Risk Management								
Evaluate Insurance Coverages and Compliance	V.P. Finance and Administration	Audit Exec	16	Health & Safety Dept	\$0	December	Support the evaluation of exposures and utilization of insurance coverage as a means of transferring risk. Follow-up on Division of Risk Management report findings.	Losses from operational exposures can be mitigated through the cost effective transfer of risks to insurance pools/coverages.

2025-26 Fiscal Year Internal Audit, Risk Management, and Compliance Activity Plan Final

Project Description	Company Contact	Auditor	Hours To Complete	Location	Audit Budget Impact	Planned Audit Period	Objective/Status	Risk Management Impact
Maintain COSO Based Enterprise Risk Assessment and Planning (ERM) Model. Add Website and Awareness Training	President's Cabinet	Audit Exec	120	Various	\$0	Ongoing	Ongoing risk management meetings with executive management, monitoring changes in key business processes, and tracking economic trends helps facilitates management's achievement of strategic objectives and minimize the impact of adverse market changes/occurrences. ERM Program implementation continues with creation of a Governance, Risk and Control (GRC) evaluation using the COSO 2017 Integrated Framework.	An enterprise risk management program is required by the Board of Governors for all universities. Program assures significant exposures are cost effectively mitigated and changes in risk are monitored and appropriately responded to.
Succession Planning Evaluation	President's Cabinet	Audit Exec	80	All Areas	\$0	July	Minimize the impact of turnover on the achievement of the university's strategic business objectives.	Avoid the loss of institutional knowledge and assure operational continuity to the extent possible.
Management Assists								
Support Management on the Strengthening of Internal Control Weaknesses	President's Cabinet	Audit Exec	40	All Areas	\$0	Ongoing	Support management's response and remediation of reported deficiencies from internal and external authorities.	Mitigate risks identified by audit activities. Assure timely remediation to avoid repeat findings and promote strong relationships with audit authorities.
Evaluate Fraud Risk Control Ratings	CFO	Audit Exec	80	Business and Accounting Areas	\$0	March	Support management's efforts to design and implement effective internal controls to deter fraud, waste and abuse. Continue with Procurement and Budget controls.	Avoid fraud, waste and abuse losses.
Time Available to Support Management Assist Requests.	President's Cabinet	Audit Exec	120	All Areas	\$0	Ongoing	Support management's efforts to improve the efficiency of operational processes such as time accounting and work orders, comply with external regulation changes, and resolve audit findings.	Support management's continuous improvement of compliance with external regulations and remediation of external audit findings.
Support Annual Financial Statement Audit for DSOs	CFO	Audit Exec	30	Accounting	\$0	Ongoing	Support management's development of internal controls over financial reporting to help avoid material errors.	Mitigate risk of financial report error and perception of university's integrity.
Misconduct Investigations								
Conduct Misconduct & Compliance Investigations	Various	Audit Exec	300	Various	\$0	As Needed	Conduct investigations of alleged misconduct.	Mitigate risk of SUS Board of Governor's or State Legislature's concern with university leadership stewardship of funding and integrity. Avoid public controversy.
Administration								
Develop Audit Committee Agenda Presentations and Minutes	Audit Chairman	Audit Exec	64	n/a	\$0	Quarterly	Presentation of Audit, Risk Management, and Compliance efforts to the Audit Committee.	Assures the Audit Committee is well informed of all significant exposures to the achievement of the university's strategic business objectives and compliance with regulatory requirements.

2025-26 Fiscal Year Internal Audit, Risk Management, and Compliance Activity Plan Final								
Project Description	Company Contact	Auditor	Hours To Complete	Location	Audit Budget Impact	Planned Audit Period	Objective/Status	Risk Management Impact
Prepare Annual Internal Audit and Compliance Activities Report	Audit Chairman	Audit Exec	24	n/a	\$0	July	Inform the Audit Committee of the Internal Audit and Compliance Department's achievements.	Assure the Internal Audit and Compliance function is effectively operating.
Audit, Risk & Compliance Training	President	Audit Exec	80	Various	\$8,000	Ongoing	Audit Executive obtain continuing education units to stay aware of current industry issues and maintain certifications. Includes university's internal Skillsoft training.	Develop more effective audit, compliance, and risk management programs.
Update Annual Internal Audit, Risk Management and Compliance Plan	Audit Chairman	Audit Exec	40	n/a	\$0	May	Utilize Enterprise Risk Assessment to focus Internal Audit and Compliance resources on highest risks to the achievement of the university's objectives.	Assure optimal coverage of the university's significant exposures.
Optional Work								
Support Business Continuity Plan Development	President's Cabinet	Audit Exec	40	Various	\$0	Ongoing	Work with management to develop a meaningful plan to minimize the adverse affects of a disaster. Being ill prepared for a disaster can cost lives, affect customer relations, decrease revenues, and/or increase the cost of operations. We believe the investment is essential to the long-term welfare of the employees and achievement of corporate objectives.	Avoid resource losses associated with loss of data, accessibility, operations, financial reporting, etc., due to nature or malicious disaster(s).

Total Hours	2,298	8,000
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Breakdown of Allocation of Hours

Total Internal Audit Hours	920	40%
Total Compliance Hours	344	15%
Total Risk Management Hours	216	9%
Total Investigations Hours	300	13%
Total Management Assist Hours	270	12%
Total Administrative Hours	208	9%
Total Optional Work Hours	40	2%
Total Hours	2,298	100%

Proposed Internal Audit Budget

	Potential Hours	Planned Hours	Hour Shortfall	Base Pay (Proposed)	Benefits	Budget Per Line Item
Internal Audit Personnel						
Audit Executive	1,686	2,298	(612)	\$ 179,760.00	\$ 53,928.00	\$233,688.00
Proposed Co-sourcing						\$24,000.00
Training and Conferences						\$8,000.00

2025-26 Fiscal Year Internal Audit, Risk Management, and Compliance Activity Plan Final								
Project Description	Company Contact	Auditor	Hours To Complete	Location	Audit Budget Impact	Planned Audit Period	Objective/Status	Risk Management Impact

Travel to State University System Events							\$3,000.00	
Office Supplies							\$400.00	
Professional Memberships							\$1,000.00	
Total Proposed Recurring Budget							\$270,088.00	

New Laptop Computer							\$1,000.00	
Total proposed Nonrecurring Capital Outlay							\$1,000.00	

Available Audit Hours Calculation	
Hours in Year	2,080
PTO	274
Administrative*	120
Total Potential Hours	<u>1,686</u>

* Includes relationship building, continuing education, management meetings, holidays, etc.

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: FY 2024-25 3rd Quarterly Operating Budget Update

BACKGROUND INFORMATION

The 2024-25 Preliminary Operating Budget was approved by the College's Board of Trustees on June 13, 2024 and submitted to the Florida Board of Governors. The Initial Operating Budget Schedule I for 2024-25 was approved by the Board of Trustees on August 15, 2024, and likewise submitted to the Board of Governors.

New College received historic legislative investments for Fiscal Year 2024-2025. Summaries of the major state support funding follows:

General Revenue and Lottery: The combined total of general revenue and lottery for FY 2024-2025 is \$62,452,623 which includes increased legislative support for college operational enhancement. Highlights of the use of FY25 funding are as follows:

\$15 million nonrecurring (Budget amendment releasing these funds was approved October 22, 2024):

- \$2 million Scholarships
- \$12 million Campus Rehabilitation Expenses
 - o \$10 million Hotels/Housing emergency costs due to record enrollment, closing dorms and student safety concerns
 - o \$2 million Technology upgrades & improvements
 - o \$1 million Campus Security Improvements

Performance Based Funding: The combined total of the college's PBF award of \$9,901,538 is included in the overall total of state appropriated funds. This includes an institutional investment of \$5,137,611 and a state investment of \$4,330,272 in the award for achieving the minimum point score set by the state for performance to receive the full award. There is also an additional award of \$433,655 for year two of Faculty Recruitment & Retention for the college to use to reward faculty excellence.

Tuition and Fees: Estimated Net tuition and fees budget is \$4,606,881. While this forecast reflects the growth in enrollment over previous record highs, it is fair to point out that this projection is intentionally conservative so that we do not budget above our revenues and provide a margin of error.

Financial Aid/Scholarships: Financial Aid/ Scholarships is projected at over \$10 million.

Additional Financial Information:

A detailed summary of the College's Athletic Budget has been provided separately for informational purposes, as previously requested.

Current percentage trends for revenues received and budget expended are on target with FY 2024-25 expectations. Budget adjustments are also reflected across multiple auxiliaries and contracts and grants, demonstrating the College's ongoing commitment to transparency in its accounts. This update also includes quarterly data for the Special Purpose Investment Account (SPIA).

Supporting Documentation Included: FY24-25 3rd Quarter Update

Facilitators/Presenters: *Christie Fitz-Patrick, Chief of Staff & Vice President of Finance & Administration*

New College of Florida
Fiscal Year 2024-25 Operating & Fixed Capital Outlay Budget
Comparative Fiscal Years 2023-24 & 2024-25
3rd Quarter Update as of March 31, 2025

Grand Summary - Total All Funds

Summary of Revenues		FY 2023-24 Actual Revenues Received YEAR END	FY2024-25 Budgeted Revenue	FY 2024-25 Actual Revenues Received as of 3.31.2025
	Education & General (E&G)	\$ 63,889,043	\$ 59,911,299	\$ 45,051,028
	Tuition and Fees ¹	\$ 4,258,968	\$ 4,606,881	\$ 4,601,462
	Educational Enhancement (Lottery)	\$ 2,696,944	\$ 2,541,324	\$ 1,016,530
	CITF, Deferred Maintenance & PECO Appropriation	\$ 9,497,039	\$ 16,486,551	\$ 4,689,414
	Student Activity Fee Revenue	\$ 372,028	\$ 385,714	\$ 407,778
	Athletic and Other Fee Revenue	\$ 493,886	\$ 679,751	\$ 226,737
	Health Fee Revenue	\$ 143,251	\$ 170,000	\$ 171,164
	Scholarship & Financial Aid Revenue - NON-E&G	\$ 3,380,547	\$ 4,307,468	\$ 2,468,283
	Contracts & Grants Revenue	\$ 1,327,913	\$ 2,817,940	\$ 674,264
	Housing Fee Revenue	\$ 4,825,229	\$ 5,758,360	\$ 5,477,046
	Food Service Fee Revenue	\$ 2,866,258	\$ 3,715,669	\$ 3,151,903
	Other Auxiliary Revenue	\$ 1,603,180	\$ 1,515,657	\$ 1,116,765
	Foundation Revenue	\$ 1,439,111	\$ 3,348,747	\$ 1,194,907
	Carry Forward ²	\$ 10,051,207	\$ 15,198,072	\$ 8,150,871
Summary of Revenues Total		\$ 106,844,604	\$ 121,443,433	\$ 78,398,151

Summary of Expenditures		FY 2023-24 Actual Expenditures YEAR END	FY 2024-25 Adjusted Budget as of 3.31.2025	FY 2024-25 Actual Expenditures As of 3.31.2025
	Salaries & Benefits	\$ 35,522,957	\$ 44,125,983	\$ 31,690,203
	Other Personnel Service	\$ 3,146,393	\$ 2,729,252	\$ 2,318,538
	General Expenses	\$ 17,640,524	\$ 28,562,172	\$ 14,547,680
	Physical Plant, Operations & Utilities ³	\$ 23,872,513	\$ 33,262,084	\$ 17,127,800
	Scholarships & Financial Aid	\$ 10,448,826	\$ 10,274,375	\$ 10,623,238
	Library & Other Academic Resources	\$ 1,531,486	\$ 924,370	\$ 808,941
	Student Activity Expenditures	\$ 388,048	\$ 385,714	\$ 317,204
	Athletics Expenditures	\$ 896,593	\$ 1,179,482	\$ 964,547
Summary of Expenditures Total		\$ 93,447,342	\$ 121,443,433	\$ 78,398,151

1. Annualized Tuition and Fee waivers of \$3,361,953 included in FY25 budgeted total.

2. FY2024-25 Carry Forward revenue has been updated to reflect the \$2.5 million from the college's 7% reserve approved at the 11/19/24 the BOT meeting.

3. Includes Carry Forward FCO projects, E&G Housing Support, CITF, Deferred Maintenance & PECO projects.

New College of Florida
Fiscal Year 2024-25 Operating Budget
Comparative Fiscal Years 2023-24 & 2024-25
3rd Quarter Update as of March 31, 2025

E&G Only

Summary of Revenues		FY 23-24 Actual Revenues YEAR END	FY2024-25 Revenue Budget as of 3.31.2025	FY 2024-25 Actual Revenues Received as of 3.31.2025
	General Revenue	\$ 63,889,043	\$ 59,911,299	\$ 45,051,028
	Tuition and Fees (Net) ¹	\$ 4,258,968	\$ 4,606,881	\$ 4,601,462
	Lottery	\$ 2,696,944	\$ 2,541,324	\$ 1,016,530
Summary of Revenues Total		\$ 70,844,955	\$ 67,059,504	\$ 50,669,020

Summary of Expenditures		FY 2023-24 Actual Expenditures YEAR END	FY 2024-25 Budgeted Expenditures as of 3.31.2025	FY 2024-25 Actual Expenditures as of 3.31.2025
	Salaries and Benefits	\$ 36,782,530	\$ 37,847,810	\$ 28,542,872
	Other Personnel Service	\$ 2,189,598	\$ 1,920,471	\$ 1,703,378
	General Expense ²	\$ 26,742,204	\$ 27,291,224	\$ 22,545,240
Summary of Expenditures Total		\$ 65,714,332	\$ 67,059,504	\$ 52,791,490

Summary detail of General Expense		FY 2023-24 Actual Expenditures YEAR END	FY 2024-25 Budgeted Expenditures as of 3.31.2025	FY 2024-25 Actual Expenditures as of 3.31.2025
	Academic Instruction & Student Support	\$ 2,247,019	\$ 4,536,524	\$ 3,147,834
	Performance Based Funding - Recruitment & Retention ³	\$ 676,173	\$ 433,655	\$ 110,497
	Administration	\$ 3,921,173	\$ 4,306,625	\$ 2,989,156
	Physical Plant Operations & Maintenance	\$ 1,071,674	\$ 2,867,000	\$ 1,858,418
	Housing Support & Hotel Costs	\$ 12,514,983	\$ 9,153,994	\$ 7,488,160
	Scholarships & Financial Aid	\$ 6,292,919	\$ 5,966,907	\$ 6,929,606
	Athletics Expenses	\$ 18,263	\$ 26,518	\$ 21,570
Summary detail of General Expense Total		\$ 26,742,204	\$ 27,291,224	\$ 22,545,240

1. Annualized Tuition and Fee waivers of \$3,361,953 included in FY25 budgeted total.

2. The Summary detail of General Expense provides the detail for the total general expense for each Fiscal Year.

3. FY24 Budgeted Performance Based Funding for Recruitment & Retention was budgeted in both salaries & benefits and general expense. The amount of \$676,173 is the general expense portion only. There was an additional \$1,130,337 spent in labor and \$5,693,390 was Carried Forward to FY25. FY25 PBF - R&R award amount of \$433,655 is set aside for faculty compensation. FY25 YTD is actual expenditures for faculty development.

New College of Florida
Fiscal Year 2024-25 Operating Budget
Comparative Fiscal Years 2023-24 & 2024-25
3rd Quarter Update as of March 31, 2025

Auxiliaries Only

		FY 2023-24 Actual Expenditures Year End	FY 2024-25 Budgeted Expenditures as of 3.31.2025	FY 2024-25 Actual Expenditures as of 3.31.2025
Student Activity Fee (Hamilton Center, Student Alliance, Student Government, & Green Fee)	Revenue	\$ 372,028	\$ 385,714	\$ 407,778
	Labor	\$ 232,007	\$ 224,360	\$ 120,512
	Expense	\$ 156,041	\$ 161,354	\$ 87,527
	Expenditure Totals	\$ 388,048	\$ 385,714	\$ 208,039
Housing Fee	Revenue	\$ 4,825,229	\$ 5,758,360	\$ 5,477,046
	Labor	\$ 792,849	\$ 1,248,538	\$ 680,897
	Expense	\$ 3,269,905	\$ 4,509,822	\$ 3,186,950
	Expenditure Totals	\$ 4,062,754	\$ 5,758,360	\$ 3,867,847
Food Service Fee	Revenue	\$ 2,866,258	\$ 3,715,669	\$ 3,151,903
	Labor	\$ 138,546	\$ 126,682	\$ 93,744
	Expense	\$ 2,704,228	\$ 3,588,987	\$ 3,284,152
	Expenditure Totals	\$ 2,842,774	\$ 3,715,669	\$ 3,377,896
All Other Auxiliaries	Revenue	\$ 1,603,180	\$ 1,685,657	\$ 1,287,929
	Labor	\$ 224,094	\$ 228,919	\$ 121,935
	Expense	\$ 886,402	\$ 1,456,738	\$ 620,314
	Expenditure Totals	\$ 1,110,496	\$ 1,685,657	\$ 742,249
TOTAL ALL AUXILIARIES		\$ 8,404,072	\$ 11,545,401	\$ 8,196,030

New College of Florida
Fiscal Year 2024-25 Operating Budget
Comparative Fiscal Years 2023-24 & 2024-25
3rd Quarter Update as of March 31, 2025

		FY 2023-24 Actual Expenditures Year End	FY 2024-25 Budgeted Expenditures as of 3.31.2025	FY 2024-25 Actual Expenditures as of 3.31.2025
New College Foundation Support	Revenue	\$ 1,439,111	\$ 3,348,747	\$ 1,194,907
	Executive Salaries	\$ 825,839	\$ 899,850	\$ 757,803
	Athletics	N/A	\$ 1,000,000	\$ 709,040
	Scholarships & Enhancements	\$ 329,547	\$ 998,867	\$ 278,755
	Chair & Grant Funding	\$ 56,426	\$ 90,030	\$ 29,291
	Lobbyist*	\$ 259,456	\$ 360,000	\$ 268,912
	Expense Totals	\$ 1,471,268	\$ 3,348,747	\$ 2,043,801
		FY 2023-24 Actual Expenditures Year End	FY 2024-25 Budgeted Expenditures as of 3.31.2025	FY 2024-25 Actual Expenditures as of 3.31.2025
Contracts & Grants	Revenue	\$ 1,327,913	\$ 2,817,940	\$ 674,264
	Labor	\$ 900,170	\$ 697,150	\$ 408,513
	Expense	\$ 413,001	\$ 2,120,790	\$ 456,960
	Expense Totals	\$ 1,313,171	\$ 2,817,940	\$ 865,474
		FY 2023-24 Actual Expenditures Year End	FY 2024-25 Budgeted Expenditures as of 3.31.2025	FY 2024-25 Actual Expenditures as of 3.31.2025
Financial Aid - NON-E&G	Revenue	\$ 3,380,547	\$ 4,307,468	\$ 2,468,283
	Labor	\$ 36,893	\$ 36,827	\$ 12,354
	Aid Distributed	\$ 3,343,654	\$ 4,270,641	\$ 3,681,278
	Expense Totals	\$ 3,380,547	\$ 4,307,468	\$ 3,693,632

**The lobbyist support is paid directly from the New College Foundation's operating budget.*

**New College of Florida
Fiscal Year 2024-25 Operating Budget
Comparative Fiscal Years 2023-24 & 2024-25
3rd Quarter Update as of March 31, 2025**

		FY 2023-24 Actual Revenues YEAR END	FY2024-25 Adjusted Revenue as of 3.31.2025	FY24-25 Actual Revenues Collected as of 3.31.2025	Fund Source
Athletics Funding	Athletics Fee Revenue	\$ 493,886	\$ 263,557	\$ 226,737	Athletic Fee Revenue based on enrollment projections
	Health Fee Revenue	\$ 143,251	\$ -	\$ -	Health Fee Revenue based on enrollment projections
	Foundation Revenue	\$ 400,000	\$ 1,000,000	\$ 709,040	Funds donated for athletics used for men's sports salaries & benefits and other athletic expenses
	Camps/Conference Hosting Revenue	N/A	\$ 208,100	\$ -	Funds generated from hosting camps/ conferences during the summer
	Ticket Sales/Sponsorships	N/A	\$ 208,094	\$ -	Funds generated from ticket sales and sponsorships supporting NCF Athletics
	E&G - Student Recruiting	\$ 432,391	\$ 744,406	\$ 524,781	Funds associated with recruiting students
	E&G - Athletics Administrative Support	\$ 464,202	\$ 633,495	\$ 490,265	Funds for women's sports
	Revenue Totals	\$ 1,933,731	\$ 3,057,652	\$ 1,950,823	
		FY 2023-24 Actual Expenditures YEAR END	FY 2024-25 Adjusted Budget as of 3.31.2025	FY 2024-25 Actual YTD Expenditures as of 3.31.2025	Fund Source
Athletics Administration					Split funded between Foundation & E&G-Student Recruiting - FY23 Expenditures for Athletic Director (AD) salary and benefits FY24 Expenditures for AD, 1 Assistant AD; Coordinator; Compliance; Student Athlete Recruiting expense FY25 Expenditures for AD, 2 Assistant AD
	Salaries & Benefits	\$ 279,435	\$ 238,555	\$ 194,778	
	General Expense	\$ 98,205	\$ 400,100	\$ 296,702	Athletics Auxiliary Revenue NAIA and Sunconference Membership Dues, Travel (Van/Bus rental, Food, Hotels)
Baseball - JV & Varsity	Salaries & Benefits	\$ 317,524	\$ 310,722	\$ 133,069	FY24 Split 50/50 Foundation/E&G Recruiting;
	General Expense	\$ 166,093	\$ 132,482	\$ 106,934	FY25 Split 55/45 Foundation/E&G Recruiting Athletics Auxiliary Revenue
Softball - JV & Varsity	Salaries & Benefits	\$ 108,735	\$ 131,628	\$ 63,889	E&G Athletics Administrative Support
	General Expense	\$ 41,450	\$ 54,200	\$ 50,440	Athletics Auxiliary Revenue
Basketball - Men's JV & Varsity	Salaries & Benefits	\$ 134,534	\$ 203,941	\$ 96,900	FY24 Split 50/50 Foundation/E&G Recruiting;
	General Expense	\$ 128,717	\$ 98,250	\$ 83,557	FY25 Split 55/45 Foundation/E&G Recruiting Athletics Auxiliary Revenue
Basketball - Womens JV & Varsity	Salaries & Benefits	\$ 123,806	\$ 135,934	\$ 63,931	E&G Athletics Administrative Support
	General Expense	\$ 81,606	\$ 96,250	\$ 62,849	Foundation
Soccer - Men's JV & Varsity	Salaries & Benefits	\$ 122,616	\$ 140,213	\$ 52,736	FY24 Split 50/50 Foundation/E&G Recruiting;
	General Expense	\$ 75,003	\$ 76,250	\$ 80,834	FY25 Split 55/45 Foundation/E&G Recruiting Foundation
Soccer - Women's JV & Varsity	Salaries & Benefits	\$ 86,128	\$ 130,551	\$ 63,062	E&G Athletics Administrative Support
	General Expense	\$ 46,174	\$ 76,750	\$ 70,984	Foundation
Lacrosse - Men's					FY24 E&G Recruiting;
	Salaries & Benefits		\$ 81,972	\$ 41,003	FY25 E&G Recruiting Not playing until FY26
	General Expense	N/A	\$ -	\$ -	N/A

New College of Florida
Fiscal Year 2024-25 Operating Budget
Comparative Fiscal Years 2023-24 & 2024-25
3rd Quarter Update as of March 31, 2025

		FY 2023-24 Actual Revenues YEAR END	FY2024-25 Adjusted Revenue as of 3.31.2025	FY24-25 Actual Revenues Collected as of 3.31.2025	Fund Source
Lacrosse - Women's	Salaries & Benefits		\$ 79,788	\$ 33,920	E&G Athletics Administrative Support
	General Expense	N/A	\$ 60,200	\$ 32,519	Foundation
Volleyball (Indoor & Beach) JV & Varsity Women's	Salaries & Benefits		\$ 139,446	\$ 54,922	E&G Athletics Administrative Support
	General Expense	N/A	\$ 130,000	\$ 143,335	Foundation
Golf - Men's	Salaries & Benefits		\$ 16,148	\$ 10,462	FY24 E&G Recruiting; FY25 Split 50/50 E&G Recruiting/Foundation
	General Expense	N/A	\$ 28,000	\$ 20,483	Athletics Auxiliary Revenue
Golf - Women's	Salaries & Benefits		\$ 16,148	\$ 7,609	E&G Athletics Administrative Support
	General Expense	N/A	\$ 27,000	\$ 15,911	Athletics Auxiliary Revenue
Swimming - Men's & Women's	Salaries & Benefits	N/A	\$ -	\$ -	E&G Recruiting - Still advertising position Not playing until FY26
	General Expense	N/A	\$ -	\$ -	N/A
E-Sports	Salaries & Benefits	N/A	\$ 92,057	\$ 37,733	E&G Recruiting Not playing until FY26
	General Expense	N/A	\$ -	\$ -	N/A
Cross Country - Men's & Women's	Salaries & Benefits	N/A	\$ 58,863	\$ 26,937	E&G Recruiting Not playing until FY26
	General Expense	N/A	\$ -	\$ -	N/A
Tennis - Men's & Women's	Salaries & Benefits	N/A	\$ 102,204	\$ 26,993	E&G Recruiting Not playing until FY26
	General Expense	N/A	\$ -	\$ -	N/A
Expenditure Totals		\$ 1,810,027	\$ 3,057,652	\$ 1,872,491	



Investment Activity for All Funding Sources Effective FY 2024-2025

Month	Average Monthly Investment Balance	Interest Earnings	Interest Rates SPIA
July, 2024	\$25,412,914	\$88,464	4.0492%
August	\$22,914,663	\$96,033	4.5298%
September	\$22,795,278	\$84,533	4.5770%
October	\$23,510,505	\$59,420	3.4661%
November	\$21,682,508	\$68,735	3.7190%
December	\$19,818,521	\$61,207	3.5686%
January, 2025	\$20,500,824	\$57,660	3.2463%
February	\$18,674,558	\$63,938	4.2844%
March	\$15,433,531	\$57,182	4.0554%
April			
May			
June			
Total		\$637,172	

Notes:

SPIA: Special Purpose Investment Account - Managed by the State of Florida

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Alternative Admissions Option

BACKGROUND INFORMATION

New College Regulation 5-1002 requires the Office of the Provost to annually report to the Board of Trustees for those students admitted under the “alternative admissions option”. The “alternative admissions option” is an option for admission of an applicant who does not fully meet minimum admissions requirements but who has special attributes, special talents, or unique circumstances that may contribute to a representative and diverse student body. Up to 15% of the College’s first-time-in-college students may be admitted in this way (as “profile admits”) each year. In accordance with 5-1002(5b) the Office of the Provost will coordinate additional advising resources to support students who are “profile admits” and report on their progress (retention and graduation rates) annually, compared to the entire student body.

Supporting Documentation Included: FTIC Profile Admit Students Retention and Graduation Rates Report

New College of Florida
Academic Year 2024-2025
FTIC Profile Admit Students Retention and Graduation Rates Report

Table 1. Percent of FTIC Profile Admit Students

	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Fall 2022	Fall 2023	Fall 2024
FTIC Entering Cohort	199	192	147	156*	160	188	221	220
FTIC Profile Admit Students	4	11	11	12	11	12	25	12
% FTIC Profile Admit Students	2%	6%	7%	8%	7%	6%	11%	5%

Table 2. Percent of FTIC Profile Admitted Applicants Enrolled at New College of Florida

Term	Total FTIC Profile Admitted Applicants	Total FTIC Profile Admitted and Enrolled Students	% FTIC Profile Admit Applicants Enrolled at NCF
Fall 2013	33	5	15%
Fall 2014	28	7	25%
Fall 2015	16	3	19%
Fall 2016	37	3	8%
Fall 2017	16	4	25%
Fall 2018	18	11	61%
Fall 2019	66	11	17%
Fall 2020	67	12	18%
Fall 2021	52	11	21%
Fall 2022	54	12	22%
Fall 2023	70	25	36%
Fall 2024	56	12	21%

Table 3. FTIC Profile Admitted Students First-Year Retention and Four-Year Graduation Rates

Entering Term	FTIC Profile Admit Students							FTIC Non-Profile Admit Students						
	Entering Cohort	Retained in the Spring Term	Fall to Spring Retention Rate	Retained in First Year	First-Year Retention Rate	Grad. in Four Years	Four-Year Grad. Rate	Entering Cohort	Retained in the Spring Term	Fall to Spring Retention Rate	Retained in First Year	First-Year Retention Rate	Grad. in Four Years	Four-Year Grad. Rate
Fall 2010	1	1	100%	0	0%	0	0%	182	171	94%	158	87%	98	54%
Fall 2011	4	4	100%	3	75%	1	25%	233	215	92%	193	83%	134	58%
Fall 2012	7	7	100%	6	86%	4	57%	216	202	94%	175	81%	113	52%
Fall 2013	5	4	80%	5	100%	2	40%	217	199	92%	173	80%	117	54%
Fall 2014	7	6	86%	6	86%	4	57%	228	218	96%	185	81%	127	56%
Fall 2015	3	3	100%	3	100%	2	67%	258	243	94%	217	84%	149	58%
Fall 2016	3	2	67%	1	33%	0	0%	227	211	93%	180	79%	124	55%
Fall 2017	4	3	75%	3	75%	3	75%	195	178	91%	148	76%	107	55%
Fall 2018	11	9	82%	7	64%	2	18%	181	168	93%	158	87%	110	61%
Fall 2019	11	8	73%	4	36%	4	36%	136	125	92%	114	84%	74	54%
Fall 2020	12	9	75%	8	67%	5	42%	144	131	91%	115	80%	69	48%
Fall 2021	11	7	64%	5	45%		N/A	149	136	91%	115	77%		N/A
Fall 2022	12	12	100%	8	67%		N/A	176	162	92%	114	65%		N/A
Fall 2023	25	24	96%	23	92%			196	178	91%	144	73%		
Grand Total	116	99	85%	82	71%	27	40%	2,738	2,537	93%	2,189	80%	1,222	55%

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Report of Foreign Travel to Countries of Concern

BACKGROUND INFORMATION

In accordance with Board of Governors Regulation 9.012, *Foreign Influence*, each university must provide annually to the governing board of the university a report of foreign travel to countries of concern listing individual travelers, foreign locations visited, and foreign institutions visited, by July 31st. The report shows the New College of Florida had zero university sponsored travelers to countries of concern for the 2024-2025 fiscal year.

Supporting Documentation Included: Report of Foreign Travel to Countries of Concern

Facilitators/Presenters: *Elizabeth Bright, Research Integrity Officer*

Annual Report of Travel to Countries of Concern

June 2025

Prepared by:

The Research Integrity and Audit and Compliance Offices

I. Introduction

In May 2023, the Florida legislature amended section 288.860, Florida Statutes (Statute) which outlines requirements for participating in partnerships, agreements, or receiving grants from foreign countries of concern. The amended statute specifies that any state university authorized to expend state-appropriated funds may not accept any grant from, or participate in, any partnership with any foreign principal based in a foreign country of concern without the approval of the Florida State University System (SUS) Board of Governors (BOG). Consistent with the change in Florida Statute, in September 2023, the SUS Board of Governors amended its Regulation 9.012 (Regulation) concerning Foreign Influence. The amended Regulation outlines restrictions on accepting gifts from foreign countries of concern, reporting of such gifts, screening foreign researchers, and *pre-approvals required for travel to foreign countries of concern*. While this regulation is only applicable to state universities that have a research budget of \$10 million or more, we believe that it is in the best interest of New College of Florida (NCF) to adopt the controls required by the regulation. This report reflects our institutional commitment to transparency, compliance with state regulations, and national security best practices.

NCF's Office of Research Programs and Services (ORPS) is part of the Provost's Office. The Research Integrity Office is housed within ORPS, and its Director serves as the Research Integrity Officer. ORPS, in collaboration with the Office of Procurement Services, is responsible for preapproval and screening for any employment-related foreign travel and employment-related foreign activities engaged in by all employees. The reporting period for this report is July 1, 2024 to June 30, 2025.

II. Definition of "Countries of Concern"

For the purposes of this report, "countries of concern" include, but are not limited to, the following as identified by the Florida Board of Governors:

- People's Republic of China, including Hong Kong and Macau
- Russian Federation
- Islamic Republic of Iran
- Democratic People's Republic of Korea (North Korea)
- Republic of Cuba

- Syrian Arab Republic
- Venezuelan regime of Nicolás Maduro

(Note: The list above is subject to updates by the State of Florida or the U.S. government).

III. International Travel Approval and Monitoring

NCF is in the process of establishing an international travel approval and monitoring program. At present, NCF does not actively monitor Travel Authorization Requests (TARs) for travel to foreign countries of concern, unless the travel is grant-funded. A plan to implement a new authorization platform with rules that will automatically deny TARs to foreign countries of concern is in place. In the interim, the Procurement Services Department has informed all NCF employees of the international travel preapproval requirements, and this is clearly stated on the TAR form:

By signing this form I recognize my responsibility to conform with the Board of Governors regulation 9.012, which forbids using state funds to travel to foreign countries of concern as described in the regulation.

College-related grant-funded travel to countries of concern by employees reaches ORPS through the New College Travel Authorization Request (TAR) form located in the Dynamic Forms portal. The form goes through two levels of approval, including the ORPS fiscal liaison and the employee's supervisor. Additionally, travel-related expenses incurred prior to the trip and purchased with a College Purchase Card are approved by Procurement Services staff.

IV. Summary of Employment-Related Foreign Travel

During the fall of 2024, ORPS was presented with a request by a faculty member to travel to the People's Republic of China, which is a foreign country of concern. The proposed travel was related to the faculty member's role on the Health Advisory Committee of the non-profit Yale-China Association, which would have funded the travel, and the celebration of the 110th anniversary of the Xiangya Schools of Medicine, Nursing, and Public Health. The faculty member was informed that this travel is not permissible under College Policy and the BOG regulation, and the travel did not occur.

After an internal review and consultation with relevant departments, **NCF confirms that no faculty members or research staff engaged in employment-related travel to any countries of concern during the reporting period.** This report is submitted to the Florida Board of Governors in accordance with Regulation 9.012. The information contained herein is accurate to the best of our knowledge and based on institutional records for the designated reporting period.

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Approval of 2025-26 Preliminary Operating Budget

PROPOSED BOARD ACTION

1. Approve the College's 2025-26 Preliminary Operating as proposed.
2. Authorize the President to make necessary adjustments to these budgets during the operating year.

BACKGROUND INFORMATION

New College of Florida is required by regulation to provide documentation to the Florida Board of Governors on or before June 26, 2025 confirming that a 2025-26 operating budget has been approved by the College's Board of Trustees. With such confirmation, the State's Chief Financial Officer will make cash available for operations effective July 1, 2025.

The preliminary budget is based on the 2025-26 approved budget for all budget entities of the College plus any adjustments made by the College or state allocations appropriated by the 2025 Legislature. Please note, as of the date of this projection, the Governor had not yet signed the budget, nor had specific allocations been provided by the Board of Governors.

Preliminary operating details are summarized on pages accompanying this agenda.

These budgets may be adjusted during the course of the fiscal year to include:

1. Funding to support property, casualty and other insurance payments.
2. Funding provided by the New College Foundation.
3. Actions taken by the BOT during the new fiscal year.
4. Various other adjustments as directed by the College President.

Additionally, included in this Board item is a summary of FY 2024-25 budget as of June 13, 2025. The supporting materials outline all revenues, budgeted expenditures and actuals to date for all funds and provide a breakdown of education and general (E&G), auxiliaries, foundation support, contract & grants, financial aid non-E&G, athletics and carry forward operating and projects.

Supporting Documentation Included: Operating Budget Comparison – Grand Summary; Operating Budget Comparison – E&G Only; Operating Budget Comparison – Auxiliaries Only; Operating Budget Comparison – Foundation, Contracts & Grants and Financial Aid Non-E&G

Facilitator(s)/Presenter(s): *Christie Fitz-Patrick, Chief of Staff and Acting Vice President of Finance and Administration*

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: FY 2025-26 Legislative Budget Request

PROPOSED BOARD ACTION

1. Approve the New College's FY 2025-26 Legislative Budget Request.
2. Authorize the President to adjust this request, if determined necessary, and report to the Board at its next regularly scheduled meeting following any such adjustment.

BACKGROUND

Board of Governors Regulation 9.007 "State University Operating Budgets and Requests" states in part "Each university board of trustees may submit to the Chancellor's Office annually a Legislative Budget Request for operations. Such requests shall be made in accordance with the fiscal policy guidelines, formats, instructions and schedule provided by the Chancellor." The 2025-2026 Legislative Budget Request (LBR) for the State University System (SUS) must be submitted to the Board of Governors.

The two issues New College is requesting are:

- **Funding for Critical Campus Safety and Security Enhancements** – New College is submitting this legislative budget request to secure vital funding for comprehensive campus safety and security enhancements. This request totals an estimated \$4,000,000 and is designed to significantly bolster the physical security infrastructure of our campus, thereby creating a safer learning and living environment for our students, faculty, staff, and visitors.
- **Master of Education in Educational Leadership Funding** – New College of Florida is submitting a legislative budget request for \$620,000 to fund a Master of Education in Educational Leadership program, which will enhance its educational offerings.

Supporting Documentation: FY 2025-26 Legislative Budget Request Forms

Facilitator(s)/Presenter(s): *Christie Fitz-Patrick, Chief of Staff and Vice President of Finance and Administration*

State University System
Education and General
2026-2027 Legislative Budget Request
Form I

University(s):	
Request Title:	Funding for Critical Campus Safety and Security Enhancements
Date Request Approved by University Board of Trustees:	June 26, 2025
Recurring Funds Requested:	
Non-Recurring Funds Requested:	\$4,000,000
Total Funds Requested:	\$4,000,000
Please check the request type below:	
Shared Services/System-Wide Request	<input checked="" type="checkbox"/>
Unique Request	<input type="checkbox"/>

I. Purpose:

Executive Summary

New College is submitting this legislative budget request to secure vital funding for comprehensive campus safety and security enhancements. This request totals an estimated \$4,000,000 and is designed to significantly bolster the physical security infrastructure of our campus, thereby creating a safer learning and living environment for our students, faculty, staff, and visitors. The proposed enhancements include upgrades to our camera surveillance systems, modernizing access control, fortifying campus perimeters with improved fencing, and providing essential safety equipment upgrades for our campus police department. This request aligns with our Business Plan and Accountability Plan metrics to increase the well-being of our students.

Background and Justification

The safety and security of the New College community are paramount. While our current security measures provide a baseline level of protection, the evolving landscape of campus safety threats necessitates proactive and significant upgrades. Colleges and universities across the nation face increasing challenges related to maintaining secure environments, including deterring unauthorized access, responding swiftly to incidents, and ensuring the well-being of their campus community.

New College is committed to fostering an open and accessible academic environment. However, this commitment must be balanced with robust security protocols. Many of our existing security systems are aging and do not incorporate the latest technological advancements that offer enhanced capabilities for monitoring, rapid response, and incident prevention. Investing in these enhancements is not merely a reactive measure but a strategic investment in the long-term safety, resilience, and reputation of our institution.

Proposed Enhancements

This request outlines specific, targeted enhancements designed to address current vulnerabilities and significantly improve our campus security posture:

A. Camera System Upgrades - \$500,000

- **Current State:** Many existing cameras are outdated, offer low resolution, lack night vision capabilities, and have limited coverage areas.
- **Proposed Enhancement:** Installation of high-resolution, IP-based cameras with advanced features such as low-light performance, wide dynamic range, and analytics capabilities (e.g., motion detection, object recognition). This includes expanding coverage to key common areas, building entrances, parking lots, and perimeter zones.
- **Justification:** Modern cameras provide clearer imagery for identification, improve real-time situational awareness for campus police, and serve as a significant deterrent to criminal activity. Analytics can alert personnel to suspicious behavior, reducing response times.

B. Access Control Upgrades - \$2,000,000

- **Current State:** Many buildings still rely on traditional key systems, or outdated card access systems.
- **Proposed Enhancement:** Implementation of a unified, electronic access control system across critical academic buildings, residence halls, and administrative offices. This would involve replacing traditional locks with smart card readers,

biometric scanners, or mobile credentialing systems. Integration with emergency lockdown protocols will be a priority.

- **Justification:** Enhanced access control provides granular control over who enters facilities and when, significantly reducing the risk of unauthorized entry. It allows for immediate revocation of access privileges, centralized management, and audit trails for forensic analysis in case of an incident.

C. Fencing and Perimeter Security - \$1,000,000

- **Current State:** Sections of the campus perimeter may have inadequate or aging fencing, creating vulnerable points of entry.
- **Proposed Enhancement:** Installation of reinforced, appropriately designed fencing in strategic areas around the campus to define clear boundaries. This may include integrating sensor technology or enhanced lighting.
- **Justification:** Improved fencing acts as a physical barrier to deter unauthorized entry, directs pedestrian and vehicular traffic through controlled access points, and enhances overall campus boundary security, preventing easy access for external threats.

D. Lighting Upgrades - \$250,000

- **Current State:** Many areas on campus suffer from inadequate or inconsistent lighting, particularly pathways, parking lots, and building exteriors, creating potential safety hazards and blind spots.
- **Proposed Enhancement:** Installation of energy-efficient LED lighting fixtures with enhanced luminosity and strategic placement across campus. This includes pedestrian pathways, building entrances, parking lots, recreational areas, and less-trafficked zones. Consideration will be given to smart lighting systems that can adapt to activity levels.
- **Justification:** Well-lit environments significantly deter criminal activity by increasing visibility and reducing opportunities for concealment. Improved lighting enhances the sense of personal safety for students and staff, particularly during evening hours, and improves the effectiveness of camera surveillance systems.

E. Safety Equipment Upgrades for Campus Police - \$250,000

- **Current State:** Campus police officers may be operating with aging or insufficient personal protective equipment, communication devices, and response tools.
- **Proposed Enhancement:** Procurement of updated safety equipment for New College Campus Police, including:
 - **Advanced Ballistic Vests:** Lighter, more protective, and comfortable vests.

- **Improved Communication Systems:** Encrypted radios with wider coverage and interoperability with local emergency services.
- **First Aid/Trauma Kits:** Enhanced medical kits for immediate response to injuries.
- **Replacement of Campus Police Vehicles:** Reliable vehicles are essential for efficient and timely emergency response, campus patrols, and community engagement. Replacing aging vehicles reduces maintenance expenses, improves fuel efficiency, enhances officer safety, and projects a professional image consistent with a well-equipped police force dedicated to campus security.
- **Justification:** Equipping campus police with the best available safety gear ensures their ability to respond effectively and safely to a wide range of incidents, from medical emergencies to active threats, protecting both themselves and the campus community. This directly supports their role as first responders.

II. Return on Investment:

The investment in these safety and security enhancements will yield numerous benefits for New College and the broader community:

- **Enhanced Student and Staff Safety:** A more secure environment will directly improve the physical safety and peace of mind for everyone on campus.
- **Improved Incident Response:** Modern systems will allow campus police to respond more rapidly and effectively to incidents, mitigating potential harm.
- **Deterrence of Criminal Activity:** Visible and advanced security measures act as powerful deterrents to potential criminal actors.
- **Data for Investigations:** High-quality surveillance footage and access control logs provide critical evidence for post-incident investigations.
- **Reduced Liability:** Proactive security measures can help reduce institutional liability in the event of security breaches or incidents.
- **Operational Efficiency:** Integrated systems streamline security operations and reduce manual oversight.
- **Compliance and Best Practices:** Aligns New College with current best practices in higher education campus security.

A. Return on Investment (ROI) Investing in these campus safety and security enhancements yields a substantial return on investment, both tangible and intangible:

- **Avoided Costs:** Enhanced security measures can significantly reduce costs associated with theft, vandalism, property damage, and potentially costly lawsuits arising from security breaches or incidents. Prevention of a single major incident could save millions in crisis management, reputation repair, and legal fees.

- **Reputation and Enrollment:** A demonstrably safe campus is a crucial factor for prospective students and their families. Strong security enhances the college's reputation, attracting and retaining top talent among students, faculty, and staff. This can lead to increased enrollment, which directly impacts tuition revenue and institutional vitality.
- **Operational Continuity:** Robust security systems minimize disruptions caused by security incidents, ensuring that academic and administrative operations can continue smoothly without interruption. This preserves the learning environment and maintains productivity.
- **Increased Productivity:** A secure environment fosters a greater sense of well-being, allowing students to focus on their studies and faculty/staff to concentrate on their work, leading to improved academic outcomes and operational efficiency.

III. Personnel:

No personnel requested.

IV. Facilities

Facility Project Title	Fiscal Year	Amount Requested	Priority Number
N/A			

**2026-2027 Legislative Budget Request
Education and General
Position and Fiscal Summary
Operating Budget Form II**

University: New College of Florida

Issue Title: Funding for Critical Campus Safety and Security Enhancements

	Recurring	Non-Recurring	Total
Positions			
Faculty	0.00	0.00	0.00
Other (A&P/USPS)	0.00	0.00	0.00
Total	0.00	0.00	0.00
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Other Personal Services	\$0.00	\$0.00	\$0.00
Expenses	\$0.00	\$3,500,000.00	\$3,500,000.00
Operating Capital Outlay	\$0.00	\$500,000.00	\$500,000.00
Electronic Data Processing	\$0.00	\$0.00	\$0.00
Financial Aid	\$0.00	\$0.00	\$0.00
Special Category (Specific)	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
Grand Total	\$0.00	\$4,000,000.00	\$4,000,000.00

State University System
Education and General
2026-2027 Legislative Budget Request
Form I

University(s):	
Request Title:	Master of Education in Educational Leadership Funding
Date Request Approved by University Board of Trustees:	June 26, 2025
Recurring Funds Requested:	\$500,000
Non-Recurring Funds Requested:	\$120,000
Total Funds Requested:	\$620,000
Please check the request type below:	
Shared Services/System-Wide Request	<input type="checkbox"/>
Unique Request	<input checked="" type="checkbox"/>

I. Purpose:

New College of Florida proposes to launch a two-year Master of Education (M.Ed.) in Educational Leadership degree program in Fall 2026. This program will complement existing undergraduate programs by providing a Master's Degree in Educational Leadership. Its purpose is to equip students with leadership competencies and proficiency that will propel them into significant leadership roles. Throughout the program, students will delve into the purpose and philosophy of education as put forth by great thinkers such as Plato and Aristotle. They will also learn high-impact practices and then implement them with hands-on training, ensuring significant improvement in the quality and outcomes of the schools they go on to lead.

Nationwide, the education sector faces a shortage of well-prepared school leaders who are equipped to found and lead schools that, in partnership with families and the

broader community, develop the full potential of their students. This need is evidenced by gaps and declines in student learning outcomes on statewide and national assessments, as well as shortages in the supply of teacher candidates. By placing students at the heart of their learning journey, the mission of New College of Florida offers the opportunity to develop a best-in-class program that will empower future school leaders to excel in their roles, drive positive change within the field of education, and create a model for others to adopt. The New College M.Ed. in Educational Leadership will prepare future school leaders through a two-year program that instills the knowledge, skills, and mindsets essential for leading excellent schools. Specifically, recipients of this M.Ed. will be ready to create exceptional school cultures, lead high-performing school teams, and build talent that leads to outlier outcomes for students and families. These leaders will both learn and apply their leadership skills to ensure they have mastered the core pillars of leadership before completing the program.

With this end in mind, the guiding principles that framed the program's development are:

- All students and staff can achieve at a high level through high expectations and rigorous support from strong leadership.
- The quality of a teacher is the key variable in ensuring students succeed.
- True success in education leads to human flourishing, encompassing intellectual enlightenment, development of character, and citizenship.
- Effective leaders make running excellent schools a team sport.
- The principal's core role is to ensure highly effective instruction and response to student learning analysis, and create/maintain a strong student and staff culture that supports this.
- Effective teaching practices have largely been codified, thus, school leaders' role is to ensure teachers are mastering key teaching techniques; this happens through instructional coaching.
- Teachers and leaders grow fastest when they receive bite-sized action steps, create a plan to implement, and practice implementation with feedback.
- School leaders are responsible for overseeing talent recruitment, rigorous selection, and training/onboarding of new staff.
- Student character and virtue are as important as student achievement, which is a distinct attribute of the classical liberal arts and its role in driving American exceptionalism. Great schools are stewards of strong character and virtue.
- School leaders are responsible for building character and endowing virtue in their students, thus, leadership programs need to teach candidates how to do this.
- Adult learners, especially future leaders, learn from each other's talents, feedback, and esprit de corps. These bonds are the beginning of a professional network that alumni will leverage throughout their careers.

Humility as learners and leaders is a shared value for all community members of the NCF M.Ed. in Educational Leadership. This community commits to learning and developing in the unceasing pursuit of knowledge, innovation, and excellence.

The program would require four FTEs to launch and would cost \$500,000 annually and \$120,000 for startup.

II. Return on Investment:

The program aims to redefine public education through excellence in principal leadership. While numerous master's programs in educational leadership exist, none explicitly state the goal of developing exceptional principals. Research clearly demonstrates that high-performing principals lead to strong learning outcomes and foster the development of children's talents. However, many principals are not instructional experts; instead, they were selected for their competency in school operations and business. Although these areas are important, they are not sufficient to run a good or excellent school. Instructional leadership is fundamental to every school, and schools that prioritize student learning, strong character development, and community norms that support growth and character are those that succeed and, most importantly, sustain success.

The program's impact will be measured in several ways:

- Program evaluations, including student course evaluations and event evaluations.
- Program interest and enrollment.
- Scholarship produced and published.
- Participation, including but not limited to interest, interaction, and contributions from those on-campus and in the larger community.

III. Personnel: Master of Education (M.Ed.) in Educational Leadership: 4 FTEs. (1 Program Director, 3 Instructors)

IV. Facilities

The Master's of Educational Leadership will be housed in New College's currently existing facilities for the foreseeable future.

Facility Project Title	Fiscal Year	Amount Requested	Priority Number
N/A			

**2026-2027 Legislative Budget Request
Education and General
Position and Fiscal Summary
Operating Budget Form II**

University: New College of Florida

Issue Title: Master of Education in Educational Leadership Funding

	Recurring	Non-Recurring	Total
Positions			
Faculty	500,000.00	0.00	500,000.00
Other (A&P/USPS)	0.00	0.00	0.00
Total	500,000.00	0.00	500,000.00
Salaries and Benefits	\$500,000.00	\$0.00	\$500,000.00
Other Personal Services	\$0.00	\$0.00	\$0.00
Expenses	\$0.00	\$120,000.00	\$120,000.00
Operating Capital Outlay	\$0.00	\$0.00	\$0.00
Electronic Data Processing	\$0.00	\$0.00	\$0.00
Financial Aid	\$0.00	\$0.00	\$0.00
Special Category (Specific)	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
Grand Total	\$500,000.00	\$120,000.00	\$620,000.00

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: 2025-26 Legislative Budget Request (LBR) for Fixed Capital Outlay

PROPOSED BOARD ACTION

1. Approval of the 2025-26 Legislative Budget Request (LBR) for Fixed Capital Outlay.
2. Authorize the President to adjust this request, if determined necessary.

BACKGROUND

The Capital Improvement Plan (CIP) is a rolling 5-year planning document that is updated annually. Annual updates provide the opportunity to make changes as new information becomes available regarding the College's needs and funding resources.

Supporting Documentation: Five-Year Capital Improvement Plan Summary and Project Detail

Facilitator(s)/Presenter(s): *Christie Fitz-Patrick Vice President, Finance & Administration, Chief of Staff*

State University System
5-Year Capital Improvement Plan (CIP)
FY 2026-27 through 2030-31

Summary of Projects
(PECO-Eligible Project Requests)

University New College of Florida

Contact: Christie Fitz-Patrick
(name)

941-487-4443
(phone)

cfitzpatrick@ncf.edu
(email)

Priority No.	Project Title	Total Supplemental (Non PECO) funding	Total Prior PECO Funding	Projected Annual PECO Funding Requested					Programs to Benefit from Project	Net Assignable Sq. Ft. (NASF)	Gross Sq. Ft. (GSF)	Total Project Cost	Project Cost Per GSF	EPS Recommendation Date & Rec. # ⁽¹⁾
				FY25-26	FY26-27	FY27-28	FY28-29	FY29-30						
1	Multi-Purpose Building Supporting Enrollment Growth		\$ 5,051,785		\$ 31,736,746	\$ 26,684,962			All	75,936	106,310	\$ 63,473,493	\$ 597.06	BOT EPS Approved date 06/13/2024
2	Shared Use Facility - NCF/FSU Ringling Chiller Plant Expansion				\$ 6,927,820				All	4,993	6,990	\$ 6,927,820	\$ 991.10	BOT EPS Approved date 06/13/2024
												\$ -		
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												\$ -		

1) Pursuant to s. 1001.706(12)c., F.S., new projects that have not already been partially appropriated funding must be Recommended in the latest Educational Plant Survey (EPS) in order to be included in the final prioritized list of projects (for the FCO LBR). If a project was partially appropriated funding without an EPS Recommendation, please cite the General Appropriations Act year and (\$) amount(s) appropriated, for reference.

PECO Project Detail

University: New College of Florida

Project Priority #: **1**

Project Name: Multi-Purpose Building Supporting Enrollment Growth

Project Address: TBD

PROJECT NARRATIVE

The project includes multi-use space supporting the academic program (classrooms, study, and offices), administrative support (campus safety, records & registration, finance, employee support services, IT) and various site improvements. With the growth planned for the College, this project will provide necessary space for new programs. This building will also provide space for existing programs that have been displaced due to planned demolition of buildings.

RESERVE ESCROW PLAN

	Renovation/Remodeling Projects (1% per s. 1001.706(12)(c) F.S.)	New Construction Projects (2% per Board Regulation 14.002)
Estimated Bldg Value:	\$ -	\$ -
Value Basis/Source:	Total construction cost or insurable value, whichever is greater, per Board Regulation 14.002	
Estimated 1st Yr Deposit:	\$ -	\$ -
Funding Source:		
Comments:		

BUILDING SPACE DESCRIPTION (account for all building space below)

Space Type (per FICM)	Net Assignable Sq. Ft. (NASF)	Net-to-Gross Conversion Factor	Gross Sq. Ft. (GSF)	Unit Cost * (per GSF)	Building Cost
NEW CONSTRUCTION					
Classroom	2,000	1.4	2,800	447	1,250,816
Study	4,800	1.4	6,720	444	2,983,478
Office	35,136	1.4	49,190	455	22,363,923
Auditorium/Exhibition	4,000	1.4	5,600	502	2,813,776
Campus Support Services	30,000	1.4	42,000	412	17,294,760
	-		-		-
	-		-		-
	-		-		-
Assignable E&G Space (subtotal):	75,936		106,310		46,706,754
'Other Assignable' E&G Space:	-		-		-
Non-E&G Space:	-		-		-
Total Space:	75,936		106,310		46,706,754

* Apply Unit Cost to total GSF based on Space Type

REMODELING / RENOVATION

					Remodeling Projects Only	
					BEFORE	AFTER
	-		-	-	-	-
	-		-	-	-	-
	-		-	-	-	-
	-		-	-	-	-
	-		-	-	-	-
	-		-	-	-	-
	-		-	-	-	-
Assignable E&G Space (subtotal):	-		-	-	-	-
'Other Assignable' E&G Space:	-		-	-	-	-
Non-E&G Space:	-		-	-	-	-
Total:	-		-	-	-	-
Grand Total:	75,936		106,310		46,706,754	

PROJECT COMPONENT COSTS & PROJECTIONS

	Costs Incurred to Date		Projected Costs				
	Year 1	Year 2	Year 3	Year 4	Year 5	Total	
Basic Construction Costs							
Building Cost (from above)	-	24,196,764	22,048,375	-	-	46,245,139	
Environmental Impacts/Mitigation	-	-	-	-	-		
Site Preparation	-	1,904,204	1,278,001	-	-	3,182,205	
Landscape / Irrigaiton	-	-	-	-	-		
Plaza / Walks	-	-	-	-	-		
Roadway Improvements	-	-	-	-	-		
Parking : <div></div> spaces	-	-	-	-	-		
Telecommunication	-	388,540	-	-	-	388,540	
Electrical Service	-	-	-	-	-		
Water Distribution	-	2,045,144	78,675	-	-	2,123,819	
Sanitary Sewer System	-	-	-	-	-		
Chilled Water System	-	1,295,144		-	-	1,295,144	
Storm Water System	-	777,083		-	-	777,083	
Energy Efficient Equipment	-	-	-	-	-		
Subtotal: Basic Const. Costs	-	30,606,879	23,405,051	-	-	54,011,930	
Other Project Costs							
Land / existing facility acquisition	-	-	-	-	-		
Professional Fees	3,834,357	199,600	424,715	-	-	4,458,672	
Fire Marshall Fees	257,590		-	-	-	257,590	
Inspection Services	-	-	55,072	-	-	55,072	
Insurance Consultant	-	-	406,313	-	-	406,313	
Surveys & Tests	-	151,553	164,539	199,902	-	515,994	
Permit / Impact / Environmental Fees	-	303,107			-	303,107	
Artwork	-		210,595	-	-	210,595	
Moveable Furnishings & Equipment	-	-	1,052,978	-	-	1,052,978	
Project Contingency	-	505,178	765,728	930,336	-	2,201,242	
Subtotal: Other Project Costs	-	5,051,785	1,129,867	3,279,911	-	9,461,563	
Total Project Cost:	-	5,051,785	31,736,746	26,684,962	-	63,473,493	

PROJECT FUNDING

Funding Received to Date (all sources)			Projected Supplemental Funding			Projected PECO Requests		Total Project Cost
Source	FY	Amount	Source	FY	Amount	FY	Amount	
PECO	26	5,051,785.00			-	27	31,736,746	Should equal <i>Total Project Cost</i> above
		-			-	28	26,684,962	
		-			-		-	
		-			-		-	
		5,051,785			-		58,421,708	63,473,493

PECO Project Detail

University: New College of Florida

Project Priority #: 2

Project Name: Shared Use Facility – NCF/FSU Ringling Chiller Plant Expansion

Project Address: 5790 Bay Shore Rd.

PROJECT NARRATIVE

Shared Use Facility – NCF/FSU Ringling Chiller Plant Expansion. The combined chiller plant serving both New College of Florida (NCF) and Florida State University (FSU) Ringling allows for more efficient utilization of existing equipment and chiller capacity, while also enhancing the level of backup support available to both institutions. A joint management agreement has been established to govern the operation of this shared-use facility.

Currently, the chiller plant services approximately 789,489 square feet of space across both campuses. However, several existing buildings on the NCF campus are not yet connected to the plant. As NCF continues to grow, connecting both current and future buildings to the centralized chiller plant represents a more efficient and sustainable approach to cooling.

The existing chiller plant is operating at full capacity, and several of its chillers are nearing the end of their useful life. To meet the growing demand and ensure reliable service, a plant expansion is necessary. Within the next 5 to 10 years, additional buildings are expected to come online, increasing the total cooling demand by approximately 40% over the current supply.

RESERVE ESCROW PLAN

Renovation/Remodeling Projects (1% per s. 1001.706(12)(c) F.S.)		New Construction Projects (2% per Board Regulation 14.002)	
Estimated Bldg Value:		\$	
Value Basis/Source:		Total construction cost or insurable value, whichever is greater, per Board Regulation 14.002	
Estimated 1st Yr Deposit:		\$	
Funding Source:			
Comments:			

BUILDING SPACE DESCRIPTION (account for all building space below)

Space Type (per FICM)	Net Assignable Sq. Ft. (NASF)	Net-to-Gross Conversion Factor	Gross Sq. Ft. (GSF)	Unit Cost * (per GSF)	Building Cost
NEW CONSTRUCTION					
Classroom	-		-		-
Study	-		-		-
Office	-		-		-
Auditorium/Exhibition	-		-		-
Campus Support Services	-		-		-
	-		-		-
	-		-		-
	-		-		-
Assignable E&G Space (subtotal):	-		-		-
'Other Assignable' E&G Space:			-		-
Non-E&G Space:	-		-		-
Total Space:	-		-		-

* Apply Unit Cost to total GSF based on Space Type

REMODELING / RENOVATION

Remodeling Projects **Only**
BEFORE AFTER

Campus Support Services	4,993	1.4	6,990	880	6,151,200	-	-
	-		-		-	-	-
	-		-		-	-	-
	-		-		-	-	-
	-		-		-	-	-
	-		-		-	-	-
	-		-		-	-	-
Assignable E&G Space (subtotal):	4,993		6,990		6,151,200	-	-
'Other Assignable' E&G Space:	-		-		-	-	-
Non-E&G Space:	-		-		-	-	-
Total:	4,993		6,990		6,151,200	-	-
Grand Total:	4,993		6,990		6,151,200		

PROJECT COMPONENT COSTS & PROJECTIONS							
	Costs Incurred		Projected Costs				
	to Date	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Basic Construction Costs							
Building Cost (from above)	-	6,151,200		-	-	-	6,151,200
Environmental Impacts/Mitigation	-		-	-	-	-	
Site Preparation	-				-	-	
Landscape / Irrigation	-				-	-	
Plaza / Walks	-				-	-	
Roadway Improvements	-				-	-	
Parking : 100 spaces	-				-	-	
Telecommunication	-				-	-	
Electrical Service	-				-	-	
Water Distribution	-				-	-	
Sanitary Sewer System	-				-	-	
Chilled Water System	-				-	-	
Storm Water System	-	-			-	-	
Energy Efficient Equipment	-	-	-	-	-	-	
Subtotal: Basic Const. Costs	-	6,151,200	-	-	-	-	6,151,200
Other Project Costs							
Land / existing facility acquisition	-			-	-	-	
Professional Fees		150,000			-	-	150,000
Fire Marshall Fees	-				-	-	
Inspection Services	-	3,000			-	-	3,000
Insurance Consultant	-				-	-	
Surveys & Tests	-				-	-	
Permit / Impact / Environmental Fees	-	8,500			-	-	8,500
Artwork	-				-	-	
Moveable Furnishings & Equipment	-				-	-	
Project Contingency	-	615,120			-	-	615,120
Subtotal: Other Project Costs	-	776,620	-	-	-	-	776,620
Total Project Cost:	-	6,927,820	-	-	-	-	6,927,820

Funding Received to Date (all sources)			Projected Supplemental Funding		Projected PECO Requests		Total Project Cost	
Source	FY	Amount	Source	FY	Amount			
						26-27	6,927,820	Should equal <i>Total Project Cost</i> above
							-	
							-	
					-			
-			-			6,927,820	6,927,820	

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: New College Foundation, Inc Financial Audit for FY2024 and Annual FY 25-26 Budget

PROPOSED BOARD ACTION

Review and approve the New College Foundation, Inc's Financial Audit FY 2024 and Annual FY 25-26 Budget.

BACKGROUND INFORMATION

Regulation 3-7001 New College of Florida Direct Support Organizations requires all direct support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the Board of Trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General. Additionally, the operating budgets of the DSO shall be prepared at least annually, and approved by the Board of Directors and subsequently submitted to the Board of Trustees for approval.

The New College Foundation, Inc Board of Directors approved the budget on April 23, 2025.

Supporting Documentation Included: Financial Audit FY 2024 and NCF Foundation FY 2025-26 Budget

Facilitators/Presenters: *Christie Fitz-Patrick, Chief of Staff, Vice President of Finance & Administration*

**NEW COLLEGE FOUNDATION, INC.
(A Component Unit of New College of Florida)**

FINANCIAL STATEMENTS

JUNE 30, 2024



MAULDIN & JENKINS

CPAs & ADVISORS

NEW COLLEGE FOUNDATION, INC.

**FINANCIAL STATEMENTS
JUNE 30, 2024**

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INDEPENDENT AUDITOR'S REPORT

Board of Directors
New College Foundation, Inc.
Sarasota, Florida

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of New College Foundation, Inc. (the "Foundation"), a component unit of New College of Florida, as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the Foundation's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Foundation, as of June 30, 2024, and the respective changes in financial position and cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Foundation and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Foundation's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Foundation's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Foundation's ability to continue as a going concern for a reasonable period of time.

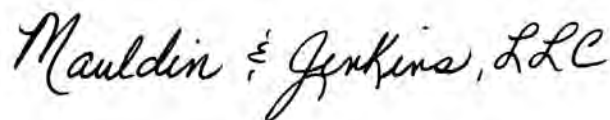
We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 4 through 10 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 11, 2024, on our consideration of the Foundation's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Foundation's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Foundation's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "Mauldin & Jenkins, LLC". The signature is written in a cursive, flowing style.

Bradenton, Florida
December 11, 2024

NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024

(Unaudited)

INTRODUCTION

The following management's discussion and analysis (MD&A) provides an overview of the financial position and activities of New College Foundation, Inc. (the "Foundation") for the fiscal year ended June 30, 2024, with comparative information for fiscal year ending 2023, and should be read in conjunction with the financial statements and notes thereto. This report includes financial statements presented and prepared with the accounting principles and reporting guidelines established by the Governmental Accounting Standards Board (GASB) as this is the presentation used in the Foundation's annual financial report. The Foundation's management has prepared the financial statements and related note disclosures along with the MD&A. The responsibility for the completeness and fairness of this information rests with the Foundation's management.

The Foundation is a 501(c)(3) organization. The Foundation is a Direct Support Organization and a component unit of New College of Florida (the "College"). The Foundation converted from reporting under the Financial Accounting Standards Board (FASB) to reporting under GASB as of July 1, 2018, as mandated by the Florida Legislature for all Direct Support Organizations of the 12 State Universities. The mission of the Foundation is to support the priorities of New College of Florida, Florida's designated Honors College. This is accomplished by securing funds as a result of cultivating and stewarding individuals, foundations, and corporations and through the prudent management of assets.

FINANCIAL HIGHLIGHTS

The Foundation's financial position at June 30, 2024 contained total assets of \$50,064,126 and liabilities and deferred inflows of resources of \$1,076,838, resulting in a net position of \$48,987,288 at June 30, 2024. Net position increased from July 1, 2023 to June 30, 2024 by 1.9%.

The Foundation's financial position at June 30, 2023 contained total assets of \$49,806,812 and liabilities and deferred inflows of resources of \$1,742,599, resulting in a net position of \$48,064,213 at June 30, 2023. Net position increased from July 1, 2022 to June 30, 2023 by 5.7%.

The Foundation's investments showed a return (net of fees) of approximately 7.5% from July 1, 2023 to June 30, 2024 and 12.1% from July 1, 2022 to June 30, 2023.

USING THIS ANNUAL REPORT

The financial statements consist of three basic financial statements: (1) the statement of net position; (2) the statement of revenues, expenses, and changes in net position; and (3) the statement of cash flows. These financial statements are prepared in accordance with GASB accounting principles and guidelines, which establish standards for external financial reporting for public colleges, universities, and other governmental entities. The Foundation is required to prepare its annual report in accordance with GASB due to its formation under Florida Statute 1004.70 and the component unit relationship with the College. These statements present a long-term view of the Foundation's finances.

NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024

(Unaudited)

THE STATEMENT OF NET POSITION

The statement of net position presents the financial position of the Foundation at the end of the fiscal year and includes all assets, liabilities and deferred inflows of resources of \$48,987,288. Net position, the difference between total assets and total liabilities and deferred inflows of resources, is an indicator of the current financial condition of the Foundation. The change in net position is an indicator of whether the overall financial condition has improved or worsened during the year. Assets and liabilities are generally measured using current values. One notable exception is capital assets, which are stated at historical costs less an allowance for depreciation.

A summarized comparison of the Foundation's assets, liabilities, deferred inflows of resources and net position at June 30, 2024 and 2023 is presented in the following table:

NET POSITION

	For the years ended	
	<u>June 30, 2024</u>	<u>June 30, 2023</u>
Assets		
Current assets	\$ 4,481,300	\$ 6,114,606
Capital assets, net	1,055,899	1,095,943
Other noncurrent assets	44,526,927	42,596,263
Total assets	<u>\$ 50,064,126</u>	<u>\$ 49,806,812</u>
Liabilities		
Current liabilities	\$ 546,942	\$ 986,066
Noncurrent liabilities	365,784	546,483
Total liabilities	<u>\$ 912,726</u>	<u>\$ 1,532,549</u>
Deferred inflows of resources	<u>\$ 164,112</u>	<u>\$ 210,050</u>
Net position		
Invested in capital assets	\$ 742,939	\$ 774,684
Restricted	46,470,515	49,392,966
Unrestricted	1,773,834	(2,103,437)
Total net position	<u>48,987,288</u>	<u>48,064,213</u>
Total liabilities, deferred inflows and net position	<u>\$ 50,064,126</u>	<u>\$ 49,806,812</u>

Current assets primarily consist of cash, cash equivalents, prepaid expenses and investments. Noncurrent assets consist of net capital assets and endowment investments. A review of the Foundation's statement of net position at June 30, 2024 and June 30, 2023, shows that the Foundation's net position increased by 1.9% from 2023 to 2024.

**NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024**

(Unaudited)

LOANS FROM DIRECT BORROWINGS

In fiscal year 2021, the Foundation incurred a \$340,000 mortgage debt secured by the real estate purchased. The mortgage is at 4.5% for five years, adjusted to 3.25% over the treasury rate for the next five years. The term is ten years, and the amortization period is 25 years.

CAPITAL ASSETS

The Foundation capitalizes assets with a value of \$1,000 for financial reporting purposes. As of June 30, 2024, there was \$1,055,899 invested in capital assets net of accumulated depreciation. Capital assets of the Foundation at June 30, 2024 and 2023 are presented in the following table:

CAPITAL ASSETS

Capital assets	For the years ended	
	June 30, 2024	June 30, 2023
Nondepreciable capital assets:		
Real estate	\$ 421,832	\$ 421,832
Total nondepreciable capital assets	\$ 421,832	\$ 421,832
Depreciable capital assets:		
Buildings	\$ 1,520,611	\$ 1,520,611
Equipment	125,756	115,772
Total depreciable capital assets	\$ 1,646,367	\$ 1,636,383
Accumulated depreciation	\$ (1,012,300)	\$ (962,272)
Capital assets, net of depreciation	\$ 1,055,899	\$ 1,095,943

NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024

(Unaudited)

THE STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

The statement of revenues, expenses, and changes in net position presents the Foundation's results of operations. In accordance with GASB reporting principles, revenues and expenses are classified as either operating or nonoperating. A summary of the Foundation's revenues, expenses, and changes in net position for the fiscal years ended June 30, 2024 and 2023 is presented in the following table:

REVENUES, EXPENSES, AND CHANGES IN NET POSITION

	For the years ended	
	June 30, 2024	June 30, 2023
Operating revenues		
Contributions	\$ 1,937,992	\$ 1,678,723
Fundraising support and revenue	494,111	519,813
Other revenue	106,605	76,673
Total operating revenues	2,538,708	2,275,209
Less operating expenses	5,481,071	5,969,411
Operating income (loss)	(2,942,363)	(3,694,202)
Nonoperating revenues		
Investment income, net	565,444	269,214
Unrealized gain (loss) on investments	3,905,745	3,855,455
Realized gain (loss) on investments	(1,129,113)	1,042,402
Changes in value of trust agreements	(28,738)	(30,885)
Nonoperating income, net	3,313,338	5,136,186
Gain before additions to permanent endowments	370,975	1,441,984
Additions to permanent endowments	552,100	1,142,107
Increase in net position	923,075	2,584,091
Net position, beginning of year	48,064,213	45,480,122
Net position, end of year	\$ 48,987,288	\$ 48,064,213
	1.9%	5.7%

**NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024**

(Unaudited)

Operating revenue from fiscal year 2023 to 2024 increased by \$263,499. Total gifts, contributions, and grants increased by \$259,269 from 2023 to 2024. Additions to permanent endowments decreased by \$590,007 from 2023 to 2024. Investment income showed a significant decrease of \$1,822,848 from 2023 to 2024, which is attributed to general investment market conditions and loss resulted from liquidating investment portfolio in certain foreign market.

In fiscal year 2023, the Foundation received new pledges in the amount of \$300,000. In fiscal year 2024, the Foundation received a \$500,000 new pledge; however, since not all eligibility requirements under GASB have been met, no pledges were recorded.

Overall operating expenses decreased by \$488,340 from 2023 to 2024. In total, program support increased by \$221,835 and scholarship expenses paid to the College decreased by \$1,132,575 from fiscal year 2023 to 2024. Allocations for both types of expenses, program support and scholarships, are funded primarily by endowment earnings in accordance with the Foundation's spending policy – awards of up to 1.25%, calculated by using the 20-quarter rolling average balances with the end date of December 31st for each endowment when earnings are available. This decrease in spending from 2023 to 2024 is mainly due to lower spending allocations coming from the endowment.

The Foundation's operating expenses increased by \$422,400, of which \$361,291 is increase in fundraising expenses, from 2022 to 2023. The increase is primarily due to rising cost for goods and services that reflects high inflation and utilizing professional services for grant writing, consulting, and temporary employees to fill positions that remained vacant for an extended time. In addition to new fundraising initiatives, the annual fund campaign remains a focus of the Foundation.

NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024

(Unaudited)

THE STATEMENT OF CASH FLOWS

The statement of cash flows provides additional information about the Foundation's financial results by reporting the major sources and uses of cash. Its primary purpose is to provide relevant information about the cash receipts and cash payments of an entity during a period. The statement of cash flows also helps users assess:

- An entity's ability to generate future net cash flows.
- Its ability to meet its obligations as they come due.
- Its need for external financing.

A comparative summary of the statement of cash flows for the Foundation for the fiscal years ended June 30, 2024 and 2023 is shown in the following table:

CASH FLOWS

	For the years ended	
	<u>June 30, 2024</u>	<u>June 30, 2023</u>
Cash provided (used) by:		
Operating activities	\$ (3,041,738)	\$ (4,414,325)
Investing activities	1,208,649	2,305,248
Noncapital financing activities	552,100	1,142,107
Capital and related financing	<u>(21,130)</u>	<u>(8,633)</u>
Net increase (decrease) in cash and cash equivalents	(1,302,119)	(975,603)
 Cash and cash equivalents, beginning of the year	 <u>5,617,747</u>	 <u>6,593,350</u>
 Cash and cash equivalents, end of year	 <u>\$ 4,315,628</u>	 <u>\$ 5,617,747</u>

The Foundation's liquidity remained stable during the reporting year. For the purpose of cash flows, the Foundation considers cash equivalents to include time deposits, certificates of deposit and all highly liquid debt instruments with original maturities of three months or less. The following discussion presents an overview of cash flows:

During the fiscal year ended June 30, 2024, cash and cash equivalents decreased by \$1,302,119. The decrease is due to the general increase in expenses. The Foundation has adequate funds on hand to pay invoices upon demand and approval.

**NEW COLLEGE FOUNDATION, INC.
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2024**

(Unaudited)

ECONOMIC FACTORS THAT WILL AFFECT THE FUTURE

The economic position of the Foundation is closely tied to the needs of the College and the investment markets for the endowment.

Investment income plays a key role in generating revenues for the Foundation. Also tied to investment earnings is the ability to provide scholarships and program support to the College through various endowments. The Foundation's investment accounts remain well-diversified and moderately invested, target in, 65% Global Equities, 18% Fixed Income, 14% Alternative Investments and 3% Cash, within the range established for each investment type per the Foundation's Investment Policy.

The Foundation's Board of Directors and management carefully monitor the status of all endowed funds, particularly those underwater funds in which the total fund balance is less than the corpus, or principal. This deficit can only be overcome through positive investment earnings UPMIFA allows for spending of current interest and dividends. As of June 30, 2024, the Foundation held 68 endowed funds and 15 quasi-endowed funds. Of these funds, four were in an underwater status as of the end of the fiscal year due to the temporary investment market conditions.

In fiscal year 2024, the Foundation created initiatives, which include Coaches Club and three signature events focusing on top three fundraising priorities, to support the newly created athletic department, mission critical projects, and the areas of greatest need at the College. As a direct support organization of the College, the Foundation is committed to the growth plan established by the College and its Board of Trustee and is making major efforts to assist in this growth.

REQUESTS FOR INFORMATION

This financial report is designed to provide a general overview of the New College Foundation, Inc.'s finances for all those with an interest in the Foundation's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Sydney Gruters, Vice President of Advancement.

NEW COLLEGE FOUNDATION, INC.

**STATEMENT OF NET POSITION
JUNE 30, 2024**

ASSETS	
CURRENT ASSETS	
Cash	\$ 4,315,628
Beneficial interest in remainder trusts, net	81,015
Prepaid expenses and other assets	84,657
Total current assets	<u>4,481,300</u>
NONCURRENT ASSETS	
Investments	44,526,927
Capital assets, net	1,055,899
Total noncurrent assets	<u>45,582,826</u>
TOTAL ASSETS	<u><u>\$ 50,064,126</u></u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND NET POSITION	
CURRENT LIABILITIES	
Accounts payable and accrued expenses	\$ 214,555
Gift annuities payable	10,470
Note payable	8,693
Unearned revenue	313,224
Total current liabilities	<u>546,942</u>
NONCURRENT LIABILITIES	
Gift annuities payable, net of current portion	61,517
Note payable, net of current portion	304,267
Total noncurrent liabilities	<u>365,784</u>
DEFERRED INFLOWS OF RESOURCES	
Gift annuities and charitable remainder unitrust	<u>164,112</u>
NET POSITION	
Net investment in capital assets	742,939
Restricted, nonexpendable, endowment	36,570,592
Restricted, expendable	9,899,923
Unrestricted	1,773,834
Total net position	<u>48,987,288</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND NET POSITION	<u><u>\$ 50,064,126</u></u>

See Notes to Financial Statements.

NEW COLLEGE FOUNDATION, INC.

**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
FOR THE YEAR ENDED JUNE 30, 2024**

OPERATING REVENUES

Contributions	\$ 1,937,992
Fundraising support and revenue	494,111
Other revenue	106,605
Total operating revenues	<u>2,538,708</u>

OPERATING EXPENSES

Program	
Scholarships and grants	530,913
Enhancements for programs	2,061,660
College support	983,476
General and administrative	1,020,583
Fundraising	884,439
Total operating expenses	<u>5,481,071</u>

Operating loss	<u>(2,942,363)</u>
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NONOPERATING REVENUES (EXPENSES)

Investment income, net	565,444
Unrealized gain on investments	3,905,745
Realized loss on investments	(1,129,113)
Changes in value of trust agreements	(28,738)
	<u>3,313,338</u>

Gain before permanent endowment contributions	370,975
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Contributions to permanent endowments	<u>552,100</u>
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Change in net position	923,075
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Net position, beginning of the year	<u>48,064,213</u>
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Net position, end of the year	<u><u>\$ 48,987,288</u></u>
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See Notes to Financial Statements.

NEW COLLEGE FOUNDATION, INC.

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2024**

CASH FLOWS FROM OPERATING ACTIVITIES

Received from private donors	\$ 1,685,428
Received from other sources	174,705
Payments for College programs	(3,667,045)
Payments to suppliers for goods and services	<u>(1,234,826)</u>
Net cash used in operating activities	<u><u>(3,041,738)</u></u>

CASH FLOWS FROM INVESTING ACTIVITIES

Investment income, net	565,444
Proceeds from sale of investments	2,262,088
Purchase of investments	<u>(1,618,883)</u>
Net cash provided by investing activities	<u>1,208,649</u>

CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES

Endowment contributions	<u>552,100</u>
Net cash provided by noncapital financing activities	<u>552,100</u>

CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES

Purchase of capital assets	(12,831)
Payments on notes payable	<u>(8,299)</u>
Net cash used in capital and related financing activities	<u><u>(21,130)</u></u>

Net change in cash align="right">(1,302,119)

Cash, beginning of year align="right">5,617,747

Cash, end of year align="right">\$ 4,315,628

Reconciliation of operating loss to net cash used in operating activities

Operating loss	\$ (2,942,363)
Adjustments to reconcile operating loss to net cash used in operating activities	
Depreciation	59,875
Deferred inflow of resources related to gift annuities	(45,938)
Changes in assets and liabilities	
Prepaid expenses and other assets	(25,170)
Accounts receivable	168,484
Pledges receivable	304,427
Beneficial interest in remainder trusts	42,373
Accounts payable and other accrued expenses	(433,608)
Unearned revenue	<u>(169,818)</u>
Net cash used in operating activities	<u><u>\$ (3,041,738)</u></u>

Noncash investing activities

Net unrealized gain on investments	<u><u>\$ 3,905,745</u></u>
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See Notes to Financial Statements.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

New College Foundation, Inc. (the "Foundation") is a not-for-profit corporation organized under the laws of the State of Florida and operates exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal Revenue Code. The Foundation's mission is to provide aid in the form of money and other forms of property and services to New College of Florida (the "College"). The Foundation also promotes education and encourages learning and dissemination of information about which the College is involved. As of November 3, 2006, the Foundation has elected to organize and operate as a university direct-support organization as defined in Section 1004.28, Florida Statutes. The Foundation is considered a discrete component unit of the College due to the College's budgetary oversight responsibility and due to the Foundation's significant operational and financial relationships with the College.

Basis of Accounting and Presentation

The Foundation's accounting policies conform to accounting principles generally accepted in the United States of America applicable to colleges and universities as prescribed by the Governmental Accounting Standards Board (GASB).

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The Foundation's financial statements are presented using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange activities are generally recognized when all applicable eligibility requirements, including time requirements, are met.

The statement of net position is presented in a classified format to distinguish between current and noncurrent assets and liabilities. When both restricted and unrestricted resources are available to fund certain programs, it is the Foundation's policy to first apply the restricted resources to such programs followed by the use of the unrestricted resources.

Cash and Cash Equivalents

For purposes of the statement of cash flows, the Foundation considers amounts on hand in checking accounts and money market accounts as cash unless held for the purpose of reinvestment. The Foundation considers all short-term, highly liquid investments with original maturities of 90 days or less to be cash equivalents.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Investments

Investments in marketable securities with readily determinable fair values and all investments in debt securities are reported at their fair values in the statement of net position. Realized and unrealized gains and losses are included in the statement of revenues, expenses, and changes in net position. Investment income includes interest and dividend income, net of fees, and is included in the statement of revenues, expenses and changes in net position separate from gains and losses. Investment fees were \$302,263 for the year ended June 30, 2024.

Pledges Receivable

The Foundation accounts for its pledges receivable in accordance with GASB Statement No. 33, *Accounting and Financial Reporting for Nonexchange Transactions*. GASB Statement No. 33 establishes reporting standards for nonexchange transactions, whereby unrestricted and restricted contributions receivable are recorded in the statement of net position and endowment contributions receivable are excluded from the statement of net position.

Promises to give are recorded at net realizable value. Unconditional promises to give are recognized as contribution revenue in the period received. Conditional promises to give are recognized when the conditions on which they depend are substantially met. An allowance for doubtful accounts is established based on specific assessment of all amounts that remain unpaid following normal payment periods. All amounts deemed to be uncollectible are charged against the allowance for doubtful accounts in the period the determination is made.

Beneficial Interest in Remainder and Perpetual Trusts

The Foundation's split-interest agreements with donors consist of charitable gift annuities and charitable remainder uni-trusts, which are presented on the statement of net position as gift annuities payable and beneficial interest in remainder trusts. Contributions of split-interest agreements are recorded when the Foundation is informed of the contribution and its interest is irrevocable. Assets are invested and payments are made to donors and/or other beneficiaries in accordance with the respective agreements.

Trust assets, for which the Foundation has been designated trustee, totaled \$155,084 at June 30, 2024 and are recorded in investments on the statement of net position. The related liabilities under trust agreements totaled \$71,987 at June 30, 2024.

The present values of payments to beneficiaries under these charitable gift annuities are calculated using an applicable tax discount rate at year-end of 5.2% for the year ended June 30, 2024.

**NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024**

**NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES
(CONTINUED)**

Beneficial Interest in Remainder and Perpetual Trusts (Continued)

Charitable remainder uni-trusts are classified as restricted net position. Once the beneficial interest is passed to the Foundation, the remaining assets are released for unrestricted use. Charitable gift annuities are classified as unrestricted or restricted net position based upon the individual gift agreements as appropriate. Distributions of the annuities are paid from income first then as a release of principal, if necessary.

Gains or losses resulting from changes in actuarial assumptions and accretions of the discount are recorded as changes in the value of trust agreements in the statement of revenues, expenses and changes in net position and resulted in a net loss of approximately \$28,738 for the year ended June 30, 2024. The change in the value of trust agreements and the related assets and liabilities are based on estimated maturity of the agreements. Actual results could differ from those estimates.

Unearned Revenue

Amounts received under contracts with third parties are considered unearned revenue until such a time as the Foundation expends amounts on eligible items and recognizes the amount as revenue.

Capital Assets

The Foundation's capital assets consist of land, buildings, furniture, and equipment and are stated at historical cost or acquisition value for donated assets or acquired at nominal cost. The Foundation has a capitalization threshold of \$1,000 for capital assets. Depreciation is computed on the straight-line basis over the following estimated useful lives:

Buildings	40 Years
Equipment	3-5 Years

The Foundation owns real estate received through a gift of approximately 188 acres of land on Tidy Island situated in Manatee County, Florida during the year ended June 30, 1984. The conveyance was subject to deed restrictions including that the land not be built upon and that it be used solely for educational, research and study purposes. This property is used as an outdoor classroom by the New College Environmental Studies Program.

Capital assets are reviewed for impairment whenever events or changes in circumstances indicate that the related carrying amount may not be recoverable. When assets are impaired, asset values are reduced for this impairment. There was no impairment recognized on capital assets for the year ended June 30, 2024.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Deferred Inflows of Resources

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net assets that applies to future periods and so will not be recognized as an inflow of resources (revenue) until that time. The Foundation has one item that meets the criterion for this category related to gift annuity payments. This amount is deferred and recognized as an inflow of resources in the period that the amount becomes available.

Contributions

Contributions are recognized as increases in net position when pledged provided all eligibility requirements have been met, with the exception of contributions to endowments which are recognized when received. Assets donated to the Foundation are recorded at their estimated acquisition value at the date of donation. Revenues associated with irrevocable split-interest agreements are recognized when the resources become applicable to the reporting period.

Donated services are only recorded if the services received create or enhance nonfinancial assets or required specialized skills and would typically need to be purchased if not provided by donation. Other volunteer services are not recorded as revenue and expense since they do not create or enhance financial assets or require specialized skills. In-kind donations for services of approximately \$612,005 were recognized in the year ended June 30, 2024, and are included in contributions on the accompanying statement of revenues, expenses and changes in net position.

Net Position

Net position, gains, and losses are classified based on the existence or absence of donor or grantor imposed restrictions. Accordingly, net position and changes therein are classified and reported as follows:

Net Investment in Capital Assets – Net investment in capital assets includes capital assets, net of accumulated depreciation and reduced by any outstanding debt balances that are attributable to the acquisition, construction, or improvement of those assets.

Restricted – Restricted net position includes funds externally restricted by donors that are expendable and nonexpendable endowments. Expendable includes funds that are subject to donor-imposed stipulations that can be fulfilled by actions of the Foundation pursuant to those stipulations, or that expire by passage of time. Nonexpendable endowments includes funds subject to donor-imposed stipulations that they be maintained permanently by the Foundation to use all or part of the related investment return for general or specific purposes in support of the College.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 1. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Unrestricted – Unrestricted net position includes funds that do not meet the definition of restricted or invested in capital assets.

Tax Status

The Foundation is generally exempt from federal income and state income taxes under Section 501(c)(3) of the Internal Revenue Code and comparable state law. The Foundation is required to pay income taxes on the excess of revenues derived from activities unrelated to the tax exempt purpose of the Foundation over the related expenses.

Operating and Nonoperating Activities

The Foundation's operating income includes all revenues and expenses associated with the Foundation's daily activities. Interest and net investment earnings are excluded from operating income and classified as nonoperating revenues. Contributions received for endowments or from state matching funds are also excluded from operating and nonoperating activities and are classified as endowment contributions.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets, deferred inflows of resources and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Subsequent Events

The Foundation has evaluated all subsequent events through December 11, 2024 the date the financial statements were available to be issued.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 2. COMMITMENTS TO NEW COLLEGE FOR 2024-2025 ACADEMIC YEAR

For the academic year ending June 30, 2024, the Foundation has budgeted to provide direct support to the College as follows:

Academic programs and enhancements	\$ 2,375,085
Endowed chairs, professorships and fellowships	90,030
New College library and library association	23,632
Scholarship and student grants	500,000
Other	360,000
	<u>\$ 3,348,747</u>

The Foundation will fulfill this obligation using anticipated endowment income and designated contributions.

NOTE 3. CAPITAL ASSETS

Capital assets activity for the year ended June 30, 2024 is shown as follows:

	Balance June 30, 2023	Increases	Decreases	Balance June 30, 2024
Capital assets not being depreciated:				
Real estate	\$ 421,832	\$ -	\$ -	\$ 421,832
Total capital assets not being depreciated	<u>421,832</u>	<u>-</u>	<u>-</u>	<u>421,832</u>
Capital assets being depreciated:				
Buildings	1,520,611	-	-	1,520,611
Equipment	115,772	19,831	(9,847)	125,756
Total capital assets being depreciated	<u>1,636,383</u>	<u>19,831</u>	<u>(9,847)</u>	<u>1,646,367</u>
Less accumulated depreciation for:				
Buildings	(852,264)	(49,155)		(901,419)
Equipment	(110,008)	(10,720)	9,847	(110,881)
	<u>(962,272)</u>	<u>(59,875)</u>	<u>9,847</u>	<u>(1,012,300)</u>
Total capital assets being depreciated, net	<u>674,111</u>	<u>(40,044)</u>	<u>-</u>	<u>634,067</u>
Total capital assets, net	<u>\$ 1,095,943</u>	<u>\$ (40,044)</u>	<u>\$ -</u>	<u>\$ 1,055,899</u>

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 4. RESTRICTED NET POSITION

Expendable restricted net position is restricted for scholarships or other similar purposes and totaled \$9,899,923 for the year ended June 30, 2024.

Nonexpendable restricted net position (endowments) is donor-directed contributions restricted in perpetuity for a variety of purposes to provide support to the College. Nonexpendable restricted net position totaled \$36,570,592 for the year ended June 30, 2024.

The Board of Directors of the Foundation has interpreted the Florida Uniform Prudent Management of Institutional Funds Act (FUPMIFA) as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment fund, absent donor stipulations to the contrary. As a result of this interpretation, the Foundation classifies as nonexpendable restricted net position: (a) the original value of the gift donated to the permanent endowment, (b) the original value of subsequent gifts to the permanent endowment, and (c) accumulations to the permanent endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund.

The Foundation has adopted investment and spending policies for endowment assets that attempt to protect the principal of the fund, provide consistent long-term income returns and protect the Foundation against long-term inflation trends. The desired investment objective is a long-term real rate of return on assets that is 7.5-8.0%. The target rate of return for the Foundation has been based upon an analysis of historical returns supplemented with an economic and structural review for each asset class. The objective is based on a ten-year investment horizon, so that interim fluctuations should be viewed with appropriate perspective.

Actual returns in any given year may vary from this amount. To satisfy its long-term rate-of-return objectives, the Foundation relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). The Foundation targets a diversified asset allocation that places a greater emphasis on equity-based investments to achieve its long-term return objectives within prudent risk constraints.

The Foundation has a spending policy of annually appropriating for distribution a percentage of its endowment funds based on the average endowment fair value of the five preceding years, as computed on December 31st. In establishing this policy, the Foundation considered the long-term expected return on its endowment. The spending policy established for the year ended June 30, 2024 was 3.50% (1.25% to the College and 2.25% to the Foundation for an administrative fee). This is consistent with the Foundation's objective to maintain the purchasing power of the endowment assets held in perpetuity or for a specified term as well as to provide additional real growth through new gifts and investment return.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 5. RELATED PARTY TRANSACTIONS

Beginning in November 2013, employees of the Foundation became employees of the College, an affiliated entity, and the Foundation began reimbursing the College for the cost of services received from personnel of the College. Salaries reimbursed to the College totaled \$472,307 for the year ended June 30, 2024.

The Foundation received \$607,913 of in-kind services for payroll, grounds maintenance and custodial services for the year ended June 30, 2024. In July 2023, the Foundation provided office space for a department of the College. The fair market value of the donated office space and the associated expenses is estimated at \$62,581 for the year ended June 30, 2024.

The Foundation provided direct support to the College in the amount of \$2,592,573 for the year ended June 30, 2024. Of that amount, \$259,456 was provided for lobbyists. At June 30, 2024, the Foundation had an outstanding balance of \$112,202 payable to the College.

NOTE 6. NONCURRENT LIABILITIES

The Foundation manages charitable gift annuities. These annuities are irrevocable split-interest agreements where the Foundation is the remainder interest beneficiary that makes distributions to the annuitants. Noncurrent liabilities consist of gift annuities payable as of June 30, 2024. GASB Statement No. 81 established financial reporting standards for irrevocable split-interest to include assets, liabilities, and deferred inflows of resources. The asset is the market value of resources received; the liability is the present value of future payments to annuitants; the deferred inflow of resources is the difference between the asset and the liability. There is also a portion of unearned revenue that is not expected to be recognized as revenue in the upcoming year.

A summary of the changes in the noncurrent liabilities is as follows:

	Balance June 30, 2023	Increases	Decreases	Balance June 30, 2024	Current Portion
Unearned revenue	\$ 483,042	\$ 16,555	\$ (186,373)	\$ 313,224	\$ 313,224
Gift annuities payable	80,085	-	(8,098)	71,987	10,470
	<u>\$ 563,127</u>	<u>\$ 16,555</u>	<u>\$ (194,471)</u>	<u>\$ 385,211</u>	<u>\$ 323,694</u>

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 7. NOTE PAYABLE

During 2021, the Foundation entered into an agreement with a local financial institution to borrow \$340,000 to acquire real property in Sarasota, Florida. The note payable is due in 60 monthly payments of \$1,902 including interest at 4.50% followed by 59 monthly payments estimated at \$1,773 including interest at the prevailing U.S. Treasury Note Yield plus 3.25% with a balloon payment in February 2031 and is secured by certain real property. The balance on the note from a direct borrowing at June 30, 2024 was \$312,960. Total principal paid during the year ended June 30, 2024 was \$8,299.

Aggregate maturities on the long-term debt at June 30, 2024 are as follows:

	Principal	Interest
2025	\$ 8,693	14,132
2026	9,378	12,932
2027	10,366	10,913
2028	10,733	10,547
2029	11,172	10,108
2030-2031	262,618	15,933
	\$ 312,960	\$ 74,565

NOTE 8. FAIR VALUE MEASUREMENTS

Deposits – Custodial credit risk is the risk that in the event of a bank failure, the Foundation's deposits may not be returned. The Foundation's policy regarding custodial risk is to hold noninvested cash in a financial institution covered by the Federal Deposit Insurance Corporation (FDIC) not exceeding the limit of FDIC coverage.

Noninvested cash in excess of FDIC coverage will be held in a certified Qualified Public Depository (QPD) as identified by the Florida Security for Public Deposits Act, Chapter 280, Florida Statute. At June 30, 2024, the bank balance was approximately \$1,175,644. Of the bank balance, \$925,644 was in excess of the amount covered by the FDIC and thus collateralized under the Florida Security for Public Deposits Act.

The Foundation has an account with the State Treasury Special Purpose Investment Account (SPIA). This account represents ownership of a share of the Florida Treasury Investment Pool, not the underlying securities. At June 30, 2024, the Florida Treasury Investment Pool carried a credit rating of AA-f by Standard & Poor's and had an effective duration of 3.23. At June 30, 2024, the Foundation had cash equivalents of \$3,221,511 with the State Treasury SPIA.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 8. FAIR VALUE MEASUREMENTS (CONTINUED)

Investments – The Foundation’s investment policy allows for investments in domestic equities, international equities, fixed income and alternatives. For fixed income instruments, the Foundation’s investment policy allows for investment in domestic, global, U.S. inflation projected, U.S. high yield, emerging market bonds, short-term bonds, multi-sector bonds, unconstrained bonds, and cash equivalents. For alternative instruments, the Foundation’s investment policy allows for private equity, absolute return (hedge funds), real assets and commodities.

The following methods and assumptions were used by the Foundation in estimating the fair value of its financial instruments:

Mutual Funds – The fair value is measured based on quoted prices in principal active markets for identical assets as of the valuation date (Level 1).

Alternative Foreign Equity and Private Equity Funds – These investments are valued using the NAV provided by the administrator of the fund, as a practical expedient. The NAV is based on the value of the underlying assets owned by the fund, minus its liabilities and then divided by the number of shares outstanding. The NAV is excluded from the valuation hierarchy.

Investments held by the Foundation are reported at fair value and were as follows at June 30, 2024:

	Level 1	Level 2	Level 3	Net Asset Value	Total at June 30, 2024
Investments					
Cash and cash equivalents	\$ 1,214,656	\$ -	\$ -	\$ -	\$ 1,214,656
Mutual funds - fixed income	8,158,157	-	-	-	8,158,157
Mutual funds - equities	153,334	-	-	-	153,334
Domestic equities	17,602,846	-	-	-	17,602,846
International equities	11,472,008	-	-	-	11,472,008
Total mutual funds - fixed income	38,601,001	-	-	-	38,601,001
Investments at net asset value					
Alternative foreign equity, private equity and other funds	-	-	-	5,925,926	5,925,926
Total investments	\$ 38,601,001	\$ -	\$ -	\$ 5,925,926	\$ 44,526,927

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Foundation believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different estimate of fair value at the reporting date.

Interest Rate Risk – Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 8. FAIR VALUE MEASUREMENTS (CONTINUED)

Custodial Credit Risk – The Foundation utilizes the services of an investment advisor and several investment managers to manage its portfolio. For an investment, custodial credit risk is the risk that, in the event of a failure of the counterparty, the Foundation will not be able to recover the value of its investment or collateral securities that are in the possession of an outside party. The investment in mutual funds are not categorized as to custodial credit risk as they are not evidenced by securities that exist in physical or book entry form. These mutual funds are not rated by a nationally statistical rating organization. There were no losses due to default by counterparties to investment transactions during the year ended June 30, 2024.

Credit Risk – Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The Foundation's investment policy manages credit risk by limiting the Foundation to investment in mutual funds as opposed to direct investment in bonds.

Concentration of Credit Risk – Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The Foundation's investment policy requires that investments are to be diversified to the extent that no more than 7% of the funds may be invested in any one security and a maximum of 5% may be invested in the obligations of a single issuer (excluding U.S. Government and its agencies).

Other Information – For management control, investments are pooled. Gains, losses and investment income from the pool are allocated monthly to the funds that participate in the pool based upon each fund's average monthly balance.

NEW COLLEGE FOUNDATION, INC.
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2024

NOTE 9. FUNCTIONAL CLASSIFICATION OF EXPENSES

The expenses recognized by the Foundation in the statement of revenues, expenses and changes in net position are classified by function, that is, the purpose for which they are incurred. The Foundation's expenses based on function classification are as follows as of June 30, 2024:

	Program Services	General and Administrative	Fundraising	Total
Enhancements	\$ 1,802,204	\$ -	\$ -	\$ 1,802,204
Lobbyist	259,456	-	-	259,456
Scholarships - College budget	433,954	-	-	433,954
Grants	96,959	-	-	96,959
Salaries	344,595	379,956	209,077	933,628
Depreciation	-	59,875	-	59,875
Insurance	-	12,610	-	12,610
Interest	-	14,527	-	14,527
Admin fees	-	1,105	-	1,105
Bank service fees	1,265	7,412	10,772	19,449
Dues and subscriptions	5,458	5,661	576	11,695
Professional services	-	208,698	136,127	344,825
Miscellaneous Expense	-	-	7,396	7,396
Audit fees	-	38,000	-	38,000
In-kind professional services	-	146,592	-	146,592
Postage and shipping	495	2,072	-	2,567
Telephone expense	-	66	-	66
Office supplies	122	5,407	1,053	6,582
Software/software upgrades	-	49,792	32,105	81,897
Storage	-	6,954	-	6,954
Equipment	-	4,604	-	4,604
Maintenance and repair	1,397	1,799	-	3,196
Rental	-	5,078	4,561	9,639
Taxes - property	-	325	-	325
Donor cultivation major gifts	37,018	2,315	20,374	59,707
Development - Regional Gathering	3,608	-	-	3,608
Printing	-	44,476	1,190	45,666
Utilities - TKC	12,584	8,499	-	21,083
Promotional expense	9,143	-	-	9,143
Development and entertainment	-	867	600	1,467
Sponsorship expense	50,711	5,000	3,203	58,914
Advertising	57,167	6,200	8,257	71,624
Catering	4,503	578	131,286	136,367
Travel - airfare/training	1,871	-	-	1,871
Travel - lodging	1,334	-	-	1,334
Mileage and toll reimbursement	-	5	-	5
Travel - auto rental	326	-	-	326
Donation Expense	448,038	-	-	448,038
Gift-in-kind expense	3,841	-	13,071	16,912
Board of Directors expense	-	2,110	364	2,474
Pledge write offs	-	-	304,427	304,427
	<u>\$ 3,576,049</u>	<u>\$ 1,020,583</u>	<u>\$ 884,439</u>	<u>\$ 5,481,071</u>

OTHER INDEPENDENT AUDITOR'S REPORT



**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

**Board of Directors
New College Foundation, Inc.
Sarasota, Florida**

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of New College Foundation, Inc. (the "Foundation"), a component unit of New College of Florida, as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the Foundation's basic financial statements, and have issued our report thereon dated December 11, 2024.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Foundation's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Foundation's internal control. Accordingly, we do not express an opinion on the effectiveness of the Foundation's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Foundation's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Foundation's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Bradenton, Florida
December 11, 2024

A handwritten signature in black ink that reads "Mauldin & Jenkins, LLC". The signature is written in a cursive, flowing style.



New College Foundation, Inc.
FY 2026 Annual Financial Plan - BOD Approved 4/23/25
Summary of Foundation Budget

	4.5% Plan For Reference Only	BOD APPROVED	
	FY 2026 4.5% Plan	FY 2026 3.5% Plan	FY 2025 3.5% Plan
Revenues (Table 1)			
Foundation Support			
Admin Fee from Endowment	\$918,674	\$918,674	\$915,269
Unrestricted Donations	\$83,826	\$83,826	\$500,000
Other Revenues	\$360,000	\$360,000	\$400,258
Total Foundation Support	\$1,362,500	\$1,362,500	\$1,815,527
College Support			
Endowment Distribution	\$1,061,405	\$621,387	\$547,283
Non-Endowment Funding - Section E	\$871,500	\$871,500	\$1,295,510
Unrestricted Donations	\$1,398,945	\$1,526,963	\$500,000
Athletic Donations**	\$1,000,000	\$1,000,000	\$1,000,000
Other Revenues	\$450,000	\$450,000	\$0
Total College Support	\$4,781,850	\$4,469,850	\$3,342,793
Expenditures (Table 2)			
Foundation Operations			
Salaries & Benefits	\$452,000	\$452,000	\$549,835
Other Operational Expenses	\$910,500	\$910,500	\$1,265,692
Total Foundation Operations	\$1,362,500	\$1,362,500	\$1,815,527
College Programs			
Enhancements	\$3,696,850	\$3,549,850	\$2,482,793
Scholarships	\$665,000	\$500,000	\$500,000
Lobbyist	\$420,000	\$420,000	\$360,000
Total College Programs	\$4,781,850	\$4,469,850	\$3,342,793

**Estimated amount only.



Direct Support Budget

Table 1 (Revenues) - College Support

	DS @ 2.25% For Reference Only	BOD APPROVED	BOD APPROVED
	DS @ 2.25%	DS @ 1.25%	Admin @ 2.25%
Chair and Grant Funding - Section A			
6017 - Buzzelli Endowed Chair in Psychology	32,497.00	18,054.00	32,497.00
6023 - MacArthur Professorship	4,077.00	2,265.00	4,077.00
6031 - Florsheim Endowed Chair	18,430.00	10,239.00	18,430.00
6033 - PepsiCo Professorship	11,254.00	6,252.00	11,254.00
6037 - Selby Endowed Chair	19,624.00	10,902.00	19,624.00
6041 - Klingenstein Judaic Studies Professorship	22,793.00	12,663.00	22,793.00
6043 - Soo Bong Chae Professorship in Mathematics	24,559.00	13,644.00	24,559.00
6045 - Marion Hoppin Chair/Asian Studies	19,523.00	10,846.00	19,523.00
6075 - Peggy Bates Endowment for International Studies	7,547.00	4,193.00	7,547.00
6081 - Dr. Mike Michalson Endowed Chair	1,366.00	759.00	1,366.00
Total Chair and Grant Funding - Section A	161,670.00	89,817.00	161,670.00
Scholarships - Section B			
6010 - Kit Reilly Memorial Scholarship Fund	3,810.00	2,116.00	3,810.00
6018 - Roland Abraham Jr. Endowed Environmental Studies Scholarship	1,740.00	967.00	1,740.00
6019 - Endowed Scholarships	57,026.00	31,681.00	57,026.00
6030N - Jay Rudolph Judaic Studies Endowment	4,716.00	2,621.00	4,716.00
6035 - PepsiCo Endowed Scholarships	16,216.00	9,009.00	16,216.00
6060 - Charter Class Scholarship Fund	4,371.00	2,429.00	4,371.00
6063 - E.J.L. Anonymous Endowed Scholarship	2,099.00	1,166.00	2,099.00
6064 - Sherry and Douglas Chapman Endowed Scholarship	5,114.00	2,841.00	5,114.00
6065 - Ruth DeLynn Marine Biology Scholarship Fund	8,286.00	4,603.00	8,286.00
6066 - Raymond and Margaret Mason Endowed Scholarship	19,018.00	10,565.00	19,018.00
6067 - Robert J. and Elizabeth T. Carucci Memorial Scholarships	2,962.00	1,646.00	2,962.00
6068 - Cameron and John J. Cox Endowed Scholarship Fund	2,049.00	1,138.00	2,049.00
6069 - George and Sarah Savin Endowed Scholarship Fund	820.00	456.00	820.00
6071 - Robert M. Johnson Endowment	1,172.00	651.00	1,172.00
6073 - Scott B. Appleby Endowed Scholarship	8,356.00	4,642.00	8,356.00
6074 - Wm Heath Endowed Educational Scholarship Fund	747.00	415.00	747.00
6078 - Keith and Linda Monda Endowed Scholarship	14,174.00	7,874.00	14,174.00
6079 - Sanderson Endowed Scholarship	4,716.00	2,620.00	4,716.00
6080 - Cantor Family Endowed Scholarship for the Creative Arts	3,920.00	2,178.00	3,920.00
6082 - Heidi H. Boothe & Sharon Booth Rider Environmental Prgrm End	45,995.00	25,553.00	45,995.00
6083 - Ulla R. Searing Endowed Fund for Academic Excellence	14,545.00	8,080.00	14,545.00
6085 - Akgun Temizer Fund for Turkish Students (no admin fee)	142,731.00	111,013.00	-
6088 - Alexander J. Chester and Sheryan Epperly Chester Scholarship	2,663.00	1,480.00	2,663.00
6089 - John Jakes Scholarships	4,679.00	2,599.00	4,679.00
6092 - Harold E. Harris and Antoinette Harris Endowed Scholarship	3,725.00	2,069.00	3,725.00
6093 - Christine Felsmann Scholarship Unrestricted	1,841.00	1,023.00	1,841.00
6094 - Jack N. Priztaker Endowed Scholarship	916.00	509.00	916.00
6095 - Selby Foundation Endowed Scholarship	8,472.00	4,707.00	8,472.00
6096 - Christine Felsmann Scholarship - Restricted	870.00	483.00	870.00
6097 - Howard and Betty Isermann Endowed Scholarship for Out of state	15,178.00	8,432.00	15,178.00
6098 - Donal O'Shea "Quasi" Endowed Scholarship Fund	4,812.00	2,673.00	4,812.00
6099 - Bill and Lorraine Kupper Endowed Scholarship Fund	25,545.00	14,192.00	25,545.00
6101 - Richard L. Coleman Memorial	614.00	341.00	614.00
6102 - Judith Kaye Lentini Endowed Scholarship	3,727.00	2,070.00	3,727.00
8016 - NCAA - Palm Court Endowed Scholarship Fund	5,275.00	2,931.00	5,275.00
8016HA - Henrietta Aligas Palm Court Endowed Scholarship Fund	640.00	355.00	640.00
8016JME - John & Mary Elmendorf Palm Court Endowed Scholarship Fund	661.00	367.00	661.00
8017 - NCAA- Julia Hypatia Orth Memorial Endowed Scholarship	6,259.00	3,477.00	6,259.00
8021 - Deborah Marsha Herbstman Endowed In-State Scholarship Fund	3,888.00	2,160.00	3,888.00
8022 - Vir K. and Genella Sondhi Endowed Scholarship	4,523.00	2,513.00	4,523.00
Total Scholarships - Section B	458,871.00	286,645.00	316,140.00



Direct Support Budget

Table 1 (Revenues) - College Support

	DS @ 2.25% For Reference Only	BOD APPROVED	BOD APPROVED
	DS @ 2.25%	DS @ 1.25%	Admin @ 2.25%
Discretionary Funding - Section C			
6015 - Associates Endowed Chair	1,356.00	754.00	1,356.00
6020 - Rolland & Gwenn Heiser Endowment	4,063.00	2,257.00	4,063.00
6026 - State Match Endowment Fund	102,306.00	56,837.00	102,306.00
6029 - Hamilton Endowment Fund 'C'	4,682.00	2,601.00	4,682.00
6039 - Gateway Scholars Endowment#1	16,144.00	8,969.00	16,144.00
6039W - Gateway Scholars - Wachovia	52,004.00	28,891.00	52,004.00
6046 - Faculty Development Endowment	20,906.00	11,615.00	20,906.00
6070 - Rhonda Pritzker Endowment Academic Excellence	72,555.00	40,308.00	72,555.00
6077 - Bob Johnson Endowment for Academic Excellence	1,007.00	560.00	1,007.00
6083 - Ulla R. Searing Endowed Fund for Academic Excellence	29,090.00	16,162.00	29,090.00
8023 - J. Robert & Lee M Peterson "Quasi" Endowed Enhancement	42,760.00	23,755.00	42,760.00
Total Discretionary Funding - Section C	346,873.00	192,709.00	346,873.00
Section C Note:	\$270K for 0276S	\$150K for 0276S	
Other Programs Support- Section D			
6002 - Dubois-Felsmann -Student Academic Research Endowment	14,462.00	8,034.00	14,462.00
6003 - John B. Hawley Student Research Endowment	1,154.00	641.00	1,154.00
6005 - B.H. White Anthropology Awards Endowment	261.00	145.00	261.00
6013 - Gerontology Endowed Funds	2,896.00	1,609.00	2,896.00
6013#2 - Anthropology Endowed Funds	1,541.00	856.00	1,541.00
6030N - Jay Rudolph Judaic Studies Endowment	2,021.00	1,122.00	2,021.00
6032 - Helen N. Fagin Holocaust Research Fund	310.00	172.00	310.00
6072 - George and Beatrice Schwartzman Endowed Fund for Chemistry	2,847.00	1,582.00	2,847.00
6076 - GIS Technology Training Endowment	4,598.00	2,554.00	4,598.00
6083 - Ulla R. Searing Endowed Fund for Academic Excellence	14,545.00	8,080.00	14,545.00
6084 - Lee Snyder Memorial Endowed Fund	2,308.00	1,282.00	2,308.00
8002 - NCAA Faculty Development End.	1,516.00	842.00	1,516.00
8005 - NCAA - Designated Endowment Fund	396.00	220.00	396.00
8007 - NCAA Fellowship Endowment	2,753.00	1,529.00	2,753.00
8008 - NCAA Alumnae/i Student Grants Endowment	1,263.00	702.00	1,263.00
8009 - NCAA - Mary Clark Memorial Research Scholarship	2,962.00	1,645.00	2,962.00
8010 - NCAA - Joe Haaf grant	251.00	140.00	251.00
8011 - NCAA Alumnae/i Unrestricted Endowment	794.00	441.00	794.00
8014 - NCAA - Matthew Wahl Memorial Scholarship	372.00	207.00	372.00
9005 - NCLA Library Endowment	34,030.00	18,906.00	34,030.00
9010 - NCLA John MacDonald Endowment	524.00	291.00	524.00
9015 - NCLA Cook Memorial Endowment	622.00	346.00	622.00
9016 - NCLA - Endowed Book Fund	1,243.00	691.00	1,243.00
9020 - NCLA Jenkins Endowment	322.00	179.00	322.00
Total Other Programs Support - Section D	93,991.00	52,216.00	93,991.00
Total Endowment Funding	\$1,061,405	\$621,387	\$918,674
Non-Endowment Funding - Section E			
Scholarships & Enhancements	\$871,500	\$871,500	\$0
Total Non-Endowment Funding - Section E	\$871,500	\$871,500	\$0
Other Income & Donations			
Unrestricted Donations	\$1,398,945	\$1,526,963	
Athletic Donations**	\$1,000,000	\$1,000,000	
Other Revenue	\$450,000	\$450,000	
Total Auxiliary Income and Donations	\$2,848,945	\$2,976,963	\$0
TOTAL COLLEGE SUPPORT	\$4,781,850	\$4,469,850	\$918,674

Table 2 (Expenditures) - College Programs

	DS @ 2.25%	DS @ 1.25%
	FY 2026	FY 2026
Academic & Facilities Enhancements	1,197,000.00	\$1,050,000
Executive Salaries & Benefits	\$1,499,850	\$1,499,850
Athletics**	\$1,000,000	\$1,000,000
Lobbyist	\$420,000	\$420,000
Scholarships	\$665,000	\$500,000
TOTAL COLLEGE PROGRAMS	\$4,781,850	\$4,469,850



New College Foundation, Inc.
FY 2026 Annual Financial Plan - BOD Approved 4/23/25
Operating Budget Year to Year Comparison

Table 1 (Revenues) - Foundation Support

	FY 2026 Budget	FY 2025 Budget	Variance	
			\$ Diff	% Chg
Endowment Admin Fee	\$918,674	\$915,269	\$3,405	0.4%
Unrestricted Donations	\$83,826	\$500,000	(\$416,174)	(83.23%)
Other Revenues	\$360,000	\$400,258	(\$40,258)	(10.06%)
Total Foundation Support	\$1,362,500	\$1,815,527	(\$453,027)	(24.95%)

Table 2 (Expenditures) - Foundation Operations

	FY 2026 Budget	FY 2025 Budget	Variance	
			\$ Diff	% Chg
Salaries	\$452,000	\$549,835	(\$97,835)	(17.8%)
Insurance***	\$32,300	\$30,000	\$2,300	8%
Interest & Loan Exp***	\$13,000	\$12,000	\$1,000	8%
Bank Service Fees	\$28,000	\$30,000	(\$2,000)	(6.7%)
Taxes Paid 990	\$500	\$500	\$0	0%
Dues Subscriptions and Licenses	\$36,000	\$40,000	(\$4,000)	(10.0%)
Professional Services	\$164,000	\$179,692	(\$15,692)	(8.7%)
Legal Fee	\$5,000	\$5,000	\$0	0%
Audit Fees	\$33,000	\$35,000	(\$2,000)	(5.7%)
Postage and Shipping	\$3,900	\$4,000	(\$100)	(2.5%)
Telephone Expense	\$100	\$2,400	(\$2,300)	(95.8%)
Office Supplies	\$7,200	\$5,000	\$2,200	44%
Software/Software Upgrades	\$78,000	\$82,000	(\$4,000)	(4.9%)
Storage	\$10,000	\$10,000	\$0	0%
Equipment	\$4,000	\$5,000	(\$1,000)	(20.0%)
Maintenance & Repair	\$0	\$5,000	(\$5,000)	(100.0%)
Rental	\$76,000	\$87,000	(\$11,000)	(12.6%)
Taxes - Property	\$1,000	\$1,000	\$0	0%
Donor Cultivation	\$80,000	\$170,000	(\$90,000)	(52.9%)
Development - REGIONAL GATHERINGS	\$10,000	\$20,000	(\$10,000)	(50.0%)
Printing	\$5,000	\$20,000	(\$15,000)	(75.0%)
Utilities - TKC	\$23,500	\$23,516	(\$16)	(0.1%)
Promotional Expense	\$5,000	\$25,000	(\$20,000)	(80.0%)
Development and Entertainment	\$10,000	\$20,000	(\$10,000)	(50.00%)
Sponsorship Expense	\$100,000	\$75,000	\$25,000	33.3%
Advertising	\$5,000	\$64,284	(\$59,284)	(92.2%)
Catering	\$150,000	\$170,000	(\$20,000)	(11.8%)
Travel - Airfare/train	\$10,000	\$40,000	(\$30,000)	(75.0%)
Travel - Lodging	\$10,000	\$25,000	(\$15,000)	(60.0%)
Mileage & Toll Reimbursement	\$1,000	\$4,000	(\$3,000)	(75.0%)
Travel - Auto Rental	\$1,000	\$5,000	(\$4,000)	(80.0%)
Conference/Education Expense	\$3,000	\$13,000	(\$10,000)	(76.9%)
Board of Director's Expense	\$5,000	\$15,000	(\$10,000)	(66.7%)
Annuity/Unitrust payments	\$0	\$6,000	(\$6,000)	(100.0%)
GRUT Payment	\$0	\$1,300	(\$1,300)	(100.0%)
Reunion		\$35,000	(\$35,000)	(100.0%)
Total Foundation Operations	\$1,362,500	\$1,815,527	(\$453,027)	(25.0%)

**Estimated amount only.

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Tenure Consideration

PROPOSED BOARD ACTIONS

Approval of recommendation to grant tenure for Dr. Mans Hulden.

BACKGROUND

Article 15 of the CBA and Sections 4.5 - 4.6 of the Faculty Handbook outline New College of Florida's tenure policies and procedures. To make it to this stage in the process, this faculty member gathered evidence of their teaching effectiveness, scholarly and professional activities, and service that was reviewed by internal and external evaluators:

- (1) By May 1, 2024, the candidates submitted to their Division Chairs contact information for possible outside references. The Divisions then solicited those outside references.
- (2) In August, the candidates were responsible for assembling their evaluation files for review. These files, which were made available for review by faculty within each candidate's Division, include documentation from each candidate's career at NCF:

General Information Section:

- Copies of annual year-end activity reports (an updated list of courses and tutorials taught, Independent Study Projects supervised, senior theses supervised, contract advisees, baccalaureate committees served on, faculty committees served on, and scholarly activities).
- Current vita.
- Copy of initial appointment letter.
- Assignment of duties letter for each semester.
- Annual letters of evaluation from the Division Chair.
- Copies of PAC reviews.
- Copies of letters sent to the PAC from faculty colleagues, students, alumni, or external reviewers from previous reviews
- Statement(s) of review by candidate: Any written response or comments the faculty member wishes to provide with regard to any item in the file.
- Previous Tenure and Promotion packet, if one exists

Evaluation Section:

- Student evaluations of the candidate's teaching.
 - Syllabi and course descriptions.
 - Contracts, contract certifications, and course evaluations (to be provided in a convenient form by the Registrar's Office.
 - Copies of papers and publications clearly identified as in draft, in press, or published including printouts of any web-based publications.
 - Current letters from external reviewers assessing the candidate's scholarship and creative work.
 - Information about community service not otherwise reported.
 - Any other materials relevant to teaching, scholarship and service that the faculty member may deem appropriate, such as letters from students, colleagues or administrators.
 - Statement(s) of review by candidate: Any written response or comments the faculty member wishes to provide with regard to any item in the file.
- (3) In November, the Divisional vote on tenure was conducted. Positive votes on at least three-fourths of the ballots from regular, full-time faculty (other than those in their first year of service) constitutes a positive Divisional recommendation to award tenure.
- (4) The Provost's Advisory Committee (PAC – two faculty representatives from each Division) then independently reviewed the application, voted on whether to recommend tenure, and forwarded that recommendation to the Provost.
- (5) Based on a review of the file, the Divisional vote, and the recommendation from the PAC, the Provost made a recommendation to the President. This recommendation, along with all supporting materials from the PAC and Provost, was provided to the candidate (who had the opportunity to provide a written response to the President.
- (6) The President then made a recommendation to the Board of Trustees. When the President's recommendation is contrary to that of the Provost, the President provides a written statement detailing extraordinary circumstances warranting such a decision. That statement is then provided to the Provost, with copies supplied to the candidate and the PAC.
- (7) The final decision rests with the Board of Trustees.

Supporting Documentation Included: Tenure packet for candidate

Facilitator(s)/Presenter(s): *David Rohrbacher, Provost and Vice President of Academic Affairs*

Candidate: _____

**NEW COLLEGE OF FLORIDA
TENURE and/or PROMOTION APPLICATION**

ACADEMIC YEAR 2024-25

I. INTRODUCTION

The information in this application packet will be used by New College personnel, including the Provost, Chairpersons, and New College faculty involved in peer evaluation and recommendations for tenure and/or promotion. Therefore it is in the best interest of each faculty member to be certain that the information is as complete and accurate as possible.

- Please use as much space as necessary.
- Please submit only an original.
- Original signatures are required.
- The application will become part of the faculty member's permanent College file.

Applicants are encouraged to be familiar with Articles 14 (Promotion Procedure) and/or 15 (Tenure) of the Collective Bargaining Agreement (2021-24). The text of these articles may be accessed at:

<https://intranet.ncf.edu/about/departments-and-offices/provosts-office/resources-for-faculty/>

NAME Mans Hilden
DIVISION Natural Sciences
DISCIPLINE Computer Science

☒


I am seeking Tenure only.

☐

I am seeking Tenure and Promotion to the rank of _____

☐

I am seeking Promotion only to the rank of _____


Applicant's Signature

Apr 16, 2025
Date

PLEASE SUBMIT ONE ORIGINAL TENURE/PROMOTION APPLICATION

II. CANDIDATE EMPLOYMENT INFORMATION

1. Initial date of New College employment August, 2024

2. Initial rank of employment Associate Professor

3. Present rank Associate Professor

Effective date August, 2024

4. Years completed in rank at New College 8 months

5. Tenured:

☐

Yes

Effective date: As

☒

No

Years of credit toward tenure awarded upon appointment (if applicable) 5

(Attach copy of letter awarding credit)

III. "THE EVALUATION FILE": GENERAL INFORMATION and EVALUATION SECTIONS

- The contents of this file are drawn from the Personnel File maintained in the Division Office.
- The Faculty member (candidate) is primarily responsible for the compilation and updating of this record.

Description of the Evaluation File (General Information and Evaluation Section) Content for Candidates under Consideration for Promotion

1. Documentation for each category under evaluation (Teaching, Scholarship, and Service) must be provided for:
 - a) No fewer than the previous seven years (or if not employed seven years, since hire), regardless of when the last PAC review occurred for candidates for promotion to Full Professor, or
 - b) Since hire for candidates for tenure and promotion.
2. Candidates who wish to provide evaluation materials going back further in time are free to do so if they consider it relevant to their current evaluation, but no candidate will be penalized for not including such information.
3. The General Information section of the personnel file should be included in the evaluation file in its entirety.

The General Information Section of the personnel file consists of:

- A current vita.
- Copies of faculty year-end activity reports or FAAR forms written annually (to contain: an updated list of courses and tutorials taught, Independent Study Projects supervised, senior theses supervised, contract advisees, baccalaureate committees served on [with student and AOC], faculty committees served on, and scholarly activities).
- A copy of the initial appointment letter.
- Assignment of duties letters for each semester.
- For Tenure applicants: include faculty assignment of duties letter for all of your tenure-earning years.
- For Promotion applicants: include faculty assignment of duties letter for the entire period

since original appointment or since last NCF promotion. Also, include explanatory narrative (from Division Chair if such a letter exists) if the assignment of duties letters reflect extraordinary or unusual circumstances or assignments.

- Annual letters of evaluation from the Division Chair.
- Copies of PAC reviews.
- Copies of letters to the PAC from faculty colleagues, students, and alumni and any letters from external reviewers from previous reviews [see “invitation to external reviewers” letter, p. 5]
- Statement(s) of review by candidate: Any written response or comments the faculty member wishes to provide with regard to any item in the file.
- Previous Tenure and Promotion packet, if one exists.

4. The Evaluation Section of the personnel file includes:

- Student evaluations of the candidate’s teaching.
- Syllabi and course descriptions.
- Contracts, contract certifications, and course evaluations (to be provided in a convenient form by the Registrar’s Office).
- Copies of papers and publications clearly identified as in draft, in press, or published including printouts of any web-based publications.
- Current Letters from external reviewers assessing the candidate’s scholarship and creative work. An illustrative letter of invitation follows.
- Information about community service not otherwise reported.
- Any other materials relevant to teaching, scholarship and service that the faculty member may deem appropriate, such as letters from students, colleagues or administrators.
- Statement(s) of review by candidate: Any written response or comments the faculty member wishes to provide with regard to any item in the file.

New College of Florida
Division of Natural Sciences
Sarasota, FL 34243

941-487-4660
mhulden@ncf.edu

Google Scholar: <https://scholar.google.com/citations?user=FGtcuXwAAAAJ>
Semantic Scholar: <https://www.semanticscholar.org/author/Mans-Hulden/1707857>
DBLP: <https://dblp.org/pid/69/1625.html>

POSITION	Associate Professor Computer Science Division of Natural Sciences New College of Florida	2024–
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PREVIOUS	Associate Professor (with Tenure) Department of Linguistics University of Colorado Boulder	2019–2024
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PREVIOUS	Assistant Professor Department of Linguistics University of Colorado Boulder	2014–2019
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PREVIOUS	Ikerbasque Visiting Professor <i>Computer Science, The University of the Basque Country</i>	2012–2013 Donostia-San Sebastián
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AFFILIATIONS	Senior Fellow University of Konstanz	2021–
	Fellow Institute of Cognitive Science University of Colorado Boulder	2015–
	Associate Professor (by courtesy) Computer Science University of Colorado Boulder	2019–
	Docent, Language Technology University of Helsinki Department of Modern Languages	2012–
	External faculty member	2015–

2013–: *European Masters Program in Language and Communication Technologies (LCT)*
<http://www.lct-master.org>

EDUCATIONAL BACKGROUND	Ph.D. Computational Linguistics <i>University of Arizona</i> <ul style="list-style-type: none"> • Advisor: Michael Hammond • Dissertation: <i>Finite-State Machine Construction Methods and Algorithms for Phonology and Morphology</i> 	2009 Tucson, AZ
	M.A. Computational Linguistics <i>University of Arizona</i> <ul style="list-style-type: none"> • Master's thesis: <i>Finite-State Syllabification</i> 	2006 Tucson, AZ
	M.A. English <i>Åbo Akademi University</i> <ul style="list-style-type: none"> • Master's thesis: <i>Linguistic Complexity in Two Major American Newspapers and the Associated Press Newswire 1900–2000</i> 	2004 Turku, Finland
	B.A. English/Linguistics <i>St. Cloud State University</i>	2001 St. Cloud, MN
OTHER ACADEMIC EMPLOYMENT HISTORY	Marie Curie Postdoctoral Fellow <i>Dpt of Modern Languages, University of Helsinki</i>	Dec 2009–Dec 2011 Helsinki, Finland
	Researcher <i>Language Technology, University of Helsinki (Helsinki Finite State Research Group)</i>	Aug–Nov 2009 Helsinki, Finland
	Research/teaching assistant/associate <i>Department of Linguistics, University of Arizona</i>	Aug 2004–May 2008 Tucson, AZ
RESEARCH INTERESTS	Natural Language Processing (NLP), Artificial Intelligence, Machine Learning for NLP, Theory of Computation, Finite-state Technology, Computational Phonology, Computational Morphology, Parsing technology and algorithms, Grammatical inference.	
HONORS	The SIGMORPHON 2020 Shared Task on Typologically Diverse Morphological Inflection <i>Winner</i>	2020
	University of Colorado Marinus Smith Award <i>University-wide student-nominated teaching award</i>	2018
	Codefest 2016–Coding for Language Communities Best Project Award <i>European Capital of Culture Program</i>	2016
	Marie Curie Fellowship <i>CLARA Marie Curie ITN, University of Helsinki</i>	2009–2011
	Social Sciences Research Council (SSHRC, Canada) <i>Co-PI: Connections Grant, 21st Century Tools for Indigenous Languages</i>	2019–2023
GRANTS AND AWARDS (AWARDED)		

with Antti Arppe (University of Alberta), Jordan Lachler (University of Alberta), Christopher Cox (Carleton University)
CAD \$2,500,000

Mapping Digital Language Resources (University of Konstanz, Germany) 2021
PI: EUR 30,000

DARPA/BBN 2015–2019
PI (2017), Co-PI (2015/2016): *Multilingual Interactive Topic Modeling with Rich Morphology*
with Jordan Boyd-Graber, CU Computer Science, University of Colorado Boulder
\$430,138

Social Sciences Research Council (SSHRC, Canada) 2018–2019
Co-PI: *Connections Grant (phase 1), 21st Century Tools for Indigenous Languages*
with Antti Arppe (University of Alberta), Jordan Lachler (University of Alberta), Christopher Cox (Carleton University)
CAD \$20,000

Social Sciences Research Council (SSHRC, Canada) 2017–2018
Co-PI: *Connections Grant, 21st Century Tools for Indigenous Languages*
with Antti Arppe & Jordan Lachler, University of Alberta
CAD\$50,000

NVIDIA Academic Hardware Grants 2017, 2022
~\$4,000

Academy of Finland Research Grant 2012–2014
PI: *Machine learning of rules in natural language morphology and phonology*
Department of Modern Languages, University of Helsinki
285,900 EUR

Ikerbasque (Basque Science Foundation) Research Fellowship 2012–2013
Department of Computer Science, University of the Basque Country

TEACHING ACTIVITIES

New College of Florida
Machine Learning (CSCI 3370, 2024F)
Natural Language Processing (CSCI 3450, 2024F)
Music & AI (CSCI 2211, 2025S)
Algorithms (CSCI 3200, 2025S)

University of Colorado
Natural Language Processing (CSCI/LING 5832, 2019S, 2018S, 2016F)
Natural Language Processing (undergraduate) (LING 3832, 2022F)
Machine Learning and Language (LING 3800/6300/4100/5800, 2024S, 2022S, 2019F, 2017F, 2015S)
Phonology (LING 5410, 2022S, 2020S, 2019S, 2018S, 2016S, 2015S)
Phonological Theory (LING 7410, 2017F, 2014F, 2023F)
Language Sound Structures (LING 3100, 2016F)
Computational Phonology and Morphology (LING/CSCI 7800/7565, 2024S, 2020S, 2018F, 2015F)
Linguistic Phonetics (LING 5030, 2015F)
Formal Foundations of Linguistics (LING 3800/6300, 2016S)

Programming in Python (LING 1200, 2021F, 2019F)

University of The Basque Country (visiting)

Computational Morphology (Erasmus Mundus LCT, 2011, 2013–2022)

Automata, Computability, and Complexity (Erasmus Mundus LCT, 2015)

Computational Linguistics: Morphology and Syntax (Erasmus Mundus LCT, 2015)

Theory of Computation (Erasmus Mundus LCT, 2014)

Natural Language Processing (MS Program, 2012)

University of Helsinki

Finite State Morphology and Phonology (CLT270, 2010)

Theory of Finite State Parsing Methods (CLT370, 2013)

University of Arizona

Mind, Self, and Language (TA: INDV101, 2006, 2008)

American Indian Languages (TA: LING210, 2007)

Computational Linguistics (TA: LING438/538, 2005)

Computers and Language (TA: LING388, 2005)

RESEARCH
COLLABORATION

International Research projects (non-PI, but coauthor and collaborator on journal articles or conference papers):

21st Century Tools for Indigenous Languages.

University of Alberta

PIs: Antti Arppe, Juhani Järviö, Jordan Lachler, Trond Trosterud, Conor Snoek

PIE Lexicon: the generative etymological dictionary of Indo-European languages.

University of Helsinki, Finland

PIs: Juha Janhunen/Jouna Pyysalo

First steps towards automatic processing of Quechua. Corpus, morphology and lexicon.

IXA research group, University of the Basque Country (UPV-EHU)

UNSAAC - Universidad Nacional de San Antonio Abad del Cusco, Peru

PI: Kepa Sarasola

Finite-State Parsing Methods (CLARA Project 7B)

SP3-People-Marie Curie ITN, University of Helsinki

PI: Kimmo Koskenniemi

OPEN MT-2: Traducción automática híbrida y evaluación avanzada

IXA research group, University of the Basque Country (UPV-EHU)

PI: Kepa Sarasola

Helsinki Finite State Transducer Technology

CLARIN, University of Helsinki

PI: Kimmo Koskenniemi

NEH project ACTIV-ES: a novel Spanish-language corpus for linguistic and cultural comparisons (consultant).

Wake Forest University

PI: Jerid Francom

PROFESSIONAL
MEMBERSHIPS

Linguistic Society of America (LSA)
Association for Computational Linguistics (ACL)
Northern European Association for Language Technology (NEALT)

PRIMARY
SUPERVISION

Post-Doc

Miikka Silfverberg, 2016–2018
• Placement: Assistant Professor, University of British Columbia (2020–)

Doctorate

Michael Ginn, University of Colorado 2022–
Sarah Moeller, University of Colorado 2017–2021
• Placement: Assistant Professor, University of Florida, 2021–
Ling Liu, University of Colorado 2015–2021
• Placement: Senior Researcher, Amazon Research
Manex Agirrezabal, University of the Basque Country 2012–2017
• Placement: Assistant/Associate Professor, University of Copenhagen, 2019–
Lingshuang Jack Mao, University of Colorado 2014–2017
Jared Desjardins (co-advised with Laura Michaelis), University of Colorado 2018–2024
Daniel Chen (2019–)

Master's

Manex Agirrezabal, University of the Basque Country 2011–2012
Adam Wiemerslage (Professional MS capstone project), University of Colorado, 2018
Annebeth Buis, University of Colorado 2017–2019

COMMITTEE
MEMBER

PhD committee

Alvin Grissom II, Computer Science, University of Colorado, 2015–2017
Antton Gurrutxaga (external member, CS), University of the Basque Country, 2014
Katherine Phelps Ridgeway, Linguistics, University of Colorado, 2014–2016
Will Styler, Linguistics, University of Colorado, 2014–2015
Leif Oines, Cognitive Science, University of Colorado, 2016–2017
Luciana Marques, Linguistics, University of Colorado, 2016–2017
Wei-Te Chen, Computer Science, University of Colorado, 2016–2017
Daniel Peterson, Computer Science, University of Colorado, 2016–2019
Tim O’Gorman, Linguistics, University of Colorado, 2016–2019
James Gung, Computer Science, University of Colorado, 2018–2019
Shudong Hao, Computer Science, University of Colorado, 2018–2019
Sheng-Fu Wang, Linguistics, New York University, 2020
Saliha Muradoglu, Linguistics, Australian National University, 2020–2023

PhD opponent/External examiner

Mikel Artetxe, Computer Science, University of the Basque Country, 2020

Lene Antonsen, Linguistics, University of Tromsø, Norway, 2018
 Garrett Nicolai, Computer Science, University of Alberta, 2017
 Olatz Perez de Viñaspre, Computer Science, University of the Basque Country, 2017
 Grégoire Détéz, Computer Science, Chalmers University of Technology, Sweden, 2016

PROFESSIONAL
SERVICE

Reviewer, journal article submissions

Machine Learning
Cognition
Science
Computational Linguistics
Natural Language Engineering
Morphology
Journal of Language Modelling
Literary and Linguistic Computing / Digital Scholarship in the Humanities
Phonology
Northern European Journal of Language Technology

Reviewer, books

Oxford University Press
CSLI (Stanford)

Reviewer, grant proposals

National Science Foundation 2015, 2016, 2018
NSF Documenting Endangered Languages (DEL) program, 2009-2011, 2014, 2017

Conference Shared Task Chair

SIGMORPHON 2019 Shared Task in Morphology (co-chair)
CoNLL-SIGMORPHON-2018 Shared Task in Morphology (co-chair)
CoNLL-SIGMORPHON-2017 Shared Task: Universal Morphological Reinflection (chair)

SIGMORPHON shared task in morphology learning, ACL 2016. Berlin, Germany. (chair)

Program Committee Area Chair

ACL-IJCNLP 2017 (area chair; morphology, segmentation, and tagging)
ACL 2016 (The 54th Annual Meeting of the Association for Computational Linguistics) (area chair, phonology and morphology)
ACL-IJCNLP 2013 (The 6th International Joint Conference on Natural Language Processing) (area chair, phonology and morphology)

Conference (Co)-chair

ComputEL 2019—The use of computational methods in the study of endangered languages. Hawaii. (co-organizer)
Computational Workshop for Indigenous Languages (CWIL, 2017) (chair)
ComputEL 2017—The use of computational methods in the study of endangered languages. Hawaii. (co-organizer)
FSMNLP 2012: Finite-State Methods and Natural Language Processing Conference. San Sebastian, Spain. (co-chair)

Roles in Professional Organizations

Executive committee, SIGMORPHON, the ACL Special Interest Group on Computational Morphology and Phonology 2017–2019

<i>Secretary, ACL Special Interest Group on Finite-State Methods (SIGFSM)</i>	2012–
<i>International Advisory Committee, SIGFSM, the ACL Special Interest Group on Finite-State Methods</i>	2010–

Outreach training

Mentor: Codefest 2016–coding for language communities

Mentor: Google Summer of Code 2013 (The Apertium project: a free/open-source platform for machine translation and language technology)

Program Committee

Association for Computational Linguistics (ACL); 2012, 2016, 2017, 2018

Conference of the North American Chapter of the ACL (NAACL-HLT); 2015, 2018, 2019

Conference on Empirical Methods on Natural Language Processing (EMNLP); 2013, 2014

Conference of the European Chapter of the Association for Computational Linguistics (EACL); 2014, 2017

Conference on Finite-State Methods and Natural Language Processing (FSMNLP); 2013, 2015, 2017, 2019 Deep Learning and Formal Languages: Building Bridges (DelFol) 2019

International Joint Conference on Natural Language Processing (ACL-IJCNLP); 2013, 2015, 2017

International Conference on Computational Linguistics (COLING); 2014, 2016, 2018

Recent Advances in Natural Language Processing (RANLP); 2013, 2015, 2017

Typology for Polyglot NLP (TyP-NLP); 2019

Language Resources and Evaluation Conference (LREC); 2016, 2018

International Conference on Finite-State Methods and Natural Language Processing; 2012, 2013, 2015, 2017, 2019

Joint Meeting of SIGMORPHON and SIGFSM, 2014

SIGMORPHON; 2016, 2018, 2019, 2020

International Workshop on Computational Linguistics for Uralic Languages (IWCLUL); 2014, 2016, 2017

HistoCrypt 2018 (International Conference on Historical Cryptology)

University of Colorado

<i>CU: Arts & Sciences Council</i>	2015–2016
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<i>CU: Arts & Sciences Grievance Committee</i>	2015–2016
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<i>CU: Prelim Committee, Linguistics</i>	2014–2015, 2016S, 2016F, 2019SF
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<i>CU: Faculty Recorder</i>	2016–2017, 2017–2018
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<i>CU: MA Comprehensive Exam Committee, Linguistics</i>	2014–2015, 2019F (chair), 2016F, 2017F, 2020S, 2021F, 2023F, 2024F (chair)
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<i>CU: Faculty search committee, Institute for Cognitive Science</i>	2015–2016
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<i>CU: PhD Admissions committee, Linguistics</i>	2019–2020, 2022 (chair)
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<i>CU: MA Admissions committee, Linguistics</i>	2019–2020
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<i>CU: CLASIC Admissions committee, Linguistics</i>	2018–2024
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<i>CU: Executive committee, Linguistics</i>	2017–2018, 2022F, 2024S
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<i>CU: LING Circle talk organizer, Linguistics</i>	2017–2018
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<i>CU: Faculty search committee, Linguistics</i>	2018–2019, 2019–2020
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<i>CU: Faculty search committee, Computer Science</i>	2018, 2019
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<i>CU: Primary Unit Evaluation Committee; A. Palmer, J. Calder</i>	2023F, 2023F
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[summary: 3 articles]

- [113] **Hulden, M.**, Hammond, M. Gradient symbolic representations with weighted finite-state automata.
- [112] Ginn, M. **Hulden, M.** Historia Magistra Vitae: Dynamic Topic Modeling of Roman Literature using Neural Embeddings.
- [111] Chen, D. **Hulden, M.** Crosslingual Sense Alignment via Neural Machine Translation.

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Book chapters/collections (peer-reviewed)

[summary: 5 articles; sole author (3), first author(1), other (1)]

- [110] **Hulden, M.** (2022). Finite-State Technology. In Ruslan Mitkov (ed). *Oxford Handbook of Computational Linguistics* (2nd ed.): New York: Oxford University Press.
- [109] **Hulden, M.**, Silfverberg, M. (2021). The Principal Parts of Finnish Nominals. In M. Hämäläinen, N. Partanen & K. Alnajjar (eds.) *Multilingual Facilitation*. University of Helsinki.
- [108] **Hulden, M.** (2019). Formal Verification in Optimality Theory. In *Tokens of Meaning: Papers in Honor of Lauri Karttunen*. CSLI: Stanford.
- [107] Arppe, A., Cox, C., **Hulden, M.**, Lachler, J., Moshagen, S. N., Silfverberg, M., Trosterud, T. (2017). Computational modeling of the verb in Dene languages. The case of Tsuut'ina. *Working Papers in Athabaskan Linguistics ("Red Book" series)*, Alaska Native Language Center.
- [106] **Hulden, M.** (2014). Finite State Languages. In Mark Aronoff (ed). *Oxford Bibliographies in Linguistics*. New York: Oxford University Press.

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Journal articles (peer-reviewed)

[summary: 9 articles; sole author (5), first author (1), senior/last author (1), other (2)]

- [105] Cotterell, R., Kirov, C., **Hulden, M.**, Eisner, J. (2019). On the Complexity and Typology of Inflectional Morphological Systems. *Transactions of the ACL (TACL)*.
- [104] **Hulden, M.** (2017). Formal and Computational Verification of Phonological Analyses. *Phonology* 34(2):407–435.
- [103] **Hulden, M.** (2017). Rewrite Rule Grammars with Multitape Automata. *Journal of Language Modelling* 5(1):107–130.
- [102] Agirrezabal, M.; Astigarraga, A.; Arrieta, B.; **Hulden, M.** (2016). ZeuScansion: A tool for scansion of English poetry. *Journal of Language Modelling* 5(1):3–28.
- [101] **Hulden, M.**, Francom, J. (2016). Spanish Diacritic Error Correction and Restoration—A Survey. *Lecture Notes in Artificial Intelligence* 9561:290–303. Special Issue: Human Language Technology. Challenges for Computer Science and Linguistics. Springer.
- [100] Etcheberria, I., Alegria, I., **Hulden, M.**, Uria, L. (2014). Learning to map variation—standard forms in Basque using a limited parallel corpus and the standard morphology. In *Procesamiento del Lenguaje Natural* (52): 13–20.
- [99] **Hulden, M.** (2010). Parsing CFGs and PCFGs with a Chomsky-Schützenberger representation. *Lecture Notes in Artificial Intelligence* (6562):151–160. Special Issue: Human Language Technology. Challenges for Computer Science and Linguistics. Springer.
- [98] **Hulden, M.** (2009). Fast approximate string matching with finite automata. *Procesamiento del Lenguaje Natural* (43):57–64.

[97] **Hulden, M.** (2009). Regular expressions and predicate logic in finite-state language processing. *Frontiers in Artificial Intelligence and Applications* (191):82–97.

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Conference articles (peer-reviewed)

[summary: 93 articles; sole author (9), first author (11), senior/last author (55), other (18)]

2024

[96] Ginn, M., **Hulden, M.**, Palmer, A. (2024). Can we teach language models to gloss endangered languages? In *Findings of the Conference on Empirical Methods in Natural Language Processing (EMNLP)*.

[95] **Hulden, M.**, Ginn, M., Silfverberg, M., Hammond, M. (2024). PyFoma: a Python finite-state compiler module. In *Proceedings of the 60th Annual Meeting of the Association for Computational Linguistics (Volume 3: System Demonstrations)*. pp. 258–265.

[94] Muradoglu, S., Ginn, M., Silfverberg, M. **Hulden, M.** (2024). Resisting the Lure of the Skyline: Grounding Practices in Active Learning for Morphological Inflection. In *Proceedings of the 62nd Annual Meeting of the Association for Computational Linguistics (Volume 2: Short Papers)*. pp. 47–55.

[93] Ginn, M., Marashian, A., Shandilya, B., Post, C. B., Rice, E., Vásquez, J., McGregor, M., Buchholz, M., **Hulden, M.**, Palmer, A. (2024). On the Robustness of Neural Models for Full Sentence Transformation. *Proceedings of the 20th SIGMORPHON workshop on Computational Research in Phonetics, Phonology, and Morphology*. Association for Computational Linguistics.

2023

[92] Muradoglu, S., **Hulden, M.** (2023). Do Transformer models do phonology like a linguist? *Findings of the Annual Meeting of the Association for Computational Linguistics (ACL)*. Association for Computational Linguistics.

[91] Ginn, M., Moeller, S., Palmer, A., Stacey, A., Nicolai, G., **Hulden, M.**, Silfverberg, M. (2023). Findings of the SIGMORPHON 2023 shared task on interlinear glossing. *Proceedings of the 20th SIGMORPHON workshop on Computational Research in Phonetics, Phonology, and Morphology*. Association for Computational Linguistics.

2022

[90] Muradoglu, S., **Hulden, M.** (2022). Eeny, meeny, miny, moe. How to choose data for morphological inflection. *Empirical Methods in Natural Language Processing (EMNLP)*. Association for Computational Linguistics.

[89] Liu, L., **Hulden, M.** (2022). Can a transformer pass the wug test? Tuning copying bias in neural morphological inflection models. In *Proceedings of the 60th Annual Meeting of the Association for Computational Linguistics (Volume 2: Short Papers)*. pp. 166–174.

[88] Liu, L., **Hulden, M.** (2022). Detecting Annotation Errors in Morphological Data with the Transformer. In *Proceedings of the 60th Annual Meeting of the Association for Computational Linguistics (Volume 2: Short Papers)*. pp. 166–174.

- [87] Chen, D., **Hulden, M.** (2022). My Case, For an Adposition: Lexical Polysemy of Adpositions and Case Markers in Finnish and Latin. In *Proceedings of the Thirteenth Language Resources and Evaluation Conference (LREC)*.
- [86] Batsuren, K., . . . , **Hulden, M.**, and others. (2022). UniMorph 4.0: Universal Morphology. In *Proceedings of The Thirteenth Language Resources and Evaluation Conference (LREC)*.

2021

- [85] Wu, S., Cotterell, R., **Hulden, M.** (2021). Applying the transformer to character-level transduction. (**Best Paper Honorable Mention**). (2021). In *Proceedings of the 16th Conference of the European Chapter of the Association for Computational Linguistics (EACL)*. pp. 1901–1907.
- [84] Silfverberg, M., Tyers, F., Nicolai, G., **Hulden, M.** (2021). Do RNN States Encode Abstract Phonological Alternations? (2021). In *Proceedings of the 2021 Conference of the North American Chapter of the Association for Computational Linguistics: Human Language Technologies (NAACL-HLT)*. pp. 5501–5513.
- [83] Moeller, S., Liu, L., **Hulden, M.** (2021). To POS tag or not to POS tag: The impact of POS tags on morphological learning in low-resource settings. (2021). In *Proceedings of the 59th Annual Meeting of the Association for Computational Linguistics and the 11th International Joint Conference on Natural Language Processing (ACL-IJCNLP)*. pp. 966–978.
- [82] Liu, L., **Hulden, M.** Backtranslation in Neural Morphological Inflection. (2021). In *Proceedings of the Second Workshop on Insights from Negative Results in NLP*. pp. 81–88.
- [81] Pimentel, T., . . . , **Hulden, M.**, and others. (2021). SIGMORPHON 2021 Shared Task on Morphological Reinflection: Generalization Across Languages. (2021). In *Proceedings of the 18th SIGMORPHON Workshop on Computational Research in Phonetics, Phonology, and Morphology*. pp. 229–259.
- [80] Wiemerslage, A., McCarthy, Arya D., Erdmann, A., Nicolai, G., Agirrezabal, M., Silfverberg, M., **Hulden, M.**, Kann, K. (2021). Findings of the SIGMORPHON 2021 Shared Task on Unsupervised Morphological Paradigm Clustering. In *Proceedings of the 18th SIGMORPHON Workshop on Computational Research in Phonetics, Phonology, and Morphology*. pp. 72–81.
- [79] Liu, L., Ryan, Z., **Hulden, M.**. (2021). The Usefulness of Bibles in Low-Resource Machine Translation. In *Proceedings of the Workshop on Computational Methods for Endangered Languages*. pp. 44–50.
- [78] Moeller, S., **Hulden, M.**. (2021). Integrating Automated Segmentation and Glossing into Documentary and Descriptive Linguistics. In *Proceedings of the Workshop on Computational Methods for Endangered Languages*. pp. 86–95.

2020

- [77] Moeller, S., Liu, L., Yang, C., Kann, K., **Hulden, M.** (2020). IGT2P: From Interlinear Glossed Texts to Paradigms. *Empirical Methods in Natural Language Processing (EMNLP)*. Association for Computational Linguistics.
- [76] Liu, L., **Hulden, M.**. (2020). Analogy Models for Neural Word Inflection. *Proceedings of the 28th International Conference on Computational Linguistics (COLING)*. pp. 2861–2878.
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Machine: Rapid Development of Finite-State Morphological Grammars. In *Proceedings of the 17th SIGMORPHON Workshop on Computational Research in Phonetics, Phonology, and Morphology*. Association for Computational Linguistics.

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Invited publications

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- [1] **Hulden, M.**, Bischoff, S. T. (2008). An Experiment in Computational Parsing of the Navajo Verb. *Coyote Papers*(16):101–118.

PUBLIC SOFTWARE **PyFoma** (<https://github.com/mhulden/pyfoma>)

A Python-based finite-state toolkit designed for ease of use and includes resources for designing and learning grammars for modeling phonology, morphology, and syntax. The implementation of finite-state algorithms have been designed to be suitable for teaching.

Foma (<http://fomafst.github.io>)

A finite state machine toolkit for construction of morphological and phonological analyzers. A faithful reference implementation of all the significant algorithms and construction methods developed in my dissertation. Has been used for teaching and grammar development purposes at various academic institutions and in commercial products around the world. For example, wide-coverage morphological grammars for dozens of languages, including English, Spanish, Arabic, Basque, Bengali, Quechua, Indonesian and Malaysian, and various Zulu languages have been developed with the toolkit by various researchers. The underlying algorithms of foma are also used in other computational linguistics tools, including the *HFST* project, the Apertium machine translation project, and the *Kleene* weighted finite-state compiler.

Treba (<http://treba.googlecode.com>)

A machine learning toolkit for calculating with hidden Markov models (HMMs) and probabilistic automata (PFSA). Contains state-of-the-art GPU implementations of learning and inference algorithms. Its output achieved second place overall in the PAutomaC machine learning competition at the International Conference on Grammatical Inference 2012, and first place with non-synthetic data.

Geoloc (geoloc-kde.googlecode.com)

Machine learning software for geolocating documents based on textual features. Presented at AAAI 2015.

INVITED TALKS
AND TUTORIALS

"Neural Networks for Linguistic Research?" (invited talk) <i>University of Konstanz</i>	Dec 2021 Konstanz, Germany
"Can neural networks tell us something about language that we didn't already know?" (invited talk) <i>University of Zurich</i>	Oct 2019 Zurich, Switzerland
"Linguistics with Black Boxes" (keynote) <i>IWCLUL</i>	Jan 2019 Tartu, Estonia
"Linguistics with Black Boxes" (invited talk) <i>University of Helsinki</i>	Jan 2019 Helsinki, Finland
"Maskinl�ring i M�rketid"/"Machine Learning in the Dark" (invited tutorial) <i>University of Troms�</i>	Dec 2018 Troms�, Norway
"Linguistic Research with Neural Networks" (invited talk) <i>University of Colorado/Compsem</i>	Dec 2018 Boulder, CO
"What Can Deep Learning Tell Us about Linguistics" (invited talk) <i>University of Arizona/Computer Science & Linguistics</i>	Apr 2018 Tucson, AZ

“Linguistic Insights from Deep Learning” (invited talk) <i>University of Alberta/Alberta Machine Intelligence Institute</i>	Jul 2017 Edmonton
“What can deep learning tell us about linguistics—neural large-scale learning of phonology and morphology” (invited talk) <i>Center for Language Technology University of Gothenburg</i>	May 2017 Gothenburg, Sweden
“Large-Scale Supervised Learning of Natural Language Morphology” (invited talk) <i>University of California, San Diego</i>	Feb 2017 San Diego, CA
“Cognitively plausible models of natural language morphology” (invited talk) <i>Department of Computer Science Chalmers University of Technology</i>	Jun 2016 Gothenburg, Sweden
“Large-Scale Learning of Natural Language Morphology” (invited talk) <i>Department of Computer Science University of the Basque Country</i>	Nov 2015 San Sebastián, Spain
“Large-Scale Supervised Learning of Natural Language Morphology” (invited talk) <i>Institute of Cognitive Science University of Colorado</i>	Sep 2015 Boulder, CO
“Finite-state machines for morphological analysis (and other tasks)” (invited talk) <i>Grammatical Framework Summer School 2015</i>	Jul 2015 Gozo, Malta
“Learning FSMs for morphology and phonology” (invited tutorial) <i>FSMNLP 2015</i>	Jun 2015 Düsseldorf
“Navajo parsing and resources” (invited talk) <i>CWIL 2015</i>	Jun 2015 Edmonton
“Supervised and semi-supervised learning of morphology” (invited talk) <i>University of Alberta/Computer Science</i>	Nov 2014 Edmonton
“Techniques for formal verification in phonology and morphology” (invited talk) <i>University of Alberta/Linguistics</i>	Nov 2014 Edmonton
“Formal verification in phonology.” (invited talk) <i>University of Gothenburg</i>	May 2014 Gothenburg, Sweden
“Grammatical inference in Computational Linguistics” (invited talk) <i>University of Gothenburg</i>	2013 Gothenburg, Sweden
“Advanced finite-state techniques” (invited tutorial) <i>University of Gothenburg</i>	2013 Gothenburg, Sweden

"Finite state morphology and phonology" (invited tutorial) <i>University of Delaware</i>	2013 Newark, DE
"Combining Statistical and Finite-State Methods in NLP" (invited talk) <i>University of Düsseldorf</i>	2012 Düsseldorf, Germany
"Machine Learning of Grammatical Structure" (invited talk) <i>University of Helsinki</i>	2012 Helsinki, Finland
"Creating language resources and applications using finite-state morphological grammars" (tutorial held together with Iñaki Alegria) <i>Language Resources and Evaluation Conference (LREC)</i>	2010 Valletta, Malta
"Foma: a finite-state compiler and library." (invited talk and tutorial) <i>University of the Basque Country</i>	2009 Donostia-San Sebastián, Spain
"Concatenative frames: toward a compact description of verbal morphology in polysynthetic languages" (with Shannon T. Bischoff) <i>Forum de Morphologie - 5e Décembrettes</i>	2006 Toulouse, France

REFERENCES

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IV. **ILLUSTRATIVE LETTER:** Invitation to External

Reviewers (Divisional Letterhead)

(Date) _____

Dear _____

During the [current] academic year, (name) _____ [assistant professor or associate professor] in the Division of [Humanities or Social Sciences or Natural Sciences] at New College of Florida is being considered for [tenure and] promotion to the rank of [Associate Professor or Professor]. External evaluations of a faculty member's research [or scholarship or creative contributions] constitute an important part of our academic review process. You have been suggested as a person who is particularly well-qualified to review and evaluate Professor _____'s scholarly [or creative] work.

I have enclosed [or attached] a copy of Professor _____'s curriculum vitae. While we are particularly interested in your evaluations of Professor _____'s scholarly [or creative] work, if you feel able to make any comments about Professor _____'s teaching or service (to community or profession) we would appreciate those as well. If you know Professor _____, please tell us in what context.

New College is a small public honors college that emphasizes rigorous, high quality undergraduate experiences of which tutorials and independent research, scholarship and creative activities are an important part. Student work is evaluated through narrative evaluations rather than by letter grades. You can find a brief description of the college and its programs at <http://www.ncf.edu/academics>. Because of our emphasis on student research, it is important that faculty be active, visible researchers who, themselves, produce high quality work. However, the unique aspects of our educational program create major demands on faculty time, and we do not therefore expect the quantity of research that might be appropriate at a research university. *And I note that since spring of 2020, we've all been teaching and working under the challenging conditions of a global pandemic, which has meant in some cases delayed or canceled professional meetings, exhibitions, and publications and more effort adapting to teaching in primarily online or hybrid formats.

Florida sunshine laws and college practice require that your comments be accessible to the candidate and eventually your comments will become part of the publicly accessible record.

Could you please let me know by _____ whether you will be able to provide the evaluation I am requesting.

Should you be willing to serve as an external reviewer, we will arrange to send you an appropriate set of Professor _____'s published [or other as appropriate] materials. We will need your evaluation by (date) _____. An electronic copy (PDF file) signed and on your letterhead, will suffice to begin our consideration, but we will need an original signed paper copy of your evaluation for inclusion in our files.

Candidate:

Thank you for your consideration of this request. I look forward to your response.

Sincerely,



**DEPARTMENT OF
LINGUISTICS**

INDIANA UNIVERSITY
College of Arts and Sciences
Bloomington

Professor Sandra Gilchrist
New College of Florida

March 4, 2025

Dear Dr. Gilchrist,

I am writing in response to your request for an evaluation of Dr. Mans Hulden who is being considered for tenure. It is my great pleasure to do so. To put it succinctly: Dr. Hulden has become an influential leader in the field of computational approaches to phonology and morphology, and he should be awarded tenure.

Please allow me to start by providing a little context for my evaluation. One of my main research areas focuses on computational approaches to morphology, syntax, and morpho-syntax, specifically for morphologically rich languages. Thus, my research overlaps considerably with Dr. Hulden's focus on morphology.

Computational linguistics (CL) is a fairly small field, which means that I know most faculty in the field. However, having said this, I have only overlapped with Dr. Hulden at a few conferences. I was also a member of the team that organized the CoNLL-SIGMORPHON 2017 Shared Task on Universal Morphological Reinflection. But while Dr. Hulden was one of the main organizers, my role in this endeavor was minimal. I have read a good part of his publications on computational morphology. We have never collaborated on research or worked at the same institution. Thus I believe I can make an objective recommendation.

Dr. Hulden's research is situated at the intersection of Linguistics and Computer Science. While many of our colleagues in the field tend to be interested mostly in engineering advances, Dr. Hulden is an example of a researcher who takes both sides very seriously. This is very important since a thorough understanding of how language works and how

this interacts with the computational modeling is the only way in which we will make progress in computational linguistics.

Dr. Hulden's work introduces novel approaches to problems in computational phonology and morphology. These approaches are always very carefully designed to be meaningful in both fields. He is one of the very few researchers who manage to go beyond a mere interest in reaching better accuracies with their machine learning approaches (which I consider engineering), and instead focus on the linguistic applicability and adequacy of the solutions. He is currently one of a handful of researchers, who work on explainability issues for neural network approaches. The SCIL 2018 paper, on which he was the senior author, is just one example, where the neural networks are shown to learn sound correspondences in the vowel space.

Let me now turn to the quantity of Dr. Hulden's publications, and let me preface this with a comment on the publishing habits in computational linguistics: CL is an inherently interdisciplinary field situated between Linguistics, Computer Science, and Cognitive Science. Similar to Computer Science, we tend to publish in conferences and workshops since the field is moving rapidly, and books, book chapters, and journal papers are often outdated by the time they appear. Dr. Hulden's publications follow this pattern: Since his PhD in 2009, Dr. Hulden has published 7 journal papers, 5 book chapters, and 88 refereed conference and workshop papers. I would consider this a very high level of productivity. He currently has 3 papers under review, which shows that keeps up a high level of productivity.

Google Scholar shows an H-index of 27 for Dr. Hulden, which is an impressive achievement in a rather small field. It also shows that his paper on FOMA, an implementation of a finite-state library to model phonological and morphological regularities, has been cited 361 times to date. He also has additional six publications that have citation counts over 100. Given that CL is a small field, this can be considered a clear sign that Dr. Hulden's publications have been received very favorably.

Dr. Hulden's first major contribution to the field was in the area of finite-state approaches. He not only developed a library for finite-state automata and transducers (FOMA) that can be used for describing phonological and morphological regularities in a wide range of languages, he also used his expertise in this field in order to develop methodology to allow phonologists an empirical evaluation of claims that different

theoretical systems model the same set of phenomena. The paper on FOMA is Dr. Hulden's most cited publication, which shows that it continues to be used regularly. I myself use his tool in teaching my introduction to Computational Linguistics, to show a mix of Computational Linguistics and Data Science students how important it is to handle issues on the morpho-phonological level, even in English. The paper in *Phonology* (2017), which provides a method for empirically verifying phonological analysis, is an important contribution to a field that has traditionally shown a tendency to resist empirical methodology.

Dr. Hulden's more recent work on using neural networks and embeddings to model phonological and morphological regularities is exciting because it does not stop at providing an accurate computational model, but it additionally presents analyses that allow us to understand better what exactly the neural networks learn. This is an important step that will allow us to move forward once the engineering options are exhausted.

Dr. Hulden has published in a wide range of venues, ranging from the major conferences in the field (ACL, EACL, NAACL, EMNLP, and COLING) to highly specialized workshops such as SIGMORPHON, ComputEL or FSMNLP. The major conferences in the field are highly competitive, with acceptance rates often below 15%, and getting accepted at such venues is made more difficult by the growing pains of the field since the conferences are overrun by a large number of submissions and often do not have enough qualified reviewers. The more specialized workshops are often less competitive, but they are important since they generally provide more in-depth feedback on the presented research. In addition, Dr. Hulden has published articles in one of the major journals in Computational Linguistics (TACL) as well as in one of the major journals in Phonology.

It is also worth noting that Dr. Hulden has served as Area Chair for 3 major conferences. Area Chairs are chosen among the most visible and highly regarded researchers in a field. It is a sign of his visibility and standing in the field that he was chosen 3 times before reaching tenure at the University of Colorado.

Dr. Hulden is one of the most accomplished researchers at his level in the field of Computational Linguistics. He is more productive than most other researchers with a similar profile, and he has a standing in the field that is more typical for someone on the level of a Full Professor. Additionally, he has been teaching a wide range of courses, ranging from courses in Linguistics to courses in Computational Linguistics and

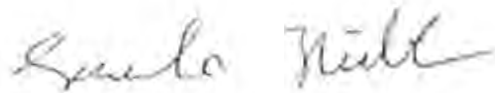
Computer Science, he has advised a significant number of graduate students, and he has a considerably amount of service to the field (his CV does not contain any information about his university/department service, so I cannot make any judgment in this regard).

I am convinced that Dr. Hulden would receive tenure at any Tier 1 Research University, and he would definitely be granted tenure at Indiana University. This would be an easy case.

In sum, I recommend in the strongest terms possible that Dr. Hulden be awarded tenure. He shows clear signs of excellence in research and in teaching, and he has a solid track record of service to the field.

Please do not hesitate to contact me if I can provide more information.

Sincerely

A handwritten signature in cursive script, appearing to read "Sandra Kuebler".

Sandra Kuebler,
Professor and Chair
Department of Linguistics
Indiana University

To the Division of Natural Sciences at New College of Florida.

Review of Dr Mans Hulden in consideration for tenure.

Dr Mans Hulden is an established scientist in the field of Computational Linguistics and Natural Language Processing (NLP). His most well-known work is Foma, a system implementing finite state automata and transducers for use in NLP. I got first acquainted with Foma and Dr Hulden in the EACL conference in Athens in 2009, and was immediately impressed both by the system and by Dr Hulden's capability of explaining his work in a clear and convincing way. Foma very soon replaced the earlier Xerox system XFST as the state of the art finite state tool in NLP, not only because it was open source but also because its performance was in many ways superior.

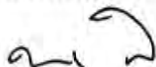
After building Foma, Dr Hulden continued to apply it in various NLP tasks, with particular focus on phonology, morphology, and low-resource languages, such as indigenous American languages. An important part of his research agenda is to extend NLP techniques to languages where large models (LLMs) are not directly available. In the last 15 years, this work has been increasingly using machine learning techniques, such as neural networks and most recently also transformers, which are the core technique for LLMs. But he has also continued on Foma, by for instance recently publishing a Python implementation, which makes it more accessible to new generations of NLP developers.

A key idea of Dr Hulden's is to investigate how machine learning methods can be made interpretable and reliable in NLP tasks, so that they can genuinely enhance productivity without sacrificing quality. With his work on symbolic methods like Foma and his wide knowledge of different languages, Dr Hulden is uniquely positioned in leading this work and identifying relevant problems and methods. An example of this is his work on the SIGMOPHON shared task for ACL, the leading conference in NLP.

Dr Hulden's pedagogical skills are obvious to anyone who reads his papers or listens to his talks. In his own environment, he has succeeded in involving students in highly successful joint publications. He has also taught a wide variety of courses at different universities, and his extensive background ranging from linguistics to cognitive science to theoretical computer science makes him capable to widen it even more.

In summary, Dr Hulden is an accomplished and recognized scientist and an excellent teacher. He is constantly generating new ideas and results and has a wide range of knowledge and experience with both research and teaching potential. I wholeheartedly recommend his promotion to a tenured professor.

Gothenburg 10 March 2025



Aarne Ranta

Professor of Computer Science
Department of Computer Science and Engineering
Chalmers University of Technology and University of Gothenburg
email aarne@chalmers.se



Sakana AI K.K.
Toranomon Hills Business Tower 15F
1-17-1 Toranomon, Minato-ku
105-6415 Tokyo, JAPAN

February 22, 2025

Professor Sandra Gilchrist
Professor of Biology and Marine Science
Chair, Natural Science
New College of Florida

Dear Professor Gilchrist:

I am happy to write in support of Prof. Mans Hulden's application for tenure at the New College of Florida.

I think this letter can be brief, since I believe the candidate's case is obvious. Prof. Hulden has made many significant and widely recognized contributions to NLP. Most familiar to me is his work on Foma, and PyFoma, as well as his work on computational phonology and morphology.

(Py)Foma is a finite-state toolkit that is widely used in implementing morphology and phonology models. This system has many users and is internationally recognized as one of the important toolkits of this kind.

Hulden's contributions to computational morphology are also very well known. Of particular note is his involvement in the annual SIGMORPHON shared task, which he has chaired or co-chaired over several years. These sorts of competitions have been important in the NLP community for decades as they allow researchers to calibrate methods on common datasets, and inspire people to try new approaches. Organizing such a task is a lot of work, and Hulden's contribution to the series over many years bespeaks a deep commitment to the field.

Of the several interesting papers that Hulden submitted as part of his promotion package, I would particularly like to single out the one entitled "Can a Transformer Pass the Wug Test?" The "wug test" is a classic test in language acquisition, dating to a 1958 paper by psycholinguist Jean Berko Gleason. In that paper young children were tested on their knowledge of English morphology by seeing whether they could provide correct inflected forms of nonsense words: "This is a *wug*. Now you see two of them; there are two ____", where the expected response is *wugs*. Once children have acquired the inflection system of English, they generally have no problems with this task. Llu and Hulden ask whether neural models that use the popular transformer architecture and that are trained on inflectional morphological data are able to pass the wug test. In a typical inflectional morphology task designed to test the abilities of models to acquire morphology, the test data will of course consist of test forms that the system has not seen before. Nonetheless, the system will typically have seen *other inflected forms* of the stem that is being tested. For example, if one were testing on Latin, a test item might be *laudās* 'you

praise': the system will not have seen that particular form, but it will have seen, say, *laudāmus* 'we praise', so that it has seen other inflected forms of the same stem. In the wug setting, the system would be presented with forms of stems, where those stems had not been seen at all in training. Liu and Hulden's results show a dramatic drop in performance for multiple languages when the systems are tested with inflected forms of stems never seen in training. This points to a serious gap in these models' ability to generalize morphology, and as the authors suggest, it suggests that one should rethink how such models are tested in order to more accurately assess their abilities.

Hulden's track record of funding has been substantial. His publication record is excellent with over 100 peer-reviewed publications.

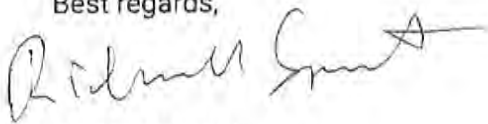
The above credentials, combined with the fact that he had already obtained tenure as an Associate Professor at the University of Colorado, makes the case for regrating him tenure obvious to me.

In summary, I wholeheartedly recommend Prof. Hulden be granted tenure.

In case you need this information, my CV can be found online at

<https://rws.xoba.com/newindex/cv.pdf>.

Best regards,



Richard Sproat

Research Scientist

[Sakura.ai](#)

Greg Kondrak, Professor
Department of Computing Science
University of Alberta
Edmonton, Canada

March 2, 2025

To the Tenure and Promotion Committee:

It is my great pleasure to provide this letter of evaluation for **Dr. Mans Hulden**. I met him several times at international conferences, and he served as an external examiner for one of my PhD students, but we have not co-published or collaborated, so I consider myself at arms-length when writing this letter. I am a professor of computer science at the University of Alberta in Canada. My principal area of research is Natural Language Processing (NLP). According to *csrankings.org*, I have published over 30 papers at the most selective NLP conferences. I also served as a program chair of a major NLP conference (IJCNLP 2017). Therefore, I am well positioned to make an assessment of Dr. Hulden.

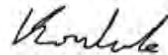
I strongly support Dr. Hulden's tenure application. The quality and quantity of his research are impressive. He has over 100 publications, of which a good number are in the most competitive NLP conferences: ACL, NAACL, and EMNLP. Dr. Hulden works in the area at the crossroads of natural language processing and machine learning. His work on finite-state methods has been widely recognized, as evidenced by his contributions to the Oxford Handbook of Computational Linguistics, and his development of PyFoma, a finite-state toolkit, which is utilized by both academia and industry. His most important contributions lie in the application of deep learning techniques to fundamental NLP tasks. His research on optimizing transformer architectures for character-level transduction has set new benchmarks in morphological processing and historical text normalization. His work on neural network interpretability in phonological modeling has provided insights into the inner workings of sequence-to-sequence models. In addition, he conducts interdisciplinary research which integrates formal language theory with cognitive science and NLP.

Dr. Hulden's research has been recognized by his leadership roles in the SIG-MORPHON shared tasks, and his service as an area chair for major NLP conferences. His research funding provides further evidence for the strength of his scholarship. In particular, he has received grants from DARPA and the Social Sciences and Humanities Research Council of Canada (SSHRC), which have supported his work on low-resource language processing and computational modeling for indigenous languages.

Dr. Hulden's teaching portfolio demonstrates his strong commitment to teaching and mentoring students, and his excellence in instruction. He mentored a number of graduate students, several of whom have secured academic and industry positions. In particular, he provided valuable feedback as an external examiner of my former student Dr. Garrett Nicolai in July 2017.

In summary, Dr. Hulden's record far exceeds the threshold for a tenure at a North American university. If he were at my institution, University of Alberta, he would have been certainly granted tenure. I am certain that he will continue to conduct leading-edge research in the future. I strongly recommend him for tenure at New College of Florida without any reservation.

Sincerely,



Greg Kondrak



New College

THE HONORS COLLEGE of Florida

Division of Natural Sciences

Dr. Tania Roy, Associate Professor

Dr. Tania Roy
Department of Computer Science
5800 Bayshore Road
Sarasota FL 34243
Phone: (864) 280-1687
E-mail: troy@ncf.edu

February 28, 2025

To Whom It May Concern,

I am writing with great enthusiasm in support of Dr. Mans Hulden's tenure application. Since Fall 2024, I have had the privilege of working alongside Dr. Hulden as a colleague in the Division of Natural Sciences at New College of Florida, where we both contribute to the undergraduate Computer Science Area of Concentration (CS AOC).

Dr. Hulden joined NCF in Fall 2024, coming to us from a tenured position at an R1 institution with extensive research expertise in Artificial Intelligence, Machine Learning, and Natural Language Processing. His impressive research record speaks volumes about his scholarly contributions. In this letter, I will focus on Dr. Hulden's teaching and mentorship roles at NCF, as our paths have intersected significantly in those areas.

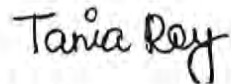
From his very first semester, Dr. Hulden became an integral part of the CS AOC, teaching core required classes such as Algorithms and offering popular electives like Machine Learning, Natural Language Processing, and Music and AI. Our conversations about classes, requirements, and assessment have consistently demonstrated his deep commitment to engaging students in hands-on learning and developing solid problem-solving skills. Several of my undergraduate advisees who have taken his classes have remarked on the clarity and thoroughness of his lectures, emphasizing how much they learned from his offerings. In Spring 2025, Dr. Hulden is co-teaching an interdisciplinary course, Music and AI, with Dr. Ashkan Tabatabaie, Assistant Professor of Music. I had the opportunity to witness some of their initial discussions, and the ease with which they integrated the two disciplines into a cohesive course was truly impressive.

Although Dr. Hulden was not required to sponsor thesis students in his first year at NCF, he generously agreed to mentor my advisee, whose senior thesis topic

involves machine learning, and she was struggling to find a proper direction. Over the semester, the student has made significant progress under his mentorship. This willingness to support students early in his time at NCF speaks to his dedication to student success and collaborative spirit.

Dr.Hulden's service contributions have also been noteworthy. He served as a committee member on a CS tenure-track search committee, where his insights were invaluable to the process. His presence has already enriched the CS AOC, and his collegial approach has strengthened our department. Dr.Hulden's dedication to academic excellence and his commitment to cultivating critical and creative thinking embody the core values of New College. His impact reaches far beyond the classroom, and I offer my strongest support for his tenure application.

Sincerely,

A handwritten signature in black ink that reads "Tania Roy". The script is cursive and fluid, with the first name "Tania" and last name "Roy" clearly distinguishable.

Dr. Tania Roy, Associate Professor

To Whom it May Concern,

It has been great to have Professor Mans Hulden as a colleague. Although there hasn't been an extensive body of work accumulated at New College of Florida yet after just one semester, I have only heard positive feedback from his students. That doesn't surprise me based on the consistent interactions we have on a weekly basis, be it from weekly lunches, or simply running into each other by virtue of neighboring offices. He clearly appears interested in the College, willing to learn more and more about the processes, faculty governance, teaching philosophy, etc.

He has also stepped in to serve on a Computer/Data Science hiring committee, which wasn't required of a 1st year faculty, and it helped *a ton*.

All-in-all, in my humble opinion, Professor Hulden has shown great promise as a faculty who's willing to contribute to New College's future success if granted tenure and promotion.

Sincerely,

Andrey Skripnikov



Signature

Fahmida Hamid
Assistant Professor
Natural Science Division
5800 Bay Shore Rd, Sarasota, FL
fhamid@ncf.edu

Feb 27, 2025

To Whom It May Concern:

I am Fahmida Hamid, an Assistant Professor of the Nat-Sci Division of New College of Florida (Department of Computer Science, tenure track, 5th year running). I am thrilled to write this letter of support for my colleague, Dr. Mans Hulden, for his tenure review.

Dr. Hulden joined NCF last year. Students have praised him for his excellent teaching (especially for the Machine Learning course he offered last Fall). Many students also greatly appreciate his current course, "Music and AI" (learned from some of my advisees). We have recently worked together in the CS/DS Tenure Track search committee, and I find him a reasonable yet thorough person who carefully reviewed the applicants and provided helpful feedback. Though he joined NCF last year, he brings years of experience from other renowned institutes.

To wrap up, NCF (students, faculty colleagues, and related partners) needs an experienced professor like Dr. Hulden. Don't hesitate to reach out if you have questions or need clarification.

Regards,
Fahmida
Fahmida Hamid

To who it may concern:

Professor Mans Hulden is a very good professor, I had him as my professor for machine learning. He made assignments that taught me how to use different packages to build classifiers, he presented the math and theory clearly, and gave me the resources needed to master the material. He works with students to help them get an understanding of the class material. Professor Hulden had the machine learning class end with a project that each student designed for themselves, this allowed students to research their own interests while also demonstrating that they could use what was learned on their own.

By Nathaniel Clark.

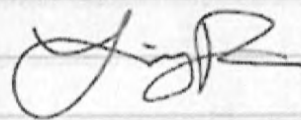
Nathaniel Clark 2/25/2025

3rd year Computer Science and Psychology Student

Dr. Hulden is an incredible professor. I am a thesis student, and at the end of last year I found out my advisor and expected thesis sponsor would be taking a year long leave. I was incredibly bummed and worried about what that meant for my thesis. When I found out Dr. Hulden would be starting in the fall, though, I was hopeful. I am very interested in machine learning and that is what I wanted my thesis to be on. I attended Dr. Hulden's talk on NLP and machine learning last spring when he was being considered for a position here. It opened up a whole new set of ideas, and was one of the first times I felt truly interested and eager to learn more in this field. He is now my thesis sponsor and we are working on research I never thought I was capable of. He will spend hours explaining concepts to me if I can't seem to understand it. You can clearly tell how passionate he is about his work and I find it so inspiring. I was also the TA for his machine learning class and from all I've heard from the students in that class, he is an amazing professor. I know two students specifically who took machine learning with me last year, but ended up having to drop it because they were just so confused with the professor who was teaching it then. They both passed this class though,

school. I enjoy college, but I haven't felt like there would ever be a purpose for me to attend grad school. That is until I met Dr. Hviden. This is the very first time I felt like that might be something I'm interested, because of the work I'm doing with him. Overall, I ~~am~~ am so grateful that he came to New College and I could not recommend tenure for anyone more than him.

Lelaina Rose



Dear Provost Advisory Committee,

I found Dr. Hulden's teaching ability incredibly welcoming, enrapturing, and well-paced, significantly more so than I've experienced before in Computer Science courses. Like classes in any other discipline, harder topics can sometimes slow down the pace of the classroom and cause a bottleneck of catching up to concepts afterwards. Professor Hulden seemed to almost miraculously avoid these bottlenecks in the way he structured his classes; I always felt like I was able to catch up, like I always learning, and that he was teaching our classes in ways that would give us an insight into topics that other institutions would have a far more abstracted understanding of what was going on. For example, I took Machine Learning with him, and we started creating our own classifiers using mostly vanilla Python with increasing complexities until we understood what we were creating enough to start using libraries that took the by-hand work out of our hands. In some of the other Machine Learning (ML) curriculums I looked at out of curiosity, it seemed like students at other institutions were using ML libraries out of the gate in their courses and dealing with only the math, resulting in what would, to me, feel like almost a vague and black box-type kind of understanding of how machine learning and neural network systems worked. I'm deeply grateful that Dr. Hulden takes the approach that he does, as opposed to one that is purely conceptual. Of course, the work that he does is very dependent on math and its concepts, but many times in class I would struggle with comprehending the math of what we were doing, and in the structure of the assignments he gave us, I would suddenly understand by *doing*, which I believe is perfect to what the spirit of New College's educational mission. Dr. Hulden's teaching and instructional style hit a perfect spot of being not too stressful, yet completely engaging and enlightening. I think he has a lot to offer, especially coming from such a multidisciplinary background as linguistics. I heavily suggest that you keep him as an asset. He is passionate, accessible, and seemed to truly care for us as students.

Andy Trinh

A handwritten signature in black ink, appearing to read 'Andy Trinh', with a stylized, cursive script.

Candidate:

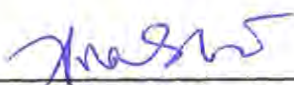
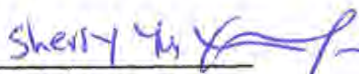
V. PAC SUMMARY: STUDENT EVALUATION OF TEACHING

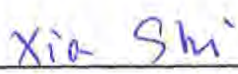
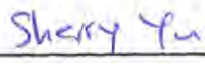
Note: Information from student evaluations must be completed by the Chair of the Provost's Advisory Committee. The candidate is not permitted to complete this section.

Describe information provided from student evaluations of teaching that were reviewed in making this promotion and/or tenure recommendation. Indicate the nature of the instructions, when and how many times they were administered for this candidate, and the number of students participating in consideration of this candidate. Provide a summary of the information derived from the evaluation used.

- Nature of the instruments (attach a copy of the instrument).
- When and how many times they were administered for this candidate.
- The number of students participating in consideration of this candidate.
- A summary of the information derived from the evaluation used.

[Review of student teaching evaluations is a fundamental aspect of the evaluation of teaching performance. The instructional evaluation forms (attached) are distributed electronically at the end of each course or tutorial. Students voluntarily complete the form and most present do so. They may sign the form if they wish. Students are aware that the forms are reviewed by the Division Chair, the Provost, and are available to all divisional faculty and the PAC during the promotion process. Student evaluations were administered in every course at the end of each semester for Fall 2024. The total number of evaluations received over this period is 24]

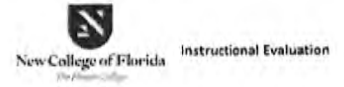
 
Signature of Chair, Provost's Advisory Committee

 
Name of Chair, Provost's Advisory Committee


Date

Candidate:

New College of Florida
Instructional Evaluation - Fall 2024 - End of Term



Course:

Instructor:

Response Rate:

1 - 1. The Instructor (e.g., clarity, helpfulness, accessibility, evaluation of your work)

Response Rate

2 - 2. The Course (e.g., organization, pace, demands, assignments, suggested improvements)

Response Rate

3 - 3. Your Participation (e.g., expectations, interest, progress, success, effort)

Response Rate

4 - 4. Any Other Comments

Response Rate

5 - Number of Terms at New College

Response Rate

6 - Transfer Credit

Response Rate

7 - Prior Number of Activities in this field

Response Rate


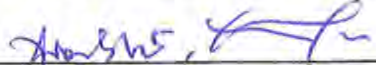
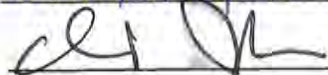
Candidate:

VI. EVALUATIONS BY THE PROVOST ADVISORY COMMITTEE, DIVISION CHAIR AND THE PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS

1. In comparison with faculty in similar positions with similar assignments, indicate your agreement with a check mark of the candidate's satisfactory performance in the following chart (evaluations must include all assigned duties including service).

Performance Area	Division Chair	Provost Advisory Committee	Provost & VP for Academic Affairs
Teaching	✓	✓	✓
Research, Scholarship, Creative Activity	✓	✓	✓
Service (all areas)	✓	✓	✓
Overall Quality	✓	✓	✓

- Each reviewing body should append a narrative to support the evaluation.
- Each narrative should include a careful analysis of the evaluation with rationale and reasons for positive and/or negative evaluation.
- Do the candidate's talents, expertise, experience and resources fit the needs, plans and goals of the Program/Division/College? Explain.
- The narratives should be appended in the order of review (Division Chair, Provost Advisory Committee, and Provost and Academic Vice President).
- Where a split evaluation exists, the committee should provide a Majority Report and a Minority Report to provide a balanced view.

Position Title	Name	Signature	Date
Division Chair			14/1/2025
PAC Chair	Xia Shi, Sherry Yu		5/5/2025
Provost			5-27-25

Candidate: _____

2. Please attach copies of candidate's annual evaluations for each tenure-earning year for tenure candidates, and the last seven years for promotion candidates. Annual evaluations should include narratives including the statements of "progress toward tenure" (for all faculty seeking tenure.) Note: The Chair of the PAC will be responsible for copying the annual review letters from the candidate's file and placing them in the packet.

Candidate: _____

DIVISION CHAIR EVALUATION:

Division Chair Sandra Gilchrist

Comments for Mans Hulden

Mans Hulden has recently joined the Division of Natural Sciences, but has already become a valued member of the Division. He had tenure at his previous institution and was given several years of credit towards tenure at New College. Thus, he is coming up with very little teaching and service at the college. I have looked at available material relative to teaching, research and community service.

Teaching

Dr. Hulden has only been at the college for a little over one semester at this point where evaluations were submitted. His evaluations from classes are excellent. Students noted that his organization and pacing were very good. Many indicated that he inspired them in the classes. Students note that he has an engaging and supportive teaching style.

Research

The letters from outside reviewers for the tenure case speak to the high quality of his research. His work is at the intersection of machine learning, natural language processing (NLP), cognitive science, and theoretical computer science. Recently, he published a new purely Python-based finite-state machine toolkit, PyFoma that was an upgrade of previous tool called Foma. He has an active network of professional collaborators shown by his solid research record. In the past, he has involved a variety of students in his research, evidenced by co-authorships on peer-reviewed papers. I have no reason to believe that he will not continue this at New College.

Community service

Dr. Hulden participated this year as a member of a search committee for computer science. He came to meetings of the committee well prepared to discuss strengths and weaknesses of the candidates as well as the likelihood that candidates could engage students in research. As a recent hire, he did not have to serve. Nonetheless, his insights from a broad background of experiences were very valuable in selecting our successful candidates.

Dr. Hulden has made significant positive contributions in all aspects of his work at the college. He is an integral part of the computer science program and of the Division, shouldering a great deal of responsibility as a newer colleague. He has the talent and background to continue a strong contribution to the college as we grow.

Candidate: _____

PROVOST'S ADVISORY COMMITTEE EVALUATION:

Professor Mans Hulden joined New College as Associate Professor of Computer Science in Fall 2024, with five years of credit towards tenure.

TEACHING

Since arriving at New College, Professor Mans Hulden has been a dedicated teacher and has had a positive impact in the division of Natural Sciences. He was hired to strengthen the course offerings in the undergraduate programs of Computer Science and Data Science, as well as in the Applied Data Science Master's Program. In his time at New College, Professor Hulden has made contributions in all of these programs. In the process, he has developed four separate courses, including Machine Learning, Natural Language Processing, Music and AI, as well as Algorithms. His content courses are well received by students and evaluated positively by his disciplinary colleagues. As these colleagues point out, Professor Hulden has "consistently demonstrated his deep commitment to engaging students in hands-on learning and developing solid problem-solving skills." Students appreciate his efforts in the classroom and give him excellent reviews praising his clarity, course organization and pace, delicate balance between theory and application, as well as enthusiasm and accessibility.

Professor Hulden's narrative evaluations were rather brief compared to the New College traditions, but still highlighted students' performance along with personalized feedback on their individual projects. Course syllabi outline expectations, learning objectives, and assessment methods in a structured and detailed manner. However, it is highly recommended for Professor Hulden to provide a tentative course outline including weekly plans and assessment due dates to promote transparency and coordination among students. (Professor Hulden later clarified that the detailed weekly plans were separately provided and accessible by students via Google Drive. The PAC suggests that in the future, Prof. Hulden incorporate his teaching schedule either into the course syllabus or include it in his file for the PAC to review.).

Although not expected to supervise theses or offer ISP/tutorials in the first year of his position, Professor Hulden has graciously taken a thesis student whose original sponsor went on leave. The student has acknowledged her gratitude and appreciation of Professor Hulden's teaching in the support letter to PAC. Student evaluations collected in Fall 2024 are very positive. He has introduced our students to a range of new courses, from Natural Language Processing to Music and AI, and demonstrated enthusiasm, generosity, and a knack for teaching difficult theoretical concepts.

SCHOLARSHIP

Professor Hulden is a computer scientist who does research in Natural Language Processing, Artificial Intelligence, Machine Learning and Theory of Computation. His research focuses on

modeling and learning natural language structure, particularly in the domains of morphology and phonology.

Professor Hulden has demonstrated consistent research progress, despite the relatively short time frame. He submitted three papers to peer-reviewed journals. His first paper, “Gradient Symbolic Representations with Weighted Finite-State Automata”, is a collaborative work in which he is the first author. His second paper, “Historia Magistra Vitae: Dynamic Topic Modeling of Roman Literature Using Neural Embeddings”, is a joint effort, where he is listed as the second author. His third paper, “Crosslingual Sense Alignment via Neural Machine Translation”, is another collaborative project; again, he is the second author.

Professor Hulden has also published three co-authored, peer-reviewed conference articles in 2024. Within the computer science community, such papers are recognized as high-quality scholarly contributions and serve as a primary avenue for the timely dissemination of original research. In his first collaborative conference paper, “Can We Teach Language Models to Gloss Endangered Languages?”, Professor Hulden and his co-authors investigated the use of Large Language Models (LLMs) for generating Interlinear Glossed Text (IGT) through in-context learning, without traditional training. The study finds that LLMs outperform standard transformer baselines and offer a practical, low-effort solution for language documentation. Professor Hulden is listed as the second author on this paper. In his second collaborative conference paper, “PyFoma: A Python Finite-State Compiler Module”, the authors introduced PyFoma, an open-source, Python-based finite-state toolkit designed for ease of use. It includes resources for designing and learning grammars for modeling phonology, morphology, and syntax. Professor Hulden is the first author on this paper. In his third collaborative conference paper, “Resisting the Lure of the Skyline: Grounding Practices in Active Learning for Morphological Inflection”, Professor Hulden and his co-authors explored the importance of conscious experimental design in the context of language documentation and description, particularly the distribution of the unannotated sample pool. The study focuses on the task of morphological inflection using a Transformer model. Professor Hulden is the fourth author on this paper. Professor Hulden's publications clearly demonstrate a rich network of collaborations with scientists both nationally and internationally.

Professor Hulden's external reviewer letters are all positive. One reviewer acknowledges that Professor Hulden has become an influential leader in the field of computational approaches to phonology and morphology. Another praises the quality and quantity of his research and highlights his productivity pointing out that a significant number of his publications have appeared in top-tier NLP conferences. The reviewer also recognizes Professor Hulden's development of PyFoma, a finite state toolkit, that is widely used in research and industry.

Another remarks that Professor Hulden effectively engages students in highly successful collaborative publications.

Overall, Professor Hulden's research is impressive in both quality and quantity, making significant scholarly contributions to his field. His file clearly indicates that he is well-positioned to continue this trajectory in the years ahead and bring credit upon himself and the college.

SERVICE

Professor Hulden has been exempted from service during his first year at New College. Colleagues' letters of support point out that he volunteered to serve on a search committee for a tenure-track faculty position in Computer Science/Data Science. One colleague found him a "reasonable yet thorough person who carefully reviewed the applicants and provided helpful feedback." Another found his contributions "substantive and constructive." A third on the committee notes "his insight was invaluable to the process."

Overall, PAC1 unanimously recommends granting tenure to Professor Mans Hulden.

PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS EVALUATION:

Provost

In his short time at the college, Professor Hulden has excelled in teaching, research, and service. Although the teaching record is limited, he received high praise from faculty and students, and even worked on a senior thesis in his first year. His research is truly extraordinary; he is an international leader in the field of computational linguistics and a great model for our students. Although service is not required of first year faculty, Professor Hulden served on a search committee and contributed his expertise to a crucial faculty committee on AI. I concur with the Natural Sciences Division, the Division Chair, and the Provost's Advisory Committee that Professor Hulden is worthy of tenure.

VI. TENURE RECOMMENDATION

A. CANDIDATE: COMPLETE THIS SECTION FOR TENURE RECOMMENDATION

New College of Florida's College-wide guidelines on tenure and promotion state:

The College has established minimum criteria for tenure and promotion as follows. Tenure and promotion in the professorial ranks will be granted only to persons of significant achievement, especially in teaching, research/creative activity and service. As a minimum standard for tenure and/or promotion, there must be evidence of strong performance in both teaching and scholarship and outstanding achievement in at least one of these areas. Public and professional service also receives significant emphasis.

Total length of time served in tenure earning position at New College of Florida: 8 months

Total length of time that the nominee has served in tenure earning positions during his/her professional career at accredited institutions, other than New College of Florida: 10 years

3. On the following table, list the names and locations of all institutions, including the New College of Florida, where the nominee served in tenure earning positions but did not earn tenure. In each case, indicate the length of each tenure earning period with beginning and ending dates as well as the highest ranks or titles held by the nominee during these periods.

Name of Institution	Highest Title/ Rank	Beginning Date	Ending Date	Number of Years
New College of Florida	Associate Professor	08/2024		1

4. On the following table, list the names and locations of institutions at which the applicant actually held tenure prior to coming to New College of Florida. In each case, show beginning and ending dates of tenured employment and highest title or rank.

Name of Institution	Highest Title/ Rank	Beginning Date	Ending Date	Number of Years
University of Colorado Boulder	Associate Professor	08/2019	08/2024	5

B. PROVOST'S ADVISORY COMMITTEE: COMPLETE THIS SECTION FOR
TENURE RECOMMENDATION

RECOMMENDATIONS

1. Vote of Members of the Division.

Number of Members of the Division:

American Indian or Alaskan Native		Asian or Pacific Islander		Black, not Hispanic		Hispanic		White, not Hispanic		Total	
Males	Females	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
0	0	1	3	0	0	3	1	9	4	13	8

Grant Tenure	19	Abstain	1
Deny Tenure	2	Absent	
Defer Tenure		Ineligible	

Xia Shi Sherry Yu
Name of Chair, Provost Advisory Committee

[Signature]
Signature of Chair, Provost Advisory Committee

05/06/2025
Date

2. Vote of Provost's Advisory

Committee Number of Members of the

Committee:

American Indian or Alaskan Native		Asian or Pacific Islander		Black, not Hispanic		Hispanic		White, not Hispanic		Total	
Males	Females	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
			2					2	2	2	4

Grant Tenure	6	Abstain	0
Deny Tenure	0	Absent	0
Defer Tenure	0	Ineligible	0

NAME	SIGNATURE	DATE
Xia Shi		05/05/2025
Necmettin Yildirim		05/05/2025
Kristopher Fennie		5-May-2025
Alina Wyman		May 5th/2025
April Flakne		5/5/2025
Sherry Yu		5/5/2025

WEIGHTING PROCEDURE FOR MAKING COMPOSITE RECOMMENDATIONS FOR TENURE			
Divisional Recommendation	PAC Vote		Composite Recommendation
	Yes	No	
YES <u>✓</u> NO <u> </u>	YES <u>✓</u> NO <u> </u>		YES <u>✓</u> NO <u> </u>
No +	0 1 2 3 4	6 5 4 3 2	= No
No +	5 6	1 0	= Yes
*Yes +	0 1 2	6 5 4	= No
*Yes +	3	3	= No (Tenure) = Yes (Promotion)
*Yes +	4 5 6	2 1 0	= Yes

*A divisional recommendation of "yes" requires more than a simple majority. It requires a positive vote by at least three-fourths in a case of tenure [and by at least two-thirds in the case of promotion].

	Yes	No
Divisional Ballot	19	2
PAC Vote	6	0

RECOMMENDATIONS ON THE CANDIDACY FOR TENURE

Division Chair

- ☒ My recommendation is to GRANT tenure for this candidate.
☐ My recommendation is to DEFER tenure at this time (applicable only to candidates applying prior to their 6th year in tenure earning status).
☐ My recommendation is to DENY tenure for this candidate.

Name: Sandra Gikrist Signature: [Signature] Date: 27 May 2025

Provost & Vice President for Academic Affairs

- ☒ My recommendation is to GRANT tenure for this candidate.
☐ My recommendation is to DEFER tenure at this time (applicable only to candidates applying prior to their 6th year in tenure earning status).
☐ My recommendation is to DENY tenure for this candidate.

Name: David Rohrbacher Signature: [Signature] Date: 5-27-25

President

- ☒ My recommendation is to GRANT tenure for this candidate.
☐ My recommendation is to DEFER tenure at this time (applicable only to candidates applying prior to their 6th year in tenure earning status).
☐ My recommendation is to DENY tenure for this candidate.

Name: Richard Carcovan Signature: [Signature]
Date: 5/30/25

Chairman, New College Board of Trustees

- ☐ _ My recommendation is to GRANT tenure for this candidate.
☐ _ My recommendation is to DEFER tenure at this time (applicable only to
☐ candidates applying prior to their 6th year in tenure earning status).
☐ _ My recommendation is to DENY tenure for this candidate.

Name: Signature: Date:

Candidate: _____

STATEMENT OF REVIEW BY CANDIDATE PRIOR TO CONSIDERATION BY THE
PRESIDENT.

I have reviewed the ratings and recommendations made on my application and have had the opportunity to enter a statement as provided above.

Signature: _____ Date: _____

Signing does not imply consent, approval, or agreement only REVIEW of the document(s) involved in my nomination for tenure.

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Approval of Regulation Amendment – 3-1010-Procurement-Services

PROPOSED BOARD ACTION

Approve the amendments to New College of Florida Regulation 3-1010-Procurement-Services

BACKGROUND INFORMATION

The proposed regulation is offered to implement changes made to Board of Governors Regulation 9.002 related to the method used to establish capitalization thresholds for the recording of tangible personal property.

Supporting Documentation Included: Notice of Proposed Regulation Amendment 3-1010

Facilitators/Presenters: *David Brickhouse, Vice President, Legal Affairs*

NOTICE OF PROPOSED REGULATION DEVELOPMENT

The New College of Florida Board of Trustees

Date: May 27, 2025

REGULATION CHAPTER NUMBER:

Chapter 3 – Administrative Affairs

REGULATION NUMBER AND TITLE:

3-1010: Procurement Services

AUTHORITY: Article IX, §. 7, Fla. Constitution; Fla. Board of Governors Regulations 1.001 and 18.001

SUMMARY OF PROPOSED REGULATION AMENDMENT:

3-1010: The proposed regulation is offered to implement changes made to Board of Governors Regulation 9.002 related to the method used to establish capitalization thresholds for the recording of tangible personal property.

TEXT OF PROPOSED REGULATIONS:

The full text of the proposed regulation is set out following this notice.

NEW COLLEGE OFFICIAL INITIATING THE REGULATION:

Christie Fitz-Patrick, Vice President for Finance and Administration

PROCEDURE FOR COMMENTING ON PROPOSED REGULATION:

Comments concerning the proposed regulation should be submitted **within 14 days of the date of this notice** to David Brickhouse, Vice President for Legal Affairs, 5800 Bay Shore Road, Sarasota, Florida 34243, (941)-487-4106 office, generalcounsel@ncf.edu. Comments provided to Mr. Brickhouse will be presented to the Board of Trustees for consideration.

THE FULL TEXT OF THE PROPOSED REGULATION IS BELOW

~~Strikethrough~~ indicates deletion; Underlining indicates addition

NEW COLLEGE OF FLORIDA REGULATIONS MANUAL

CHAPTER 3 – Administrative Affairs

3-1010 Procurement Services

By establishing this regulation, the NCF BOT intends for NCF to acquire quality goods and services within reasonable or required time frames, while promoting fair and open competition in the public procurement process. The process will reduce the appearance and opportunity for favoritism, ensure that contracts are awarded equitably and economically, and establish effective management oversight in the acquisition of commodities and contractual services in order to preserve the integrity of public purchasing and contracting. The opportunity to bid on NCF contracts is a privilege, not a right.

- (1) In order to support NCF's mission, it is the responsibility of Procurement Services to acquire quality commodities and contractual services while promoting fair and open competition in the public procurement process. NCF purchasing officials shall be protected from improper pressures of external political or business interests.
- (2) Definitions
 - (a) Artistic Services. Services provided by an individual or group of individuals who profess and practice a skill in the area of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, web design, craft arts, industrial design, costume design, fashion design, motion pictures, television, radio or tape and sound recording, or in any other related field.
 - (b) Change Orders. The document used by Procurement Services to change items, quantities, specifications, etc. on the purchase order, as needed or as requested by the initiating department as appropriate.
 - (c) Commodity. Any of the various supplies, materials, goods, merchandise, food, equipment, software, or other personal property, including a mobile home, trailer, or other portable structure, which are purchased, leased, lease-purchased, or otherwise contracted for by NCF. "Commodity" also includes interest on deferred-payment contracts entered into by NCF for the purchase of other commodities. Printing of publications shall be considered a commodity.
 - (d) Competitive Solicitation. An Invitation to Bid, Request for Proposal, or Invitation to Negotiate to competitively select a contractor/vendor. Competitive Solicitations are required for purchases exceeding \$150,000 or more, and for purchases of printing as specified in Chapter 287, Florida Statutes. The competitive solicitation documents shall contain all the legal terms and conditions necessary to protect NCF's best interest in purchasing transactions.
 - (e) Contractor/Vendor. A person or firm who contracts to sell commodities or contractual services to NCF.
 - (f) Contractual Service. The rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. "Contractual service" does not include labor or materials for the construction, renovation, repair, or demolition of facilities.

- (g) Extension. An increase in the time allowed for the contract period.
- (h) Independent Contractor. A person or firm who provides a service to NCF.
- (i) Invitation to Bid. A written solicitation for competitive bids for commodities, groups of commodities, or contractual services defined, for which bids are sought.
- (j) Invitation to Negotiate. A written solicitation to define the specifications, terms, and conditions of a contract for commodities or contractual services. Cost shall not be the sole consideration in the initial stages of negotiating.
- (k) Lease Agreements. The Lease Agreement form is a legal document approved for lease of off-campus space. The Director of Procurement Services handles execution of the agreement with the lessors.
- (l) Minority Business Enterprise. A business concern as defined in Chapter 288.703(3), Florida Statutes.
- (m) Property Items. Comprised of two categories, those that are capitalized (have a value greater than the amount set forth by the Uniform Guidance published by the U.S. Office of Management and Budget of \$5,000 or more and a useful life of at least one year), and other property items that are not capitalized, but are tracked for insurance purposes.
- (n) Purchase. An acquisition of commodities, contractual services, or licenses obtained by purchase order or contract whether by rent, lease, installment- or lease-purchase or outright purchase.
- (o) Purchase for Resale. The purchase of commodities or contractual services acquired for the purpose of selling them for the benefit of NCF.
- (p) Purchase Orders. A document authorizing a vendor to deliver commodities or contract services with payment to be made at a later date. Purchase Orders are required for the acquisition of commodities and/or services. .
- (q) Procurement Services. The NCF department or division responsible for the acquisition of commodities and contractual services.
- (r) Renewal. Contracting with the same contractor for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.
- (s) Requisitions. A written request for a purchase order to be issued. Requisitions are initiated by departments or divisions and submitted to the Director of Procurement Services for the purchase of commodities and/or services. Requisitions are also used for reimbursements and prepayments.
- (t) Request for Proposal. A written solicitation for competitive proposals for commodities or contractual services when the scope of work is not clearly defined.
- (u) Responsive and Qualified Bidder or Offeror. A contractor/vendor who has submitted a bid or proposal that conforms in all material respects to a competitive solicitation.
- (v) Sole Source Certification. A Sole Source Certification request is initiated by a department for obtaining approval from the Procurement Services Department in order to acquire a commodity or

service that is available from only one vendor.

- (w) Term Contract. An indefinite quantity contract for the purchase of commodities or contractual services during a prescribed period of time.
- (x) Tax Exemption Certificate. Consumer's Certificate of Exemption form utilized by the Director of Procurement Services as verification of NCF's State and Federal tax exemption status, pursuant to the sales and use tax law. This tax exemption is used for purchases solely from NCF funding.
- (y) Vendor Ombudsman. The position within the Finance Office whose responsibilities include, but are not limited to, review and recommendation for disposition of vendor complaints regarding NCF procurement functions.

(3) Delegation of Authority

- (a) Authority is delegated to the Director of Procurement Services to act as the central procurement officer for NCF and as designee for purposes of administering NCF's procurement process.
- (b) Authorization limits to approve and execute any single procurement contract for any commodities or contractual services in a single fiscal year which is expected to fall within the range of the below listed amounts are as follows:
 - 1. Up to and including the amount of \$250,000: the level at which signature by the Director of Procurement Services is required for acquisition.
 - 2. \$250,001-\$500,000: the level at which countersignature by the Vice President for Finance and Administration is required for acquisition.
 - 3. \$500,000 to \$1,000,000: the level at which countersignatures by the Vice President for Finance and Administration and the President are required for acquisition.
 - 4. In excess of \$1,000,000: the level at which approval of the NCF BOT is required for acquisition. The NCF BOT must also approve any single procurement for this threshold value made by the New College Foundation, the New College Development Corporation and any future Direct Support Organization that may be established by the College.
 - 5. Emergencies. In the event of a bona fide emergency, as declared by the Chair of the BOT, the Florida Board of Governors, or the Governor of the State of Florida.
- (c) For the purposes of this section, contracts are constructed to include, but not be limited to, agreements, purchase orders, change orders, licenses, lease-purchase agreements, leases, and contract extension and renewals.

(4) Procurement Services Department Duties and Responsibilities include, but are not limited to:

- (a) Removing any contractor from NCF's competitive vendor list that fails to fulfill any of its duties specified in a contract with NCF (or another State university) and to reinstate such contractor when satisfied that further instances of default will not occur.

- (b) Planning and coordinating purchases in volume and negotiating and executing agreements and contracts for commodities and contractual services under which NCF has the option to make purchases.
 - (c) Evaluating, approving, and utilizing contracts that are entered into after a public and open competitive solicitation for commodities or contractual services entered into by any other governmental or educational entities (including the Federal Government, other state governments, political subdivisions, any public or independent college or university, educational cooperative, or educational consortium). Approving NCF's use of such contracts (in lieu of issuing a competitive solicitation) for the procurement of commodities and contractual services, when it is cost-effective and in the best interest of NCF to do so. Procurement Services shall review existing consortia and cooperative contracts to identify potential savings and, if there is the potential for savings, enter into new consortia and cooperative contracts to achieve the savings, with the goal of achieving a five-percent savings on existing contract prices.
 - (d) Awarding contracts for commodities and contractual services to multiple suppliers, if determined to be in the best interest of NCF. Such awards may be made on behalf of NCF or on a university, regional, or State University System-wide basis, and the contracts may be for multiple years.
 - (e) Rejecting or cancelling any or all competitive solicitations when determined to be in the best interest of NCF.
 - (f) Authorizing payment of deposits or advance payments for a commodity or contractual services when the Director of Procurement Services determines that it is in the best interest of NCF.
 - (g) Managing NCF's Property Records program, including overseeing proper disposal of surplus property.
 - (h) Barring any vendor from doing business with NCF for demonstrated cause, including previous unsatisfactory performance.
 - (i) Prohibiting College employees and College direct support organization employees participating on a procurement selection committee for commodities or services from soliciting donations from responding vendors during the selection process, except for donations or other benefits expressly stated in the procurement document.
 - (j) Permitting the extension(s) of a contract, entered into as a result of a competitive solicitation, for up to twelve (12) months or until a completion of the competitive solicitation and award or protest, whichever is longer.
 - (k) Permitting the renewal(s) of a contract, entered into as a result of a competitive solicitation, for a period that may not exceed 5 years or twice the term of the original contract, whichever is longer. This provision is not intended to apply retroactively; existing contracts entered into prior to January 1, 2017, including any specified renewal period(s) may continue in accordance with the existing contract terms.
- (5) NCF Division/Department Duties and Responsibilities. Each NCF division or department is assigned responsibility for initiating procurement requests and for providing information and assistance with the procurement, as requested by Procurement Services Department. Duties and responsibilities include:

- (b) Ensuring support, review, funding adequacy and approval for the procurement by the pertinent division or department authorities before a procurement request is submitted to the Procurement Services Department.
- (c) Obtaining and completing all steps necessary for submission of proper documentation to the Procurement Services Department.
- (d) Providing assistance and information regarding the procurement, if and as requested by Procurement Services personnel.
- (e) Evaluating, monitoring, and ensuring satisfactory performance by the vendor or contractor, in accordance with the terms and provisions of the procurement documents.

(6) Standards of Conduct

- (a) All NCF personnel engaged in procurement and related activities shall conduct business dealings in a manner above reproach in every respect. Transactions relating to expenditure of public funds require the highest degree of public trust to protect the interests of NCF and the taxpayers of Florida. All NCF personnel engaged in the procurement cycle are bound by the standard of conduct for public officers and employees set forth in Chapter 112, Part III, Florida Statutes, and shall file a Statement of Financial Interest annually.
- (b) Vendors Excluded from Competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, Invitations to Bid, Request for Proposals and/or Invitations to Negotiate shall be excluded from competing for such procurements.
- (c) Standard of Conduct. It shall be a breach of ethical standards for any employee of New College of Florida to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for commodities or services. It shall also be a breach of ethical standards for any potential contractor to offer an employee of New College of Florida a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or services. It shall also be a breach of ethical standards if:
 1. The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement.
 2. A business organization in which the employee or any member of the employee's family, spouse, children, parents, brothers and sisters, has a financial interest pertaining to the procurement.
 3. Any other person, business or organization with which the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

(7) General Procurement Provisions

- (a) Procurement of commodities/services/printing of less than \$150,000 shall be made in accordance with sound procurement practices as follows:
 1. \$25,000 and below. It shall be the Director of Procurement Services' discretion on purchases of \$25,000 or less. Additional quotations are not required but are encouraged.

2. \$25,001 to \$75,000. An attempt shall be made to obtain written price quotes from two or more vendors. The quotes can be obtained via documented written quotations received by mail or email.
 3. \$75,001 to \$149,999. An attempt shall be made to obtain written price quotes from three or more vendors. The quotes must be submitted on the vendors' stationery and signed by their authorized representative.
 4. Waiver of Competition. In the event the number of quotes noted in section (7)(a) 2. and 3. above cannot be acquired, the Procurement Services Department may waive the need for competition if a "Request to Waive Additional Quotes" is properly justified. Such request must accompany the requisition. In any event, sole source justification is not required below \$150,000.
 5. Purchases greater than \$150,000 require a formal process such as sealed Invitation to Bid, Request for Proposal, Invitation to Negotiate, or an approved exemption such as Sole Source, Sponsored Research Exemption or Emergency Purchase.
- (b) Purchases of commodities/services/printing in excess of \$150,000 shall be awarded pursuant to a competitive solicitation, unless otherwise authorized.
1. When only one response is received to a competitive solicitation for commodities or contractual services exceeding \$150,000, NCF has the option to review the solicitation responses to determine if a second call for a competitive solicitation is in the best interest of NCF. If it is determined that a second call would not serve a useful purpose, NCF can proceed with the acquisition.
 2. When multiple responses that are equal in all respects are received to a competitive solicitation, NCF will give preference, in the following order of priority, to the responses: responses that include commodities manufactured in the State of Florida, responses from Florida businesses, responses from businesses with a drug-free workplace program, responses from foreign manufacturers located in the State of Florida, in order to award. If the use of these preferences does not result in a determination of who should be awarded the contract, the toss of a coin shall be used to award the contract.
 3. The award of a competitive solicitation shall be publicly posted by Procurement Services, located at 5800 Bay Shore Road, PMD, for 72 hours, excluding Saturdays, Sundays or NCF holidays. The notice may also be posted on the New College of Florida website.
 4. Nothing in this section shall be construed as limiting the number of bids solicited.
 5. In the event that no quotes, bids, proposals, or responses to Invitations to Negotiate are received in response to a competitive solicitation, the College shall negotiate the purchase as the best possible price at the most favorable terms.
- (c) No purchase may be divided or sub-divided for the purpose of circumventing required informal or formal competitive solicitation.
- (d) Advance Payments: NCF funds cannot be used for advance payments, except for the following:
1. Rent for leased space, up to fourteen (14) days before due date.

2. Newspaper or magazine subscriptions, up to six (6) weeks in advance of renewal date.
 3. Costs for reserving space for meetings or conferences that will take place in the next fiscal year, if required by the vendor.
 4. Annual maintenance agreements.
 5. Payments to state or federal agencies, if delivery of products or services will be expedited.
 6. Specialized or proprietary goods or services, if the vendor requires advance payment.
 7. Benefits of cost savings resulting from advance payment.
 8. Purchase of real property, up to seven days before closing date, if NCF delivers the warrant on or after the closing date.
 9. Library books and materials, if necessary, for efficient library operation.
 10. Any other advance payment that can be justified as necessary and to further of a legitimate public purpose.
- (e) The Purchase Order is the normal instrument by which goods and contractual services are acquired. It is the vendor's responsibility to ship and to invoice for the items, terms, and pricing specified on the order. The Purchase Order is a legal instrument and once accepted, establishes a mutuality of agreement. It has the force of a legal, binding contract.
1. The One Time Purchase Order. This document consists of the official Purchase Order number, the complete description shown on the requisition, and is for delivery of a one-time purchase for goods, equipment, and/or contractual services.
 2. The Standing Order. This is a simplified method of filling needs for small repetitive quantities by establishing open accounts with qualified vendors. Standing Orders are used to expedite the delivery of needed items and reduce administrative costs in accomplishing small orders by eliminating the need of Issuing individual purchase orders over the course of a fiscal year period.
 - a. Standing Purchase Order. Authorizes the purchase and delivery of small dollar value commodity items as requested by the issuing department. This order cannot exceed \$149,999.99, unless pricing has been based on an existing bid or contract or there is an approved sole source certification on file.
 - b. Standing Order Restrictions. No property items shall be purchased on a Standing Order. Special Standing Order purchases shall not be used to purchase goods or contractual services from other vendors if they are already available on State or NCF contracts.
 - c. Requests for increases, decreases, cancellations, etc., of a Standing Order should be submitted to Procurement Services (see the section on Change Orders). Standing Orders should be for a minimum period of six (6) months within the fiscal year and should be opened for a minimum of \$500.

- (f) Maintenance Agreements: Purchases for maintenance agreements are similar to Standing Orders in that the service period is for an extended period of time. However, they are not considered Standing Orders under the procedures described above because, in most instances, payment is made at one time. Maintenance agreements that have monthly or quarterly payments may be referred to as Blanket Maintenance Orders and are treated the same as a Standing Order for accounting purposes. Requisitions for maintenance agreements should include the following information.
1. Description of item(s), model number, serial number, property decal number, and location of machine.
 2. Beginning and ending dates of the maintenance period.
 3. Advance payment requirements are to be justified by a separate attached memorandum to the requisition.
 4. A copy of the maintenance agreement is to be attached to the requisition.
 5. All Purchase Orders for maintenance agreements should contain a thirty-day (30-day) cancellation clause.
- (g) A Change Order is used to materially alter a Purchase Order after it has been encumbered and issued to the vendor. All Change Order notice requests must be submitted to the Procurement Services Department. A Change Order is required to:
1. Decrease or increase purchase order quantities.
 2. Substitute comparable acceptable items for those on the original purchase order.
 3. Make any substantial changes on a purchase order that will result in a cost differential.
 4. Terminate the purchase order.
 5. Adjust the purchase order price to conform to the vendor's invoice.
 6. Departments may initiate requests for Change Orders in writing stating the reasons for the change(s).
 7. Signatures are required on all Change Order requests, in the same manner as the signature requirements for requisitions from which Purchase Orders are issued.
 8. Unless otherwise authorized by the bid or proposal documents, Change Orders are not valid until the vendor has accepted the terms thereon.
- (h) Vendors. It is NCF's policy to utilize State Contracts and vendors, when available and appropriate. It is the intent of the Procurement Services Department to utilize vendors who are reputable and financially responsible. NCF encourages participation from any and all vendors to provide goods and services.
- (i) Minority Business Enterprises. NCF is committed to seek out, identify and utilize Florida Certified Minority Businesses, and Small Businesses/Small Disadvantaged Businesses that provide services and/or commodities, which are purchased by NCF. It is also the mission of the Procurement

Services Department to provide technical assistance to small and minority businesses to ensure a competent pool of vendors to address NCF's procurement expectations.

(j) (j) Procurement actions not subject to the competitive solicitation process include:

1. Emergency Purchases. When the President or designee determines, in writing, that: a condition exists that threatens the health or safety of person(s) or animal(s) or the preservation of property or the continuance of a vital NCF function; NCF shall proceed with an emergency purchase. The emergency purchase is limited to the purchase of only the type of items and quantities of items necessary and for only the time period necessary to meet the immediate need.
2. Sole Source Purchases. Commodities or contractual services available from a single source are exempt from the competitive solicitation process. Sole Source document shall be publicly posted by the Procurement Services Department at the NCF campus for 72 hours, excluding Saturdays, Sundays, and NCF holidays.
3. Procurement from contracts and Negotiated Annual Price Agreements established by the State of Florida, other governmental entities, other Universities in the State University System, or other independent colleges and universities are not subject to further competitive solicitation.

(k) Types of commodities and contractual services that are not subject to the competitive solicitation process include:

1. Artistic services.
2. Academic reviews.
3. Lectures.
4. Auditing services.
5. Legal services, including attorney, paralegal, expert witness, appraisal, arbitrator or mediator services.
6. Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration. Prescriptive assistive devices for medical, developmental or vocational rehabilitation including, but not limited to prosthetics, orthotics, and wheelchairs, provided such devices are purchased on the basis of an established fee schedule or by a method that ensures the best price, taking into consideration the needs of the client.
7. Services provided to persons with mental or physical disabilities by not-for-profit corporations organized under the provisions of section 501(c)(3) of the Internal Revenue Code or services governed by the provisions of the Office of Management and Budget Circular A-122.
8. Medicaid services delivered to an eligible Medicaid recipient by a health care provider who has not previously applied for and received a Medicaid provider number from the Department of Children and Family Services. This exception will be valid for a period not to exceed ninety (90) days after the date of delivery to the Medicaid recipient and shall not be renewed.
9. Family placement services.

10. Training and education services.
 11. Advertising, except for media placement services.
 12. Commodities or services provided by governmental agencies, another University in the State University System, direct support organizations of NCF, political subdivisions or other independent colleges and universities.
 13. Programs, Conferences, Workshops or Continuing education events or other university programs that are offered to the general public for which fees have been collected to pay all expenses associated with the program or event.
 14. Programs, conferences or events that have been specified by a grant, can include, but are not limited to items such as lodging, meeting rooms, services and food.
 15. Purchases from firms or individuals that are prescribed by state or federal law or specified by granting agency.
 16. Regulated utilities and governmental franchised services.
 17. Extension of an existing contract Regulated public communications, except long distance telecommunication services or facilities.
 18. Purchases from an Annual Certification List approved by the College.
 19. Purchases for resale.
 20. Contracts or services provided by non-for-profit support and affiliate organizations of the College, direct support organizations, health support organizations and faculty practice plans.
 21. Direct owner purchases for construction or renovation projects.
 22. Leases of space by NCF for 5,000 square feet or less in a privately owned building.
 23. Implementation/programming/training services available from owner of copyrighted software or its contracted vendor.
 24. Purchases of materials, supplies, equipment, or services for instructional or sponsored research purposes when a director of sponsored research or designee certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project in accordance with sponsored research procedures or to attain the instructional objective.
 25. Accounting Services.
- (l) No individual or firm who performs a feasibility study for potential implementation of a subsequent contract, participates in drafting of a competitive solicitation, or develops a program for future implementation shall be eligible to contract with NCF dealing with the same subject matter.
 - (m) Individuals taking part in the development of criteria for evaluation, the evaluation process or the award of the contract for any purchase shall be independent of and have no conflict of interest in

the entities evaluated and awarded the contract. NCF has the option to require the individuals to attest to such in writing.

- (n) Items requested that are of a personal nature or for personal convenience of employees shall not be purchased. Examples include but are not limited to:
 - 1. Coffee pots.
 - 2. Flowers.
 - 3. Refreshments such as coffee and doughnuts.
 - 4. Decorative items (globes, statues, potted plants, picture frames, etc.).
 - 5. Alcoholic beverages.
 - 6. Christmas or other greeting cards and postage for such cards.
 - 7. Personal subscription to magazines, trade journals, etc.
 - 8. Desk pen sets.
 - 9. Refrigerators.
 - 10. Microwaves.
 - 11. Picture frames.
 - 12. Wall hangings.
 - 13. Smoke/air filters.
 - 14. Personal gifts or expenditures other than expenditures for employee service awards and/or safety awards not exceeding \$50 per award.
 - 15. Fees, taxes or professional dues, unless directly related to the job duties of NCF employee.
- (o) Legal Review. Documents containing terms and conditions with legal import will be routed through the NCF's General Counsel for legal review before execution. The Office of the General Counsel may approve uniform contracts, which, thereafter, may be used without additional review and approval by the General Counsel.
- (p) Exceptional Purchases. NCF is authorized to make exceptional purchases of commodities or contractual services as follows:
 - 1. Purchase of Products with Recycled Content. NCF may establish a program to encourage the purchase of and use of products and materials with recycled content and postconsumer recovered material.
 - 2. Purchase of Private Attorney Services. Written approval from the Attorney General is not required for private attorney services acquired by the college.

3. Purchase of Insurance. NCF shall have the authority to purchase insurance as deemed necessary and appropriate for the operation and educational mission of the college.
 4. Purchase of Printing. However, if the College determines that it is in the best interests of the College to purchase printed materials through a competitive solicitation process, the preference provision in 15(b) shall apply.
- (8) Insurance Purchases. NCF has the authority to purchase insurance as deemed necessary and appropriate for the operation and educational mission of NCF. Examples of insurance coverage that can be acquired by NCF include:
- (a) Physical damage on vehicles and boats.
 - (b) Inland marine on property owned, leased, or loaned to or by NCF.
 - (c) Building and property damage.
 - (d) Equipment losses due to theft.
 - (e) Loss of rental income.
 - (f) Commercial general liability insurance for scientific equipment.
 - (g) Excess general liability coverage.
 - (h) Health Insurance.
 - (i) Camps Insurance.
- (9) Bonds
- (a) Competitive Solicitation Bond/Security. NCF is authorized to require a vendor to submit to NCF, as a condition for participating in the solicitation, a bid bond, certified cashier's or treasurer's check or bank draft with their responses to the solicitation when NCF is reasonably uncertain about the vendor's ability to perform and to ensure that vendor will honor and secure any required payment and/or Performance Bond if awarded the bid.
 - (b) Payment and Performance Bonds. NCF is authorized to require any contractor providing commodities, or commodities, which include installation, to furnish a payment and performance bond, with good and sufficient securities, to NCF prior to the issuance of the contract when the total value of the contract is greater than \$200,000. NCF has the option to require a payment and performance bond from contractors providing commodities, or commodities that need installation, when the total value is greater than \$100,000. In either instance the reason for this requirement is under such conditions when NCF is reasonably uncertain about the vendor's ability to perform and in particular, but not limited thereto, when installation of research, scientific, medical and other like equipment is required.

- (c) Competitive Solicitation Protest Bond. Any contractor that files an action pursuant to Chapter 120.57(3)(b), Florida Statutes, protesting a decision shall at the time of filing of the formal written protest, post with NCF a bond payable to NCF in an amount equal to: 10% of the estimated value of the protestor's bid or proposal; 10% of the estimated expenditure during the contract term; \$10,000; or whichever is less. The bond shall be conditioned upon the payment of all costs that can be adjudged against the contractor filing the protest action. In lieu of a bond, NCF has the option to accept a cashier's check or money order in the amount of the bond. Failure of the protesting contractor to file the required bond, cashier's check or money order by the time of filing the formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes, and NCF shall summarily dismiss the petition.

(10) Purchase of Motor Vehicles

- (a) The term "motor vehicle" includes any automobile, truck, watercraft, construction vehicles, equipment, or other vehicle designed primarily for transporting person.
- (b) NCF has authority to:
1. Establish standard classes of motor vehicles to be leased, purchased or used by NCF personnel.
 2. Obtain the most effective and efficient use of motor vehicles for NCF purposes.
 3. Establish and operate facilities for the acquisition, disposal, operation, maintenance, repair, storage, control and regulation of NCF-owned motor vehicles.
 4. Acquire motor vehicles by purchase, lease, installment-purchase, or loan or by any other legal means and can include a trade-in. All motor vehicles purchased or leased shall be of a class that will safely transport NCF personnel and adequately meet the requirements of NCF.
 5. Contract for specialized maintenance services.
- (c) Motor vehicles owned, leased or operated by NCF shall be used for official NCF business only.

(11) Acquisition of Leases of 5,000 or More Square Feet

- (a) NCF will use a competitive solicitation process when entering into lease for space of 5,000 or more square feet in a privately owned building. However, competitive bidding is not required where such a lease:
1. Is the renewal of an existing lease.
 2. Has a term of less than twenty-one (21) consecutive days.
 3. Is for nominal or no consideration.
 4. Is for the purpose of providing care and living space for persons, provided that the President or designee certifies that the space is to be used for that purpose.

5. Is an extension of an existing lease of 5,000 square feet or more, provided that such extension is in the best interest of the State and is for a period not to exceed eleven (11) months. If at the end of the period granted by the extension, the time of all such extensions on the lease equals eleven (11) months, NCF shall proceed with a competitive solicitation.

(b) NCF shall not enter into a lease for space of 5,000 or more feet in a privately owned building when suitable space is available in a state-owned building located in the same geographic region, unless it is determined by the Procurement Services Department that lease of non-state property is in the best interest of NCF.

(12) Vendor Ombudsman and Dispute Resolution

(a) The Controller or his/her designee will act as vendor ombudsman to work with vendors and NCF division/department representatives to resolve problems and issues. Ombudsman contact information will be provided to contractors and vendors via purchase orders and/or the NCF website.

(b) Protests will be handled in accordance with Chapter 120.57(3), Florida Statutes.

(13) Vendors Excluded from Competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, Invitations to Bid, Request for Proposals and/or Invitations to Negotiate shall be excluded from competing for such procurements.

(14) Standard of Conduct. It shall be a breach of ethical standards for any employee of NCF to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for commodities or services. It shall also be a breach of ethical standards for any potential contractor to offer an employee of NCF a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or services.

(15) Preferences for Florida-Based Vendors.

(a) Preferences for Personal Property. When NCF awards a contract to purchase personal property, other than printing, by competitive solicitation pursuant to paragraph (2) of this regulation, a preference shall be provided to vendors with a principal place of business in Florida (such vendors hereinafter referred to as "Resident Vendors") as follows:

1. If the responsible and responsive vendor that submits the lowest bid, the most advantageous proposal, or the best value reply is one whose principal place of business is outside of Florida and is in a state or political subdivision thereof that grants a preference for the same purchase to a vendor in such state or political subdivision, as applicable, then NCF shall grant the same preference to the responsible and responsive Resident Vendor with the lowest bid received pursuant to an Invitation to Bid, the most advantageous proposal received pursuant to a Request for Proposals, or the best value reply received pursuant to an Invitation to Negotiate.
2. With respect to Invitations to Bid, if the lowest responsible and responsive bid is from a vendor whose principal place of business is in a state that does not grant a preference for the purchase to a vendor in such state, then NCF shall grant a preference in the amount of five percent (5%) to the lowest responsible and responsive Resident Vendor.

3. For vendors whose principal place of business is outside of Florida, such vendors must, at the time of submitting its bid, proposal or reply, provide a written opinion from a licensed attorney in its state specifying: (a) the preferences(s) granted by the state or political subdivision, as applicable, under the laws of that state to vendors whose principal place of business is in that state or political subdivision; and (b) how the preference is calculated. The failure to submit the written opinion may be waived as non-material if all vendors responding to the solicitation have principal places of business outside of Florida.
 4. The vendor's principal place of business, as represented by the vendor in its bid or reply, may be relied upon by NCF without further inquiry. If NCF determines that a vendor has misrepresented its principal place of business, the vendor's bid, proposal or reply shall be rejected.
 5. For the purpose of paragraph (3)(a), "personal property" shall be defined as goods and commodities, but not real estate, intellectual property or services.
- (b) Preferences for Printing. When the College purchases printed materials by competitive solicitation pursuant to paragraph (2) of this regulation, a preference shall be provided Resident Vendors as follows:
1. If the lowest responsible and responsive bid received pursuant to an Invitation to Bid is from a vendor whose principal place of business is outside of Florida, then the College shall grant a preference to the lowest responsible and responsive Resident Vendor in the amount of five percent (5%) if the College has determined that the printing can be performed by the Resident Vendors at a level of quality comparable to that obtainable from the vendor submitting the lowest bid whose principal place of business is outside of Florida.
 2. For purposes of subparagraph 3(b)(1), the level of quality shall be determined by whether a vendor satisfies the minimum specification requirements as set forth in the Invitation to Bid.
- (c) Method of Calculating Five Percent Preference.
1. If the competitive solicitation is an Invitation to Bid, then an amount equal to five percent (5%) of the total base bid and any alternates shall be deducted from the base bid and alternates, as applicable, of the lowest responsible and responsive Resident Vendor's bid.

- (d) Determining a Vendor's Principal Place of Business. A vendor's "principal place of business" is determined as follows:
1. If the vendor is an individual or a sole proprietorship, then its "principal place of business" is in the state where the vendor's primary residence is located.
 2. If the vendor is a business organization, then its "principal place of business" is in the state where the majority of the vendor's executive officers direct the management of the vendor's business affairs.
- (e) Federally Funded Projects. Purchases made to perform specific obligations under federally funded projects shall not be subject to this preference requirement to the extent the application of a preference is not allowed under applicable federal law or regulation.
- (16) Purchases from Contractors Convicted of Public Entity Crimes. NCF shall not accept a competitive solicitation from or purchase commodities or contractual services from a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida's convicted vendor list for a period of 36 months from the date of being added to the convicted vendor list.
- (17) Review and Responsibilities. The Controller is the party responsible for oversight and enforcement of these regulations.

Authority: Article IX, §. 7, Fla. Constitution; Fla. Board of Governors Regulations 1.001 and 18.001

History: 02-07-04 as Policy 5-001; Revised and combined with Policies 5-002, 5-003, 5-004, and 5-011, and renumbered 09-11-10; Revised 09-10-11; Revised 10-20-18, 06-05-19, 02-22-24, 06-26-25

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Approval of Regulation Amendment – 3-4018-Sexual-Discrimination-Harassment

PROPOSED BOARD ACTION

Approve the amendments to New College of Florida Regulation 3-4018-Sexual-Discrimination-Harassment

BACKGROUND INFORMATION

The proposed regulation updates NCF's Sexual Discrimination and Harassment regulation to be consistent with current law.

Supporting Documentation Included: Notice of Proposed Regulation Amendment 3-4018

Facilitators/Presenters: *David Brickhouse, Vice President, Legal Affairs*

NOTICE OF PROPOSED REGULATION DEVELOPMENT

The New College of Florida Board of Trustees

Date: May 27, 2025

REGULATION CHAPTER NUMBER:

Chapter 3 – Administrative Affairs

REGULATION NUMBER AND TITLE:

3-4018: Sexual Discrimination / Harassment

AUTHORITY: Article IX, Sec. 7, Fla. Constitution; Fla. Board of Governors Regulations 1.001 and 9.003

SUMMARY OF PROPOSED REGULATION AMENDMENT:

3-4018: The proposed regulation updates NCF's Sexual Discrimination and Harassment regulation to be consistent with current law.

TEXT OF PROPOSED REGULATIONS:

The full text of the proposed regulation is set out following this notice.

NEW COLLEGE OFFICIAL INITIATING THE REGULATION:

David Brickhouse, Vice President for Legal Affairs

PROCEDURE FOR COMMENTING ON PROPOSED REGULATION:

Comments concerning the proposed regulation should be submitted **within 14 days of the date of this notice** to David Brickhouse, Vice President for Legal Affairs, 5800 Bay Shore Road, Sarasota, Florida 34243, (941)-487-4106 office, generalcounsel@ncf.edu. Comments provided to Mr. Brickhouse will be presented to the Board of Trustees for consideration.

THE FULL TEXT OF THE PROPOSED REGULATION IS BELOW

~~Strikethrough~~ indicates deletion; Underlining indicates addition

NEW COLLEGE OF FLORIDA REGULATIONS MANUAL

CHAPTER 3 - Administrative Affairs

3-4018 Sexual Discrimination / Harassment

The College shall actively promote a community in which diversity is valued. The College is committed to promoting an environment free from discrimination and harassment based on race, color, religion, age, disability, sex, sexual orientation, gender expression, gender identity, national origin, marital status, veteran status or any other protected characteristic under the law. This regulation pertains specifically to discrimination and harassment based on gender.

This regulation applies to all employees and students of NCF. It also covers harassment involving patrons, vendors, and other individuals with whom employees or students of the College have interaction as a condition of their employment or educational experience.

(1) Definitions

(a) Sexual discrimination, as defined by Title IX of the Education Amendments, includes:

1. Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Further definitions under this paragraph include the following:
 - a. Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - b. Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - c. Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d. Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.
2. Domestic violence: Violence committed by a current or former spouse, co parent or person similarly situated.
3. Dating violence: Violence committed by a person who is or has been in a social relationship of an intimate or romantic nature with the victim.

- ~~4. Stalking: Conduct directed at a specific person that could cause a reasonable person to fear for the person's safety or safety of others or suffer substantial emotional distress. Where stalking occurs on the basis of sex, it will be resolved under this section. Stalking which is not on the basis of sex will be resolved under the applicable process, such as the student code of conduct and/or employee code of conduct.~~
- ~~5. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:~~
 - ~~a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or educational experience;~~
 - ~~b. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting that individual; or~~
 - ~~c. Unwelcome conduct determined by a reasonable person to be so pervasive, severe, and objectively offensive that it has the purpose or effect of unreasonably interfering with an individual's work or academic performance or limiting participation in College programs by creating an intimidating, hostile, or offensive working or educational environment.~~
 - ~~d. Sexual 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 College's educational mission, nor the first amendment rights to freedom of expression of any student or employee.~~
- ~~(b) Consent: An understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. The lack of a negative response is not consent. An individual incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Effective consent also may not be given by minors or the mentally disabled.~~
- ~~(2) It is the policy of New College of Florida to take immediate and corrective action to eliminate harassment or discrimination, prevent their recurrence and address their effects.~~
- ~~(3) Prohibited Conduct. The following actions are prohibited:~~
 - ~~(a) Sexual discrimination/harassment by or between any faculty member, staff member or student, including individuals of the same sex;~~
 - ~~(b) Sexual discrimination/harassment by any faculty member, staff member or student against any individual who is not a faculty member, staff member or student while assigned to duties or academic programs of the College regardless of their work location;~~

- ~~(c) Sexual discrimination/harassment by any vendor or individual external to the College against any faculty member, staff member or student during the transaction of business with the College;~~
- ~~(d) Discrimination/harassment may include displays or circulation of written or electronic materials or pictures degrading on the basis of gender, and verbal abuse or insults directed at or made in the presence of an individual on the basis of gender;~~
- ~~(e) Retaliation by any faculty member, staff member or student against any individual who, in good faith, has made any allegation of discrimination or 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;~~
- ~~(f) Knowingly making false accusations or allegations of discrimination or sexual harassment, or making false statements in any inquiry or investigation of alleged discrimination or sexual harassment.~~
- ~~(4) Potential Participants. Potential participants in a Title IX sexual harassment situation include, but are not limited to:~~
 - ~~(a) Faculty—student~~
 - ~~(b) faculty assistant—student~~
 - ~~(c) supervisory staff—subordinate staff~~
 - ~~(d) staff—faculty~~
 - ~~(e) staff—staff~~
 - ~~(f) staff—student~~
 - ~~(g) student—student~~
 - ~~(h) faculty—staff~~
 - ~~(i) patrons, vendors or other individuals that interact with members of the campus~~
- ~~(5) New College of Florida recognizes that not every advance or action of a sexual nature constitutes harassment. Whether a particular action or incident constitutes harassment depends on an examination of all available and relevant facts and circumstances. Such facts and circumstances may include the degree to which the conduct affected one or more student's education, the type, frequency, and duration of the conduct, and the identity of and relationship between the two parties. Examples of prohibited conduct may include, but are not limited to the following when they meet the definitions of sexual misconduct or harassment, as listed above:~~

- ~~(a) Displaying or telling of sexually oriented or discriminatory jokes, statements, photographs, drawings, computer images, web sites, videos, slides, graphics, calendars, cartoons, e-mails or other communications;~~
 - ~~(b) Making sexually explicit or discriminatory gestures or sounds based upon gender;~~
 - ~~(c) Making actual or implied promises of an employment or educational opportunity or benefit in exchange for sexual activity;~~
 - ~~(d) Making actual or implied threats to impede or interfere with employment or educational opportunities or benefits for failing to agree to or engage in sexual activity;~~
 - ~~(e) Inappropriate and unwelcome touching, including but not limited to, patting, fondling, pinching, attempted or actual kissing;~~
 - ~~(f) Requesting or coercing sexual intercourse or sexual favors;~~
 - ~~(g) Attempting to or actually engaging in a sexual assault;~~
 - ~~(h) Continuing to ask someone for a date after being told "no;"~~
 - ~~(i) Continuing any of the conduct listed in the above examples after being told or being otherwise made aware that the conduct is unwelcome;~~
 - ~~(j) Retaliation by any faculty member, staff member or student against any individual who, in good faith, has made any allegation of discrimination/harassment, or who has testified, assisted, or participated in any way in any investigation, proceeding, or hearing conducted under this regulation or any federal or state law;~~
 - ~~(k) Knowingly making false accusations or allegations of discrimination/harassment, or making false statements in any inquiry or investigation of alleged discrimination/harassment;~~
 - ~~(l) Prohibited conduct does not include verbal expression or written material that is relevant and appropriately related to the subject matter of a College course/curriculum or to an employee's duties.~~
- ~~(6) Consensual Amorous or Sexual Relationships. New College of 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, and State of Florida Board of Education and College rules.~~

The College recognizes that consensual, amorous or sexual relationships between two people of unequal position or power (e.g., between a supervising staff member and a subordinate staff member,

~~faculty member and student, or staff member and student) may become exploitative or lead to charges of sexual harassment. Accordingly, the College encourages its staff, faculty and students to refrain from such relationships.~~

~~(7) Reporting Discrimination or Sexual Harassment. If you believe you have been discriminated against or sexually harassed, you may:~~

- ~~(a) Tell your supervisor or another higher level administrator or the head of the department in which you are enrolled or employed, of the offensive behavior; and/or~~
- ~~(b) Contact the Assistant Vice President of Human Resources (if a faculty or staff member), the Dean of Students (if a student), the General Counsel, the Chief Audit Executive/Chief Compliance Officer or any other management individual with whom you may feel comfortable discussing the matter;~~
- ~~(c) Contact the Title IX Coordinator and/or Deputy Title IX Coordinator;~~
- ~~(d) Report online using the NCF Sexual Violence Reporting Form.~~

~~(8) Procedures for Internal Handling of Complaints or Allegations of Discrimination or Sexual Harassment.~~

- ~~(a) Authority to Investigate. When the College receives notice of conduct which appears to be discrimination or harassment, it will promptly investigate the allegation in a fair, expeditious, and equitable manner.~~
- ~~(b) If the College knows about possible sexual harassment or sexual violence, the Title IX Coordinator or its designee shall promptly investigate to determine what occurred and then take appropriate steps to resolve the situation even if no complaint has been filed. In the event that no complaint has been filed, the investigator shall follow the same procedures for formal investigations except that there will be no complainant.~~
- ~~(c) Filing of Complaints. The following persons may file complaints or allegations of sexual harassment:~~
 - ~~1. Any person protected under section (3) who believes that he/she has been sexually harassed.~~
 - ~~2. On behalf of any person protected under section (3), any person having knowledge of instances of sexual harassment of such protected person by any student, faculty or staff member, or vendor, or individual external to the College during the transaction of business with the College.~~
 - ~~3. Any faculty or staff member, who is in a supervisory position, and who is aware of possible instances of sexual harassment by any student, faculty or staff member.~~

~~(d) Mandatory Reporting of Alleged Sexual Discrimination. All employees, faculty and staff, must promptly report incidents of sexual/gender assault to the Title IX Coordinator or its designee. However:~~

- ~~1. Faculty and Residence Assistants may initially omit personally identifiable information about those involved in the report. However, these employees may be required to provide further detail if required by the Title IX Coordinator or its designee.~~
- ~~2. Counselors and other confidential employees maintain their professional discretion regarding whether to report based on the best interest(s) of the reporting party.~~

~~(e) Review of Complaints of Alleged Sexual Harassment. Complaints of alleged sexual harassment shall be reviewed by the Title IX Coordinator or its designee to determine if an investigation is required. If the Title IX Coordinator or its designee determines to conduct a Title IX investigation, the complaint shall be investigated and resolved in accordance with appropriate procedures. If a complaint does not indicate a Title IX issue, it will be referred to any applicable policies and procedures as needed.~~

~~(f) Timeframe. The Title IX Coordinator or its designee shall render a decision within sixty (60) calendar days of initiating the investigative process. In certain situations, the facts and circumstances may require a longer investigative process for good cause. In the event that an investigation cannot be completed within sixty (60) calendar days, the Title IX Coordinator or its designee will notify the parties in writing.~~

~~(g) Grievance and Investigation Procedures~~

- ~~1. Any person who wishes to file a formal complaint of discrimination or harassment may do so by submitting a complaint to the Title IX Coordinator or its designee, the Assistant Vice President of Human Resources, the Dean of Student Affairs, the General Counsel, or the Chief Audit Executive/Chief Compliance Officer. The complaint should include, at minimum, the following:~~
 - ~~a. A detailed description of the alleged discriminatory conduct or incident(s), sexual harassment, sexual misconduct or sexual violence including dates, times, locations, etc.;~~
 - ~~b. Names of any witnesses to the alleged violation; and~~
 - ~~c. Any documentation in support of the allegation(s).~~
- ~~2. The Title IX Coordinator or its designee may assist the complainant in preparation of the complaint, identifying witnesses and clarifying the relief sought by the complainant. The complainant may also submit additional information and evidence at any time during the investigation.~~

- ~~3. In cases of sexual assault, dating violence, domestic violence or stalking, students and employees will be provided with written explanations of their rights and options. This will include information on how to preserve evidence; options to report or not report to law enforcement; and court orders that the student or staff member may be able to obtain for protection.~~
- ~~4. Prior to the outcome of responsibility, the Title IX Coordinator, in coordination with other departments and College personnel as necessary, impose interim measures. Interim measures are non-disciplinary supportive measures designed to restore or preserve equal access to education, protect safety, or deter sexual harassment. Supportive measures are available regardless of whether a formal complaint is filed, and offered without a fee. Supportive measures do not unreasonably burden any other person.~~
 - ~~a. Altering the complainant's or respondent's work or academic environment;~~
 - ~~b. Conducting workshops on discrimination or harassment for the unit, division, or department;~~
 - ~~c. Meeting with the respondent and his or her supervisor to discuss ways in which the behavior about which the complaint has been brought can be changed;~~
 - ~~d. Reassigning or transferring one or more of the parties to another course, advisor, work location or reporting relationship;~~
 - ~~e. Moving students to different rooms in the residence halls or to different halls;~~
 - ~~f. Transferring students or faculty to different course sections;~~
 - ~~g. Assigning alternate advisors, mentors, supervisors, or evaluators and providing academic support services such as tutoring;~~
 - ~~h. Issuing an informal, verbal reprimand;~~
 - ~~i. Providing counseling and medical services;~~
 - ~~j. Providing an escort to ensure that the complainant can move safely between classes and activities;~~
 - ~~k. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's record;~~

- ~~l. Issuing “no contact” orders;~~
- ~~m. Suspending an employee with pay pending investigation.~~

~~5. Remedial Action~~

- ~~a. If a Respondent is found responsible, the institution will provide remedies to a Complainant, designed to:
 - ~~i. Prevent serious and immediate harm to the complainant or others;~~
 - ~~ii. Prevent retaliation against the complainant, respondent and/or witnesses;~~
 - ~~iii. End discriminatory or harassing behavior and prevent its recurrence; and~~
 - ~~iv. Provide appropriate training in issues related to discrimination.~~~~
- ~~b. Unlike supportive interim measures, remedies may be punitive or disciplinary in nature against the Respondent.~~
- ~~c. The complainant and respondent shall be informed of any remedial action taken by the College.~~

~~6. Confidentiality~~

- ~~a. The confidentiality and privacy of all parties involved during the investigative process will be maintained to the fullest extent possible.~~
- ~~b. The Title IX Coordinator may disclose confidential information to the complainant, the respondent, potential witnesses, appropriate supervisors and administrators and other College officials or agents, SUS officials, state and federal agencies, and the courts as necessary in order to:
 - ~~(1) Give the respondent fair notice of the charges;~~
 - ~~(2) Conduct a prompt, thorough and impartial investigation; and~~
 - ~~(3) Take any appropriate remedial or disciplinary actions.~~~~
- ~~c. If a complainant insists that his or her name or other identifiable information not be disclosed to the respondent, the College will inform the complainant that its ability to~~

~~respond may be limited. Additionally, the College may still respond by taking steps to protect the overall campus environment.~~

~~7. Each complaint will be promptly investigated to determine what occurred.~~

~~8. Investigation Procedures~~

- ~~a. The parties have the right to an adequate, reliable, and impartial investigation; a right to an equal opportunity to identify witnesses and supporting evidence; and a right to appeal the College's final decision. The parties will be notified of the time frame for the investigation, the outcome of the investigation, and their rights to appeal.~~
- ~~b. The Title IX Coordinator or its designee may investigate a complaint. The investigator shall:~~
 - ~~i. Consult with the complainant to review the complaint, clarify the allegations, discuss desired outcomes from the investigation, and obtain detailed information about the allegation(s);~~
 - ~~ii. Inform the respondent of the complaint, summarize the allegation(s) to be investigated, and provide respondent with a written Notice of the Complaint that includes a summary of the allegations of the complaint;~~
 - ~~iii. Collect and review written documents related to the complaint, interview the complainant and respondent, identify and interview witnesses, and collect other such evidence as may be relevant to the investigation.~~
- ~~c. The respondent shall be given an opportunity to respond to the allegation(s) during interviews with the investigator and may submit a written response, names of witnesses and documentary evidence at the interview or at any time during the investigation.~~
- ~~d. The complainant may provide names of witnesses and additional materials at any time during the investigation.~~
- ~~e. Both complainant and respondent have the right to have an attorney or non-attorney advisor present during interviews with the investigator, at their own expense. Attorneys and advisors may be present only to advise the parties. If a party will be represented by counsel during the investigative process, the party shall provide advance notice to the Title IX Coordinator five (5) business days before any scheduled interview.~~

~~9. Upon completion of the investigative process, both parties will receive a copy of the Investigative Report:~~

- ~~a. Present the contentions of the parties;~~
- ~~b. Summarize the general testimony of witnesses;~~
- ~~c. If appropriate, recommend disciplinary and/or remedial action.~~

~~10. Live Hearing~~

- ~~a. If there are reasonable grounds to proceed to a disciplinary hearing, a live hearing will be scheduled.~~
- ~~b. During this live hearing, advisors may cross examine parties on the parties' behalf. No party is permitted to directly cross examine the other.~~
- ~~c. Once a decision has been reached, the parties will receive simultaneous written notification of the outcome and information as to how to file an appeal.~~

~~11. Appeals~~

- ~~a. If neither party appeals the outcome, the report will constitute the final College decision.~~
- ~~b. If either party disputes the outcome of responsibility, he or she may appeal to the Title IX Coordinator within ten (10) business days. The appeal shall identify the specific findings that the appellant disputes and an explanation of the reasons each finding is disputed.~~
- ~~c. The appeal must be based on evidence that:~~
 - ~~i. The investigation was not conducted in compliance with the procedures and the non-compliance materially affected the outcome of the investigation;~~
 - ~~ii. Bias on part of the Title IX Coordinator and/or investigator(s) and/or panel members;~~
 - ~~iii. The findings were not based on the preponderance of the credible evidence; or~~
 - ~~iv. The appellant has discovered new evidence, not previously available, which would have materially affected the outcome of the investigation.~~

- d. ~~The appeal must be a written statement setting forth with particularity the basis for the appeal.~~
- e. ~~Upon receipt of the appeal, the Title IX Coordinator shall appoint an Appeals Committee or Hearing Officer to consider the appeal and submit a report. The non appealing party will be provided a copy of the appeal and may respond to the appeal.~~
- f. ~~No member of the Committee, nor the Hearing Officer, shall be a member of the original complainant's or respondent's department or work unit.~~
- g. ~~The Committee or Hearing Officer shall review the written appeal and determine if there are sufficient grounds for appeal. If the appeal is sufficient, the Committee or Hearing officer shall:~~
 - i. ~~Read and review the Investigatory Report;~~
 - ii. ~~Examine the evidence and documentation obtained through the investigation and hearing; and~~
 - iii. ~~Determine if the appellant's basis for appeal has been established and issue a decision. The Committee or Hearing Officer shall deliver its written decision to the President, appellant, and non appealing party within twenty (20) business days of appointment.~~

12. ~~Disciplinary Action~~

- a. ~~Any employee or student found to be responsible for violating this policy will be subject to disciplinary actions in accordance with College regulations, collective bargaining agreements or the Student Code of Conduct, as appropriate. Such action may range from counseling to termination of employment or academic dismissal, and may include such other forms of disciplinary action as appropriate.~~
- b. ~~Any employee or student in a supervisory capacity who has actual knowledge by direct observation or by receipt of a complaint of discrimination or harassment involving any of those employees whom he or she supervises, and who does not promptly report verbally or in writing the complaint to the Assistant Vice President of Human Resources, the Dean of Students, the General Counsel, and/or the Chief Audit Executive/Chief Compliance Officer as appropriate, will be subject to disciplinary actions in accordance with College regulations, bargaining agreements or the Student Code of Conduct, as appropriate. Such action may range from counseling to termination of employment or academic dismissal, and may include such other forms of disciplinary action as appropriate.~~

~~e. — If after completion of the investigation, any finding of discrimination is made, a record of the complete findings will be placed in the offending employee's personnel file. If no finding of discrimination/harassment on any charge or complaint is made, no record of the charge or complaint will be placed in the employee's personnel file unless the employee requests in writing that the record of the completed investigation be placed in the employee's personnel file.~~

~~(9) Procedures External to New College of Florida. Complaints of alleged sexual harassment may also be filed with the following external agencies:~~

~~(a) U.S. Equal Employment Opportunity Commission, Tampa, 1-800-669-4000~~

~~(b) U.S. Department of Education, Office for Civil Rights, Atlanta, 404-974-9406~~

~~(c) Office of Federal Contracts Compliance Programs, Orlando, 407-648-6181~~

~~(d) Florida Commission on Human Relations, Tallahassee, 850-488-7082~~

~~(10) The College prohibits retaliation against anyone who makes a complaint of harassment or discrimination based upon an honest perception of the events, or for cooperating in the investigation of a complaint. No hardship, no loss of benefit, and no penalty may be imposed on an individual as punishment for:~~

~~(a) Filing or responding to a bona fide complaint of discrimination or harassment;~~

~~(b) Appearing as a witness in the investigation of a complaint; or~~

~~(c) Serving as an investigator.~~

~~Retaliation or attempted retaliation is a violation of this Regulation and anyone who does so will be subject to disciplinary actions up to and including termination or dismissal in accordance with College regulations, bargaining agreements or the Student Code of Conduct.~~

(1) This regulation applies to all employees and students of NCF and shall be commonly known as The New College of Florida Title IX Compliance Policy. This policy also covers harassment involving patrons, vendors, and other individuals with whom employees or students of NCF have interaction as a condition of their employment or educational experience.

(2) The New College of Florida Title IX Compliance Policy is set forth below.

New College of Florida Title IX Compliance Policy

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I. Introduction

Sexual Misconduct (also referred to as “Prohibited Conduct”) is contrary to New College of Florida’s (“NCF” or “the College”) mission and vision, Title IX of the Education Amendments of 1972, and the Violence Against Women Act (VAWA) Amendments to the Clery Act. The College is committed to providing and maintaining programs, activities, and an educational, work, living, and social environment founded on civility and respect, 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. The College strongly promotes the involvement of everyone, regardless of status with the College, in making NCF a safe and welcoming environment. In order for the College to address allegations of Sexual Misconduct, individuals should promptly report an incident.

II. Policy Statement

This Policy sets forth resources available to all members of the College community, describes prohibited conduct, and establishes procedures for responding to reports of Prohibited Conduct. This Policy operates in conjunction with additional College regulations and policies, including, but not limited to:

2-1007 Delegation of Authority
2-2001 General Provisions – The President
3-4002 Equal Education and Employment Opportunity
3-4010 Allegation Intake, Investigation, and Discipline
3-4027 Discrimination/Harassment
6-3003 Student Ombudsperson
6-3005 Student Code of Conduct

III. Scope and Applicability

Authority for scope and applicability of this Policy is delegated to the Title IX Coordinator by the President of New College of Florida. The Title IX Coordinator has the authority to determine which procedural standards and jurisdiction apply to specific instances of reported conduct. Any reference in this Policy to the role or responsibilities of a specific College official may be delegated by the College official to an appropriate designee.

This Policy applies to any reported Prohibited Conduct, as defined herein, committed by students, employees (faculty, staff, or other paid employees), volunteers, visitors, contractors/vendors, or others, that occurs:

- on College premises;
- at College sponsored programs or activities;
- in any building owned or controlled by a student organization and
- off-campus as determined by the following factors (including, but not limited to):
 - Any action that constitutes a criminal offense as defined by law. This includes,

- but is not limited to, single or repeat violations of any local, state, or federal law.
- Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual affiliated with the College.
- Any situation that significantly impinges upon the rights, property, or achievements of others, significantly breaches the peace, and/or causes social disorder.
- Any situation that substantially interferes with the College's educational interests or mission.

In the instance of allegations of Sexual Misconduct (unless otherwise stated) this Policy supersedes and applies in lieu of all other policies and procedures set forth in any other College document. In instances of a formal Title IX complaint, the allegations will be reviewed to determine applicability of the College's Title IX Compliance Policy or other applicable processes. Other College resources may be available to address situations not covered by this Policy. Any identified individual adversely affected by Prohibited Conduct, will be offered information about applicable supportive measures and resolution processes.

A. Online Harassment and Misconduct: The College's policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the College's education program and activities or when they involve the use of College networks, technology, or equipment.

Although the College may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to the College, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites; sharing inappropriate content via social media; unwelcome sexual or sex-based messaging; distributing, or threatening to distribute, nude or semi-nude photos or recordings; breaches of privacy; or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the College community.

Nothing in this Policy is intended to infringe upon or limit a person's rights to free speech. Any online posting or other electronic communication by students, including technology-facilitated stalking, harassment, etc., occurring completely outside of the College's control (e.g., not on College networks, websites, or between College email accounts) will only be subject to this Policy when such online conduct can be shown to cause (or will likely cause) a substantial in-program disruption or infringement on/harm to the rights of others. Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided.

Off-campus harassing speech by employees, whether online or in person, may be regulated

by the College only when such speech is made in an employee's official or work-related capacity.

IV. Oversight of Response Procedures

The Title IX Coordinator is the designated College authority responsible for ensuring compliance with this Policy. This will be accomplished through collaboration and coordination with the Deputy Title IX Coordinators and all College divisions, colleges, and departments. Information will be shared regarding response procedures on an educational need-to-know basis in compliance with the Family Education Rights and Privacy Act (FERPA) and Florida Statutes.

Reports of Prohibited Conduct will be processed as follows:

- 1) The Title IX and Civil Rights Compliance Office is the internal authority designated by NCF as responsible for responding to reports of Prohibited Conduct under this Policy.
- 2) The NCF Campus Police Department ("NCF Campus Police") is responsible for responding to reports of crimes within their jurisdiction. In the event of an incident occurring outside the jurisdiction of the NCF Campus Police, the law enforcement agency with jurisdiction is responsible for investigating the crime and making any subsequent arrests.
- 3) In the event a Respondent is unknown or has no College affiliation, the Title IX Coordinator will determine which offices are appropriate to be notified in order to respond to the Report.
- 4) On campus crimes may be subject to Timely Warning Notice (as determined by the NCF Campus Police) to enable members of the campus to engage in self-protection.

An administrative investigation will be conducted simultaneously with and independent from any criminal investigation, upon receipt of a Formal Complaint or in support of College safety measures. As prudent for the criminal investigation, the administrative investigation may be delayed.

V. How and Where to Report Sexual Misconduct and Other Prohibited Conduct

Individuals may report incidents of Prohibited Conduct on their own behalf (i.e., as the Complainant) or on behalf of the Complainant (i.e., as third-party reporters and Mandated Reporters).

The College has two main administrative reporting options:

- [Submit a Report online.](#)
- [Submit a Report to titleix@ncf.edu.](mailto:titleix@ncf.edu)

- A. **Other Resolution Sources:** Individuals with Reports involving Prohibited Conduct may pursue remedies with outside agencies such as:

U.S. Department of Education, Office for Civil Rights, Atlanta, GA

(404) 562-7886

TDD (404) 562-7884

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

U.S. Equal Employment Opportunity Commission, Tampa, FL

(813) 228-2310

(800) 669-4000

TTY (800) 669-6820

www.eeoc.gov

Florida Commission on Human Relations, Tallahassee, FL

(850) 488-7082

(800) 342-8170

TDD ASCII (800) 955-1339

TDD BAUDOT (800) 955-8771

<http://fchr.state.fl.us/>

VI. Prohibited Conduct

This Policy prohibits the below forms of sex-based misconduct including:

A. Sex Discrimination

1. **Disparate Treatment** toward a person on the basis of sex which materially adversely impacts academic, employment, or other decisions related to College programs and activities. Disparate treatment, including stereotyping and animosity, may result in the creation of a hostile environment, adverse employment or academic actions, or inequitable access to College programs or opportunities.
2. **Disparate Impact** occurs when policies or practices that appear to be neutral unintentionally result in disproportionate impact on the basis of sex that (1) excludes an individual from participation in; (2) denies the person benefits of; or (3) otherwise adversely affects a term or condition of a person's participation in an NCF program or activity.
3. In the case of pregnancy, loss of pregnancy, termination of pregnancy, or childbirth, failure to provide reasonable accommodation(s) upon request.

- B. **Sexual Harassment:** The Department of Education's Office for Civil Rights ("OCR"), the Equal Employment Opportunity Commission ("EEOC"), and the State of Florida regard sexual harassment, a specific form of discriminatory harassment, as an unlawful discriminatory

practice.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

NCF has adopted the following definitions of Sexual Harassment order to address the unique environment of an academic community. While they overlap, they are not identical, and they each apply as noted.

1. **Title VII/FHA Sexual Harassment:** Unwelcome verbal, written, graphic, and/or physical conduct, on the basis of sex, that is severe or pervasive and objectively offensive that it unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.¹
2. **Title IX Sexual Harassment** as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. This definition applies to all formal Title IX complaints that fall within Title IX jurisdiction as determined by the Title IX Coordinator. Title IX Sexual Harassment includes:
 - a. **Quid Pro Quo:** an employee of NCF who conditions² the provision of an aid, benefit, or service of NCF on an individual's participation in unwelcome sexual conduct.
 - b. **Sexual Harassment (Hostile Environment):** unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a Complainant equal access to NCF's education program or activity.³
 - c. **Sexual Assault:**
 - 1) **Rape:** penetration by the Respondent, no matter how slight, of the vagina or anus of the Complainant, with any body part or object, or oral penetration by the Respondent of a sex organ of the Complainant or oral penetration of the Complainant by the Respondent's sex organ, without the consent of the Complainant.

¹ This definition applies to situations where an employee is subjected to workplace sexual harassment or where a situation involves a residential Complainant in NCF provided housing.

² Implicitly or explicitly.

³ Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced. This definition is broad enough to potentially encompass forms of sex-based disparate treatment, even if not harassing in nature.

- 2) **Fondling:** the touching of the private body parts of the Complainant (buttocks, groin, breasts) by the Respondent, for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of age or because of a temporary or permanent mental incapacity.⁴
- 3) **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Florida law.
- 4) **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent of 18 of age.⁵
- d. **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- e. **Domestic Violence:** violence committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with the Complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Florida; or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Florida.⁶
- f. **Stalking:** engaging in a course of conduct directed at the Complainant that would cause a reasonable person to:
- Fear for the person's safety,
 - the safety of others, or
 - suffer substantial emotional distress.

⁴ This would include having another person touch you sexually, forcibly, and/or without their consent.

⁵ Legal Age: The legal age of consent in Florida is 18; however, this Policy recognizes exceptions as defined by section 794.05, Florida Statutes. Legal age of consent may differ in various jurisdictions.

⁶ To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

For purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to acts in which the Respondent directly, indirectly, or through third-parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.
- Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to, threats of harm to self, another, or property; pursuing or following; non-consensual communication by any means; unwanted gifts; trespassing; and surveillance or other related types of observation. Stalking also includes cyber-stalking through electronic means including electronic mail, social media, cell phones, text messages, other communication applications, or the internet.

3. Sexual Exploitation: Any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another without their consent for their own benefit or for the benefit of anyone other than the person being exploited. Sexual exploitation includes but is not limited to:

- Causing or attempting to cause the incapacitation of another person for the purpose of gaining sexual advantage;
- Prostituting another person (i.e., personally gaining money, privilege or power from the sexual activities of another) or sex trafficking;
- Where there is a reasonable expectation of privacy, or without consent, the videotaping photographing or audio-recording of intimate, nude or sexual activity and/or distribution of these materials via media such as, but not limited to, the internet and other electronic/digital media;
- Exceeding the boundaries of consent. Including but not limited to: deviation from the agreed upon sexual contact with regards to use of a birth control method/option or other medication for prevention of pregnancy and sexually transmitted disease/infection transmission; knowingly exposing another to a sexually transmitted disease/infection without their knowledge or consent; or other omissions or falsifications that would imminently endanger the health or safety of the other party.
- Engaging in indecent exposure (i.e., intentionally exposing one's genitals in public, or via electronic communication) with the intention of alarming, distressing, and/or offending others.

- Soliciting a minor, or creation, possession, transmission, or distribution of child sexual abuse material.
 - Voyeurism, such as, watching a person undressing, using the bathroom, or engaging in sexual acts without the consent of the person being observed.
4. **Retaliation:** NCF or any member of NCF's community, taking or attempting to take materially adverse action, by intimidating threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy and procedure.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for the College to pursue Policy violations against those who make materially false statements in bad faith in the course of a resolution under the Policy. However, the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

5. **Failure to Comply/Process Interference:** it is a violation of this Policy to engage in any of the following,
- Intentional failure to comply with the reasonable directives of the Title IX Coordinator or other College Official in the performance of their official duties, including with the terms of a no contact order.
 - Intentional failure to comply with emergency removal or interim suspension terms.
 - Intentional failure to comply with sanctions.
 - Intentional failure to adhere to the terms of an Informal Resolution agreement.
 - Intentional failure to comply with mandated reporting duties as defined in this Policy.
 - Intentional interference with the Resolution Process, including, but not limited to:
 - Destroying or concealing of evidence.
 - Seeking or encouraging false testimony or providing false testimony or evidence.
 - Intimidating or bribing a witness or party.
 - Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by the College; or
 - Publicly disclosing institutional work product that contains personally identifiable information without authorization or consent.
6. **False Reports or Complaints:** it is a violation of this Policy to knowingly file a false

report or complaint, provide false information to the College, or mislead College Officials in proceedings pursuant to the Policy.⁷

VII. Sanction Ranges

The following sanction ranges apply for Prohibited Conduct under this Policy. Sanctions can be assigned outside of the specified ranges based on aggravating or mitigating circumstances, or the Respondent's cumulative conduct record.

- **Discrimination:** reprimand/warning through expulsion or termination.
- **Title VII/FHA Sexual Harassment:** reprimand/warning through expulsion or termination.
- **Quid Pro Quo Harassment:** reprimand/warning through expulsion or termination.
- **Title IX Sexual Harassment:** reprimand/warning through expulsion or termination.
- **Rape:** suspension through expulsion or termination.
- **Fondling:** reprimand/warning through suspension (termination for employees).
- **Incest:** reprimand/warning through restrictions/probation.
- **Statutory Rape:** reprimand/warning through suspension (termination for employees).
- **Stalking:** restrictions/probation through expulsion or termination.
- **Dating/Domestic Violence:** restrictions/probation through expulsion or termination.
- **Sexual Exploitation:** reprimand/warning through expulsion or termination.
- **Retaliation:** reprimand/warning through expulsion or termination.
- **Failure to Comply/Process Interference:** reprimand/warning through expulsion or termination.
- **False Reports or Complaints:** reprimand/warning through expulsion or termination.

VIII. Consent, Force, and Incapacitation

- A. **Consent:** Consent to sexual activity must be knowing, intelligent, unambiguous, and voluntary. Consent is active, not passive. This means there must be clear and willing participation, through words or actions, for each sexual act.

Consent to one type of sexual activity does not imply consent to other types of sexual activity. There must be consent at every stage of the sexual encounter.

Past consent to sexual activity does not imply consent to future sexual activity.

Consent can be withdrawn at any time, including in the middle of a sexual encounter, if the withdrawal of consent is clearly indicated by words or actions. Meaning any indication of unwillingness, including but not limited to the following, terminates consent.

⁷ Failure to prove a complaint of Prohibited Conduct is not equivalent to a false allegation and does not violate this Policy provision.

- Any verbalization of “No, stop,” “Don’t, I do not want that,” “I am not sure, that hurts,” etc.
 - Ceasing participation in sexual activity (e.g., freezing or not actively engaging), pulling away, pushing someone away, removing someone’s touch from a specific area, blocking someone from touching a specific area, etc.
 - Individuals who are not of legal age, are incapacitated, or are forced cannot give consent to sex (no matter what they say or do); see definition of Incapacitation. If there is any question regarding whether a person may be incapacitated or able to give consent, do not engage in any type of sexual activity with that person.
- B. Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me. I’ll do what you want.”).
1. **Coercion:** Using an unreasonable amount of pressure, including alcohol or drugs, to have sexual contact with someone. Coercion is more than an effort to persuade, entice, or attract another person to have sexual contact. When a person makes clear a decision not to participate in a particular sexual activity, a decision to stop, or a decision not to go beyond a certain sexual point of sexual activity, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider:
 - the frequency of the application of the pressure;
 - the intensity of the pressure;
 - the degree of isolation of the person being pressured; and
 - the duration of the pressure.
 2. **Intimidation:** An implied threat that menaces or causes reasonable fear in another person. A person’s size alone does not constitute intimidation; however, it may be a contributing factor (e.g., blocking access to an exit.)
 3. **Physical Violence:** Use of physical violence and/or imposing on someone physically to control and engage in sexual contact or intercourse. Physical violence includes but is not limited to hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
 4. **Threats:** Words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person’s reputation, or to cause a person academic or economic harm.
- C. Incapacitation:** A state where a person cannot make knowing, intelligent, unambiguous, and voluntary decisions and therefore cannot give consent (e.g., cannot understand the:

who, what, when, where why, or how of the sexual interaction). An individual can be incapacitated by voluntary or involuntary use of drugs (legal, illegal, or prescription) or alcohol, illness, mental impairment/disability, or by a state of being asleep or unconsciousness.

Incapacitation is a state beyond drunkenness or intoxication. The impact of drug and alcohol use varies from person to person. Whether an individual was incapacitated by substance use will be assessed by the totality of the evidence. Relevant factors include but are not limited to:

- stumbling or otherwise exhibited loss of equilibrium;
- slurred speech or word confusion;
- combateness or emotional volatility;
- vomiting;
- incontinence;
- being disoriented, or confused as to time, place, etc.; and/or
- loss of consciousness.

The College will consider whether a Respondent knew or should have known that the Complainant was incapacitated. However, the use of drugs or alcohol by the person initiating the sexual activity is not an excuse for failing to obtain consent.

IX. Unethical Relationships Policy

(Intentionally Omitted)

X. Confidentiality, Privacy, and Reporting Obligations

A Complainant who has been affected by Prohibited Conduct may disclose to others or make a Report or Formal Complaint to applicable College Officials, if and when they are ready; however, the College encourages timely reporting to ensure the Complainant is made aware of support resources and resolution processes. A Complainant does not have to pursue a complaint/resolution process in order to receive support resources.

Specific College employees are designated as Confidential College Representatives and can discuss Prohibited Conduct concerns on a confidential basis. All other employees at the College are designated as Mandated Reporters and are required to make a Report to applicable College Officials regarding any disclosure of Prohibited Conduct.

A. Confidential College Representatives: These employees are available to provide assistance and resources, without any obligation to make a Report to College Officials or any law

enforcement agency.⁸ Confidential College Representatives include the following individuals when providing medical care, guidance, support, and/or counseling when acting in their primary professional responsibility:

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- On-campus Victim Advocates
- Athletic trainers
- Employee Assistance Program

Employees who have confidentiality as described above, and who receive Reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

In addition, Complainants may speak with individuals unaffiliated with the College without concern that Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

B. Situational (Event Based) Confidentiality: The College recognizes that certain environments, such as “Take Back the Night” events, focus groups, and sexual violence prevention activities, may elicit an individual’s personal account of Sexual Misconduct, and that such an account may be shared during one of these events with a College employee who is not otherwise a Confidential College Representative (i.e., sexual violence prevention and sexual health promotion educators, or a faculty or staff whom in their primary College role is a Mandated Reporter).

Such a testimonial, without more, will not be considered notice to the College for purposes of triggering a mandatory Report. College personnel at these events will have resources and information on how to make a Report and access both on-and off-campus resources for anyone who would like to make a report or seek services. Leaders of these events will use their best efforts to make students aware that disclosures of Prohibited Conduct made during the event or in connection with the event (including disclosures made to a Mandated Reporter during the planning of the event or during a follow-up conversation/debrief after the event has concluded) will not trigger a mandatory Report. Any disclosure to an event

⁸ Incidents involving imminent harm, abuse, or a minor that are reported to a Confidential College Representative may be subject to disclosure to the Florida Department of Children and Families (“DCF”), NCF Campus Police, or other campus safety personnel.

leader, that is outside of the circumstances described above, will trigger a mandatory Report.

The College also recognizes that disclosures may occur in an academic setting (i.e., as part of coursework, research, or creative activity submitted to an instructor in connection with a course assignment), or a research setting (i.e., during participation as a subject in an approved human subjects research protocol). Such disclosures will not be considered notice to the College for purposes of triggering a mandatory Report. Instructors, especially those whose assignments may elicit a disclosure, are encouraged to include a syllabus statement that clarifies when disclosures will or will not lead a mandatory Report by the instructor. The College's Institutional Review Board may, in appropriate cases, require researchers to provide similar information to research subjects.

All employees participating in or overseeing public awareness events, academic work, or research should err on the side of reporting if they are uncertain if the circumstances meet the situational confidentiality parameters. Additionally, regardless of whether a Report is required, all employees are encouraged to contact the Victims Advocate Program if the Complainant is in need of support services. If any employee becomes aware of information that suggests a safety risk to a member of the College community, they should contact the NCF Campus Police immediately.

- C. Mandated Reporters:** All College employees (including but not limited to: faculty, adjuncts, graduate assistants, staff, coaches, student employees, and all other paid College employees) have a mandatory duty to report known or suspected incidents of Prohibited Conduct regardless of when or where the incident occurred, or how the employee becomes aware. All disclosures should be accepted at face value and reported without further questioning of the individual making the disclosure or any other Parties involved.

The following outlines when a Mandated Reporter is required to file a Report:

- When the Complainant or Respondent is a **student**.
- When the Complainant or Respondent is an **employee**, and they fall under the Mandated Reporter's supervisory or institutional authority. This includes, but is not limited to:
 - College Officials, as defined in [Appendix B](#);
 - Deans, Directors, and Department Heads;
 - Supervisors. This includes typical supervisor/subordinate relationships and atypical relationships, such as: residence hall coordinators, lab technicians, principal investigators, team leads, athletic coaches, and others who provide daily operational oversight (including facilitating camps and other programmatic or visitor activities); and
 - NCF Campus Police.

If a Mandated Reporter witnesses, becomes aware of, or receives a disclosure of Prohibited Conduct, they must report all relevant details about the disclosure. Relevant details may

include but are not limited to, name of all Parties involved, any witnesses, dates, times, specific location(s), and any other relevant facts about the incident(s). This mandatory reporting should occur immediately but must be made **no later than two (2) days** (as defined in [B](#)) after becoming aware of the Prohibited Conduct, absent extraordinary circumstances.

If an incident reported is covered by the record keeping and reporting requirements of the Jeanne Clery Act, 20 U.S.C. § 1092(f), the applicable College Official will complete the Clery Act reporting of the incident on behalf of the College. This does not apply to those Mandated Reporters who are also directly designated as Campus Security Authorities.

Failure of a Mandated Reporter, as described above in this section, to report an incident of Prohibited Conduct of which they become aware is a violation of College Policy and can be subject to disciplinary action for failure to comply/failure to report. This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Policy.

A Mandated Reporter who is themselves a target of Prohibited Conduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

- D. Other Reporting Obligations:** A person who observes the commission of the crime of sexual battery and has present ability to seek assistance for the victim is required by Florida law to seek assistance by immediately reporting to law enforcement, unless the observer is the victim, is a relative of the offender or victim, or would be exposed to threat of physical violence for seeking assistance.

When the incident involves a **minor**, (under 18 at the time of the abuse). Florida law requires reporting to the Florida Department of Children and Family Services (“DCF”).

For all known or suspected incidents of involving abuse (including sexual abuse) of an individual under 18 years of age, Florida law requires every individual to immediately make a report to the DCF’s Abuse Hotline. Reports may be made (24 hours a day, 365 days a year). For more information visit: <https://www.myflfamilies.com/services/abuse/abuse-hotline>.

If the incident of child abuse occurs within NCF Campus Police jurisdiction, the Mandated Reporter must report to NCF Campus Police (or applicable local law enforcement).

In addition to the above reporting obligation, all members of the campus community should offer assistance to Complainant in reporting incidents to NCF Campus Police or other services as appropriate.

Information disclosed to a Mandated Reporter will only be reported and shared with people

responsible for handling the College's response. Mandated Reporters should not report the incident to law enforcement (including NCF Campus Police) without the Complainant's consent, or unless required by law. If a crime is currently in progress, someone is injured, or anyone is in immediate danger or being threatened, call 911 immediately.

If a Complainant speaks only to a Confidential College Representative, the Complainant is advised that this is not considered to be a Report of Prohibited Conduct, and without more, the information remains confidential and the College will not be able to conduct an investigation into the specific incident or take action against the Respondent. This does not apply if the incident has also been reported to a non-confidential source (including, but not limited to, the NCF Campus Police, Sarasota Police Department, or Sarasota County Sheriff's Office). If the Complainant chooses to maintain confidentiality, Confidential College Representatives will still assist them in receiving supportive measures, as outlined in [Appendix C](#). A Complainant who initially requests confidentiality does not forfeit the right to file a Report or Formal Complaint at a later date.

XI. [Complainant Request for No Action](#)

Upon receipt of a Report, a prompt, thorough, and impartial review will be conducted. If named, the Complainant will be contacted for an information session; otherwise, a risk assessment will be conducted based on the nature of the reported Prohibited Conduct to determine if the College will take further action. The information session with the Complainant will include, as applicable, notification of rights, referral to support resources, review of relevant resolution options, and discussion of any necessary supportive measures.

- A. Requests for No Action:** If a Complainant wishes, they may request No Action be taken by the College regarding the incident(s) of Prohibited Conduct that they disclosed. Specifically, they may request that:
- the information (including, but not limited to, the Complainant's name) not be shared with the Responding Individual, or with others, even if this limits the College's ability to address the reported Prohibited Conduct;
 - the College not investigate the reported Prohibited Conduct;
 - the College not intervene to address the reported Prohibited Conduct (e.g., alternative resolution, informal resolution, or formal investigation; and/or no disciplinary action be taken.

A Mandated Reporter does not have the authority to grant a request of No Action. If a Complainant discloses to a Mandated Reporter, who submits a mandatory Report, and subsequently the Complainant refuses/fails to engage with the applicable College Official, this will be treated as a request for No Action.

- B. Evaluation of the Request:** The applicable College Official will evaluate the request for No Action in the context of the College's commitment to providing a safe and non-discriminatory environment. In order to make such a determination, additional

information may be gathered regarding the Prohibited Conduct so they may be weighed against the following factors, including but not limited to:

- the seriousness of the Prohibited Conduct (including, but not limited to, whether the incident was perpetrated with a weapon or included severe physical injury to the Complainant);
- the risk that the Respondent will commit additional acts of Prohibited Conduct, such as:
 - whether the Respondent has a history of prior Reports, arrests, or records from a prior school/employer indicating a history of Prohibited Conduct or a history of violence;
 - whether the Respondent threatened further Prohibited Conduct or threatened violence against the Complainant or others; or
 - whether the prohibited conduct was committed by multiple individuals.
 - whether the information reveals a pattern of behavior (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group or person;
 - the potential for an employee to utilize their access to sensitive information in an inappropriate manner;
 - the Respondent's right to receive information about the allegations;
 - whether the Complainant is a minor;
 - the level of fear for their safety as expressed by the Complainant;
 - whether the College possesses other means to obtain relevant information of the Prohibited Conduct (e.g., security cameras or security personnel, physical evidence); or
 - the level of threat to the Complainant or to the College community.

In the event that the Complainant is not named/identifiable in a Report, these same factors will be used by the applicable College Official to conduct a risk assessment to determine the appropriate course of action.

- C. Determination Regarding No Action:** If the College determines that it cannot grant No Action, it will inform the Complainant prior to starting an investigation or taking any intervening actions. To the extent possible, the Complainant's privacy will remain a high priority, only sharing information with individuals whose assistance is needed to address the allegations. The College will also take ongoing steps to protect the Complainant from retaliation or harm and assist the Complainant in accessing other services and supportive measures.

It should be noted that when the College honors the request for No Action, the College's ability to investigate and take reasonable action in response to reported Prohibited Conduct may be limited, because the Respondent has a right to know sufficient information regarding the nature of the allegations to respond fully in their own defense (and in most cases this will include the identity of the Complainant).

Nothing in this section, or in this Policy in general, is intended to interfere with, nor shall

be read to interfere with, any individual's or organization's responsibility to report misconduct pursuant to federal laws or rules (e.g., granting agencies), licensing rules, or other agencies or boards that impose standards of professional conduct. Outside reporting shall be coordinated with the Office of the Vice President for Legal Affairs to ensure compliance with relevant privacy laws.

D. Formal Complaints: A Report of Prohibited Conduct becomes a Formal Complaint in one of the following ways:

- The Complainant files a written Formal Complaint with the College, requesting an investigation of their allegation[s]. The Formal Complaint must contain the Complainant's physical or digital signature or otherwise indicate the Complainant is the individual filing the complaint. If the Formal Complaint is submitted in a format that does not meet this standard, the Title IX Coordinator will contact the Complainant to determine whether the Complainant is requesting that the College initiate an investigation or other appropriate resolution;⁹ or
- The Title IX Coordinator, who has ultimate discretion as to whether a Formal Complaint is signed, determines that the allegations necessitate the signing of a Formal Complaint. To make this determination, the Title IX Coordinator will evaluate that request to determine if there is a serious and immediate threat to someone's safety or if the College cannot ensure equal access without signing a Formal Complaint. The Title IX Coordinator will consider the following non-exhaustive factors to determine whether to file a Formal Complaint:
 - The Complainant's request for No Action.
 - The Complainant's reasonable safety concerns regarding signing a Formal Complaint.
 - The risk that additional acts of Prohibited Conduct would occur if a Formal Complaint is not filed.
 - The severity of the alleged Prohibited Conduct, including whether the Prohibited Conduct, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the Prohibited Conduct and prevent its recurrence.
 - The age and relationship of the Parties, including whether the Respondent is a College employee.
 - The scope of the alleged discrimination, including information suggesting a pattern, ongoing Prohibited Conduct, or Prohibited Conduct alleged to have impacted multiple individuals.
 - The availability of evidence to assist a Decision-maker in determining whether Prohibited Conduct occurred.

⁹ As required by federal law, the College may not initiate a Resolution process for allegations of Title IX Sexual Harassment without a Formal Complaint. For all other allegations of Prohibited Conduct under this Policy, a Formal Complaint is not required, and the College may initiate its Resolution process upon a Report of the alleged Prohibited Conduct. Reports can be substituted in place of references to a Formal Complaint for allegations other than Title IX Sexual Harassment throughout this Policy.

- Whether the College could end the alleged Prohibited Conduct and prevent its recurrence without initiating its resolution process.

If deemed necessary, the Title IX Coordinator may consult with appropriate College employees, and/or conduct a violence risk assessment to aid their determination whether to sign a Formal Complaint.

When the Title IX Coordinator signs a Formal Complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of this Policy.

XII. General Provisions

- A. **Timeliness of Reports and Complaints:** Prohibited Conduct may be reported, or a Formal Complaint filed, regardless of the length of time between an incident and the disclosure/reporting of the incident. However, the College strongly encourages individuals who have experienced Prohibited Conduct to promptly report in order to be informed of report resources and preserve evidence for a potential legal or disciplinary proceeding. Note: The length of time between an incident and the reporting of the Prohibited Conduct may significantly impact the College's ability to respond.
- B. **Privacy/Anonymity in the Investigation and Resolution Processes:** The College will keep Reports and investigations private to the extent possible under the law but cannot guarantee complete anonymity in all cases. Information will be shared with those who are integral for the College to conduct a comprehensive investigation. The College is subject to Chapter 119, Florida Statutes, Public Records. Under Section 1012.91, Florida Statutes, some portions of records of Title IX Sexual Harassment Investigations are limited-access records with respect to public records requests.
- C. **Supportive Measures:** Upon request from the Complainant or Respondent, supportive measures are provided under applicable circumstances. Supportive measures are individualized, non-punitive, non-disciplinary, and do not unreasonably burden the other Party, but are designed to restore or preserve a person's equal access to education or employment. Supportive measures are available at any stage, even when an investigation is not pending. See [Appendix C](#).
- D. **Emergency Removal, Interim Actions, and Leaves:** The College can act to remove a student Respondent accused of Title IX Sexual Harassment from its education program or activities, partially or entirely, on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual based on the allegation justifies removal. This risk analysis is performed by the Title IX Coordinator and may be done in conjunction with the SST Team using its standard objective violence risk assessment procedures. Students accused of other forms of Prohibited Conduct are subject to interim suspension, which can be imposed for safety reasons.

Employees are subject to existing procedures for interim actions and leaves.

When the applicable College Official has a reason to believe that a third party's presence on campus will adversely affect the operation of the College, they may immediately seek to bar that individual's access to campus via a No Trespass Order, or similar mechanism. The No Trespass Order will take effect immediately upon notice to the third party.

- E. Amnesty:** The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report Prohibited Conduct to College Officials or participate in resolution processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the College community that Complainants choose to report misconduct to College officials, that witnesses come forward to share what they know, and that all Parties be forthcoming during the process.

To encourage reporting and participation in the process, the College offers Parties and witnesses amnesty from minor policy violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident. Granting amnesty is a discretionary decision made by the College, and amnesty does not apply to more serious allegations, such as physical abuse of another or illicit drug distribution.

The College also maintains an amnesty policy for students in addition to witnesses who offer help to others in need. Please refer to the [Student Code of Conduct](#) for more information about the College's Amnesty Policy for students.

- F. Investigation Process Delays and Interactions with Law Enforcement:** The College's administrative investigation may be delayed (several days to a few weeks) during an ongoing criminal investigation. In the event of such a delay, the College may implement supportive measures when necessary to protect the Complainant and/or the College community. However, the College reserves the right to continue its investigation separately and independently from the criminal investigation, if and as appropriate. The results of a criminal investigation may be used to determine whether Prohibited Conduct, for the purposes of this Policy, has occurred

- G. Conflicts of Interest and Bias:** The Title IX Coordinator manages the Title IX Team (including Investigators, Informal Resolution Facilitators, Decision-makers, and Appeal Decision-makers) and acts with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this Policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the New College of Florida President. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

- H. **Advisors:** Both the Complainant and the Respondent may have an advisor of their choosing (who may or may not be an attorney) present to support and provide guidance throughout the complaint, investigation, and resolution processes (including during related prehearing meetings, during investigative interviews, and during meetings related to informal resolutions). See [Appendix E](#) for more information about advisors in the College's resolution process.
- I. **Training:** The Title IX Team will receive annual training on issues relating to Prohibited Conduct, the scope of the College's education program or activity, how to conduct an investigation and resolution process (including hearings, appeals, and informal resolutions), and how to serve impartially, including by avoiding a prejudgment of the facts at issue, conflicts of interest, and bias. In addition to the aforementioned required training, Investigators will receive annual training on issues of relevance (as defined in [Appendix B](#)) to create an investigation report that fairly summarizes relevant evidence. Decision-makers, including Appeal Decision-makers, will receive annual training related to the relevance of questions and evidence and any technology to be used at a live hearing.

Any materials used to train the Title IX Coordinator, or any member of the Title IX Team, will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints. These training materials are posted on the College's website.

- J. **Individuals with Disabilities and Other Assistance:** The College will make arrangements to ensure that individuals with disabilities are provided with appropriate and reasonable accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy. For additional information on how to request a reasonable accommodation go to: <https://www.ncf.edu/departments/advocacy-accessibility/> (for students) or <https://www.ncf.edu/departments/human-resources/> (for employees).

The College will also address reasonable requests for support for the Parties and witnesses, including language services/interpreters, access and training regarding use of technology throughout the Resolution Process, and any other support as deemed reasonable and necessary to facilitate participation in the Resolution Process.

- K. **Freedom of Expression and Academic Freedom:** This Policy is intended to protect against Prohibited Conduct. It does not regulate the content of expression that falls

within the parameters protected by the First Amendment of the United States Constitution. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom.

RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE TITLE IX COMPLIANCE POLICY

1. Overview

The College is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of the Title IX Compliance Policy (“the Policy”). The College will use one of two available processes to resolve Formal Complaints of Prohibited Conduct under this Policy: the Formal Resolution Process, which involves an investigation, adjudication, and, if appropriate, the imposition of sanctions, and Informal Resolution, which includes informal or restorative options for resolving Formal Complaints or Reports of Prohibited Conduct or that do not involve the possibility of disciplinary action against a Respondent.¹⁰ The Title IX Coordinator will determine the appropriate Resolution Process after making an initial assessment of the reported information, considering the stated preference of the Complainant regarding process, campus safety, and the College’s obligation to maintain an environment free from discrimination.

2. Collateral Misconduct

Collateral misconduct is defined to include potential violations of other College policies not incorporated into the Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all allegations. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these Procedures. In such circumstances, the Title IX Coordinator may consult with College Officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of Title IX Coordinator. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in student, faculty, and staff handbooks.

3. Reports/Formal Complaints

Upon receipt of a Report or Formal Complaint of an alleged Policy violation, the Title IX Coordinator will initiate a prompt initial assessment (as described below) to determine the College’s next steps.

4. Initial Assessment

After receiving a Report of Prohibited Conduct, the Title IX Coordinator will contact the Complainant to gather information about the reported conduct and respond to any immediate

¹⁰ For Title IX Sexual Harassment matters, both the Informal and Formal Resolution Processes require the Complainant to file or the Title IX Coordinator to sign a Formal Complaint prior to initiating either resolution process.

health or safety concerns raised by the report. The Title IX Coordinator will assess the Complainant's safety and well-being, offer supportive measures, and assess the nature and circumstances of the Report to determine whether the reported conduct raises a potential Policy violation, whether the reported conduct is within the scope of this Policy, and the appropriate method of resolution under this Policy. The Title IX Coordinator may consult with the College's SST Team or other College Officials as part of the initial assessment, as needed.

As part of the initial assessment, the Title IX Coordinator may:

- Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the Complainant, the Respondent, any witness, and/or any other individual with knowledge of the reported incident;
- Address immediate physical safety and emotional well-being;
- Notify the Complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order;
- Notify the Complainant of the right to seek medical treatment;
- Notify the Complainant of the importance of preservation of evidence;
- With the NCF Campus Police, assess the reported conduct and discern the need for a timely warning under the Clery Act;
- Provide the Complainant with written information about on and off campus resources;
- Provide the Complainant with an explanation of the procedural options, including Formal Resolution and Informal Resolution, and for allegations of Title IX Sexual Harassment the option of filing a Formal Complaint;
- Notify the Complainant of the range of supportive measures available, including the right to reasonable supportive measures regardless of whether they choose to participate in a College or law enforcement investigation;
- Notify the Complainant of the range of supportive measures available if the College pursues an investigation;
- Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns);
- Notify the Complainant of the right to be accompanied at any meeting by an advisor of their choice;
- Assess for any pattern of conduct that may give rise to a public safety concern;
- Assess whether there is a need to implement an emergency removal or administrative leave;
- Determine whether the circumstances warrant the Title IX Coordinator filing a Formal Complaint for allegations of Title IX Sexual Harassment;
- Explain the College's policy prohibiting retaliation, how to report retaliation, and that the College will take prompt action when retaliation is reported; and
- Make the appropriate notifications under applicable law (e.g., in cases where the Complainant is a minor).

A. Steps Upon Receipt of a Formal Complaint of Title IX Sexual Harassment

Upon receipt of a Formal Complaint alleging Title IX Sexual Harassment, and following the Initial Assessment, the College may proceed with one of the following options:

1. Mandatory Dismissal: A Formal Complaint or any allegations therein must be dismissed at any time during the resolution process if:
 - a. The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment, even if substantiated.
 - b. The alleged conduct did not occur in an education program or activity controlled by the College.
 - c. The alleged conduct did not occur against a person in the United States.
 - d. The Complainant was not participating or attempting to participate in the College's education program or activity at the time of filing the complaint, and based on the available information, the Title IX Coordinator has determined that they do not need to sign a Formal Complaint on behalf of the College.

If dismissed, the College will promptly send written notice of the dismissal and reason(s) for such dismissal to the Parties. This dismissal decision is appealable by any Party under the procedures for appeal outlined in Section 7(B)(3) below. The Title IX Coordinator will also assess the Formal Complaint to determine whether the conduct alleged would constitute any other Prohibited Conduct under this Policy.

2. Permissive Dismissal: A Formal Complaint of Title IX Sexual Harassment or any allegations therein *may* be dismissed at any time during the resolution process if:
 1. The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein.
 2. The Respondent is no longer enrolled or employed by the College.
 3. Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

A Complainant who decides to withdraw a Formal Complaint may later request to reinstate it or refile it. If dismissed, the College will promptly send written notice of the dismissal and reason(s) for such dismissal to all Parties. This dismissal decision is appealable by any party under the procedures for appeal outlined in Section 7(B)(3) below.

3. Proceed with Informal Resolution following a Formal Complaint: This process requires voluntary written consent of the Parties. Informal Resolution is not available to resolve any allegations that an employee engaged in Title IX Sexual Harassment of a student.
4. Proceed with an investigation under the Formal Resolution Process: This occurs if the Formal Complaint has not been dismissed, and the Parties do not wish to engage

in Informal Resolution (or Informal Resolution is not available). The Title IX Coordinator will assess whether to put the investigation on the footing of incident and/or pattern and/or climate.

B. Steps Upon Receipt of a Report or Complaint of Other Forms of Prohibited Conduct

Upon receipt of a Report or Complaint alleging all other forms of Prohibited Conduct, that are not covered by the Title IX Sexual Harassment definition, the College may proceed with one of the following options:

- a. Proceed with Informal Resolution: This process requires voluntary, written consent of the Parties.
- b. Proceed with an investigation under the Formal Resolution Process: This will occur when a Complainant requests an investigation, and the Title IX Coordinator determines that an investigation is warranted, or where the Title IX Coordinator determines that an investigation must be pursued even when a Complainant requests that no investigation be pursued. The Title IX Coordinator will assess whether to put the investigation on the footing of incident and/or pattern and/or climate.
- c. Refer to another appropriate office or department for resolution: This will occur when the alleged conduct is outside the scope of this Policy.

5. Informal Resolution Process

Informal Resolution is available at any time prior to a Final Determination, in certain circumstances, and at the Title IX Coordinator's discretion. The College will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution. For more information about the College's Informal Resolution Process, see [Appendix F](#).

The College considers the ability for the Parties to candidly and fully discuss an allegation/incident/situation to be an essential part of the Informal Resolution Process. For that reason, the College considers all communication by the Parties and their advisors during the course of an Informal Resolution Process to be confidential except for a finalized agreement as provided herein. In the event an Informal Resolution Process is not successful, any admissions or statements made during the process are not admissible in the Formal Resolution Process. Previously undisclosed allegations of Prohibited Conduct, as defined by this Policy, involving the same individuals in the Informal Resolution Process, will not trigger a mandatory reporting obligation for a Mandated Reporter participating in or observing the Informal Resolution process. Notwithstanding the above, there is no confidentiality attached to any communication:

- for which all Parties have waived confidentiality in writing;
- that requires a mandatory report pursuant to chapter 39 or 415, Florida Statute, related

- to abuse of minors or vulnerable adults;
- that constitutes a threat of violence or indicates imminent physical harm to another individual; or
- that indicates Prohibited Conduct involving a different Complainant or Respondent.

6. General Information Regarding the Formal Resolution Process

- A. **Resolution Timeline:** The College will make a good faith effort to complete the Resolution Process within a sixty to ninety (60-90) business-day time period, including appeal if any, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the Parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.
- B. **Rights and Expectations of the Parties:** The College affords both Complainants and Respondents an equal opportunity to participate fully in the investigation and adjudication process, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice to any meeting; to timely and equal access to information that will be used in the resolution proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction, and rationale; and to seek appeal of the finding as outlined in Section 7(B)(3) below. For a full list of Parties' Rights in the Resolution Process, see [Appendix E](#).

All College community members are expected to provide truthful information in any report or proceeding under this Policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated or no policy violation is found to have occurred.

The College encourages all members of the College community to cooperate fully with the procedures delineated in this Policy. It is understood that there may be circumstances in which a Party or witness may wish to limit their participation, and the College will respect their choice as to how they would like to engage in proceedings under this Policy. The College may, however, move forward with an investigation, any hearing, and possible disciplinary action without the participation of one or more Parties or witnesses. Should the Respondent opt not to participate, that refusal will not automatically preclude the continuation of the investigation process and a resolution of the investigation, including possible sanctions against the Respondent if a violation of this Policy is found by a preponderance of the evidence.

If a Party chooses not to answer any or all questions posed during an investigation or hearing for any reason, the College will continue its process; and the College may issue any

discipline or sanctions, as appropriate. The College will not draw any adverse inference from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this Policy. However, the Complainant and Respondent should be aware that declining to participate in the resolution process may impact the timing and outcome of the investigation and adjudication.

- C. Counter-Complaints:** The College is obligated to ensure that the Resolution process is not abused for retaliatory purposes. Although the College permits the filing of counter-complaints, the Title IX Coordinator will use an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. When counter-complaints are not made in good faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a Policy violation. Counter-complaints determined to have been reported in good faith will be processed using the Formal Resolution Process below. At the Title IX Coordinator's discretion, investigation of such claims may take place after resolution of the underlying initial Formal Complaint.
- D. Safeguarding Privacy:** Individuals involved in investigations or disciplinary proceedings under this Policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. However, doing so with the intent to harass another individual, retaliate against another individual who is involved in the investigation, or to influence the outcome of the investigation, will subject an individual to sanctions under this Policy.

7. Formal Resolution Process

The Formal Resolution Process involves an objective evaluation of all relevant evidence obtained. Credibility determinations will not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

In determining whether alleged conduct constitutes Prohibited Conduct under this Policy, the College will look at the entire record as a whole and consider the totality of the circumstances. This inquiry will examine information such as the nature of the conduct and the context in which the alleged incidents occurred. This determination takes place through the Formal Resolution Process which includes an investigation, adjudication, and implementation of sanctions, if applicable.

All determinations regarding whether a Respondent has engaged in Prohibited Conduct will be based upon a thorough, objective, and comprehensive review of the facts, and made on a case-by-case basis using the preponderance of the evidence standard.

The Title IX Coordinator has the sole discretion to consolidate multiple reports or multiple Formal Complaints against more than one Respondent, or by more than one Complainant

against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances, or it otherwise makes sense to consolidate.

A. Investigation Process

1. **Investigator:** When the College receives a Report alleging a violation of this Policy, the Title IX Coordinator will appoint one or more Investigators to conduct a prompt, thorough, fair, and impartial investigation. The Investigator(s) may be a College employee and/or an experienced external investigator and the College has the authority and the sole discretion in determining when to assign an internal and/or external investigator. The Investigator(s) will be impartial and free from conflict of interest or bias.
2. **Investigation Timeline:** Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take many weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, law enforcement involvement, etc. The College will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the Parties to update them on the progress and timing of the investigation.
3. **Notice of Investigation:** The Title IX Coordinator will provide the Complainant(s) and the Respondent(s) with a written Notice of Investigation, which may include the following information: (1) the names of the Complainant and the Respondent, if known; (2) the date and location of the alleged incident, if known, and the nature of the reported conduct; (3) the applicable Policy(ies) and reported Policy violation(s); (4) a description of the applicable procedures; (5) a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the resolution process; (6) information about the Parties' respective rights and responsibilities, including that the Parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; (7) a statement informing the Parties that the College's Policy prohibits knowingly submitting false information during the resolution process; (8) the prohibition against retaliation; (9) the importance of preserving any potentially relevant evidence in any format; (10) a statement that if the College decides to investigate additional allegations not included in the original notice, notice of the additional allegations will be provided to the Parties whose identities are known; (11) the name and contact information of the assigned Investigator(s); and (12) how to challenge participation by the Investigator(s) on the basis of a conflict of interest or bias.
4. **Investigation Overview:** During an investigation, the Investigator(s) will seek to meet separately with the Complainant(s), Respondent(s), and relevant witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals

who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the alleged conduct or related matters. Witnesses may not participate solely to speak about an individual's character. The Investigator(s) will also gather other relevant information or evidence, including documents, photographs, communications between the Parties, and other records as appropriate.

The Investigator(s), not the Parties, is responsible for gathering relevant evidence to the extent reasonably possible. Both the Complainant and Respondent are encouraged, however, to submit any information they believe may be relevant, and both the Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, photographs, and other evidence. Parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution. All available information and supporting documents and evidence must be identified and/or submitted prior to issuance of the Final Investigation Report. In the event that a Party declines to provide material information, the College's ability to conduct a prompt, thorough, and equitable investigation may be impacted.

The Investigator(s) may also consider information publicly available from social media or other online sources that comes to the attention of the Investigator(s). The Investigator(s) does not actively monitor social media or online sources, however, and as with all potentially relevant information, the Complainant, Respondent, or witnesses should bring relevant online information to the attention of the Investigator(s).

Similarly, the Parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the Investigator(s). The Investigator(s) may consider such information in the investigation and will also share any information about retaliation or other alleged misconduct with the Title IX Coordinator for appropriate action.

When appropriate, the Investigator(s) may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the Investigator(s) may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation. In general, a person's medical and counseling records are confidential and not accessible to the Investigator(s) unless the person voluntarily chooses to share those records with the Investigator(s). Before disclosing such information, the party should keep in mind that the relevant information from the records must be shared with the other party for that information to be considered in the investigation.

The Investigator(s) will review all relevant information identified or provided by the Parties during the investigation. In general, the Investigator(s) will not consider

statements of personal opinion or statements as to any Party's general reputation for any character trait. All information considered by the Investigator(s) to be directly related to the allegations will be provided to the Parties for their review and comment, as described in this Policy.

5. **Presumption of Non-Responsibility:** It shall be presumed that there has been no violation of any College policy by a Respondent unless and until a thorough and comprehensive investigation has been conducted and there is a final administrative finding, by a preponderance of the evidence, at the conclusion of the process (i.e., Final Agency Action).
6. **Prior or Subsequent Conduct of the Respondent:** Prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Conduct. The Investigator(s) will determine the relevance of this information and both Parties will be informed if evidence of prior or subsequent conduct is deemed relevant. For investigation of Title IX Sexual Harassment allegations, the Investigator's determination of the relevance of information is an initial determination that is not binding on the Decision-maker(s).
7. **Prior Sexual History:** For investigations of Title IX Sexual Harassment, evidence about the Complainant's sexual predisposition is never relevant. Evidence of the Complainant's prior sexual behavior is not relevant unless such evidence is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and is offered to prove consent.

For investigation of other Prohibited Conduct, the sexual history of the Complainant or Respondent will never be used to prove character or reputation. Evidence related to the prior sexual history of the Parties is generally not used in determining whether a violation of this Policy has occurred and will only be considered under limited circumstances when highly relevant. For example, if consent is at issue, the sexual history between the Parties may be relevant to determine the nature and manner of communications between the Parties, which may inform the determination whether consent was sought and reasonably appeared to have been given during the incident in question. As set forth in the consent definition, even in the context of a relationship, consent to one sexual act does not necessarily constitute consent to another sexual act, and consent on one occasion does not constitute consent on a subsequent occasion. In

addition, prior sexual history may be relevant to explain injury, to provide proof of a pattern, or to address another specific issue raised in the investigation. The Investigator(s) will determine the relevance of this information and both Parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

- 8. Cooperation with Law Enforcement:** If there is a criminal investigation or other legal proceeding, the College may be obligated to provide investigative records to law enforcement or a court in response to a subpoena, search warrant, or court order.
- 9. Review of Preliminary Investigation Report :** At the conclusion of the fact-gathering portion of the investigation, the Investigator(s) will prepare a Preliminary Investigation Report that provides the Complainant(s) and the Respondent(s) equal and timely access to the evidence that has been obtained as part of the investigation that is relevant to a decision or directly related to the allegations raised, as well as evidence that was collected that the Investigator(s) may deem not to be relevant. This includes making available any documents that were gathered by the College. The Preliminary Investigation Report will not state a preliminary finding as to whether or not a violation has occurred or any information with regard to potential sanctions.

The Preliminary Investigation Report and accompanying documents will be made available to each Party and the Party's advisor, if any, in an electronic format. Each Party will have ten (10) business days to review the materials provided and to submit a written response, which the Investigator(s) will consider prior to completion of the final investigative report. Any additional information that was not previously provided by the Parties during the investigation should be provided with the written response. A Party may also request the opportunity to meet with the Investigator(s) to provide additional verbal information; the Investigator(s) will determine whether such a meeting is necessary to ensure that all relevant evidence has been provided.

If either Party provides a written response or provides additional verbal information, the content will be shared with the other Party and incorporated as appropriate in the Final Investigation Report. Any relevant information gathered through additional investigative steps will be shared with both Parties, and, as the College deems appropriate, the Parties may have the opportunity for further response if sufficient new information has been gathered. If additional review is granted, each Party will have five (5) business days to review any additional information and any further comment by the Parties will be limited to responding to the new information only. As necessary, the Investigator(s) will designate reasonably prompt timeframes to ensure a timely completion of the process while also providing an adequate opportunity for all Parties to respond thoroughly to the information gathered during the investigation.

- 10. Final Investigation Report:** The Investigator(s) will prepare a Final Investigation Report for all completed investigations.
 - a. Final Investigation Report for Allegations of Title IX Sexual Harassment:** The Final

Investigation Report for allegations of Title IX Sexual Harassment will include a summary of the relevant evidence and will not include a recommended finding or sanctions. Adjudication will occur at a live hearing. The Final Investigation Report will be provided to each Party and the Party's advisor, if any, in an electronic format, at least ten (10) business days prior to the required live hearing, for their review and written response.

- b. Final Investigation Report for all other Prohibited Conduct:** The Final Investigation Report for allegations of all other Prohibited Conduct will include a summary of the relevant evidence; a determination as to whether there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy; the rationale for this finding; if there is a finding of responsibility for a violation of the Policy, the sanctions to be imposed; and notification of the available procedures to appeal the finding and/or sanction.

To determine the sanctions, the Investigator(s) may confer with the Director of the Office of Student Conduct and Community Standards regarding students; the Director of Employee Relations regarding staff and contractors; or the Dean of the School/College and/or the Department Chair regarding faculty. When preparing the Final Investigation Report, the Investigator(s) will confer with the Title IX Coordinator to ensure consistency in the application of this Policy, including the rendering of any sanctions.

B. Adjudication

- 1. Standard of Proof: Preponderance of the Evidence:** Findings are made based on a preponderance of the evidence standard. A finding of responsibility based on a preponderance of evidence means that based on all relevant evidence and reasonable inferences from the evidence, the greater weight of information indicates that it is more likely than not the policy violation occurred. This standard of evidence is the same for complaints against students as for complaints against employees, including faculty, and for all College policy violations involving discrimination against another individual.

2. Adjudication of Formal Complaints of Title IX Sexual Harassment

- a. Pre-Hearing Preparation:** The Title IX Coordinator will select an appropriate Decision-maker or Decision-makers for a panel; these individuals may be from within the campus community or may be from outside the campus community and are trained, neutral factfinders. The College has the sole discretion to determine whether a sole Decision-maker or panel of Decision-makers will be used, and whether the Decision-maker(s) will be individuals from the College community or external decision-makers. Decision-makers will have the requisite training. While the Title IX Coordinator has oversight and coordination responsibilities for the hearing and may serve as the hearing facilitator, the Title IX Coordinator will not serve as a Decision-maker. The

Investigator(s) also will not be a Decision-maker.

The Parties will be given a list of the name(s) of the Decision-maker(s) at least five (5) business days in advance of the hearing. A single Decision-maker will also Chair the Hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than two (2) business days prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the complaint.

The Title IX Coordinator will give the Decision-maker(s) a list of the names of all Parties, witnesses, and advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the Parties, witnesses, and advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10)-business-day period prior to the hearing, the Parties have the opportunity for continued review and comment on the Final Investigation Report and available evidence. That review and comment can be shared with the Decision-maker(s) at a pre-hearing meeting or at the hearing and will be exchanged between each party by the Decision-maker(s).

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s), proffered a written statement, or answered written questions, unless all Parties and the Chair assent to the witness's participation in the hearing. The same holds for any relevant evidence that is first offered at the hearing. If the Parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.¹¹

- b. Pre-Hearing Meetings:** The Chair may convene a pre-hearing meeting(s) with the Parties and/or their advisors and invite them to submit the questions or topics they (the Parties and/or their advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing.
However, this advance review opportunity does not preclude the advisors from

¹¹ 34 C.F.R. § 668.46(k)(3)(B)(3) requires “timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.”

asking a question for the first time at the hearing or from asking for a reconsideration on a pre-hearing ruling by the Chair based on any new information or testimony offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Chair, **only** with full agreement of the Parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a Party and/or their advisor, the Chair will consider arguments that evidence identified in the Final Investigation Report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the Parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded. The pre-hearing meetings are typically conducted as separate meetings with each party/advisor. The Chair will work with the Parties to establish the format.

- c. Live Hearing with Cross-Examination:** At the live hearing, the Chair must permit each Party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Cross-examination at the live hearing must be conducted directly, orally, and in real time by the Party's advisor and never by a Party personally. If a Party does not have an advisor of their own choosing to conduct cross-examination, the College will provide an advisor to the Party of the College's choice. When the College provides an advisor, the College is not obligated to provide an attorney or an individual with legal training, even if the other Party has such an advisor.

Only relevant cross-examination and other questions may be asked of a party or witness. The Chair has the sole discretion to determine relevance during the live hearing. Before a Complainant, Respondent, or witness answers a cross-examination question, the Chair must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions may be limited, reframed, or excluded on the basis that they are irrelevant, unduly repetitious (thus irrelevant), or abusive.

Any Party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Decision-maker(s) can only

rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions.

The Investigator(s) will typically be present at the live hearing and will provide a summary of the Final Investigation Report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the Parties (through their advisors). Neither the Parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or sanctions.

Any evidence that the Decision-maker(s) determines is relevant and credible may be considered. However, the following will not be considered: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the Parties unless relevant; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior. Questions about Complainant's prior sexual behavior are only permitted if such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Live hearings will be held virtually, with technology enabling participants to simultaneously see and hear each other. An audio or audiovisual recording, or transcript of the live hearing will be created and made available to the Parties for inspection and review. The Parties may not record the proceedings in any manner and no other unauthorized recordings are permitted. The Decision-maker(s), Parties, advisors, and other appropriate College Officials will be permitted to review the recording in a controlled environment, as determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording, except as permitted by FERPA.

- d. Written Determination Regarding Responsibility:** The Decision-maker(s) will deliberate in closed session in order to make a determination regarding responsibility. The Decision-maker(s) will use the preponderance of evidence standard. The hearing facilitator may be invited to attend the deliberations but is there only to facilitate procedurally and not to address the substance of the allegations or participate in the decision-making in any way.

The Decision-maker(s) will issue a written determination regarding responsibility which includes:

- The identification of the allegations potentially constituting Title IX Sexual Harassment;

- A description of the procedural steps taken from receipt of the notifications to the Parties, interviews with Parties and witnesses, site visits (if any), methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Evidence used in support of the determination;
- Evidence not relied upon in the determination;
- Any credibility determinations;
- Conclusions regarding the application of the College's policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any sanctions the institution imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the Complainant; and
- Procedures and permissible bases for Parties to appeal.
- A statement that unless an appeal is filed, this written determination shall constitute Final Agency Action.

The Chair will submit the written determination to the Title IX Coordinator within fifteen (15) business days of the end of deliberations unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the Parties.

The written determination will be shared with the Parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the Parties' College-issued email or otherwise approved account. Once emailed and/or received in-person, notice will be presumptively delivered.

- 3. Appeals:** Any party may request an appeal in writing from the determination regarding responsibility, including the sanctions imposed. The request for an appeal must be submitted to the Title IX Coordinator within five (5) business days of receiving the determination. This right to appeal also applies to an appeal of the College's dismissal of a Formal Complaint, or any allegations therein.

The Title IX Coordinator will appoint a trained Appeal Decision-maker to serve as the decision-maker regarding all appeals. Appeals are limited to the following grounds that must be clearly stated in the written appeal submission:

- 1) Procedural irregularity that affected the outcome of the matter;
- 2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or
- 3) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of

interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If any of the grounds for appeal asserted do not meet the grounds stated in this Policy, those grounds will not be considered.

The College will notify the other Party in writing when an appeal is requested. The Party will have an opportunity to review and respond in writing to the Party's appeal request. Any response must be submitted to the Title IX Coordinator within five (5) business days after receiving a copy of the appeal request.

The Appeal Decision-maker will issue a written decision describing the result on each ground of the appeal, any specific instructions for remand or reconsideration, and the rationale for the result within ten (10) business days of receiving the appeal materials from the Title IX Coordinator. This written decision of the appeal outcome will be provided to the Title IX Coordinator and will be delivered to the Parties simultaneously in person or via email to the Parties. Once emailed and/or received in-person, notice of the decision will be presumptively delivered. The College's decision shall constitute Final Agency Action.

- a. Sanctions Status During the Appeal:** Any sanctions imposed as a result of the hearing are stayed (*i.e.*, not implemented) during the appeal process. Supportive measures may be reinstated.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then the emergency removal procedures (detailed above) for a show cause meeting on the justification for doing so must be permitted within 48 hours of implementation.

If the original sanctions include separation in any form, the College may place a hold on official transcripts, diplomas, graduations, course registration, etc. pending the outcome of an appeal. The Respondent may request a stay of these holds from the Title IX Coordinator within two (2) business days of the notice of the sanctions. The request will be evaluated by the Title IX Coordinator or designee, whose determination is final.

- b. Appeal Considerations:** The following appeal considerations apply:

- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- Decisions on appeal are to be deferential to the original determination, making changes to the finding only when there is clear error and to the

sanction(s)/responsive action(s) only if there is a compelling justification to do so.

- An appeal is not an opportunity for the Appeal Decision-maker to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker(s) for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where an error cannot be cured by the original Investigator(s) and/or Decision-maker(s) or the Title IX Coordinator (as in cases of bias), the Appeal Decision-maker may order a new investigation and/or a new hearing with new individuals serving in the Investigator and Decision-maker roles.
- The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases that result in reinstatement to the College or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

- 4. Final Determination:** The determination regarding responsibility becomes final either on the date that the College provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

C. Adjudication of Complaints of All Other Prohibited Conduct.

- 1. Recommended Findings Provided in the Final Investigation Report:** As discussed above, the Final Investigation Report prepared by the Investigator(s) will include recommended findings (determination of responsibility) and sanctions to be imposed, if any, based on the preponderance of the evidence standard.
- 2. Review of Finding by the Vice President of Legal Affairs:** Each Party may accept or contest the recommended findings or sanctions in the Final Investigation Report.

A Party may contest the investigative finding by asserting:

- 1) Procedural irregularity that affected the outcome of the matter;

- 2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- 3) The Title IX Coordinator or Investigator(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- 4) The sanction recommended against the Respondent is disproportionate based on the findings as stated in the Final Investigation Report.

To contest the findings or sanctions, the Complainant or Respondent must submit a written statement to the Title IX Coordinator within five (5) business days of receiving the Final Investigation Report. This statement must explain why the Party contests the findings and/or sanctions, including clearly identifying one or more of the four grounds enumerated in the previous paragraph. If any of the grounds for appeal asserted do not meet the grounds stated in this Policy, those grounds will not be considered.

Any Party will have the opportunity to review and respond in writing to the other Party's request for review; any response must be submitted to the Title IX Coordinator within five (5) business days after that party has received notice of the request to review.

- 3. Final Decision:** If no party contests the recommended findings or sanctions, those recommended findings and sanctions will become final and will be submitted to the Title IX Coordinator for signature and implementation. The Title IX Coordinator will inform the Parties that the findings and sanctions are final and constitute Final Agency Action.

If a Party contests the findings and/or sanctions, once all Parties have provided a response or the deadline to respond has lapsed, the Title IX Coordinator will submit the Final Investigation Report, and any statements received from the Parties to the Vice President for Legal Affairs or designee. The Vice President for Legal Affairs or designee will determine whether to uphold the recommended findings and/or sanctions; whether to modify the recommended findings and/or sanctions; or whether further action is needed by the Investigator(s).

If a Party contests the findings or sanctions, the Vice President for Legal Affairs or designee will reach a final determination as to the outcome and sanction within ten (10) business days of receipt of the Final Investigation Report and the Parties' statements. The Vice President for Legal Affairs or designee will provide the final decision to the Title IX Coordinator who will inform the Parties of the decision in person or via mail email. Once emailed and/or received in-person, notice of the decision will be presumed delivered.

The decision becomes final either on the date that the College provides the Parties with the written determination of the finding by the Vice President for Legal Affairs or designee, if a review has been requested, or if no review was requested, the date on

which the request for a review would no longer be considered timely. The College's decision shall constitute Final Agency Action.

- D. Sanctions:** Engaging in any Prohibited Conduct that is found to be a violation of this Policy or failing to carry out the responsibilities established by this Policy, will give rise to disciplinary action, up to and including separation from the College.

This Policy prohibits a broad range of conduct, all of which is serious in nature. The imposition of sanctions is designed to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission and legal obligations. Sanctions may include educational, restorative, rehabilitative, and/or punitive components. Some conduct, however, is so egregious in nature, harmful to the individuals involved, or so deleterious to the educational process that it requires severe sanctions, including suspension or expulsion/termination.

- 1. Sanctions for Students:** Sanctions for students include, but are not limited to: reprimand, housing probation, disciplinary probation, suspension, expulsion, or degree withdrawal or revocation. For a full range of potential student sanctions, please review Section VI.G in the [New College of Florida Regulations Manual: 6-3005 New College of Florida Student Code of Conduct](#).
- 2. Sanctions for Student Organizations:** Potential sanctions for student organizations include, but are not limited to: warning, probation, suspension, expulsion, and/or loss or privileges.
- 3. Sanctions for Employees:** Potential sanctions for faculty or staff include, but are not limited to: a verbal or written reprimand or warning, performance improvement plan, probation, demotion, reassignment, administrative leave without pay, restitution, suspension, requirement to receive counseling through the Employee Assistance Program, required training or education, a campus-wide barring order, and/or termination of employment.
- 4. Additional Remedies:** Following the conclusion of the resolution process, regardless of the outcome, additional remedies may be provided to the Parties and/or College community that are intended to ensure no effective denial of access or the benefits of the education program or activity. Remedies may include, but are not limited to, the following:
 - Training and/or education to the individual or the community
 - Referral to counseling services
 - Permanent change in housing assignment
 - Permanent change in work arrangement for employees
 - Adjustments to course schedules
 - Adjustments to work schedules

- Implementation of long-term contact limitations between Parties
- Climate surveys
- Policy modification and/or training

The College will maintain the confidentiality of any long-term remedies, actions, and/or measures, provided confidentiality does not impair the College's ability to provide these services.

E. Recordkeeping: The College will maintain, for seven (7) years, records of:

- Each investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript required, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the education program or activity;
- Any appeal and the result thereof;
- Any informal resolution and the result therefrom; and
- All materials used to train the Title IX Coordinator, Investigators, Decision-makers, and any person who facilitates an Informal Resolution Process.

The College will create and maintain for seven (7) years records of any actions, including any supportive measures, taken in response to a Report or Formal Complaint of Title IX Sexual Harassment or other Prohibited Conduct. Those records will document the basis for the College's response that it was not deliberately indifferent, and document that the College took measures designed to restore or preserve equal access to its education program or activity. If the Complainant was not provided with supportive measures, then the College will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

F. Periodic Review: This Policy and its procedures supersede previous policies addressing sex-based discrimination, sexual misconduct, and retaliation and is maintained by the Title IX and Civil Rights Compliance Office. The College will review this Policy on at least an annual basis. The review will capture evolving legal requirements, evaluate the supports and resources available to the Parties, and assess the effectiveness of the resolution process (including as to the fairness of the process, the time needed to complete the process, and the sanctions and remedies imposed). **Revision of this Policy and these Procedures:** This Policy and procedures supersede any previous policies addressing Prohibited Conduct for incidents occurring on or after August 14, 2020, and will be reviewed and updated annually by the Title IX Coordinator. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the Resolution Process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any Party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures

materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require Policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change—or court decisions alter—the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws or regulations or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws which frame such policies and codes, generally.

G. Authority and Cross References: The President holds delegated authority from the Board of Trustees to establish College policies. Constitutional authority, federal statutes, state statutes, Florida Board of Governors, and College regulations authorize the Policy:

- The Federal Civil Rights Act of 1964
- The Federal Civil Rights Act of 1991
- The Education Amendments of 1972, Title IX
- The Campus Sexual Violence Elimination Act of 2013 The Jeanne Clery Act, 20 U.S.C., section 1092(f)
- Section 39.201, 119.071, 760.10, 794.027, 1000.05 and 1012.91, Florida Statutes

This Policy shall be reviewed by the Title IX Coordinator annually for its effectiveness. The Title IX Coordinator and other applicable College Official shall make recommendations, as needed, to the President for any modification or elimination.

This Policy and procedures are effective June 26, 2025.

APPENDIX A: Intentionally Omitted

APPENDIX B: DEFINITIONS

For purposes of this Policy, the following definitions apply:

Actual Knowledge: Notice of Title IX Sexual Harassment or allegations of Prohibited Conduct to the College's Title IX Coordinator or any official of the University who has actual authority to institute corrective measures on behalf of the University.

Advisor: A person chosen by a Party or appointed by the College to accompany the Party to meetings related to the Resolution Process, provide advice and consultation to a Party about that process, and conduct cross-examination for the Party at the hearing, if a hearing is held.

Appeal Decision-maker: The person who accepts or rejects a submitted appeal request, determines whether an error occurred that substantially affected the investigation or original determination, and directs corrective action, accordingly.

College Official: Any person assigned to engage in teaching, research, administrative, professional, or other responsibilities while acting within the scope of their employment, appointment, or volunteer role with the College.

Complainant: An individual who is alleged to have experienced Prohibited Conduct.

Day: Any weekday Monday through Friday in which the College is in operation. This includes days when the College is in operation, but classes are not in session.

Decision-maker: The person or panel who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated, and/or assigns sanctions.

Directly Related Evidence: Evidence connected to the complaint, but which is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the Decision-maker(s).

Education Program or Activity: Includes locations, events, or circumstances over which the College exercises substantial control over the context in which the Prohibited Conduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College. With respect to allegations of Title IX Sexual Harassment, as defined in the Policy, the conduct must have occurred in the United States and the College must have substantial control over the Respondent.

Employee: A person employed by the College either full- or part-time, including student employees when acting within the scope of their employment.

Final Agency Action: Notice that the College has made a final determination and, as such, may be appealed to an external judicial forum.

Formal Complaint: A document or electronic submission submitted by a Complainant containing the Complainant's physical or digital signature, or a document signed by the Title IX Coordinator alleging Title IX Sexual Harassment, as defined below, against a Respondent and requesting that the College investigate the allegation. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the College's education program or activity. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party. The Complainant remains the individual who is alleged to have experienced Prohibited Conduct.

Parties: Refers to the Complainant(s) and Respondent(s), collectively.

Relevant Evidence: Evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.

Report: When an employee, student, or third party informs the Title IX Coordinator or other College Official of the alleged occurrence of Prohibited Conduct.

Respondent: An individual who has been reported to have engaged in Prohibited Conduct.

Sexual Misconduct: An umbrella term that encompasses Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Sexual Exploitation.

Student: Any individual meeting one or more of the criteria below. The term applies to all campuses, sites, locations, and delivery methods of credit-bearing course offerings.

1. Admitted. Any person, regardless of academic career, who is admitted to the College and accepts an offer of admission to participate in any College program, course, or activity leading to enrollment, including but not limited to online or in-person orientation, graduate student orientation, teaching assistant orientation, or workshops.
2. Enrolled. Enrolled in any credit-bearing course or program offered by New College of Florida at the time any alleged violation(s) occurred.
3. Active student. Any person who has been enrolled at the College and continues to be associated with the College in order to complete the course or program in which the student was enrolled. "Active" status is determined by academic policy and is enforced by the Registrar's Office. This can include periods of non-enrollment during which the student is still eligible to enroll in classes. This term also includes any student who has been issued an Interim Health and Safety Action (IHSA) pending the outcome of a student conduct proceeding.
4. Dual enrollment. Any student enrolled in a credit-bearing course on a dual-enrollment basis. Jurisdiction over a dual-enrollment student's conduct will be determined in consultation with appropriate officials at the student's home institution.

Witness: An individual who may have information relevant to a report of Prohibited Conduct. A witness may be a student, an employee, or a third party.

APPENDIX C: SUPPORTIVE MEASURES

Supportive measures are provided under applicable circumstances upon request by a Complainant or Respondent. Supportive measures are individualized, non-punitive, non-disciplinary, and do not unreasonably burden the other Party, but are designed to restore or preserve a person's equal access to education or employment. Supportive measures are available at any stage, even when an investigation is not pending. Supportive measures can include, but are not limited to:

Students:

- Issuing no-contact orders to prevent any contact between the individuals involved, witnesses, and/or third Parties;
- Changing on-campus housing, to a different on-campus location and providing assistance from College personnel in completing the relocation;
- Assisting a Complainant living off-campus in finding alternative housing;
- Changing academic schedules (such as moving the Complainant or Respondent from one class section to another);
- Arranging for a student to withdraw from or take an "Incomplete" in a class without penalty;
- Providing academic support services (e.g., tutoring);
- Making a referral to emotional and medical support services; or
- Other options will be assessed upon request.

Employees:

- Issuing no-contact orders to prevent any contact between the individuals involved, witnesses, and/or third Parties;
- Changing work schedules;
- Changing work locations;
- Temporarily reassigning work related tasks or other related duties (e.g., grant management, etc.);
- Reassigning supervision;
- Arranging an alternate source for letters of recommendation or references;
- Explaining available leave options;
- Making a referral to emotional and medical support services; or
- Other options will be assessed upon request.

APPENDIX D: PARTIES' RIGHTS

Under this Policy and procedures, the Parties have the right to:

- An equitable investigation and resolution of all credible allegations of Prohibited Conduct, when reported in good faith to College officials.
- Timely written notice of all alleged violations, including the identity of the Parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated Policies and procedures, and possible sanctions.
- Timely written notice of any material adjustments to the allegations (*e.g.*, additional incidents or allegations, additional Formal Complainants) by updating the Notice of Investigation and Allegation(s) (NOIA) as needed to clarify potentially implicated Policy violations.
- Be informed in advance of any College public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- Have all personally identifiable information protected from the College's release to the public without consent, except to the extent permitted by law.
- Be treated with respect by College officials.
- Have College Policy and these procedures followed without material deviation.
- Voluntarily agree to resolve allegations under this Policy through Informal Resolution without College pressure, if Informal Resolution is approved by the Title IX Coordinator.
- Not be discouraged by College officials from reporting Prohibited Conduct to both on-campus and off-campus authorities.
- Be informed of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the College in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- Have College law enforcement and/or other College officials respond promptly to alleged Policy violations.
- Be informed of available supportive measures, such as counseling, advocacy, health care, student financial aid, visa and immigration assistance, and/or other services, both on campus and in the community.
- A College-implemented no-contact order or a no-trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- Be informed of available assistance in changing academic, living, and/or employment situations after an alleged incident of Prohibited Conduct if such changes are reasonably available. No formal report, or investigation, either institutional or criminal, needs to occur before this option is available. For more information about supportive measures, see [Appendix D](#).
- Have the College maintain supportive measures for as long as necessary, ensuring they remain confidential, provided confidentiality does not impair the College's ability to provide the supportive measures or comply with the law.
- Receive sufficiently advanced written notice of any College meetings or interviews

involving another party, when possible.

- Identify and have the Investigator(s), advisors, and/or Decision-maker question relevant available witnesses, including expert witnesses.
- Provide the Investigator(s)/Decision-maker with a list of questions that, if deemed relevant by the Investigator(s)/Decision-maker, may be asked of any party or witness.
- Have Complainant's inadmissible sexual predisposition/prior sexual history or any party's irrelevant character evidence excluded by the Decision-maker.
- Review the relevant and directly related evidence obtained and to respond to that evidence.
- A fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- Receive a copy of all relevant and directly related evidence obtained during the investigation, subject to privacy limitations imposed by federal and state law, and a ten (10)-business-day period to review and comment on the evidence.
- Receive a copy of the Final Investigation Report, including all factual, Policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- Be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- Regular status updates on the investigation and/or Resolution Process.
- Have reports of alleged Policy violations addressed by College representatives who have received relevant annual training as required by law.
- A Decision-making panel that is not single sex in its composition, if a panel is used.
- Preservation of confidentiality/privacy, to the extent possible and permitted by law.
- Meetings, interviews, and/or hearings that are closed to the public.
- Petition that any College representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- Be able to select an advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- Apply the appropriate standard of evidence, preponderance of the evidence, to make a Finding and Final Determination after an objective evaluation of all relevant evidence.
- Be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- Have an impact and/or mitigation statement considered by the Decision-maker following a determination of responsibility for any allegation, but prior to sanctioning.
- Be promptly informed of the Resolution Process finding(s) and sanction(s) (if any) and be given a detailed rationale for the decision (including an explanation of how credibility was assessed) in a written outcome letter delivered to the Parties simultaneously (without undue delay).
- Be informed in writing of when a College decision is considered final and any changes to the Final Determination or sanction(s) that occur post outcome letter delivery.
- Be informed of the opportunity to appeal the Resolution Process finding(s) and sanction(s) and the procedures for doing so in accordance with the College's appeal grounds.
- A fundamentally fair resolution as defined in these procedures.

APPENDIX E: ADVISOR'S ROLE AND RESPONSIBILITIES

Advisors in the Resolution Process

The Parties may each have an advisor of their choice present with them for all meetings, interviews, and hearings within the Resolution Process, if they so choose.

Choosing an advisor who is also a witness in the process creates potential for bias and conflict of interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker.

Who Can Serve as an Advisor

The Parties may each have an advisor (friend, mentor, family member, attorney, or any other individual a party chooses) present with them for all meetings, interviews, and hearings within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available.¹² Parties have the right to choose not to have an advisor in the initial stages of the Resolution Process, prior to a hearing.

The Title IX Coordinator will offer to assign a trained advisor to any party if the party chooses. If the Parties choose an advisor provided by the College, the College will have trained the Advisor and familiarized them with the College's Resolution Process.

The College cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party.

If the Parties choose an advisor from outside the pool of those identified by the College, the advisor may not have been trained by the College and may not be familiar with College policies and procedures.

A party may elect to change advisors during the process and is not obligated to use the same advisor throughout. Parties are expected to provide the Title IX Coordinator with timely notification if they change advisor. If a party changes advisor, consent to share information with the previous advisor is assumed to be terminated, and a release for the new advisor must be submitted.

The College may permit Parties to have more than one advisor, or an advisor and a support person, upon special request to the Title IX Coordinator. The decision to grant this request is at the Title IX Coordinator's sole discretion and will be granted equitably to all Parties.

Advisor's Role in the Formal Resolution Process

¹² "Available" means the party cannot insist on an advisor who simply doesn't have inclination, time, or availability. Also, the advisor cannot have institutionally conflicting roles, such as being a Title IX Team member who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

Advisors should help the Parties to prepare for each meeting or hearing and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of their advisee unless given specific permission to do so.

The Parties are expected to respond to questions on their own behalf throughout the Resolution Process. Although the advisor generally may not speak on behalf of their advisee, with the exception of conducting cross-examination during a hearing, the advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their advisor should ask for breaks to allow for private consultation.

Advisors in Hearings/College-Appointed Advisor

Under the Title IX Regulations, a form of indirect questioning is required during the hearing but must be conducted by the Parties' advisors. The Parties are not permitted to directly question each other or any witnesses. If a party does not have an advisor for a hearing, the College will appoint a trained advisor for the limited purpose of conducting any questioning of the Parties and witnesses.

Advisor Policy Violations

Any Advisor who oversteps their role as defined by the Policy, who shares information or evidence in a manner inconsistent with the Policy, or who refuses to comply with the College's established rules of decorum will be warned. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting/interview/hearing may be ended, or other appropriate measures implemented, including the College requiring the party to use a different advisor or providing a different College-appointed advisor. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

Records Shared with Advisors

Advisors are entitled to the same opportunity as their advisee to receive copies of the Preliminary and Final Investigation Reports, as well as the directly related evidence file.

Advisors are expected to maintain the confidentiality of the records the College shares with them. The College may restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the College's confidentiality expectations.

Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third Parties, disclosed publicly, or used for purposes not explicitly authorized by the College. The College may restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the College's privacy expectations.

Advisor Expectations

The College generally expects an advisor to adjust their schedule to allow them to attend College meetings/interviews/hearings when planned, but the College may change scheduled meetings/interviews/hearings to accommodate an advisor's inability to attend, if doing so does not cause an unreasonable delay.

The College may also make reasonable provisions to allow an advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available.

All advisors are subject to the same College policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by the College. Advisors are expected to advise without disrupting proceedings.

APPENDIX F: INFORMAL RESOLUTION APPROACHES

The College will use one of three approaches to Informal Resolution. They are detailed in this section.

- 1) **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
- 2) **Accepted Responsibility.** When the Respondent accepts responsibility for violating the Policy and accepts the recommended sanction(s), and the Complainant(s) and College are agreeable to the resolution terms.
- 3) **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Resolution Process. Any Party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time and initiate or resume the Formal Resolution Process.

To informally resolve allegations of Title IX Sexual Harassment, a Formal Complaint must be filed prior to engaging in the Informal Resolution.

If an investigation is already underway, the Title IX Coordinator has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

Prior to implementing Informal Resolution, the College will provide the Parties with written notice of the reported misconduct and any sanctions (only in the case of Accepted Responsibility) or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the College.

Informal Resolution Approaches

Supportive Resolution: The Title IX Coordinator will meet with the Complainant to determine reasonable supports that are designed to restore or preserve the Complainant's access to the College's education program and activity. Such supports can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received a NOIA, the Title IX Coordinator may also provide reasonable supports for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the Title IX does not believe there is a need to sign a Formal Complaint. At the discretion of the Title IX Coordinator, this resolution option can result in an agreement between the Complainant and the College that does not require assent from any other Party, as long as it does not unduly burden any other Party or function punitively with respect to them.

Accepted Responsibility: The Respondent may accept responsibility for any or all of the alleged

Policy violations at any point during the Formal Resolution Process. If the Respondent indicates an intent to accept responsibility for **all** alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option.

If Informal Resolution is available, the Title IX Coordinator will determine whether all Parties and the College are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of College Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate officials, as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Formal Resolution Process will either begin or resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the discrimination or harassment, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

Alternative Resolution: The College offers a variety of alternative resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the Title IX Coordinator or other appropriate College officials; and other forms of resolution that can be tailored to the needs of the Parties. Some alternative resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an alternative resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an alternative resolution process.

The Title IX Coordinator may consider the following factors to assess whether alternative resolution is appropriate, or which form of alternative resolution may be most successful for the Parties:

- The Parties' amenability to alternative resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Respondent's disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the alternative resolution facilitator with this type of Complaint
- Complaint complexity

- Emotional investment/capability of the Parties
- Rationality of the Parties
- Goals of the Parties
- Adequate resources to invest in alternative resolution (e.g., time, staff)

The Title IX Coordinator has the authority to determine whether alternative resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their advisors, often including terms of confidentiality, release, and non-disparagement.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the alternative resolution process. The Title IX Coordinator will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the alternative resolution.

The Title IX Coordinator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the agreement and resumption of the Formal Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the agreement). The results of complaints resolved by alternative resolution are not appealable.

If an Informal Resolution option is not available or selected, the College will initiate or continue an investigation and subsequent Formal Resolution Process to determine whether the Policy has been violated.

Authority: Article IX, Sec. 7, Fla. Constitution; 34 CFR Part 106; Fla. Board of Governors Regulations 1.001 and 6.0105

History: Adopted 04-27-02, as Policy 0-007; Revised and renumbered 11-04-11; Revised 05-31-14, 11-08-14, 03-05-16, 10-29-16, 10-27-20; Revised 06-26-25.

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Approval of Regulation Amendment – 4-2003-Textbook-and-Instructional-Materials-Affordability

PROPOSED BOARD ACTION

Approve the amendments to New College of Florida Regulation 4-2003-Textbook-and-Instructional-Materials-Affordability

BACKGROUND INFORMATION

The proposed regulation provides for amendments in order to conform the existing NCF regulation with the current Florida Board of Governors Regulation 8.003. The proposed amendments clarify attestation requirements for faculty concerning course materials and the affordability of textbooks, updates the requirements for a searchable database for student and consumer use, sets deadlines for performance, and delegates to the President of the New College of Florida the authority to implement the regulation.

Supporting Documentation Included: Notice of Proposed Regulation Amendment 4-2003

Facilitators/Presenters: *David Brickhouse, Vice President, Legal Affairs*

NOTICE OF PROPOSED REGULATION DEVELOPMENT

The New College of Florida Board of Trustees

Date: May 27, 2025

REGULATION CHAPTER NUMBER:

Chapter 4 – Academic Affairs

REGULATION NUMBER AND TITLE:

4-2003: Textbook and Instructional Materials Affordability

AUTHORITY: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1004.085; Fla. Board of Governors Regulation 8.003

SUMMARY OF PROPOSED REGULATION AMENDMENT:

4-2003: The proposed regulation provides for amendments in order to conform the existing NCF regulation with the current Florida Board of Governors Regulation 8.003. The proposed amendments clarify attestation requirements for faculty concerning course materials and the affordability of textbooks, updates the requirements for a searchable database for student and consumer use, sets deadlines for performance, and delegates to the President of the New College of Florida the authority to implement the regulation.

TEXT OF PROPOSED REGULATIONS:

The full text of the proposed regulation is set out following this notice.

NEW COLLEGE OFFICIAL INITIATING THE REGULATION:

David Brickhouse, Vice President for Legal Affairs

PROCEDURE FOR COMMENTING ON PROPOSED REGULATION:

Comments concerning the proposed regulation should be submitted **within 14 days of the date of this notice** to David Brickhouse, Vice President for Legal Affairs, 5800 Bay Shore Road, Sarasota, Florida 34243, (941)-487-4106 office, generalcounsel@ncf.edu. Comments provided to Mr. Brickhouse will be presented to the Board of Trustees for consideration.

THE FULL TEXT OF THE PROPOSED REGULATION IS BELOW

~~Strikethrough~~ indicates deletion; Underlining indicates addition

NEW COLLEGE OF FLORIDA REGULATIONS MANUAL

CHAPTER 4 - Academic Affairs

4-2003 Textbook and Instructional Materials Affordability

Pursuant to Florida Board of Governors Regulation 8.003, this regulation is promulgated to minimize the cost of textbooks and instructional materials to students while supporting a high quality of instruction and academic freedom.

- (1) All faculty, instructors, or individuals responsible for selecting textbook and instructional materials must attest that they will review all required materials for each course they teach each semester before the materials are presented or assigned to students. Materials include but are not limited to textbooks, test and assignment questions, assigned and supplemental readings, and any other instructional material the faculty member plans to assign to students to read and review in the course. Faculty or instructors must attest that the materials are appropriate for the course and submit the attestation in accordance with policies adopted pursuant to this regulation. The faculty, instructor or individual responsible for selecting materials ~~Instructors~~ shall engage in cost-benefit analysis in selecting required or recommended textbooks and instructional materials to enable students to obtain the highest quality product at the lowest available price. Such analysis should consider the following:
 - (a) Purchasing digital textbooks in bulk;
 - (b) Expanding the use of open-access textbooks and instructional materials;
 - (c) Providing rental options for textbooks and instructional materials;
 - (d) Increasing the availability and use of affordable digital textbooks and learning objects;
 - (e) Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials;
 - (f) The length of time that textbooks and instructional materials remain in use; and
 - (g) An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of materials.
- (2) In consultation with providers, including bookstores, Division Chairs and individual instructors shall use innovative pricing techniques and payment options for textbooks and instructional materials. Pricing techniques and payment options must include an opt-in provision for students and may be approved only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.
- (3) Instructors shall select textbooks and instructional materials for their classes 60 calendar days prior to the first day of class where possible but no later than 45 calendar days. This deadline

shall provide sufficient lead time for bookstores to confirm availability, source lower cost options, explore alternatives with faculty, and maximize the availability of used textbooks and instructional materials.

- (4) Any request for an exception to the deadline in Section (3) of this regulation shall be submitted by the instructor in writing to the appropriate Division Chair or his/her designee prior to the deadline and shall provide a reasonable justification.
- (5) For courses which are added after the deadline in Section (3), the course instructor shall order textbooks and instructional materials as soon as feasible no later than the deadline set by the President or their designee. ~~For the purposes of this regulation, neither tutorials nor Independent Study Projects (ISPs) are considered courses.~~
- (6) In selecting textbooks and instructional materials, instructors shall:
 - (a) Certify that all instructional items sold as part of a bundled package will be used;
 - (b) Determine the extent to which a new edition differs significantly and substantively from earlier versions, and explain the value to the student of changing to the new edition, or the extent to which an open-access textbook or instructional material is available. If a new edition cannot be justified, the course instructor should request the old edition.
 - (c) Indicate that no textbooks or instructional materials are required for the course if none are to be ordered.
- (7) A hyperlink to lists of required and recommended textbooks and instructional materials for at least ninety five (95) percent of all courses and course sections offered for the upcoming term shall be posted on the College's website as early as feasible but no later than forty five (45) days prior to the first day of classes for each term. Any request for an exception to this deadline shall be submitted in writing to the President ~~designated university official~~ prior to the deadline, and shall provide a reasonable justification for an exception. Classes added after the notification deadline are exempt from this notification requirement. The posted list shall include the following information for each required and recommended textbook and instructional materials:
 - (a) The International Standard Book Number (ISBN); or (b) Other identifying information, including:
 - 1. Title;
 - 2. ~~1.~~ Author(s);
 - 3. ~~2.~~ Publisher(s);
 - 4. ~~3.~~ Edition number;
 - 5. ~~4.~~ Copyright date;

6. 5. Publication date;
 7. 6. Other information necessary to identify the specific textbook or instructional material that is required or recommended for each course.
 8. Be posted as early as is feasible but at least 45 days before the first day of class for each term.
 9. Be searchable by the course subject, the course number, the course title, the name of the instructor of the course, the title of each assigned textbook or instructional material; and each author of an assigned textbook or instructional material.
 10. Be easily downloadable by current and prospective students.
 11. If the course is a general education core course option identified pursuant to section 1007.25, Florida Statutes, the course syllabus must be included and contain the following:
 - a. The course curriculum;
 - b. The goals, objectives, and student expectations of the course;
 - c. How student performance will be measured.
 12. The above information must remain posted in a public, searchable database for at least five academic years.
- (8) Where applicable, the College shall consult with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to school districts, including, but not limited to, the length of time that textbooks and instructional materials remain in use.
 - (9) The Director of Financial Aid or his/her designee shall publish on the College web site its procedure for the Book Advance program, which makes required and recommended textbooks and instructional materials available to students who otherwise cannot afford the costs prior to receipt of their financial aid distribution. Students eligible for this financial aid are notified as well via their award letter. See NCF Regulation 5-1005 Financial Aid.
 - (10) Each semester, the College will examine the cost of required and recommended textbooks and instructional materials by course and course section for all general education courses, identifying any variance in the cost among different sections of the same course. This examination will also identify the percentage of textbooks and instructional materials that remain in use for more than one term. A list of courses that have a wide variance in cost

among sections, or that have frequent changes in textbook and instructional materials, shall be submitted to the appropriate Department Chair for review.

- (11) No employee of the 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 to purchase a specific textbook or instructional materials for coursework or instruction, except in the cases listed in Section (12) below.
- (12) An employee may receive, subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and the outside activity and conflict of interest requirements set forth in College regulations, policies and collective bargaining agreements, the following:
 - (a) Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.
 - (b) Royalties or other compensation from sales of textbooks or instructional materials 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 or instructional materials.
 - (e) Training in the use of course materials and learning technologies.
- (13) By September 30 of each year, the Board of Trustees shall provide a report to the Chancellor of the State University System that details:
 - (a) The selection process for ~~general education courses with a wide cost variance and high enrollment courses~~;
 - (b) Specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials;
 - (c) Policies implemented regarding the posting of textbook and instructional materials for at least ninety five (95) percent of all courses and course sections forty five (45) days before the first day of classes;
 - (d) The number of courses and course sections that were not able to meet the posting deadline for the previous academic year; ~~and~~
 - (e) Compliance with the required components of the textbook and instructional materials list in subsection (7)(a). ~~Any additional information determined by the Chancellor.~~

- (f) Attestation that all required materials have been reviewed each semester; and
- (g) Any additional information determined by the Chancellor.
- (14) The President or designee is delegated authority to implement additional policies and procedures in furtherance of, and consistent with, the requirements set forth herein, BOG Regulation 8.003, applicable law, and governing collective bargaining agreements.

Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Stat. 1004.085; Fla. Board of Governors Regulation 8.003

History: Adopted 11-07-09; Revised 10-29-16, 11-04-17, 6-26-25.

[External] Public Comment: Notice of Proposed Regulation Development: 4-2003 Textbook and Instructional Materials Affordability

1 message

Grant Balfour <grant.a.balfour@gmail.com>
To: generalcounsel@ncf.edu

Tue, Jun 10, 2025 at 8:00 AM

Dear Mr. Brickhouse, members of the board of trustees,

This is the second of two public comments I'd like to make toward an item on the consent agenda I think worth discussion, since it concerns a possibly overlooked threat to New College's continued status as the honors college of the state of Florida, as set out in statute § 1004.32(1).

The unusual educational system that made New College the public university producing the most graduates earning STEM PhDs in America was based on the principle of student-directed education. In other words, if right sort of student got intensely curious about something -- say, how to use AI to tabulate stock trading patterns, or the effects of Sahara dust storms on Hernando citrus grove productivity -- that student could turn that curiosity into a tutorial and make it part of a course of study. This is how undergraduates in Sarasota executed graduate-level work that was, for decades, Florida's best-kept academic secret.

The founding dean and provost, John W. Gustad laid out seven principles for this program¹. The first two are:

1. Each student is responsible in the last analysis for his own education.
2. The best education results from the active confrontation of two first class minds. The emphasis here must be on "active" and "first class." A former president of Fisk University said that to put a second rate teacher into a small class results only in the passing on of mediocrity under conditions of intimacy

The last is:

7. Students should have from the very outset opportunities to explore in depth areas which are of interest to them. Some will have a good idea when they enter of what they want to study; others will need a period of exploration. Basic to this assumption is opportunity.

The idea that all readings should be set out before the first meeting of an independent tutorial and remain unchanging is antithetical to the "opportunity" Gustad wrote about. What if the Sahara dust researcher, in week three of his research, finds evidence of fertilizer overspray in week three of a 15-week tutorial, which mimics the effect of dust but has nothing to do with weather patterns. Do we throw out the rest of the semester? What if the AI researcher realizes the stock-analysis AI tabulates numbers in a way that applies even more precisely to chemical processes used in gene therapies? That's not on the reading list.

The thing is, these examples aren't dark horses or long shots -- the more you do open-ended research (with academic discipline) the more you realize that surprises like these happen all the time. They are part of every educational experience. This applies just as much to history, political science, philosophy, and literature as it does to physics, astronomy, and marine-mammal biology.

Asking professors to approve every reading and attest to its "appropriateness" before a class begins threatens to lower the system to, in Gustad's words, "passing on mediocrity under conditions of intimacy." There's no ROI there.

Surely, accommodation can be made to bring the Board of Governors' directive in line with the proven academic successes of the New College system of learning.

Thanks for your attention. I graduated New College in 1990 with a major in hermeneutics under Dr. Douglas Berggren, USMC.

- Grant Balfour

561.459.5095

2845 Cherokee Rd.

West Palm Beach, FL 33406

1. <https://archive.org/details/experimentalcoll0000unse/page/n5/mode/2up?q=john+w.+gustad+%22last+analysis%22> , pp 49-56

June 10, 2025

Public comment on Notice of Proposed Regulation Development 4-2003 posted May 27

Dear Trustees,

I write to oppose three specific changes to New College Regulations Manual policy, in the clause about course materials affordability: chapter 4-2003: Textbook and Instructional Materials Affordability

I see what Mr. Brickhouse is doing, much like the Big Beautiful Bill that recently duped Republican congressmen to approve changes to judicial checks and balances under the guise of budget changes. Please do your job of oversight and read ALL of the proposed new language.

1. The word "appropriate" is not the same as the word "affordable." In a clause about affordability, let's not grant power to an administrator, over a professor, to decide what materials are appropriate (in section 1). "Your textbook on evolution is inappropriate in a biology class, in Florida, a Christian state." No, the President cannot take this curriculum power from a biology professor. Please amend the word "appropriate" to be "affordable," to avoid this confusion and potential over-reach.
2. The power over course curriculum belongs to the faculty, and the President is not qualified to determine what materials are needed for a course. Please keep the existing language of Designee (section 5,7,14) and do not change it to "or President." A faculty designee is more qualified to oversee course material selection. The Provost or a Dean of Academic Affairs is an appropriate designee. This change gives too much curriculum power to the President, someone with HR/financial priorities, which are often in conflict with learning priorities. This change does not make course materials affordable, it removes checks and balances, consolidating power in the President.
3. Student-driven program designs are important at New College and enable students to read the newest publications and advanced niche interest texts. In tutorials and ISPs the students generate the reading list. The existing NCF policy specifies that tutorials and ISPs are not courses that professors must attest to having reviewed all the materials (section 5). Please do not change this language. Doing so does not make courses more affordable, it limits the ability of students to read the latest research. Particularly at the Master's level, this would disable our students to be competitive and up-to-date, as some Master's students are more qualified than their professors to choose their materials on their particular niches. This change does not make materials more affordable.

I hold a Master's degree in Education which gives me a focused professional perspective to assess this policy change's effects on curriculum design and learning outcomes. I am a stakeholder, as co-chair of the NCAA alumni association. As a student I worked at NCF Admissions for 3 years, knowing how important for recruiting it is that students can effect their own course materials. This gives the college a competitive advantage over other liberal arts colleges. If as a Master's student I want to do a Biblical analysis of Darwin for my Educational

Leadership program, it is important that I can choose the scholars I will read, as our small faculty cannot know all materials in every niche. Please do not give undue power over curriculum to the President, and require professors to attest to things beyond what the BOG is requiring for affordability oversight. Doing so would be overreach determining how quickly and what new research students can read.

Thank you,
Carolyn Barker, MA, Class of 2003
Co-chair NCAA

Tucson AZ
CarolynVBarker@gmail.com

Benjamin Brown
155 Ferris Ave, Unit 9A
White Plains, NY 10603
Tel.: 914-393-5037
E-mail: BenBrownDesk@outlook.com

June 8, 2025

New College of Florida Board of Trustees

Re: May 27, 2025 Notice of Proposed Regulation Development: 4-2003 Textbook and Instructional Materials Affordability

Dear Sirs and Madams:

The above-cited proposed regulation dealing with instructional materials would create an obligation on the part of New College faculty members to “attest that they will review all required materials for each course they teach each semester before the materials are presented or assigned to students.”

I fear this proposal will prove unwieldy and that, in some instances, it will do violence to the innovative spirit of the New College academic program that was developed in the 1950s and 1960s.

To be clear, the proposed regulation mirrors language in Board of Governors Regulation 8.003, specifically the requirement for faculty attestations that they have reviewed all materials before they are “presented or assigned to the students.”¹ The Board of Governors Regulations were amended to include this requirement on October 18, 2024.² I hope New College will consider communicating with the Board of Governors and advocating for its needs based on its unique standing as the “the residential liberal arts honors college of the State of Florida.” *See* Florida Statutes § 1004.32(1). In this case, application of the Board of Governors’ requirement could do real damage to New College’s unique and longstanding honors-level academic program. The proposed regulation is burdensome and would constrain faculty members’ development of courses.

It’s not hard to think of examples of how the regulation unduly constrains the faculty: Suppose a professor wants to ask students to keep up with a periodical such as the *Financial Times* or *The Economist* as part of a course. Such commonplace course requirements would be impossible under this regulation because the faculty member cannot review materials that have not yet been published at the time they are assigned.

¹ Board of Governors Regulation 8.003 is available at <https://www.flbog.edu/regulations/active-regulations/>.

² The adoption of the amendments at the Oct. 18, 2024 Board of Governors meeting is reflected in the meeting materials on the Board of Governors’ website at <https://www.flbog.edu/session/full-board-meeting-wyn8xo-k/>.

As another example, a faculty member might ask a student to do the searching and selection from among a very large dataset or body of work. For example, a course might ask a student to find examples from among the entire oeuvre of an author. Must the faculty member have read the entire oeuvre to give the student such an assignment? In some cases a faculty member might ask a student to work with an entire *database*, such as ProQuest or LexisNexis, and indeed the very skill of selecting the wheat from the chaff on a given topic is what the student is meant to practice and learn.

Even if the College does not elect to approach the Board of Governors to seek relief from Board of Governors Regulation 8.003, the College could modify its own proposed regulation so as to interpret and apply the Board of Governors' requirements to make clear that faculty choices such as assigning students an ongoing periodical, or assigning students to work with a large oeuvre or dataset, are permitted.

Unfortunately, the proposed regulation would also disrupt New College's longstanding practice of permitting independent exploration by students within individual courses as well as self-designed tutorials. Consider this description of New College's traditional program:

"If a student expressed interest in a subject that was outside the course offerings, and perhaps even outside faculty specialties, he or she could arrange to take a tutorial with a qualified person. These one-on-one meetings gave students access to material to meet their special needs . . . students did the burden of the preparation. . . . The learning experience was to be thought of not just as a series of seminars and tutorials, but as an entire ambiance. And New College was not going to try to be big; it was to be an intellectually challenging confrontation between a relatively small, elite faculty and a small elite group of students."

Furman C. Arthur, *New College: The First Three Decades* 98-99 (1995).

Similarly, New College's second president, John Elmendorf, wrote, "Periods of independent study were to be scheduled regularly. During these periods, students . . . would attack a specific piece of work quite independently from other students (and in fact from faculty as such)," and "Within the college, processes would be emphasized rather than content, discovery rather than direction." John Elmendorf, *Transmitting Information about Experiments in Higher Education: New College as a Case Study* (Academy for Educational Development, 1975).³

Traditionally, part of the magic of New College has been that there is sometimes a "joint search for learning"⁴ by students and faculty working with material with which neither is fully familiar.

³ Available at <https://eric.ed.gov/?id=ED105804>.

⁴ New College has long expressed four guiding principles at the heart of its unique educational methodology. The four principles are, "1. Each student is responsible in the last analysis for his or her own education, 2. The best

Finally, and of no small importance, New College's historical success has been in large part due to an aversion to red tape. This spirit has a certain echo in the popularity of "Department of Government Efficiency" or "DOGE" programs in Federal, state, and local government today. But this proposed regulation adds another layer to the body of bureaucratic procedures and requirements to which faculty must give time and attention as they go about their real work of research and teaching. And presumably some College employee is going to have to collect and maintain all these attestations on file.

And in any case, other than the bureaucratic directive coming from the Board of Governors, what is the impetus for this proposed regulation? What real problem is it meant to address?

Thank you very much for your consideration. I am a 2009 graduate of the College and served as the Chair of the Alumni Association between July, 2023 and March, 2025.

Very truly yours,



Benjamin Brown

education demands *a joint search for learning* by exciting teachers and able students, 3. Students' progress should be based on demonstrated competence and real mastery rather than on the accumulation of credits and grades, 4. Students should have from the outset opportunities to explore areas of deep interest to them." (Emphasis added.) The four principles are recorded, among other places, in the current *New College of Florida Campus Master Plan* p. i (adopted Jun. 14, 2008; updated Oct. 31, 2015; amended Aug. 2016), available at https://www.ncf.edu/wp-content/uploads/2024/05/NCF-Masterplan_Amendment-1_August-2016.pdf.

[External] Written comment concerning Proposed Regulation 4-2003-Textbook and Instructional Materials Affordability

1 message

Rodrigo Díaz <pedrobetancourt@hotmail.com>
To: "generalcounsel@ncf.edu" <generalcounsel@ncf.edu>

Tue, Jun 10, 2025 at 10:37 PM

Good evening, Vice President Brickhouse:

I am writing to you concerning the proposal to amend Regulation 4-2003 Textbook and Instructional Materials Affordability. I understand that Regulation 4-2003 of the New College Regulations Manual must be amended to bring the regulation into compliance with Florida SUS Board of Governors Regulation 8.003. I suppose that this is the reason why section 1 of the proposed amendment is almost identical to section 2 of BoG Regulation 8.003. However, section 14 of the proposed amendment reads, "The President or designee is delegated authority to implement additional policies and procedures in furtherance of, and consistent with, the requirements set forth herein, BOG Regulation 8.003, applicable law, and governing collective bargaining agreements." BoG Regulation 8.003 does not assign any such role to the president (or to the president's designee) in an SUS institution.

I understand the need for someone to oversee the implementation of Regulation 4-2003. However, I do not believe that that person should be the college's president or his designee. Unfortunately, in the State University System, the office of president has become susceptible to political pressure and manipulation. No New College president or designee should be empowered to implement additional policies or procedures to further Regulation 4-2003. Imagine if a New College president or designee created a policy that stipulated that any faculty attestation as to whether a textbook were appropriate for a given course had to be verified and that the President or his designee were responsible for making the verification. Imagine also that the president or designee created another policy according to which any determination by the president or designee that a textbook was not appropriate for a given course would result in the textbook being removed from the materials to be used to teach the course. In these circumstances, power over the academic program of the college would be concentrated in the hands of the president or his designee. Given the political exposure inherent in the office of the presidency, this would present a clear and present danger to academic freedom at the college.

For this reason, I request that the proposal to amend Regulation 4-2003 be modified. Section 14 of the proposal should be removed as it is currently written. In its place, I suggest the following text: "Authority to implement additional policies and procedures in furtherance of, and consistent with, the requirements set forth herein, BOG Regulation 8.003, applicable law, and governing collective bargaining agreements shall be delegated solely and entirely to the New College Faculty, which shall have the option to further delegate this authority to its Educational Policy Committee, to the Chairs of its Academic Divisions, or to some other committee of its members as it shall judge competent to carry out the task." I believe that my suggestion will protect academic freedom better than the proposal to amend Regulation 4-2003 in its current form.

Thank you for your time and consideration.

Rodrigo Díaz
New College of Florida
class of 1991

[External] Notice of Proposed Regulation Development

2 messages

Ginger Lyon <gingerlyon002@gmail.com>
To: generalcounsel@ncf.edu

Mon, Jun 9, 2025 at 3:20 AM

To: Board of Trustees
From: Ginger Lyon , NC '70-'74

The proposed regulation 4-2003 is:
Unnecessary.
Burdensome.
Harmful .

Please refrain from supporting any measures that further erode our beloved school.

Thank you.

Ginger Lyon
Atlanta, GA

Ginger Lyon <gingerlyon002@gmail.com>
To: generalcounsel@ncf.edu

Mon, Jun 9, 2025 at 3:32 AM

On Mon, Jun 9, 2025 at 3:20 AM Ginger Lyon <gingerlyon002@gmail.com> wrote:

To: Board of Trustees
From: Ginger Lyon , NC '70-'74

The proposed regulation 4-2003 is:
Unnecessary.
Burdensome.
Harmful .

Please refrain from supporting any measures that further erode our beloved school.

Thank you.

Ginger Lyon
Atlanta, GA

COMMENTS RE: New College regulation 4-2003
FROM NCF FREEDOM, as submitted by Jono Miller, President
May 10, 2005

This is a dangerous expansion of the intent and specifics of B.O.G. Regulation 8.003 Textbook and Materials Affordability. It strays from legitimate concerns regarding the cost of books and “instructional materials” and veers into granting the President, or designee, the ability not only to call ‘appropriateness’ balls and strikes, but also to threaten a faculty member’s future for failing to be able to anticipate a month and a half before a course starts what might be needed several months hence.

There are seven reasons it should not be adopted as drafted – 1) it fails to define “instructional materials,” 2) there are no criteria for appropriateness, 3) no sanctions or penalties are identified for being in violation, 4) the deadlines for compliance work against adaptive teaching opportunities, 5) it neuters tutorials and ISPs, 6) there is no way to ensure the college meets the 95% compliance target in real time, and 7) it confers too much power to the President or their designee.

1) No definition is provided for “instructional materials” and we are unable to find a definition in B.O.G. regulations.

FS 1006.29 (2) defines instructional materials for K-12, but not at the University level.

Are plants (fresh or herbarium specimens) instructional materials? Must one know what is blooming in advance, or can that be determined in real time?

UCF restricts instructional materials to printed or digital material, but even this could prove problematic. *What if a faculty member encourages students to exchange essays as part of a collaborative learning exercise?*

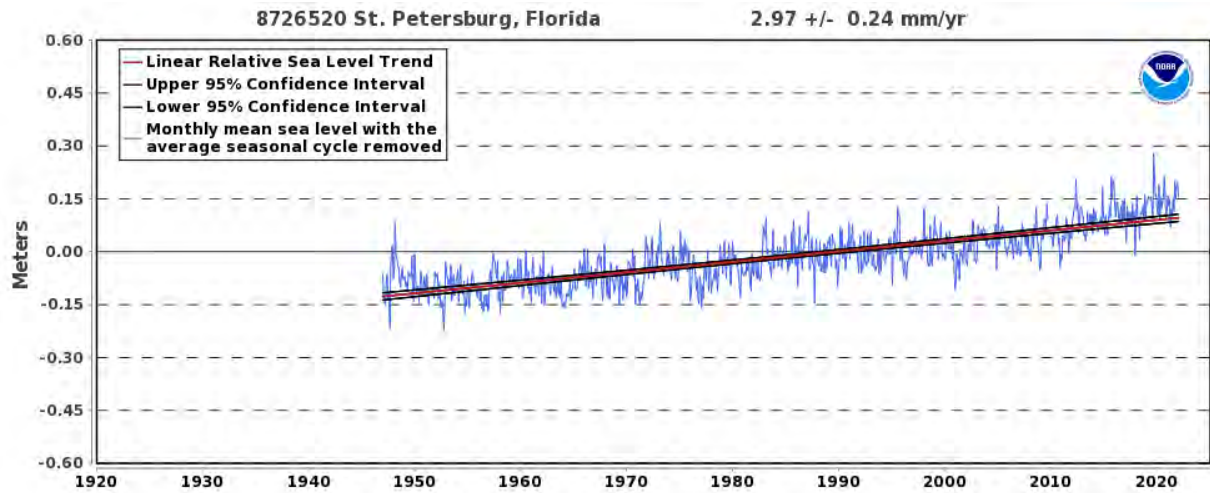
Will tutorial students be allowed to address their classmates regarding their scholastic findings (homework) prior to the faculty member filing attestations?

2) There are no criteria defining appropriateness, or how appropriateness would be determined.

Faculty are being asked to attest that something they assign will be appropriate “*in accordance with policies adopted pursuant to this regulation.*” But no draft policies are traveling with this proposed regulation change, so it is impossible to determine the implications of adopting this policy.

A faculty member teaching a general education core course may consider a chart showing sea level rise as appropriate. But what if the President (or their designee)

doesn't, claiming the chart distorts a significant historical event as prohibited by Chapter 1007.25 (3)(c)? For instance if they believe sea level is a constant.



Or what if a faculty member teaching a general education core course teaches that on the eve of the Revolutionary there were sixteen English colonies in North America, but the University President thinks that's inappropriately distorting history because he/she was taught (and confirmed by the Internet!) there were thirteen British Colonies?

- 3) There are no sanctions identified for presenting students with materials the faculty member finds appropriate, but which the President or his designee finds inappropriate. Penalties should be identified.**
- 4) All the instructional materials are to be determined and attested to a minimum of 45 days before the start of classes. That needlessly cripples quality pedagogy.**

Could this regulation prevent an economics professor from assigning reading the front pages of the coming week's Wall Street Journal, if the professor hasn't read them first?

A personal reflection. Over the course of 37 years, I team taught with a minimum of fourteen different faculty members from all Divisions. That afforded me a front row seat to a wide variety of teaching styles. Based on my experience, I believe the best offerings have an armature of readings known in advance, and which comply with the goals implicit in the BOG's

focus on affordability. But the armature is just that – a structure to build the build the course upon.

And, at least with environmental offerings, there is so much that can't be known 45 days out from the first day of class.

First, you don't know the students. You may have a list of some of them, but you are unlikely to know how interested or prepared they will be. You don't know how many there will be, or why they are participating.

Second, you don't know what serendipitous teaching opportunities will present themselves. It could be almost anything, a weather event, a lecture, a downtown hearing, bioluminescence in the Bay, an article, a tree cut down on campus, or fascinating finding from another class that students want to engage with.

It is the ability to pivot to what is happening inside or outside the classroom that distinguishes a rote course (that could be programmed in advance and taught by computer) from one that engages students. Or, to be more explicit, it enables the professor, working with the students, to convert a prescribed what-to-think offering, into a revelatory how-to-think offering by going beyond packaged content to academic exploration.

- 5) **Section 5 of the proposed regulation deletes the exception for tutorials and ISPs.** This ostensibly minor change will have a major effect on these two forms of learning. If the BOT wants to destroy or eliminate tutorials and ISPs, they should do so explicitly instead through this backdoor. Tutorials and ISPs are exploratory endeavors and knowing exactly where they will lead in advance is impossible. This is where students build confidence and skills while deepening their inquiry. These are important contributors to being able to successfully undertake a senior project/thesis. They are essential components of what made New College education work and deserve shielding from this regulation.
- 6) **There's a provision that allows 5% classes to fail to meet this criterion, but there's no way for a faculty member to know how much of the 5% their offering is consuming.** The proposed regulation concedes that 100% compliance may not be sensible, but it fails to anticipate how various faculty

planning courses could coordinate in real time to avoid exceeding the threshold.

- 7) **The President (or designee) is not and should not be able to decide if a particular instructional material is appropriate in the context of a given academic offering.** The President cannot be a subject matter expert in all fields. If there is a question, such determinations should be made by the Division Chair.

In summary, this regulation goes far beyond textbook affordability concerns to create scenarios where a faculty member's employment could be jeopardized if the President concludes, based on no published criteria, some document is "inappropriate." That's not right.

[External] Written comment concerning proposed regulation, 4–2003 – Textbook and Instructional Materials Affordability

1 message

'Juliana Paré' via General Counsel <generalcounsel@ncf.edu>

Tue, Jun 10, 2025 at 11:52 PM

Reply-To: Juliana Paré <juliana.pareblagoev@jhu.edu>

To: "generalcounsel@ncf.edu" <generalcounsel@ncf.edu>

Cc: Juliana Paré-Blagoev <nationalstrategy.ncf@gmail.com>

Good evening, Vice President Brickhouse and New College Trustees:

Please accept this comment into the written record regarding proposed regulation 4–2003.

As is clear from its title, the original intent of the regulation as developed by the BOG was to address the important concern of student textbook costs.

It is ironic, then, that the additional text the BOG added in October of 2024 will impose *significant* and *unnecessary faculty* costs in terms of their time and energy. New College faculty are already overburdened and they must be exhausted. Faculty who have just completed their first year will be taking on thesis students for the first time this coming fall. This will necessarily be challenging and every effort should be made to help them succeed. Certainly, unnecessary burdens should not be added.

Additionally, as those of you able to attend the most recent Trustee special meeting heard, Trustee McDonald shared that the recent cohorts of admitted students require significant amounts of remedial support.

Please also consider that adding requirements that faculty disciplinary experts additionally attest to the relevance and appropriateness of the materials that they are assigning is insulting and unnecessary.

It is deeply unfortunate that the BOG has grossly expanded the scope of this regulation. You can do your part by entertaining a motion for a resolution to the BOG requesting they revise again so that this regulation reverts to its pre-October 2024 status.

No good can come of the expanded regulatory burden. I urge you speak out on behalf of the faculty who depend on you to carry out your duty to serve.

Thank you in advance for your thoughtful consideration of the above. I write as a graduate of New College ('89 - '94) and drawing on my experience as an Associate Professor of the Johns Hopkins University.

With sincere regards,

Juliana Paré

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NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Acceptance of Grant Funds by the New College Foundation, Inc.

PROPOSED BOARD ACTION

To request that the New College Foundation, Inc. (Foundation) (1) accept grant funds from the DSF Charitable Foundation for the design, planning, approval, preparation, construction, and operation of a Contemplative Center at NCF, and (2) take all other such actions that the Foundation deems necessary for the completion of the Contemplative Center.

To delegate to the President of New College of Florida, working in consultation with the Executive Director of the Foundation, the authority to establish and maintain administrative controls necessary to ensure compliance with the terms and conditions of the DSF grant, as well as compliance with relevant federal, state, and local laws.

BACKGROUND

New College of Florida recently received notification it was eligible to receive up to \$2.5 million from the DSF Charitable Foundation through the Foundation for the construction of a Contemplative Center. Unlike many university campuses in the United States and throughout the world, New College of Florida currently lacks a centralized multi-use space for students, faculty, and staff to gather for contemplation, religious, inter-faith, ecumenical, or spiritual purposes. In addition, the Contemplative Center would be available for rental to the public for weddings and social events.

Supporting Documentation: DSF Charitable Foundation Grant Agreement

Facilitator(s)/Presenter(s): *David Brickhouse, Vice President of Legal Affairs*

DSF Charitable Foundation



May 19, 2025

Dr. David Rancourt
Vice Provost for Strategic Initiatives
New College of Florida
College Hall
5800 Bay Shore Road
Sarasota, FL 34242

Via Electronic Transmission

Dear Dave,

We are pleased to notify you that the DSF Charitable Foundation has approved a grant of \$2.5 million to New College Foundation for the construction of the Contemplative Center.

We ask that you provide written acknowledgement of the grant and its provisions by signing and returning the attached agreement.

Sincerely,

A handwritten signature in cursive script, appearing to read "David N. Scaife".

David N. Scaife
Co-Executive Director

A handwritten signature in cursive script, appearing to read "Sara Scaife".

Sara Scaife
Co-Executive Director

Attachment

**DSF CHARITABLE FOUNDATION
GRANT AGREEMENT**

Grantee: New College Foundation
Project: Contemplative Center
Grant Number: 2505R03
Amount of Grant: \$2.5 million
Payment Schedule: \$2.5 million promptly following receipt of signed Agreement

The Grant is conditioned on the following terms:

1. By June 30, 2026, the Grantee shall provide to the Foundation a report on the use of Grant funds.
2. Expenses charged against the Grant must be incurred before the end of the Grant Period. Unless the Foundation gives prior approval for an extension of the Grant Period, any funds not expended during the Grant Period must be returned to the Foundation not later than the time the report is due.
3. Expenses charged against the Grant must be substantially in accordance with the Grantee's proposal submitted electronically March 31, 2025. Prior approval from the Foundation is required for Grant funds to be substantially reallocated. The Grantee must repay any amount that is not used for the specified purpose of the Grant.
4. The Grantee shall (i) use due care in the execution of the Project, (ii) execute the Project substantially in accordance with the description thereof provided in the Grantee's proposal, and (iii) maintain such internal controls as are sufficient to readily ascertain compliance with the terms of the Grant. The Grantee's failure to do any of the foregoing or to comply with the terms of this Grant Agreement shall entitle the Foundation, upon the Foundation's request, to a return of the Grant funds within 30 days.

Agreed to and accepted by New College Foundation

Authorized signature: Sydney Gruters Date: May 27, 2025

Name: Sydney Gruters

Title: Executive Director

NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES

Meeting Date: June 26, 2025

SUBJECT: Transfer of Surplus Real Property by the New College Foundation to Manatee County

PROPOSED BOARD ACTION

To express support for the donation and conveyance of a specific parcel of surplus real property referenced in the attached Supporting Documentation by the New College Foundation (Foundation) to the Manatee County Board of County Commissioners.

To delegate to the President of New College of Florida (NCF) the authority to undertake any and all actions necessary on the part of NCF to complete the transfer of the parcel by the Foundation to the Manatee County Board of County Commissioners.

BACKGROUND

This proposed action concerns certain real property located in a portion of Manatee County, State of Florida, commonly known as Tidy Island. The land is located approximately seven miles northwest from the northernmost boundary of the NCF campus. The Foundation holds title to the land, but the land is unimproved. The land is not readily accessible and has no known or identifiable use consistent with the goals of NCF or the Foundation now or in the future. There are costs to NCF and the Foundation to maintain ownership of the property and the Foundation faces unnecessary risks of loss associated with being the continued owner of the property. The Manatee County Board of County Commissioners has sought ownership of the parcel and has agreed to undertake stewardship of the property.

Supporting Documentation: Property Deed, Property Record and Aerials

Facilitator(s)/Presenter(s): *David Brickhouse, Vice President of Legal Affairs*

DEED

GRANTOR: ISLAND PROPERTIES, LTD., a Florida limited partnership

GRANTEE: NEW COLLEGE FOUNDATION, INC., a Florida not for profit corporation

GRANTEE'S POST OFFICE ADDRESS: 5700 North Tamiami Trail, Sarasota, FL 33580

Grantor, for and in consideration of the sum of One Dollar (\$1), and other good and valuable consideration to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, releases, remises, and quit claims unto Grantee, and Grantee's heirs and assigns forever, the following described land, to-wit:

Lot Number 1 of Section 13, Township 35 South, Range 16 East, also known as "Tidy Island", containing, according to U.S. Government Survey, 52.67 acres, more or less, and any and all accretions and riparian rights thereto.

LESS AND EXCEPT therefrom that portion of Lot Number 1 more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the Grantee, and Grantee's heirs and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 26th day of June, A.D., 1984.

Signed, sealed and delivered in the presence of:

[Signature]
[Signature]

ISLAND PROPERTIES, LTD.,
a Florida limited partnership
By: CHASTAIN DEVELOPMENT CORPORATION,
a Florida corporation,
its General Partner
[Signature] (SEAL)
By: *[Signature]*
Charles R. Chastain,
President

STATE OF FLORIDA
COUNTY OF MANATEE

I HEREBY CERTIFY that on this day, before me, the undersigned Notary Public duly authorized to take acknowledgments, personally appeared Charles R. Chastain, as President of Chastain Development Corporation, the General Partner of ISLAND PROPERTIES, LTD., a Florida limited partnership, and he acknowledged before me that he executed the foregoing deed on behalf of the corporation in its capacity as General Partner as its free act and deed through authority of its Board of Directors and swore before me that the facts contained therein are true and correct.

WITNESS my hand and seal in Bradenton, Manatee County, Florida, this 26th day of June, A.D., 1984.

My commission expires _____ of Florida at Large

My Commission Expires November 9, 1987
Bonded By U.S. Fire Insurance Co.

This instrument prepared by:

Troy H. Myers, Jr., Esq.

Icard, Merrill, Cullis, Timm & Furen, P.A.

2041 Main Street

Sarasota, Florida 33577

DOCUMENTARY TAX PD. \$ 45

INTANGIBLE TAX PD. \$ _____

R. B. SHORE, CLERK MANATEE COUNTY

BY: *[Signature]*

DEPUTY CLERK

LEGAL DESCRIPTION

BEGIN AT THE S.E. CORNER OF BAY HOLLOW, A CONDOMINIUM, AS RECORDED IN CONDOMINIUM BOOK 12, PAGE 40, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND RUN N 89° 54' 33" W, (WITH BEARINGS REFERRED TO GRID NORTH OF THE WEST ZONE OF THE FLORIDA STATE PLANE COORDINATE SYSTEM), ALONG THE SOUTH OUTLINE OF SAID BAY HOLLOW, A DISTANCE OF 57.60 FEET; THENCE N 73° 24' 57" W, ALONG THE SAID SOUTH OUTLINE OF BAY HOLLOW, A DISTANCE OF 11.35 FEET; THENCE S 00° 21' 23" W, A DISTANCE OF 902.62 FEET; THENCE S 47° 00' 16" W, A DISTANCE OF 276.78 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A RADIUS OF 240.00 FEET; THENCE, ALONG THE ARC OF SAID CURVE IN A SOUTHWESTERLY DIRECTION, A DISTANCE OF 120.8 FEET, MORE OR LESS, TO INTERSECT THE MEAN HIGH WATER LINE OF TIDY ISLAND; THENCE, ALONG THE MEANDERS OF THE SAID MEAN HIGH WATER LINE APPROXIMATED BY THE FOLLOWING SEVENTY SEVEN COURSES, VIZ: S 44° 22' 54" W, A DISTANCE OF 329.1 FEET; AND S 84° 53' 10" W, A DISTANCE OF 146.9 FEET; AND S 47° 27' 36" W, A DISTANCE OF 470.4 FEET; AND S 80° 39' 26" W, A DISTANCE OF 355.8 FEET; AND N 04° 33' 21" W, A DISTANCE OF 123.1 FEET; AND N 64° 03' 32" W, A DISTANCE OF 76.8 FEET; AND N 05° 06' 46" W, A DISTANCE OF 127.9 FEET; AND N 88° 39' 07" W, A DISTANCE OF 110.7 FEET; AND N 24° 16' 55" W, A DISTANCE OF 170.1 FEET; AND S 88° 59' 45" W, A DISTANCE OF 74.6 FEET; AND S 42° 45' 07" W, A DISTANCE OF 127.4 FEET; AND N 50° 21' 57" W, A DISTANCE OF 72.6 FEET; AND S 78° 08' 50" W, A DISTANCE OF 83.0 FEET; AND S 64° 06' 40" W, A DISTANCE OF 235.0 FEET; AND N 22° 51' 22" W, A DISTANCE OF 36.7 FEET; AND S 86° 25' 59" W, A DISTANCE OF 104.1 FEET; AND N 55° 18' 16" W, A DISTANCE OF 104.7 FEET; AND N 75° 34' 01" W, A DISTANCE OF 142.6 FEET; AND S 60° 24' 50" W, A DISTANCE OF 101.5 FEET; AND N 37° 49' 29" W, A DISTANCE OF 76.6 FEET; AND N 72° 48' 36" W, A DISTANCE OF 213.0 FEET; AND N 48° 33' 30" W, A DISTANCE OF 298.8 FEET; AND S 71° 15' 29" W, A DISTANCE OF 99.8 FEET; AND N 41° 26' 08" W, A DISTANCE OF 167.4 FEET; AND S 72° 29' 39" W, A DISTANCE OF 113.6 FEET; AND N 58° 03' 21" W, A DISTANCE OF 105.8 FEET; AND N 85° 14' 15" W, A DISTANCE OF 49.1 FEET; AND S 39° 24' 59" W, A DISTANCE OF 53.4 FEET; AND N 71° 14' 56" W, A DISTANCE OF 103.1 FEET; AND N 85° 18' 09" W, A DISTANCE OF 233.4 FEET; AND S 31° 21' 37" W, A DISTANCE OF 79.8 FEET; AND N 57° 15' 51" W, A DISTANCE OF 57.4 FEET; AND N 84° 42' 36" W, A DISTANCE OF 298.7 FEET; AND N 74° 42' 17" W, A DISTANCE OF 160.8 FEET; AND S 45° 26' 47" W, A DISTANCE OF 512.4 FEET; AND S 41° 28' 27" E, A DISTANCE OF 86.0 FEET; AND S 08° 19' 22" W, A DISTANCE OF 63.2 FEET; AND S 88° 10' 13" E, A DISTANCE OF 146.8 FEET; AND S 45° 29' 25" E, A DISTANCE OF 96.2 FEET; AND S 79° 01' 20" E, A DISTANCE OF 329.2 FEET; AND S 66° 42' 40" E, A DISTANCE OF 310.5 FEET; AND S 57° 26' 08" E, A DISTANCE OF 132.0 FEET; AND S 70° 01' 25" E, A DISTANCE OF 245.0 FEET; AND S 54° 22' 36" E, A DISTANCE OF 235.1 FEET; AND S 73° 47' 40" E, A DISTANCE OF 521.1 FEET; AND S 61° 20' 57" E, A DISTANCE OF 113.6 FEET; AND S 00° 15' 00" W, A DISTANCE OF 46.1 FEET; AND S 62° 45' 21" E, A DISTANCE OF 128.9 FEET; AND S 87° 41' 03" E, A DISTANCE OF 160.5 FEET; AND N 06° 58' 30" E, A DISTANCE OF 82.7 FEET; AND S 85° 34' 16" E, A DISTANCE OF 118.7 FEET; AND N 57° 09' 06" E, A DISTANCE OF 70.7 FEET; AND N 24° 40' 44" E, A DISTANCE OF 74.6 FEET; AND S 32° 49' 24" E, A DISTANCE OF 89.9 FEET; AND S 37° 09' 10" N, A DISTANCE OF 87.8 FEET; AND S 78° 14' 24" E, A DISTANCE OF 131.1 FEET; AND N 72° 19' 14" E, A DISTANCE OF 107.4 FEET; AND S 83° 06' 27" E, A DISTANCE OF 253.2 FEET; AND S 69° 31' 44" E, A DISTANCE OF 169.1 FEET; AND S 53° 03' 21" E, A DISTANCE OF 125.1 FEET; AND N 48° 46' 20" E, A DISTANCE OF 100.8 FEET; AND S 72° 21' 26" E, A DISTANCE OF 91.6 FEET; AND N 69° 47' 15" E, A DISTANCE OF 99.0 FEET; AND S 80° 34' 46" E, A DISTANCE OF 96.2 FEET; AND N 70° 54' 50" E, A DISTANCE OF 94.0 FEET; AND N 44° 00' 41" E, A DISTANCE OF 54.1 FEET; AND N 71° 05' 21" E, A DISTANCE OF 132.0 FEET; AND N 02° 21' 48" W, A DISTANCE OF 46.8 FEET; AND N 51° 30' 04" E, A DISTANCE OF 92.8 FEET; AND N 75° 07' 37" E, A DISTANCE OF 258.9 FEET; AND N 61° 45' 44" E, A DISTANCE OF 212.2 FEET; AND N 61° 43' 45" E, A DISTANCE OF 227.6 FEET; AND N 46° 47' 22" E, A DISTANCE OF 233.5 FEET; AND N 75° 13' 39" E, A DISTANCE OF 87.4 FEET; AND N 03° 25' 25" W, A DISTANCE OF 256.6 FEET; AND N 25° 08' 38" W, A DISTANCE OF 330.0 FEET; AND N 81° 51' 25" W, A DISTANCE OF 55.6 FEET; TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS S 50° 24' 42" E, DISTANT 160.00 FEET; THENCE, ALONG THE ARC OF SAID CURVE IN A NORTHEASTERLY DIRECTION, A DISTANCE OF 20.7 FEET, MORE OR LESS, TO THE P.T. OF SAID CURVE; THENCE N 47° 00' 16" E, A DISTANCE OF 316.29 FEET TO THE WEST LINE OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 17 EAST; THENCE N 00° 21' 23" E, ALONG SAID WEST LINE, A DISTANCE OF 930.83 FEET; THENCE N 89° 54' 33" W, A DISTANCE OF 15.15 FEET TO THE POINT OF-BEGINNING. LYING AND BEING IN SECTION 12 AND 13, TOWNSHIP 35 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA.

PAGE 2 OF EXHIBIT "A" TO DEED
FROM ISLAND PROPERTIES, LTD., A FLORIDA LIMITED PARTNERSHIP TO
NEW COLLEGE FOUNDATION, INC., A FLORIDA NOT FOR PROFIT CORPORATION
DATED JUNE 26, 1984

CONTINUED FROM PAGE 1

The conveyance to Grantee of the property herein is subject to the following:

1. Access by Grantee, its assigns, invitees and licensees to the property conveyed herein, shall be by waterway channels. No access to the property conveyed herein shall be achieved through that property known as Tidy Island, a condominium as such is recorded in the Public Records of Manatee County, Florida.

2. Grantee, its heirs, assigns, successors, or persons or entities holding under it may not construct any facility, building, structure, or improvement on the property conveyed herein.

3. Any use, utilization, or occupancy of the property by Grantee its heirs, successors, assigns, invitees or licensees shall be of such nature that upon termination of the occupancy, and from time to time during said occupancy, the property conveyed herein shall be kept clean and free of all trash, debris, rubble, and other materials foreign to the nature habitat.

4. Grantee, its successors, assigns, invitees and licensees may occupy the property and stay upon the property conveyed herein overnight for educational, research and study purposes only.

5. No utilization, improvement, occupancy, or use of the property conveyed herein shall be of such nature that the same shall be detrimental to the condominium known as Tidy Island, a condominium as recorded in the Public Records of Manatee County, Florida, nor shall such use or occupancy be of such nature, duration or extent that it shall effect the value or the enjoyment of the Tidy Island Condominium common areas or the owners of the individual units.

965335
FILED AND RECORDED
CLERK
MANATEE COUNTY, FLA
JUN 26 12 28 PM '94



Parcel ID: 7760050000
Ownership: NEW COLLEGE FOUNDATION INC
Owner Type: CORPORATION
Mailing Address: NEW COLLEGE FOUNDATION INC, 5700 NORTH
TAMIAMI TRL, SARASOTA FL 34243-2197

Situs Address: TIDY ISLAND BLVD, BRADENTON, FL 34210
Jurisdiction: UNINCORPORATED MANATEE COUNTY
Tax District: 0001; UNINCORPORATED MSTU
CRA/TIF District: SW; SOUTHWEST COUNTY IMPROVEMENT DISTRICT
Sec/Twp/Rge: 13-35S-16E
Neighborhood: 2846; CORTEZ ESTATES, NO SUBDIVISION

Parcel Type: REAL PROPERTY
Parcel Created: 09/07/1987
Map Number: 5A13

FEMA Value: \$0 as of January 1, 2024
Land Use: 9900; VACANT ACREAGE, NOT AG 10+ ACRES
Land Size: 180.0000 Acres or 7,840,800 Square Feet



DESCRIPTION

U S LOT 1 SEC 13 ALSO KNOWN AS -TIDY ISLAND-[INSERT "TOGETHER WITH ALL ACCRETIONS THERE TO IN WHATEVER SEC INCL ALL SAND FLATS & MANGROVE GROWTH CONNECTED TO SD ISLAND & LYING BETWEEN THE SHORE OF THE MAINLAND AND SD ISLAND AND THE 146.8 FT; S 45 DEG 29 MIN 25 SEC E, A DIST OF 96.2 FT; S 79 DEG 01 MIN 20 SEC E, A DIST OF 329.2 FT; S 66 DEG 42 MIN 40 SEC E, A DIST OF 310.5 FT; S 57 DEG 26 MIN 08 SEC E, A DIST OF 132.00 FT; S 70 DEG 01 MIN 25 SEC E, A DIST OF 245.00 FT; S 54 DEG 22 MIN 36 SEC E, A DIST OF 235.10 FT; S 73 DEG 47 MIN 40 SEC E, A DIST OF 521.10 FT; S 61 DEG 20 MIN 57 SEC E, A DIST OF 113.60 FT; S 00 DEG 15 MIN 00 SEC W, A DIST OF 46.1 FT; S 62 DEG 45 MIN 21 SEC E, A DIST OF 128.9 FT; S 87 DEG 41 MIN 03 SEC E, A DIST OF 160.5 FT; N 06 DEG 58 MIN 30 SEC E, A DIST OF 82.7 FT; S 85 DEG 34 MIN 16 SEC E, A DIST OF 118.7 FT; N 57 DEG 09 MIN 06 SEC E, A DIST OF 70.7 FT; N 24 DEG 40 MIN 44 SEC E, A DIST OF 74.6 FT; S 32 DEG 49 MIN ACCRETIONS THERETO, ALSO INCL ALL THAT LAND KNOWN AS COW POINT AND TIDY ISLAND AS SO SURVEYED, ALL OF THE ABOVE LYING IN SECS 11, 12 & 13, TWN 35, RNG 16"] LESS THAT PORTION MORE PARTICULARLY DESC AS TIDY ISLAND CONDOMINIUM PHASES I, II & III REC IN CB 15 PGS 134-148, AND BEING FURTHER DESC IN OR 1083/2696 AS: (OVERALL TIDY ISLAND CONDO) BEG AT THE SE COR OF BAY HOLLOW, A CONDO, AS REC IN CB 12/40 AND RUN N 89 DEG 54 MIN 33 SEC W, (WITH BEARINGS REFERRED TO GRID NORTH OF THE W ZONE OF THE FL SPC SYSTEM), ALG THE S OUTLINE OF SD BAY HOLLOW, A DIST OF 57.60 FT; TH N 73 DEG 24 MIN 57 SEC W, ALG THE SD S OUTLINE OF BAY HOLLOW, A DIST OF 11.35 FT; TH S 00 DEG 21 MIN 23 SEC W, A DIST OF 902.62 FT; TH S 47 DEG 00 DEG 16 MIN, A DIST OF 276.78 FT TO THE PC OF A CURVE TO THE LEFT HAVING A RAD OF 240.00 FT; TH ALG THE ARC OF SD CURVE IN A SWLY DIR, A DIST OF 120.8 FT, M/L, TO INT THE M/H/W/L OF TIDY ISLAND; TH ALG THE MEANDERS OF SD M/H/W/L APPROXIMATED BY THE FOLLOWING SEVENTY SEVEN COURSES: S 44 DEG 22 MIN 54 SEC W, A DIST OF 329.1 FT; S 84 DEG 53 MIN 10 SEC W, A DIST OF 146.9 FT; S 47 DEG 27 MIN 36 SEC W, A DIST OF 470.4 FT; S 80 DEG 39 MIN 26 SEC W, A DIST OF 355.8 FT; N 04 DEG 33 MIN 21 SEC W, A DIST OF 123.1 FT; N 64 DEG 03 MIN 32 SEC W, A DIST OF 76.8 FT; N 05 DEG 06 MIN 46 SEC W, A DIST OF 127.9 FT; N 88 DEG 39 MIN 07 SEC W, A DIST OF 110.7 FT; N 24 DEG 16 MIN 55 SEC W, A DIST OF 170.1 FT; S 88 DEG 59 MIN 45 SEC W, A DIST OF 74.6 FT; S 42 DEG 45 MIN 07 SEC W, A DIST OF 127.4 FT; N 50 DEG 21 MIN 57 SEC W, A DIST OF 72.6 FT; S 78 DEG 08 MIN 50 SEC W, A DIST OF 83.00 FT; S 64 DEG 06 MIN 40 SEC W, A DIST OF 235.00 FT; N 22 DEG 51 MIN 22 SEC W, A DIST OF 36.7 FT; S 86 DEG 25 MIN 59 SEC W, A DIST OF 104.1 FT; N 55 DEG 18 MIN 16 SEC W, A DIST OF 104.7 FT; N 75 DEG 34 MIN 01 SEC W, A DIST OF 142.6 FT; S 60 DEG 24 MIN 50 SEC W, A DIST OF 101.5 FT; N 37 DEG 49 MIN 29 SEC W, A DIST OF 76.6 FT; N 72 DEG 48 MIN 36 SEC W, A DIST OF 213.00 FT; N 48 DEG 33 MIN 30 SEC W, A DIST OF 298.8 FT; S 71 DEG 15 MIN 29 SEC W, A DIST OF 99.80 FT; N 41 DEG 26 MIN 08 SEC W, A DIST OF 167.4 FT; S 72 DEG 29 MIN 39 SEC W, A DIST OF 113.6 FT; N 58 DEG 03 MIN 21 SEC W, A DIST OF 105.8 FT; N 85 DEG 14 MIN 15 SEC W, A DIST OF 49.1 FT; S 39 DEG 24 MIN 59 SEC W, A DIST OF 53.4 FT; N 71 DEG 14 MIN 56 SEC W, A DIST OF 103.1 FT; N 85 DEG 18 MIN 09 SEC W, A DIST OF 233.4 FT; S 31 DEG 21 MIN 37 SEC W, A DIST OF 79.8 FT; N 57 DEG 15 MIN 51 SEC W, A DIST OF 57.4 FT; N 84 DEG 42 MIN 36 SEC W, A DIST OF 298.7 FT; N 74 DEG 42 MIN 17 SEC W, A DIST OF 160.8 FT; S 45 DEG 26 MIN 47 SEC W, A DIST OF 512.4 FT; S 41 DEG 28 MIN 27 SEC E, A DIST OF 86.00 FT; S 08 DEG 19 MIN 22 SEC W, A DIST OF 63.2 FT; S 88 DEG 10 MIN 13 SEC E, A DIST OF 24 SEC E, A DIST OF 89.9 FT; S 37 DEG 09 MIN 10 SEC W, A DIST OF 87.8 FT; S 78 DEG 14 MIN 24 SEC E, A DIST OF 131.1 FT; N 72 DEG 19 MIN 14 SEC E, A DIST OF 107.4 FT; S 83 DEG 06 MIN 27 SEC E, A DIST OF 253.2 FT; S 69 DEG 31 MIN 44 SEC E, A DIST OF 169.1 FT; S 53 DEG 03 MIN 21 SEC E, A DIST OF 125.1 FT; N 48 DEG 46 MIN 20 SEC E, A DIST OF 100.8 FT; S 72 DEG 21 MIN 26 SEC E, A DIST OF 91.6 FT; N 69 DEG 47 MIN 15 SEC E, A DIST OF 99.00 FT; S 80 DEG 34 MIN 46 SEC E, A DIST OF 96.2 FT; N 70 DEG 54 MIN 50 SEC E, A DIST OF 94.00 FT; N 44 DEG 00 MIN 41 SEC E, A DIST OF 54.1 FT; N 71 DEG 05 MIN 21 SEC E, A DIST OF 132.00 FT; TH N 02 DEG 21 MIN 48 SEC W, A DIST OF 46.8 FT; N 51 DEG 30 MIN 04 SEC E, A DIST OF 92.8 FT; N 75 DEG 07 MIN 37 SEC E, A DIST OF 258.9 FT; N 61 DEG 45 MIN 44 SEC E, A DIST OF 212.20 FT; N 61 DEG 43 MIN 45 SEC E, A DIST OF 227.6 FT; N 46 DEG 47 MIN 22 SEC E, A DIST OF 233.5 FT; N 75 DEG 13 MIN 39 SEC E, A DIST OF 87.4 FT; N 03 DEG 25 MIN 25 SEC W, A DIST OF 256.6 FT; N 25 DEG 08 MIN 38 SEC W, A DIST OF 330.00 FT; N 81 DEG 51 MIN 25 SEC W, A DIST OF 55.60 FT; TO A PT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RAD PT BEARS S 50 DEG 24 MIN 42 SEC E, A DIST OF 160.00 FT; TH ALG THE ARC OF SD CURVE IN A NWLY DIR, A DIST OF 20.7 FT, M/L, TO THE P.T. OF SD CURVE; TH N 47 DEG 00 MIN 16 SEC E, A DIST OF 316.29 FT TO THE WEST LN OF SEC 7, TWN 35, RNG 17; TH N 00 DEG 21 MIN 23 SEC E, ALG SD W LN, A DIST OF 930.83 FT; TH N 89 DEG 54 MIN 33 SEC W, A DIST OF 15.15 FT TO THE POB. PI#77600.5000/0

2024 FINAL POST VAB CERTIFIED VALUES										2025 Exemptions						
				County	School	IndSpcDist	Municipality			Type	BegYear	County	School	IndSpcDist	Municipality	
										9000 STATE OF FLORIDA	GOVERNMENTAL	1980	156,060	156,060	156,060	0
Land Value:				156,060	156,060	156,060										
Improvement Value:				0	0	0										
Total Market Value:				156,060	156,060	156,060										
2025 SPECIAL ASSESSMENTS																
Land Classified Agricultural:				0	0	0										
Classified Use Value:				0	0	0										
Classified Use Savings:				0	0	0										
FD01 WEST MANATEE FIRE & RESCUE DISTRICT																
0.00																
PROPERTY APPRAISER INSPECTIONS																
Ineligible for 10% Cap:				0	156,060	0										
Eligible for 10% Cap Next Year:				0	0	0										
Eligible for 10% Cap This Year:				156,060	0	156,060										
10% Cap Savings:				0	0	0										
07/24/2023 PB INSPECTION BY IMAGE TECHNOLOGY 5 YEAR STATUTORY REVIEW																
05/03/2019 KK INSPECTION BY IMAGE TECHNOLOGY 5 YEAR STATUTORY REVIEW																
Ineligible for SOH Cap:				156,060	156,060	156,060										
Eligible for SOH Cap Next Year:				0	0	0										
Eligible for SOH Cap This Year:				0	0	0										
SOH Cap Savings:				0	0	0										
Assessed Value:				156,060	156,060	156,060										
Exempt Value:				156,060	156,060	156,060										
Taxable Value:				0	0	0										

LAND INFORMATION																
										----- Frontage -----			----- Depth -----			
#	Type	Code	Ag	Ex	Sqft	Acres	Rate	Value	Actual	Effect	Depth	Table	Factor	Override	Influences	Zoning
1	A	510	No	0%	7,840,800	180.00	1,020	156,060					1.0		CON	

SALES INFORMATION																
Salekey	Sale Date	Book/Page/Inst #	Instrument Type	V / I	Qual Code	Sale Price	Grantee	Grantor								
1686747	6/1/1984	1083 / 2696	UNKNOWN	V	37	\$1	NEW COLLEGE FOUNDATION INC	ISLAND PROPERTIES LTD								

Tidy Island



Parcels		7760050000	
SELECTPIN	7760050000	OWNER	NEW COLLEGE FOUNDATION INC
SECONDARY_OWNER		PRIMARY_ADDRESS	TIDY ISLAND BLVD
PROP_HIN		PROP_DIR	
PROP_CITYNAME	BRADENTON	PROP_PLG	SCT
PROP_ZIP	34210	COMMISSIONER	Tal Siddique
SUBDNUM	0000000	SUBDIVISION	NOT IN SUBDIVISION
SUBDIVISION_LOT_BLOCK	1-	ACRES	0/0
LUC	9900	LUC_DESCRIPTION	180 Vacant Acreage, Not Ag 10+ Acres (1555)
ZONING	CON	FUTURE_LAND_USE	CON
SECTION_INDEX	13 35S 16E	HIST_NAME	
FLOOD_ZONE	VE,AE	FLOOD_WAY	
FLOOD_MAP	12081C0283F,12081C0284F,12115C0025F	OVERLAYS	CEA,CHH,CPA
WATERSHED		HISTORIC	URBAN-A
FIRE_DISTRICT	WEST MANATEE FIRE RESC	EVACUATION_ZONE	A
IMPACT_FEE_DIST	SW	SPECIAL_AREAS	SWTIF
SCHOOL_SVC_AREA	SSA-4	FRONTAGE	0
PARCEL_ID	7760050000	IMPRVAL	0
JUSTVAL	156060	LANDVAL	156060
ASSESVAL	156060	SFLA	
YRBLT_RES		YRBLT_COM	
SALEDATE	01-JUN-84	SALEPRICE	1
TUR		UNIT	
OWN_ADDR	5700 NORTH TAMiami Trl	OWN_ADDR2	
OWN_CITY	SARASOTA	OWN_ST	FL
OWN_ZIP	34243-2197	OWN_CNTRY	USA
CODE_ENF	4	POSTAL_STREET	TIDY ISLAND
POSTAL_SUFF	BLVD	LAT	27.44843893
LON	-82.65777624	CHH	Y
Basin_Name	DIRECT RUNOFF TO BAY	SEC	12
TWN	35S	RNG	16
LOT	1	BLOCK	
PARENT_PARID		CENSUS_BLOCK	4012.4013
CENSUS_BLOCK_GROUP	Block Group 4	CENSUS_TRACT	001104

User Notes:



This map was developed using the Manatee County Geographic Information System. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. The information contained within is derived from several sources of varying quality and accuracy. Errors from non-coincidence of features from different sources may be present. The Manatee County Geographic Information Systems and the Manatee County BOCC do not warrant and are not liable for inappropriate or unintended uses of the information.

Tidy Island



User Notes:



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