

**The Florida College System
Council of Presidents
Wednesday, November 2, 2016
Buena Vista Palace
Lake Buena Vista, Florida**

MINUTES

Welcome and Call to Order

Dr. Ed Meadows, Council of Presidents Chair, called the meeting of the Council of Presidents to order at approximately 9:00 a.m. on Wednesday, November 2, 2016 at the Buena Vista Palace in Lake Buena Vista, Florida.

The following members of the Council of Presidents were present:

Mr. David Armstrong
Dr. Jim Henningsen
Dr. Tom LoBasso
Dr. Jeff Allbritten
Dr. Jonathan Gueverra
Dr. Cynthia Bioteau
Dr. John Holdnak
Dr. Ken Atwater
Dr. Ed Massey
Dr. Stanley Sidor

Mr. John Grosskopf
Ms. Ava Parker
Dr. Tim Beard
Dr. Ed Meadows
Dr. Eileen Holden
Dr. Ann McGee
Dr. Thomas Leitzel
Dr. Carol Probstfeld
Dr. Jim Murdaugh

Also present were:

Ms. Madeline Pumariaga
Dr. Chris Mullin
Ms. Wendy Sikora

Ms. Judy Green
Dr. Karinda Barrett

Mr. Michael Brawer
Mr. Greg Haile
Mr. Robert Batsel
Mr. Matthew Holliday
Mr. Eric Johnson
Mr. Andy Treadwell
Ms. Victoria Hernandez

Mr. David Marin
Ms. Rachael Ondrus
Mr. Steve Schroeder
Mr. Jack Hall
Mr. Liam McClay
Mr. Scott Balog

Ms. Juanita Scott
Ms. Karen Moore
Mr. Patrick Rinard
Ms. Kelly Warren
Mr. Chauncey Fagler
Dr. Judy Bilsky
Mr. Chris Hansen
Mr. Peter Elliott
Ms. Sheryl Vittitoe
Dr. Carrie Henderson
Mr. Craig Johnson
Ms. Abby Whiddon

Mr. Don Payton
Mr. E.H. Levering
Mr. Andrew Barnes
Mr. George Sanders
Ms. Cindy Hewitt
Mr. Ken Ross
Dr. Robert Flores
Dr. Robert Van Der Velde
Dr. Lenore Rodicio
Mr. Jack Parker
Mr. Mike Matulia

Recorder: Tina Ingramm

1.0 Welcome and Comments

2.0 Approval of Minutes

2.1 Approval, Council of Presidents Meeting Minutes September 30, 2016

Action: *Upon a motion by Dr. John Holdnak and a second by Dr. Ann McGee the minutes of the September 30, 2016 meeting of the Council of Presidents were approved without objection.*

3.0 Report of the Chair, Dr. Ed Meadows

3.1 Regional Accreditation (SACS)

Dr. Jonathan Gueverra reported there is an at-large vacancy on the SACSCOC Board.

Dr. Gueverra stated the SACS meeting accreditors met and agreed to start utilizing data on graduation rates so they can supply talking points to the Department of Education. As a result, a bill titled Accreditation Reform and Enhanced Accountability Act of 2016 is being drafted. The bill would reverse the current limitations of the Secretary of Education and allow the Secretary to be involved in the accreditation. It also establishes a standard for student achievement.

He stated he will report back to the Council after the December Board meeting.

4.0 Report of the Chancellor, The Division of Florida Colleges

Chancellor Pumariega reported the Division is working with the Board of Governors and the Commission for Independent Education on drafting a legislative piece to place State Authorization Reciprocity Agreements (SARA) under the Department of Education. The cost to join is SARA is based per FTE, with a maximum cost of \$6,000 plus an administrative fee. She added Florida will most likely join SARA, but joining will be voluntary.

Dr. Massey asked if there would be any impact regarding in-state and out of-state-fees. The Chancellor stated there should not be an impact.

Dr. Gueverra stated the Distance Learning Committee has discussed SARA. The Chancellor asked the Committee to include Dr. Karinda Barrett in their discussions.

The Chancellor reported the deadline to report college cost saving strategies and efficiencies is December 31st. A template will be emailed to the colleges.

Chancellor Pumariega reported the Board of Governor's 2+2 Committee will release their report this week.

5.0 Report of the Chancellor, Division of Career and Technical Education

Ms. Wendy Sikora reported the Career and Adult Education Pathways Symposium will be held in Tallahassee on January 10-11, 2017.

Ms. Sikora also reported the curriculum change document will be finalized by the end of November.

6.0 Committee and Task Force Reports

6.1 Articulation Coordinating Committee

Dr. Ed Massey reported the Articulation Coordinating Committee is in a transition period.

6.2 Distance Learning Committee

Dr. Jonathan Gueverra referred to the handouts entitled Minutes COP Distance Learning Group, Update from Florida Virtual Campus-Distance Learning and Student Service Members Council, Distance Learning Student Support Scorecard Guide, An Action Plan for Building a Statewide Infrastructure to Support OER in Florida's Public Institutions of Higher Education, and 2016 Student Textbook and Course Materials Survey.

Dr. Gueverra reported statement of purpose was reviewed and adopted with the final addition of the statement related to faculty in the e-learning matrix. He requested the statement be added to the January agenda for approval.

6.3 Florida College System Risk Management Consortium

No Report

6.4 Funding Formula Workgroup

Mr. Peter Elliott referred to the handout entitled COP Report. He reported COBA met on October 24 to review the remaining unresolved issues relating to the funding formula.

Dr. Ed Meadows reported PECO will be left in this year.

Dr. Ken Atwater asked if this is a completely new model or just a modification to the old model. Dr. Meadows replied it is a major modification of the old model. The measures have been simplified.

Dr. Jim Henningsen asked for some runs to be done to verify the changes work.

Dr. Ed Massey stated the timing is critical in the approval of the funding formula. Legislators want to hear a consensus on the model. Dr. Cynthia Bioteau encouraged the presidents to stand together on this.

Dr. Massey suggested a funding formula workshop be held at the January meeting.

Action: *Upon a motion by Dr. Ed Massey and a second by Dr. Jonathan Gueverra, the concept and changes to the funding formula model were approved without objection.*

Dr. Meadows stated the final vote on the COBA recommendations will be done in January. He added the Chancellor will provide the runs as requested, as well as a run with no class size reduction.

6.5 Media and Public Relations Committee

Ms. Karen Moore presented the presidents with the draft February spread for the

Florida Trend.

Dr. Jonathan Gueverra asked if the matrix has been sent to the presidents. Ms. Abby Whiddon stated the matrix is being worked on and will be sent out soon.

Ms. Ava Parker asked if the college logos could be made larger. Ms. Moore stated it will be looked into.

Dr. Gueverra asked if the picture in the ad could be changed to a picture of students from the one of the colleges. Dr. Meadows asked the presidents to send in their photos for possible use in the ad.

Action: *Upon a motion by Dr. Eileen Holden and a second by Dr. Jim Henningsen the concept of the Florida Trend ad for February was approved without objection.*

6.6 FCSAA

6.6.1 CAA Marketing Fund Proposal

Ms. Kelly Warren referred to the handout entitled Florida College System Activities Association Annual Summary Report to the Council of Presidents.

Ms. Warren reported the CAA has brought forward a proposal to develop a marketing fund to help cover additional costs at the state tournaments. The proposal is for each school to pay \$200 per sanctioned sport.

Action: *Upon a motion by Dr. John Holdnak and a second by Dr. Jonathan Gueverra, the proposal to develop a marketing fund and for each school to pay \$200 per sanctioned sport into the fund was approved without objection.*

6.6.2 Approval, CAA 8-Team Tournament/Re-Conference Proposal

Ms. Warren reported the CAA has brought forth a proposal to convert state tournaments to eight teams and to re-conference. Softball, which currently has a 16 team tournament, would be impacted the most. Ms. Warren stated that a fall showcase for softball is being considered. Dr. Tom LoBasso added the showcase would allow sophomores to get exposure for recruiting purposes.

Dr. Eileen Holden stated the change in softball to only eight teams is drastic and asked that it be reconsidered.

Ms. Warren reported this proposal has been approved already by the CAA and the FSCAA Executive Committee.

Action: *Upon a motion by Dr. John Holdnak and a second by Dr. Jonathan Gueverra, the proposal to convert state tournaments to eight teams and re-conference was approved with two objections.*

6.7 Support Council Reports

6.7.1 CIA

Mr. Craig Johnson reported CIA will meeting next week.

6.7.2 COBA

Mr. Peter Elliott referred to the handout entitled COP Report. He reported COBA will be meeting in January.

6.7.3 CSA

Mr. Patrick Rinard referred to the handout entitled Florida Council of Student Affairs. Mr. Rinard reviewed the 2016-17 issues that CSA is currently working on.

6.7.4 FCRD

Mr. Aaron West reported FCRD will hold a professional development conference on April 5-7, 2017.

7.0 AFC Report

Mr. Brawer reported the AFC building is currently on the market.

He also reported the AFC Foundation provided \$3,500 in professional development scholarships to members.

Ms. Juanita Scott stated the AFC Speakers Bureau will be live in January.

Ms. Scott introduced the 2017 AFC President, Dr. Robert Flores.

8.0 Other Business

Dr. Ed Meadows adjourned the Council of Presidents meeting at approximately 11:42 a.m. without objection.

**The Florida College System
Council of Presidents
Thursday, December 8, 2016
Conference Call**

MINUTES

Welcome and Call to Order

The following members of the Council of Presidents were on the call:

Mr. David Armstrong	Dr. Sasha Jarrell
Dr. Sarah Clemmons	Dr. Tim Beard
Dr. Tom LoBasso	Dr. Ed Meadows
Dr. Jim Richey	Dr. Eileen Holden
Dr. Lawrence Barrett	Dr. Jackson Sasser
Dr. Johnathan Gueverra	Dr. Ann McGee
Dr. Cynthia Bioteau	Dr. Tom Leitzel
Dr. John Holdnak	Dr. Carol Probstfeld
Dr. Ed Massey	Mr. Joe Pickens
Dr. Stanley Sidor	Dr. Bill Law
Dr. Eduardo Padron	Dr. Jim Murdaugh
Mr. John Grosskopf	

Also present were:

Ms. Madeline Pumariega	Mr. Eric Johnson
Mr. Bill Mallowney	Ms. Rachael Ondrus
Mr. Joe Mazur	
Dr. Gina Doeble	

1. **Roll Call**

2. **Update, Funding Formula Proposal, Madeline Pumariega**

Chancellor Madeline Pumariega reported the business officers met via a webinar on December 6th to review the funding formula model. She thanked the business officers for their hard work.

The Chancellor referred to the handout entitled Percent of Model Funded. She reported according the COBA's recommendations to the model, 25 colleges will be funded between 78%-87%.

Dr. Carol Probstfeld asked if COBA is still looking at economies of scale. Chancellor Pumariega stated the small and multi campus supplement address economies of scale.

3. **Approval, Funding Formula Proposal, Ed Meadows**

Action: *Upon a motion by Dr. Ed Massey and a second by Dr. Eduardo Padron, the funding formula proposal was approved without objection.*

4. **Update, Performance Funding Committee Recommendations, Madeline Pumariega**

Chancellor Pumariega reported a cross sector of leaders in the system have been looking at how to improve the performance funding model without interrupting what is already in law. The committee will not make any final recommendations until the impact to the system and each institution is looked at.

Dr. Meadows stated that during the January professional development time, the presidents will look at simulations and additional information that will be provided by the Division.

5. **Update, Allocations and Appropriations, Brian Ballard and Chris Hansen**

Mr. Chris Hansen reported Senator Galvano is the Chair of the Higher Education Appropriations Committee.

Mr. Hansen urged the presidents to continue to be united and speak with one voice.

He also suggested the presidents start meeting with their delegation.

6. **Update, Sen. Negron's focus on higher education, Brian Ballard and Chris Hansen**

7. **Discussion, Legislative Budget Request (Strategic Priorities), Tom LoBasso**

Dr. Tom LoBasso reported the 2017 total legislative budget request totals \$100 million. The request has \$40 million in performance funding and \$60 million that will go through the funding formula.

Dr. Ed Massey suggested data be added to the legislative priorities to strengthen their position.

Ms. Sandy Cesaretti Ray reported the lobbyist are starting to analyze bills that will impact the system.

8. **Update, FSU Gap Analysis, Michael Brawer**

Mr. Michael Brawer reported all 28 college reports are currently being drafted, which are expected to be ready during the beginning of January. The system-wide economic impact report will be prepared by the January meeting.

9. **Other business**

Mr. Brawer reported the AFC building has been sold. The closing date is January 6, 2017. The AFC will remain in the current building until the end of the legislative session.

The Chancellor reported a bill has been filed to reverse fee waivers for undocumented students. The House and Senate has asked the Division for data on this topic.

Chancellor Pumariaga reported the PECO list will be emailed to the presidents for review. She urged the presidents to let the Division know of any special projects they will be requesting.

The Chancellor reported the Affordability Report will be coming out soon. She requested the colleges send the Division all the cost saving strategies put into place to ensure college is affordable for the students.

Chancellor Pumariaga reported course fees fall under the Sunshine Memorandum for the Access and Affordability bill.

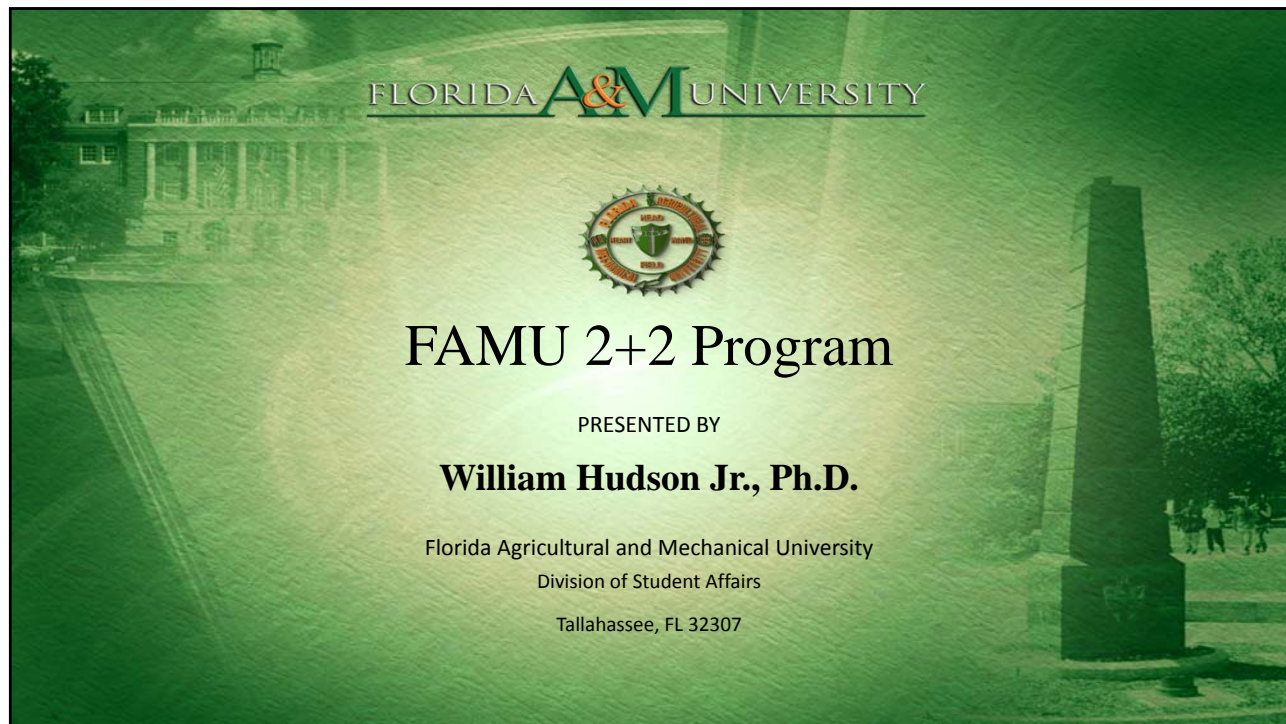
Dr. Gueverra reported the Distance Learning Committee has requested the colleges to send them a list of programs that are completely online.

Chancellor Pumariaga recognized Dr. Padron for receiving the Presidential Medal of Freedom.

Dr. Tom Leitzel recognized Dr. Ed Meadows for receiving the SACSCOC Meritorious Service Award.

Mr. John Grosskopf and Dr. Devin Stephenson are now members of the SACS Board.

Dr. Ed Meadows adjourned the Council of Presidents call at approximately 11:06 a.m. without objection.



A presentation slide for the FAMU Pilot Program. The background is a light orange grid pattern. At the top, a dark green banner contains the text "FLORIDA A&M UNIVERSITY" in a serif font, with "A&M" in a larger, stylized font. Below the banner, the title "FAMU Pilot Program" is centered in a black, serif font. A horizontal orange brushstroke line is positioned below the title. Underneath the line, the text "Fall 2017 Launch" is centered. A list of bullet points follows, each preceded by an orange right-pointing triangle. The first three items are "Identify pilot programs based upon available data", "Redirection Letters/Deferred Acceptance", and "Venom Paths (majors)". The third item has a sub-bullet list: "Students will receive", "Comprehensive Advising Teams", "Guaranteed Scholarships", "Transfer Orientation", and "Priority Registration". The final item is "FCS Graduation in 3 years (Program Requirement)". In the bottom right corner, the FAMU seal is displayed, which is a circular emblem with a gear-like border and the text "FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY" around the perimeter.

Florida College System Scholarships

Two-Year Undergraduate Scholarship

- ▶ **High School and Florida College System Scholarship**
 - Incoming Freshmen receiving high school diploma and the AA/AS degree
 - \$8,000 savings over 2 years
- ▶ **AA/AS Degree Transfer**
 - 2.75 Cumulative GPA
 - \$3,000 - \$10,000 savings over 2 years



DR2



Developments in Progress

- ▶ MOUs with FCS institutions
- ▶ Academic pathways
- ▶ Student and parent centered communication strategy
- ▶ Advisement Teams
- ▶ Transfer student specific orientation program



“At FAMU, Great Things Are Happening Every Day.”

established 1887



Florida Alliance of Information and Referral Services (FLAIRS) **F.S. 408.918 Florida 2-1-1 Network; Uniform Certification Requirements**

Existing contracts with State of Florida Agencies

Department of Agriculture & Consumer Services (DACS)

- DACS statewide promotion of 2-1-1 phone number
- Answer 2-1-1 calls in local communities to refer callers to summer food sites
- Report food-related referral data by county and zip-code

Department of Health, Bureau of Chronic Disease Prevention

- Current information on diabetes self-management education (DSME) programs and Centers for Disease Control Recognized Lifestyle Change Programs (LCP) maintained and verified in 2-1-1 resource databases
- Answer 2-1-1 calls in local communities to provide health information and refer callers to educational and prevention programs

Veterans Helpline (Department of Children and Families)

- Piloted at 2-1-1 in Tampa area
- Answer calls from veterans at risk of suicide or with PTSD, mental health or substance abuse concerns
- Crisis intervention, suicide prevention, service connections, peer support, care coordination

Help Me Grow Florida (Department of Education- Office of Early Learning; Florida Developmental Disabilities Council; Florida Children's Forum)

- Answer calls from parents concerned about their child's development
- Information, education, outreach to health providers and community at-large
- Developmental prescreening and connections to evaluation, treatment & supports
- Care coordination to help families connect with services overcome barriers
- Provide collaboration activities to improve the community system of care

Cost & Efficiency

2-1-1 offers considerable added value to hotline services, including:

- Trained hotline specialists and accredited agencies based on national standards
- 24 hour service in all languages
- One simple, 3-digit, easy to remember phone number that can be promoted statewide
- Rapid implementation; existing infrastructure (e.g., resource databases)
- All callers receive information specific to their local communities
- Ability to screen callers for services in addition to those for which they originally requested assistance

Costs are customized for each project considering:

- Length of service
- Projected volume of calls
- Level and complexity of caller engagement
- Staff training requirements
- Reporting requirements
- Marketing expectations

FLORIDA 2015: 2-1-1 COUNTS



1,094,544 CALLS

5.4% OF POPULATION

15.2% OF HOUSEHOLDS

CALLERS' NEEDS

HOUSING	255,094
MENTAL HEALTH/ADDICTIONS	226,567
UTILITIES	152,955
INFORMATION SERVICES	140,845
INDIVIDUAL/FAMILY/COMMUNITY SUPPORT	76,026
FOOD AND MEALS	74,771
HEALTH CARE	74,009
INCOME SUPPORT/ASSISTANCE	54,238
LEGAL/CONSUMER/PUBLIC SAFETY	50,106
OTHER GOVERNMENT/ECONOMIC SERVICES	34,756
CLOTHING/PERSONAL/HOUSEHOLD GOODS	25,011
EMPLOYMENT	23,299
TRANSPORTATION	16,525
EDUCATION	12,948
ARTS/CULTURE/RECREATION	7,792
VOLUNTEERS/DONATIONS	5,870
DISASTER SERVICES	2,630
TOTAL	1,233,442

636,412
WEBSITE
VISITS

40,480
PROGRAM
RECORDS
IN DATABASES

16,692
ORGANIZATION
RECORDS
IN DATABASES

41,819 TEXT-BASED CONTACTS

Florida Alliance of Information and Referral Services (FLAIRS)
Primary FLAIRS Contacts; AIRS Accreditation Status of Florida 2-1-1 Agencies

FLAIRS Officers and Contacts

President

Sheila Smith

President/CEO
2-1-1 Broward
250 NE 33rd Street
Oakland Park, FL 33334
Phone: (954) 390-0493
ssmith@211-broward.org

Treasurer

Sharon L'Herrou

Executive Director
211 Palm Beach/Treasure Coast
P.O. Box 3588
Lantana, FL 33465-3588
Phone: (561) 533-1099
sharon.lherrou@211pbtc.org

Secretary

Randy Nicklaus

President
2-1-1 Big Bend
PO Box 10950
Tallahassee, FL 32302
Phone: (850) 617-6317
rsnicklaus@211bigbend.org

Website Contact

Micki Thompson

Executive Director
211 Tampa Bay Cares, Inc.
14155 - 58th Street North, Suite 211
Clearwater, FL 33760
Phone: (727) 210-4241
mickit@211tampabay.org

AIRS Accredited 2-1-1 Agencies in Florida
(Alliance of Information & Referral Systems)

- 2-1-1 & Suicide Prevention, Crisis Center of Tampa Bay
- 2-1-1 Big Bend
- 2-1-1 Brevard
- 2-1-1 Broward
- 2-1-1 Northwest Florida, United Way of Escambia County
- 211 Palm Beach/Treasure Coast
- 211 Panhandle Helpline, COPE Center, Inc.
- 211 Tampa Bay Cares
- Charlotte 2-1-1, Charlotte County Human Services
- United Way 2-1-1, Heart of Florida United Way
- United Way 211, United Way of Lee County
- United Way of Northeast Florida

2-1-1 Agencies in process of becoming AIRS Accredited:

- Jewish Community Services 211, Miami Dade
- United Way of Central Florida 2-1-1
- United Way 2-1-1 of Manasota, Inc.

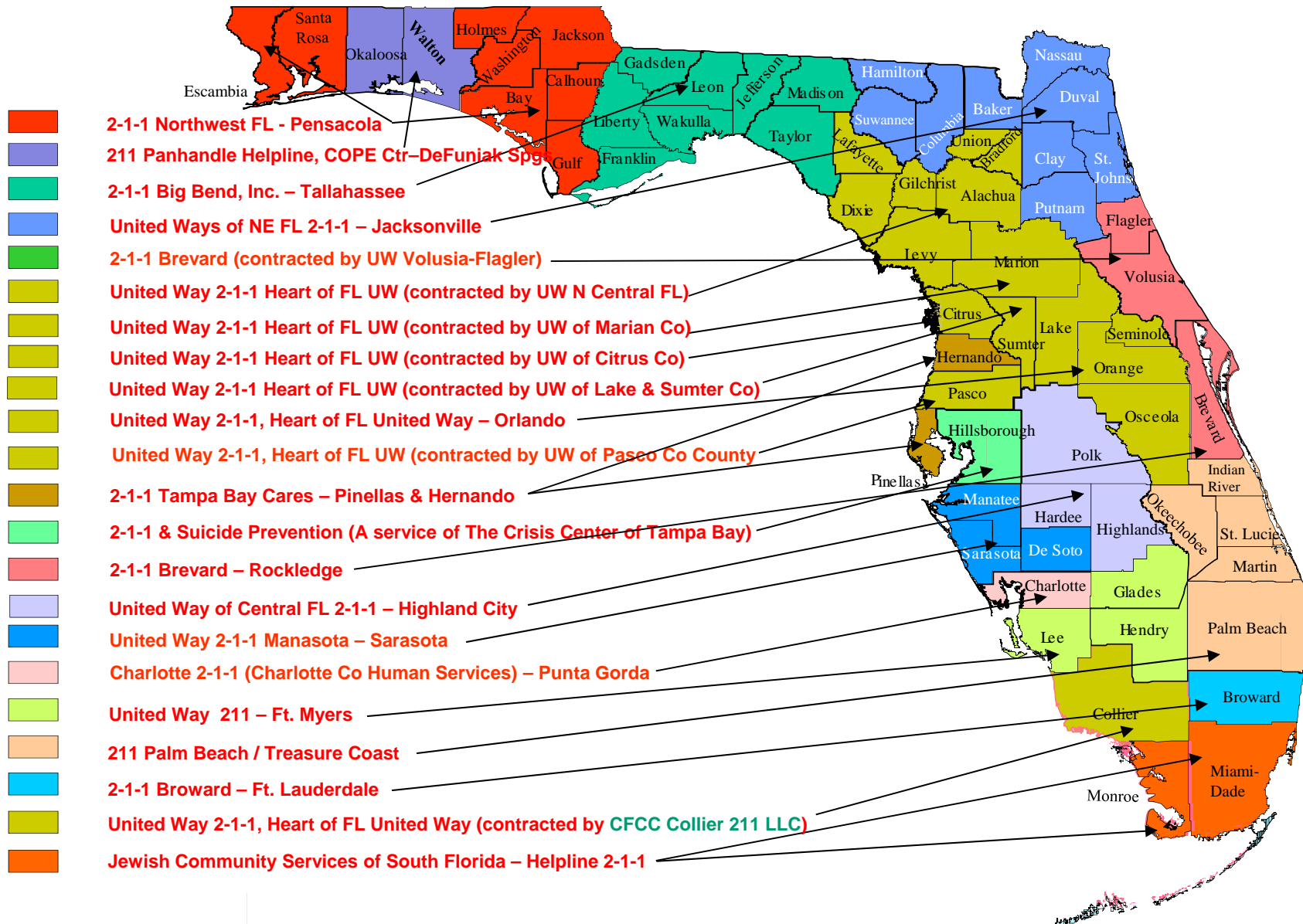
AAS Accredited 2-1-1 Agencies of Florida
(American Association of Suicidology)

- 2-1-1 & Suicide Prevention, Crisis Center of Tampa Bay
- 2-1-1 Big Bend
- 2-1-1 Brevard
- 2-1-1 Broward
- 211 Palm Beach/Treasure Coast
- 211 Tampa Bay Cares
- Charlotte 2-1-1, Charlotte County Human Services
- United Way 2-1-1, Heart of Florida United Way
- United Way of Northeast Florida

CORE SERVICES



Name In Red Is The 2-1-1 Provider For That Area – 15 Providers (Updated 12/7/16)



Florida College System Activities Association

Report to the Council of Presidents

January 13, 2017

Action Items:

1. FCSAA Executive Committee By-Laws Revision (Attached)
2. FCSAA Executive Committee Policy 16 Revision (Attached: Current Policy 16 and Revised Policy 16)

Information Items:

Academic Divisions

Brain Bowl: FCSAA Regional Tournaments are scheduled for February 10-11, 2017 at:

East Central: College of Central Florida

West Central: Valencia College

Panhandle: Tallahassee Community College

South: Miami Dade College

FCSAA State Tournament is March 30-April 1, 2017, at Gulf Coast State College. *Brain Bowl State Advisor is James Givvines, Florida Gateway College.*

Forensics: State Championship is scheduled for February 2-4, 2017, at Florida State College at Jacksonville. *Forensics State Advisor is Chad Kuyper at Florida State College at Jacksonville.*

Music: Winter Music Symposium is scheduled for January 26-28, 2017, at Jacksonville University. *Music State Advisor is Michael MacMullen, Palm Beach State College.*

Publications: Florida College System Press Association Annual conference was held October 12-14, 2016, in Orlando; approximately 90 students and advisors attended. FCSPA Advisors are meeting February 17 to discuss plans for the Fall 2017 Conference. *Publications State Advisor is Lisbeth Martin, Palm Beach State College.*

Student Government: The November Legislative and Leadership Conference was held November 18-19, 2016, at Seminole State College, Sanford/Lake Mary Campus; approximately 320 students and advisors attended. The Tallahassee Legislative Conference is scheduled for February 8-9 at Tallahassee Community College and the Capitol. *Student Government State Advisor is Davie Gill, St. Petersburg College.*

Theatre: The Theatre Division is continuing their traveling respondent program. Seventeen colleges have submitted requests for production respondents. Productions adjudicated to date:

College	Production	Ranking
Chipola College	Southern Fried Funeral	Superior
Eastern Florida State College	Pinocchio	Superior plus Community Service Award
College of Central Florida	Lady Windermere's Fan	Good

Theatre State Advisor is Jeanine Henry, Eastern Florida State College.

Model United Nations: The FCSAA Executive Committee approved an affiliate Model United Nations division to begin development. Ten colleges currently have active Model U.N. programs. They are: Broward College, College of Central Florida, Gulf Coast State College, Miami Dade College, Palm Beach State College, St. Petersburg College, Santa Fe College, State College of Florida, Tallahassee Community College and Valencia College. Eastern Florida State College is currently in development. Hillsborough Community College and Pasco-Hernando State College have had programs in the past and may now reactivate. This division is functioning as a financially self-supporting program. *Model UN State Advisor is Dr. Rick Murgo, Tallahassee Community College.*

Athletics Division

Women's Soccer State Tournament: Held October 28 and 30, 2016, at Eastern Florida State College. Congratulations to FCSAA State Champion Eastern Florida State College, who also won the NJCAA district championship to advance to the NJCAA Division I National Tournament. EFSC's Khadija Shaw and Darien Davis were named First Team All-Americans. *Soccer Sport Chair is Steve Linamen, Polk State College.*

Women's Cross Country State Tournament: Held November 4, Tallahassee's Apalachee Regional Park. Congratulations to State Champion Pasco-Hernando State College. Pasco-Hernando, Tallahassee Community College and South Florida State College represented FCSAA and NJCAA Region 8 in the National Cross Country Championship November 10-12 at Butler Community College in El Dorado, Kansas. Pasco-Hernando, Tallahassee Community College, and Chipola College represented FCSAA and NJCAA Region 8 in the NJCAA National Half Marathon November 19 in Gulf Shores, Alabama. PHSC and TCC tied for 9th nationally. *Cross Country Sport Chair is Steve Winterling, Pasco-Hernando State College.*

Women's Volleyball State Tournament: Held November 4-6, Bradenton Area Convention Center, co-hosted by State College of Florida. Congratulations to Miami Dade College, our FCSAA State/NJCAA District N Champion and our NJCAA Division I National Champions! MDC's Massiel Matos was named the national tournament's Most Valuable Player and MDC Coach Kiki Benoit was named Coach of the Tournament. FCSAA State runner-up/NJCAA District M Champion Santa Fe College and NJCAA District O Champion Polk State College also advanced to the National Tournament; Polk State finished 3rd nationally, Santa Fe 4th. Central Florida's Rafaela Fonseca and Miami Dade's Massiel Matos were named First Team All-Americans; Central Florida's Nathaly Alvarez and Pensacola State's Y-Tae Cobb were named Second Team All Americans; and Polk State's Yue Wu and Santa Fe's Nadine Williams were named Honorable Mention. *Volleyball Sports Chair is Matt Ennis, State College of Florida.*

Men's and Women's Basketball State Tournament: Scheduled for March 8-11, College of Central Florida. *Men's Basketball Sport Chair is Derrick Worrells, Hillsborough Community College; Women's Basketball Sport Chair is Rob Chaney, Tallahassee Community College.*

Women's Tennis State Tournament: Scheduled for April 21-23, location TBA. *Tennis Sport Chair is Laurie Ragsdale, Hillsborough Community College.*

Women's Softball State Tournament: Scheduled for April 27-30, Historic Dodgertown, Vero Beach, co-hosted by Indian River State College. *Softball Sport Chair is Laurel Sue Smith, Polk State College.*

Men's Baseball State Tournament: Scheduled for May 4-10, Joker Marchant Stadium, Lakeland, co-hosted Polk State College. *Baseball Sport Chair is Bing Tyus, Polk State College.*

Respectively submitted,

Kelly Warren
FCSAA Executive Director

The Constitution and By-Laws
of the
The Florida College System Activities Association
A Non-Profit Corporation

ARTICLE 1 — NAME AND LOCATION

Section 1: This Association shall be known as the FLORIDA COLLEGE SYSTEM ACTIVITIES ASSOCIATION, a non-profit corporation, and shall be a voluntary Association. The official abbreviation shall be FCSAA.

Section 2: The FCSAA central office shall be located in Tallahassee, Florida.

ARTICLE 2 — PURPOSE

Section 1: The purpose of FCSAA is to promote, coordinate, and regulate intercollegiate student activities of member colleges. Intercollegiate activities include college athletics and other student activities that take place among member colleges. FCSAA rules and regulations should be guided by the principle that student activities are valued extra-curricular and co-curricular endeavors and are an integral and meaningful part of the educational program and academic development of college students. Specifically, the purposes of FCSAA are:

- (a) To initiate, stimulate and improve intercollegiate activities programs for students and to promote and develop educational leadership, physical fitness, and athletics participation as a recreational pursuit;
- (b) To uphold the principle of institutional control of, and responsibility for, all intercollegiate activities in conformity with the constitution and bylaws of FCSAA;
- (c) To supervise the conduct of, and to establish eligibility standards for, local, regional and state inter-collegiate activities events under the auspices of FCSAA;
- (d) To cooperate with other activities and athletics organizations in promoting and conducting national and international athletics events;
- (e) To legislate, through bylaws or by Executive Committee Policies, upon any subject of general concern to the members related to the administration of intercollegiate activities; and

FCSAA shall work cooperatively with member colleges, the Florida ~~Community Colleges~~ College System Council of Presidents, the State Board of Education, the Chancellor of the ~~Division of Community Colleges~~ Florida College System, the

National Junior College Athletic Association, and other activity-governing bodies.

ARTICLE 3 — MEMBERSHIP

- Section 1:** Membership shall be by institutional affiliation.
- Section 2:** Any community college as defined in Sec. 1000.21, F.S., which is accredited by the Commission on Colleges of The Southern Association of Colleges and Schools, shall be eligible for membership in the FCSAA.
- Section 3:** Any member college with more than one campus which desires to regard each campus as a discrete unit for the purpose of separate campus involvement in the activities of FCSAA may do so at the discretion of that member college in accordance with division rules (Brain Bowl is allowed a maximum of 2 teams per college).
- Section 4:** The college presidents whose colleges desire to join and maintain membership in FCSAA for the current year shall pay their dues in the month of July. By paying dues, each President commits himself/herself and the college to know the by-laws, rules and regulations of FCSAA and to abide by them.
- Section 5:** Participation by college personnel in FCSAA affairs shall be limited to authorized personnel of member colleges.
- Section 6:** Participation by students in FCSAA activities and affairs shall be limited to eligible students of member colleges. All student participants shall be required to meet all specific eligibility requirements of the FCSAA division in which they participate. Colleges who do not pay membership dues in any given year are not eligible to participate in any FCSAA-organized activities or tournaments for that year.
- Section 7:** FCSAA shall be governed by duly adopted regulations. The term "regulations" shall denote any of the following: FCSAA Constitution and By-laws, Executive Committee Policies, Division Policies, and State Committee Policies.
- Section 8:** All regulations of FCSAA shall be adhered to by all organizational components such as divisions, by all member colleges participating in any sanctioned activity, by all individuals acting in the capacity of their FCSAA-related responsibilities, and by all students from member colleges engaged in FCSAA activities. FCSAA and all of its divisions shall abide by all applicable laws and regulations.

ARTICLE 4 — ORGANIZATIONAL STRUCTURE

Section 1: FCSAA shall consist of the following organizational components in a hierarchical arrangement:

- A. Presidents Assembly
- B. Executive Committee
- C. Divisions and Councils
- D. State Committees

Section 2: The Presidents Assembly shall consist of the presidents of member colleges or their designated representative. The Presidents Assembly shall oversee the total affairs of FCSAA and shall retain the right of review and final approval on all FCSAA matters. The Assembly, or its designate, shall:

- A. Approve amendments to the Constitution and by-laws;
- B. Approve the annual dues;
- C. Approve the annual budget and appointment of the FCSAA Executive Director;
- D. Approve the election of the officers of FCSAA and the Athletic Commissioners;
- E. Approve the at-large members of the Executive Committee;
- F. Approve recommendations from the Executive Committee;
- G. Perform any act or duty for the welfare of FCSAA;
- H. Hear appeals from the decision of any subordinate organizational component or officer;
- I. Govern the operational matters of FCSAA.

Section 3: The Presidents Assembly delegates to the Executive Committee the responsibility and authority to administer the affairs of FCSAA according to the law, the Constitution and Bylaws, and Executive Committee Policies. The Executive Committee shall be authorized to enact any policy not previously specified nor prohibited by the FCSAA Constitution and Bylaws. The Executive Committee, or duly appointed subcommittees thereof, shall:

- A. Oversee the work of the FCSAA Executive Director, establish the compensation and benefits package and authorize the FCSAA President to execute an appropriate employment contract;
- B. Recommend an annual budget to the Presidents Assembly;
- C. Recommend annual dues to the Presidents Assembly;
- D. Exercise fiscal control over FCSAA financial operations;
- E. Make necessary rules and regulations for all tournaments, meets, conferences, conventions and other sponsored activities;
- F. Act on proposed amendments to the Constitution and by-laws;
- G. Enact Executive Committee policies which shall be binding on the membership;

- H. Exercise coordination and control over the divisions and conferences;
- I. Approve the appointment/election of the division representatives, conference secretaries;
- J. Appoint all appropriate committees;
- K. Develop appropriate mechanisms for achieving the objectives of FCSAA;
- L. Call upon the Executive Director for an accounting, or an explanation of any act or ruling on his/her part, or to perform any specific act or duty for the welfare of FCSAA;
- M. Provide leadership and direction for FCSAA;
- N. Assume other responsibilities as may be specifically delegated by the Presidents Assembly.

Section 4: The Executive Committee shall consist of the following members:

- A. FCSAA President
- B. FCSAA President-elect
- C. Division and Council representatives
 - 1. Brain Bowl Representative
 - 2. Forensics Representative
 - 3. Music Representative
 - 4. Theater Representative
 - 5. Student Publications Representative
 - 6. Student Government Representative
 - 7. Council of Athletic Affairs Representative
 - 8. Council of Business Affairs Representative
 - 9. Council of Instructional Affairs Representative
 - 10. Council of Student Affairs Representative
 - 11. Council of Presidents Representative

- D. Members-At-Large

A maximum of seven (7) to include two students reflecting the FCSAA commitment to equity and diversity.

- E. FCSSGA President (Florida College System Student Government Association)

The Executive Director shall provide staff support service to the Executive Committee, provide input on discussions as appropriate and shall attend all meetings.

The President may select and appoint an Attorney employed within the Florida College System to serve as legal counsel to the FCSAA. Legal Counsel will be expected to attend all meetings of the

FCSAA and shall serve without compensation. Legal Counsel may be reimbursed for travel expenses incurred in accordance with FCSAA policies and procedures.

The Athletic Commissioners (NJCAA Region Directors) for Men's Athletics and Women's Athletics will attend all meetings of the Executive Committee and provide reports as appropriate. Each Commissioner is expected to provide support and input within the scope of their position with the FCSAA. Commissioners may be reimbursed for travel expenses incurred in accordance with FCSAA policies and procedures.

The Office of the Chancellor of the Division of Florida Colleges at the Florida Department of Education may appoint a liaison to the FCSAA. The liaison is expected to attend meetings of the Executive Committee and provide input as appropriate. The Chancellor's liaison may be reimbursed for travel expenses incurred in accordance with FCSAA policies and procedures.

Section 5: Under the general supervision of the Executive Committee and subject to its approval, the divisions shall fulfill the following duties:

- A. Establish policies for division membership;
- B. Coordinate the affairs of the division;
- C. Submit approved division policies and procedures to the Executive Committee at least annually;
- D. Recommend FCSAA policy changes to the Executive Committee;
- E. Submit necessary accounting, reports and division meeting minutes to the Executive Director;
- F. Strive to achieve the purpose of FCSAA in sponsored activities;
- G. Assume other responsibilities as may be specifically delegated by the Executive Committee.

Section 6: There shall be seven (7) Divisions as follows:

- 1. Athletic Division
- 2. Brain Bowl Division
- 3. Forensics Division
- 4. Music Division
- 5. Theater Division
- 6. Publications Division
- 7. Student Government Division

Section 7: State Committees are units of the divisions organized to attain specific objectives. State committees within each division may be created, altered, or dissolved at the discretion of the division.

Section 8: The FCSAA Appeals Committee is responsible for hearing appeals from any division or member college on Executive Committee decisions. The FCSAA

Appeals Committee may endorse the action of the Executive Committee or may take other action as it deems appropriate.

ARTICLE 5 — STEERING COMMITTEE

Section 1: The Steering Committee, as may be convened from time to time, shall consist of the President, President-elect, and other members of the Executive Committee as deemed appropriate and appointed by the President, whose duration of service shall be determined solely by the President. The Executive Director shall provide staff support service to the Steering Committee, provide input on discussions as appropriate and shall attend all meetings..

Section 2: The Executive Committee delegates to the Steering Committee the responsibility and authority to administer the affairs of FCSAA between meetings of the Executive Committee. The Steering Committee shall report all its decisions to the Executive Committee.

ARTICLE 6 — FCSAA OFFICERS

Section 1: The FCSAA shall have two (2) officers: President and President-elect. The FCSAA Officers shall be elected from the current Executive Committee members or someone who has served on the Executive Committee. The Nominating Committee may waive this provision if, in its sole discretion, it determines that there are candidates who, while not meeting these criteria, are otherwise qualified to serve as an officer of the FCSAA.

ARTICLE 7 — FCSAA OFFICERS: DUTIES

Section 1: The FCSAA President shall:

- A. Call and preside over Executive Committee, Presidents Assembly and Steering Committee meetings;
- B. Serve as Chair of the Steering Committee;
- C. Appoint subcommittees of the Executive Committee as deemed appropriate;
- D. Promote the interests of the FCSAA.

Section 2: The FCSAA President-elect shall:

- A. Assume the responsibilities of the President in the President's absence;
- B. Serve on the Steering Committee;
- C. Perform other duties as assigned by the President.

The FCSAA officers shall serve without compensation but shall have their

expenses paid by the FCSAA in accordance FCSAA procedures.

ARTICLE 8 — TERMS IN OFFICE

Section 1: The FCSAA President's term of office shall be for a period of two (2) years.

Section 2: The FCSAA President-elect's term of office shall be for a period of two (2) years.

ARTICLE 9 — PERSONNEL

Section 1: The FCSAA shall select and/or employ sufficient staff personnel to implement its objectives and to oversee the daily operation of the state office.

Section 2: This FCSAA is an equal access/equal opportunity employer and does not discriminate on the basis of age, race, sex, nationality, religion, or disability.

ARTICLE 10 — STAFF AND DUTIES

Section 1: FCSAA administrative and operational duties and responsibilities shall be vested in the Executive Director.

Section 2: The Executive Director shall be employed by FCSAA and shall be responsible to the FCSAA President and the Executive Committee.

Section 3: The duties and responsibilities of Executive Director include without limitation:

- A. Coordinate, manage and direct the affairs of FCSAA;
- B. Prepare and submit to the Executive Committee at its Spring meeting a proposed budget for the following year;
- C. Administer financial affairs by receiving all funds of FCSAA and disbursing funds within the fixed budget and keeping accurate records;
- D. Keep a record and minutes of all meetings and correspondence of FCSAA;
- E. Prepare and issue to members all necessary reports, forms and supplies;
- F. Prepare and issue a membership list, activity calendar and directory;
- G. Call on the division representatives to perform such duties as may be necessary and expedient;
- H. Provide FCSAA consulting services;
- I. Call upon the officers for advice and assistance;
- J. Coordinate FCSAA functions at-large;
- K. Maintain daily office functions;
- L. Perform major projects, tasks, and functions assigned by the President or Executive Committee.

A specific job description under each responsibility will be maintained in the

FCSAA Office.

ARTICLE 11 — ELECTIONS

- Section 1:** The FCSAA President shall appoint a nominating committee, made up of members of the Executive Committee, to submit the name(s) of a candidate(s) for the office of President-elect, Members-at-Large. The Executive Committee shall select one (1) candidate for President-elect and each Member-at-Large and submit them to the Presidents Assembly for approval. The FCSAA President shall instruct the Executive Director to conduct the election of the Athletic Commissioners for Men and Women during even numbered years. Those nominated and who qualify shall be submitted on an official ballot to the member College Athletic Directors for their vote.
- Section 2:** The divisions shall select/elect their representatives based on the division's approved policy.
- Section 3:** In the case of a vacancy occurring in the Office of President, the President-elect shall assume the duties of the President.
- Section 4:** In the case of a vacancy occurring in the Office of President-elect, the Steering Committee shall appoint an interim President-Elect to serve until the next Executive Committee Meeting, at which time a new President-Elect shall be elected.
- Section 5:** Recall/Removal: The President and President Elect may be recalled and removed from Office as follows:
- A. Grounds: The Officers of the FCSAA may be recalled by the Executive Committee. Recall must be based on some misconduct in office, including but not limited to failure to attend meetings, failure to carry out the duties of the office, conduct that could bring the FCSAA into disrepute among members of the FCSAA or the public or the loss of eligibility to hold office.
- B. Recall Procedure:
- i. A recall vote shall be initiated by filing with the Executive Director a petition bearing the signature of at least one-third of the members of the Executive Committee. The petition must set forth the general reasons for the recall and may provide specific instances of misconduct or other grounds for the recall. Upon receipt, the Executive Director shall contact each member whose signature appears on the petition and verify that the member signed the petition. Once the signatures have been verified, the Executive Director shall provide the Officer subject to the petition a copy

with the signatures redacted and the member shall have 10 business days to respond to the Petition in writing, such response to be provided to the Executive Director. The Executive Director shall provide the response to all members of the Executive Committee.

ii. As soon as practicable after the 10 days notice required above has been provided, the Executive Director may call a special meeting for the sole purpose of discussing and voting on the recall petition. The Officer subject to the recall Petition shall be entitled to a reasonable time, as determined by the presiding officer of the meeting, to respond verbally to the Petition and argue against recall.

iii. The Executive Committee will vote by written ballot and the Executive Director shall be responsible for collecting and tallying the ballots. The Executive Director will announce the results to the Executive Committee at the meeting. The ballots shall be retained by the Executive Director and are subject to release pursuant to Chapter 119, Florida Statutes. The petition shall be deemed approved if three-fourths of the voting members of the vote to recall the Officer. The Officer subject to the recall petition shall not have a vote and shall not be counted for purposes of a quorum. A quorum shall be as defined elsewhere in these by-laws for a regular meeting of the Executive Committee. The meeting of the Executive Committee may be in any manner otherwise permitted by these by-laws.

vi. If the petition is approved, the recall shall be effective immediately and the office held by the recalled member shall be deemed vacant on that date. The vacancy will be filled as provided for elsewhere in these by-laws.

ARTICLE 12 — MEETINGS

Section 1: The Presidents Assembly may meet in conjunction with the Council of Presidents.

Section 2: The Presidents Assembly shall conduct its Annual Meeting in the month of June.

Section 3: The Executive Committee shall meet at least two (2) times a year, once in the Fall and once in the Spring.

Section 4: The Divisions shall meet at least one (1) time a year.

Section 5: State Committees and other committees shall meet at the discretion of the chairperson.

Section 6: The minutes of all meetings shall be sent to the Executive Director and placed on file. All meetings of FCSAA shall be conducted in compliance with the Florida

“Government in the Sunshine Law”. All meetings may be held using telephonic and/or electronic methods. The technology used for the telephone and/or electronic meetings shall allow full access by any interested party to and full participation in all meeting transactions as required either continuously or intermittently throughout the specified time of the meeting. Meetings involving the discussion of student information protected under the Family Educational Rights and Privacy Act (FERPA) will be conducted in a session not open to the public and the minutes thereof shall be retained subject to disclosure in accordance with FERPA. Such meetings include, but are not limited to, disciplinary action against a student and discussion of eligibility issues.

ARTICLE 13 — VOTING

- Section 1:** Each member college shall have one (1) vote in the Presidents Assembly to be cast by the president of the college or his/her designee.
- Section 2:** The authorized voting members of the Executive Committee shall have one (1) vote to be cast by that member or designee.
- Section 3:** Each division shall have the authority to establish voting policies not otherwise stipulated by FCSAA policy.
- Section 4:** All voting transactions of FCSAA shall be conducted during meetings or by polling the membership by mail or other means.
- Section 5:** Unless otherwise stated any measure adopted by FCSAA shall go into effect at the beginning of the next fiscal year.
- Section 6:** A quorum shall be required for official action at a meeting of any organizational component of FCSAA. A majority of an organizational component's membership shall constitute a quorum.
- Section 7:** Unless otherwise stated in approved FCSAA policy, procedures, or regulations, a majority vote of those members present at any meeting of FCSAA shall be sufficient to pass any measure.

ARTICLE 14 — FINANCES AND BUDGET

- Section 1:** Annual dues shall be determined annually by the Presidents Assembly.
- Section 2:** The formula used by the Association of Florida Colleges (AFC) with a \$22,000 cap shall be used by FCSAA to calculate annual dues.
- A. Annual dues are payable in July each year and are not pro-rated by activity

participation.

- Section 3:** FCSAA Accounts shall be audited annually by a Certified Public Account and the results submitted in the annual report to the membership.
- Section 4:** The FCSAA fiscal year shall begin July 1 and end June 30.
- Section 5:** The Presidents Assembly shall adopt the FCSAA budget at its annual meeting based on the recommendation of the Executive Committee.
- Section 6:** All FCSAA contracts shall be signed by the President and/or the Executive Director, or their designates.
- Section 7:** An Investigation Fund shall be established. The fund shall not exceed \$5,000. Each member college shall be assessed an amount not to exceed five (5) percent of its membership dues when the fund falls below \$3,000. A Member College that is found guilty in any investigation shall reimburse the fund for the expenses of the investigation.

ARTICLE 15 — AWARDS

- Section 1:** The Executive Committee shall adopt a standard trophy and award policy that shall be adhered to by all FCSAA Divisions.

ARTICLE 16 — RELATIONSHIP WITH NJCAA

- Section 1:** Member colleges that participate in intercollegiate athletics also shall be members of the NJCAA.
- Section 2:** With regard to intercollegiate athletics, the FCSAA adopts the rules and regulations of the NJCAA except as may be varied or superseded by FCSAA rules and regulations, which shall have precedence in the case of a conflict.

ARTICLE 17 — ELIGIBILITY

- Section 1:** The eligibility rules established by FCSAA are designed to promote academic achievement and to encourage students to advance with their graduating class and to ensure fairness in competition both in athletics and academics.

ARTICLE 18 — COMPLIANCE AND DISPUTE RESOLUTION

- Section 1:** Each member institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate activities programs. It shall monitor its programs to assure compliance and to identify and report to the

Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions. Members of an institution's staff, students, and other individuals and groups representing the institution's activities interests shall comply with the applicable Association rules and the member institution shall be responsible for such compliance. The Executive Committee shall develop policies, procedures and guidelines relating to eligibility, compliance, and dispute resolution with regard to intercollegiate activities and other FCSAA matters.

- Section 2:** It is the responsibility of each member college to control its intercollegiate athletics and other activities programs in compliance with the rules and regulations of the FCSAA. The college's chief executive officer is responsible for the administration of all aspects of the athletics and other activities programs, including approval of the budget and audit of all expenditures. The college's responsibility for the conduct of its intercollegiate athletics and other activities programs includes responsibility for the actions of its staff members and for the actions of any other individual or organization engaged in activities promoting the interests of the institution.
- Section 3:** The FCSAA shall assist the colleges in their efforts to achieve full compliance with all rules and regulations and shall afford each college, its staff and students fair procedures in the consideration of an identified or alleged failure in compliance.
- Section 4:** A college found to have violated the Association's rules shall be subject to such disciplinary and corrective actions as may be determined by the FCSAA.

ARTICLE 19 — AMENDMENTS

- Section 1:** This Constitution and by-laws may be amended by a majority vote of the Presidents Assembly membership. Thirty (30) days written notice must be given prior to the vote.
- Section 2:** Policies of the Executive Committee, the divisions, and state committees may be changed by a majority vote of the members in attendance at a meeting, unless otherwise specified by regulations.

ARTICLE 20 — LIMITATION OF POWER

- Section 1:** Notwithstanding any other provision of these articles, this corporation will not carry on any other activities not permitted to be carried on by (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time, or the corresponding provision of any future United States internal revenue law or (b) a corporation, contributions to which are

deductible under section 170(c)(2) of the Internal Revenue Code of 1986, as amended from time to time, or any other corresponding provision of any future United States internal revenue law.

ARTICLE 21 — NONDISCRIMINATION

- Section 1:** The FCSAA shall promote an atmosphere of respect for and sensitivity to the dignity of every person. It is the policy of the FCSAA to refrain from discrimination with respect to its governance policies, educational programs, activities and employment policies including on the basis of age, color, disability, gender, national origin, race, religion, creed or sexual orientation. It is the responsibility of each member college to determine independently its own policy regarding nondiscrimination, including on the basis of age, color, disability, gender, national origin, race, religion, creed or sexual orientation. It is the responsibility of each member college to determine independently its own policy regarding nondiscrimination.
- Section 2:** It is the responsibility of each member college to comply with federal and state laws regarding gender equity. The FCSAA should not adopt policies that would prevent member colleges from complying with applicable gender-equity laws, and should adopt policies to enhance member colleges' compliance with applicable gender-equity laws. The activities of the FCSAA should be conducted in a manner free of gender bias.

ARTICLE 22 — DISSOLUTION

- Section 1:** In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1986, as amended from time to time, or corresponding sections of any prior or future law, or to the Federal, State, or local government for exclusive public purpose.

Revised 10/20/2016

FCSAA POLICY 16: VIOLATIONS AND DISPUTE RESOLUTION (Current Policy)

In accordance with the FCSAA Constitution and Bylaws Article 18, Section 1, the Executive Committee adopts this policy for addressing violations of rules and dispute resolution procedures. All individuals representing or associated with member colleges are expected to cooperate fully with FCSAA in the conduct of its proceedings to further the objectives of FCSAA. It is the responsibility of students, college personnel and other individuals with knowledge of or belief that a violation of rules has occurred to report to the FCSAA Executive Director any information related to the possible violation of any FCSAA (or of any other applicable governing body, such as the CAA, NJCAA, etc.) rules or regulations.

A. Procedures

1. **Eligibility Issues:** Any allegation(s) concerning the violation of FCSAA or NJCAA eligibility rules of student athletes shall be directed to the Executive Director, who may refer the matter to the appropriate Athletic Commissioner (or State Advisor, for non-athletics activities), who will serve as the designate of the Executive Director for the purposes of review and appropriate action in accordance with this policy. The Athletic Commissioners (or State Advisors, for non-athletics activities) shall be responsible for making initial determinations of eligibility as part of their administrative duties to the FCSAA.
 - a. Eligibility rules for student participation in non-athletic activities shall be adopted by the organizational component and approved by the Executive Committee.
2. **Non-Eligibility Issues:** Any allegation(s) concerning violation of FCSAA or NJCAA rules not pertaining to eligibility of student athletes shall be directed to the Executive Director, who may coordinate the review and disposition of the matter with the appropriate Athletic Commissioner (or State Advisor, for non-athletics activities).
3. The FCSAA President and Executive Director shall be notified of all alleged violations and any actions taken by the Athletic Commissioner (or State Advisor, for non-athletics activities), independent of any action taken by the FCSAA. The Athletic Commissioner (or State Advisor, for non-athletics activities) must comply with this policy at all times.
4. In the event of an alleged violation or a violation of any FCSAA/CAA/NJCAA policy/rule/regulation, related to eligibility or otherwise, that involves the employing college of an Athletic Commissioner (or State Advisor, for non-athletics activities), the matter shall not be referred and shall be handled by the Executive Director.
5. **Allegations:** Allegations of rules violations communicated to the FCSAA by any source may be reviewed and acted upon. All allegations received by any FCSAA official shall be forwarded to the Executive Director who will coordinate the FCSAA process set forth in this policy. Matters may be addressed and resolved using any or all of the following processes: Consultation, Informal Review or Formal Review.
6. **Consultation:** Anyone may seek advice, information or counseling from FCSAA on matters related to rules violations without having to lodge an informal or formal complaint.
7. **Informal Review:** The Executive Director, or designate, may conduct, in a timely manner, a preliminary review of the allegations.
 1. Upon completion of the Informal Review, the Executive Director promptly shall render a written Informal Review Report to the FCSAA President, including findings.
 2. Based on the results of the informal review, the Executive Director may work with the

involved college to reach agreement on a proposed resolution, including without limitation any proposed sanctions to be imposed on the college. Any resolutions involving proposed sanctions must be approved by the Executive Committee.

3. Upon receipt of the Executive Director's Informal Review Report, if the matter is not resolved, the President will render a prompt decision as to whether a formal investigation is required. If a decision is made not to conduct a formal review, the President shall notify the Executive Director, Executive Committee, the individual making the allegation(s) and the parties involved of the decision and the rationale for it. The Executive Committee may, by majority vote, direct that a formal review take place.
8. **Formal Review:** The FCSAA President may designate in writing other members of the Executive Committee to serve as investigators along with the Executive Director, who will coordinate the Formal Review.
1. The President shall notify the college president of the college involved that there will be a formal review. Such notification shall include the names of the investigator(s), the nature of the investigation, including the specific allegations to be investigated, the rights of the college, and any other appropriate information.
 2. The Executive Director, investigator(s) and the college president, or designate, shall cooperate in the conduct of the formal review.
 3. The investigation may include recorded interviews, written statements from relevant persons, review of records, documents, and other materials deemed necessary by the investigator(s).
 4. The investigator(s) shall complete the work in a timely manner.
 5. At the conclusion of the formal review, the Executive Director shall render an Investigation Report to the college president and the FCSAA President. The report shall include the background and summary of the allegations, the specific FCSAA/NJCAA Rules or Regulations reviewed, factual findings, and a determination as to whether or not the investigation team found a violation(s) to have occurred. If NJCAA violations are found to have occurred, a copy of the report shall be sent to the Region Director.
- B. **College's Response Report:** Upon receipt of the Investigation Report the college shall have thirty (30) days to review the report and provide a written response to the Executive Director.
1. The Response Report shall include a statement that the college concurs or does not concur with the written report. If the college does not concur, the college shall state in its Response Report its position with specificity and further, may request a hearing on the matter.
 2. In addition, the college shall include in its Response Report a description of what actions (if any) has been taken concerning the alleged violation(s) including without limitation policy changes, self-imposed sanctions, and disciplinary actions.
 3. If the college concurs with the report, the Executive Director may work with the college to reach agreement on a proposed resolution, including without limitation any proposed sanctions to be imposed on the college. Any resolutions involving proposed sanctions must be approved by the Executive Committee.
- C. **Hearing:** If requested in writing by the college, the FCSAA President shall schedule a hearing on the matter, to take place in a timely manner. The FCSAA President shall appoint a hearing body of at least three members, to be comprised of Executive Committee members, as deemed appropriate by the FCSAA President.
1. The Informal Review Report, Investigation Report, and Response Report, as may be

available, shall be distributed to the hearing body prior to the hearing.

2. The hearing shall take place in a public meeting.
3. The FCSAA President shall excuse any member of the hearing body whose college is or becomes the subject of the investigation, or who otherwise has a conflict of interest from participation in the hearing.
4. During the hearing, the Executive Director shall present the Investigation Report. The college shall then present its Response Report. At the discretion of, and in accordance with procedures established by the FCSAA President, either party may present statements, question witnesses, or present other material necessary to address the specific allegations.
5. At the discretion of, and in accordance with procedures established by the FCSAA President, members of the Executive Committee may ask questions for a clear understanding of the matters presented.
6. The hearing shall be recorded in its entirety and minutes taken.

D. **Hearing Body Action:** The hearing body shall deliberate and based on these deliberations the FCSAA President will issue a Formal Review Report which will include:

1. Specification of findings of fact, other information relied upon, and rules or regulations that were violated;
2. Determination of whether the violation(s), if any, will be classified as major or minor, along with the basis for this determination.
 - a. The hearing body is to determine whether the violations have occurred within a four year window of warning regarding previous violations which resulted in disciplinary action by the NJCAA/FCSAA. If new violations occur within the four year window, the fact of recurrence may make these violations major instead of minor.
 - b. Use of an ineligible player results in the forfeiture of all contests in which the student/athlete participated. Eligibility violations may be major or minor.
 - c. Violations which involve exceeding the maximum amount of LOI/Scholarships allowed under NJCAA/FCSAA policies along with improper inducements in recruiting would be a major violation and result in the loss of LOI/Scholarships and/or more stringent sanctions.
 - d. Fraudulent acts including academic fraud are major violations.
 - e. Clerical errors in reports and releasing and resigning available LOI/Scholarships are examples of other minor violations.
 - f. A combination of any the four violations set out above or recurring violations may establish the basis for a major violation.
 - g. Disciplinary actions for non-recurring minor violations typically include letter of warning, reprimand, and forfeiture.
3. Determination of sanction or disciplinary action, if any, found to be appropriate. Sanctions and disciplinary action may include, without limitation, the following actions, which may be taken alone or in combination:

- a. **Warning:** Issue a letter-of-warning.
 - b. **Reprimand:** Issue a verbal or written reprimand;
 - c. **Forfeiture:** Forfeiture of specific contests and/or restriction of athletic letters-of-intent or athletic grants-in-aid the college may issue;
 - d. **Probation:** Restrict or place limits on certain types of participation for a stated period. Other actions and stipulations may be included in the probation. Teams on probation shall:
 - i. Have all contests (including conference contests) counted as regular season contests for the college on probation and the opponent and counted as wins or losses;
 - ii. Have no conference record and not be eligible for the conference championship;
 - iii. Not be eligible for state, region, or other tournaments.
 - e. **Suspension:** Deny permission to participate for a stated period.
- E. **Official Notification:** The FCSAA President shall promptly send the Formal Review Report to the college president as written notification of the decision.
- F. **Appeal:** The college president, on behalf of the College, may appeal any decision made by the Executive Committee to the FCSAA Appeals Committee. The Notice of Appeal must be in writing to the Executive Director and served by mail within fourteen (14) days of the receipt of the Formal Review Report by the college president.
- G. **Notice:** The Executive Director shall, immediately upon receipt, notify the FCSAA President of the college's Notice of Appeal.
- H. **The FCSAA Appeals Committee,** which shall appointed by the Presidents Assembly, shall consist of three [3] representatives from the Presidents Assembly, and other members as deemed appropriate and appointed by the Presidents Assembly. The FCSAA Appeals Committee shall hear the appeal with reasonable promptness.
- I. **Record on Appeal:** The record on appeal shall consist of the Informal Review report (if applicable), the Investigation Report, documents and exhibits, minutes and tapes from the Formal Review hearing and the Formal Review Report.
- J. **Procedure on Appeal.**
- 1. The college shall submit a written statement on the issue or issues that it seeks to be reviewed. No issues other than those raised in the Informal and/or Formal Review shall be the subject of review in the appeals process. This shall be submitted to the Executive Director not less than ten (10) days before the scheduled date of the hearing.
 - 2. The Executive Director shall, not less than ten (10) days before the scheduled date of the hearing, submit a copy of the Record on Appeal to the FCSAA Appeals Committee.
 - 3. At the appeal hearing, the Executive Director shall present the position of the hearing body and a representative of the college shall then present its position. The FCSAA Appeals Committee may ask such questions of any presenter, as they deem appropriate at any time during the appeal hearing.

4. The FCSAA Appeals Committee shall, by majority vote of those members present, determine whether to endorse the findings of the hearing body and determine if the penalties assessed were appropriate.
 5. The Chairperson of the FCSAA Appeals Committee shall promptly notify the college president in writing of the Committee's final decision. A copy of the notification shall be sent to the Executive Director.
- K. Confidentiality:** All information obtained for the investigation shall be maintained in accordance with all federal and state laws and any regulations necessary for the protection of any individual's right-to-privacy.
- L. Communications:** The FCSAA President and Executive Director shall be the official spokespersons of FCSAA at all times during this process.
- M. Investigation Expenses:** All costs incurred by FCSAA related to the investigation and proceedings may be paid from the FCSAA Investigation Fund.
1. If a member college is determined to have violated any FCSAA/NJCAA rules or regulations(s), the college shall reimburse the investigation fund for all FCSAA expenditures. (Constitution and by-laws Article 14 Section 7)
 2. When funds are used and not reimbursed, member colleges may be assessed a fee in accordance with FCSAA Constitution and By-laws,(Article 14 Section 7).

PROPOSED REVISION:

FCSAA POLICY 16, VIOLATIONS AND DISPUTE RESOLUTION

In accordance with the FCSAA Constitution and Bylaws Article 18, Section 1, the Executive Committee adopts this policy for addressing violations of rules and dispute resolution procedures. All individuals representing or associated with member colleges are expected to cooperate fully with FCSAA in the conduct of its proceedings to further the objectives of FCSAA. It is the responsibility of students, college personnel and other individuals with knowledge of or belief that a violation of rules has occurred to report to the FCSAA Executive Director any information related to the possible violation of any FCSAA (or of any other applicable governing body, such as the CAA, NJCAA, etc.) rules or regulations.

It is recommended that any athletics allegations be addressed informally between Athletic Directors of FCSAA member institutions for clarification and/or review. If informal allegations are not resolved through communications between Athletic Directors and FCSAA member institutions, a formal complaint may be submitted by the Athletic Director to the FCSAA Executive Director with a copy to the appropriate Athletic Commissioner/Region Director. FCSAA/NJCAA member colleges and members of FCSAA/NJCAA leadership can report/challenge/question a violation of other FCSAA/NJCAA member colleges.

The formal complaint must follow the procedures below. Challenges to or questions regarding other member colleges related to FCSAA/NJCAA bylaws, rules and or regulations shall be made in writing to the FCSAA/NJCAA state office/national office and must contain the following (NJCAA Rules, Article V, Section 3. D. 1.e.):

- Name and address of member college presenting challenge/question
- Name and address of member college being challenged/questioned
- Any background facts involved in the challenge/question
- The material factual basis (proof) involved in the challenge/question
- Citation of bylaws, rules, and regulations involved in the challenge
- Any other matter or documentation deemed appropriate
- The report must be signed by the member college's Athletic Director and President or designee

In the Athletics division, if the alleged violation is an NJCAA violation, the appropriate FCSAA Athletic Commissioner will report the alleged violation to the national office for review and response. If the NJCAA finds the violation substantiated and institutes sanctions, the FCSAA reserves the right to institute further sanctions in order to maintain equity within the FCSAA.

For FCSAA (non-NJCAA) athletic or academic division violations, proceed as outlined below (Note: all time frames may be extended by the FCSAA President for good cause):

A. Eligibility Issues: Any allegation(s) concerning the violation of FCSAA eligibility rules of student athletes/activities participants shall be directed to the appropriate Athletic Commissioner or academic division State Advisor (collectively referred to in this section as the “Investigator”) who shall review the allegations with the Institution, gather all relevant documents, including statements, and based on such evidence make an initial determination of eligibility. The allegations, evidence gathered and the initial determination shall be forwarded to the Executive Director no more than 5 business days after receipt of the allegations.

NOTE: Eligibility rules for student participation in non-athletic activities shall be adopted by the organizational component and approved by the Executive Committee.

1. **Determination of no Violation:** If the initial determination finds that there is no violation of eligibility requirements, the Executive Director shall review the submitted documentation and either accept or reject the initial determination.

Rejection must be based on a finding that the documentation submitted does not support the determination and must specify, in writing, the reason therefore. A copy of the rejection notice shall be provided to the Investigator, the President of the Institution and the FCSAA President. Such action shall occur not more than 5 business days after receipt of the initial determination. If the Executive Director is unavailable and cannot address the matter in the designated time frame, the matter will be addressed by the FCSAA President-Elect or designee. In the event of a rejection of an initial determination of eligibility, the FCSAA President shall initiate the expedited investigation and hearing process set forth in subsection A.3. of this policy.

2. **Determination of Violation:** If the initial determination finds that there has been a violation of eligibility, the Investigator shall also recommend an appropriate penalty based on FCSAA guidelines. The Executive Director shall review the supporting documentation and either accept or reject the initial determination and/or recommended sanction. Rejection must be based on a finding that the documentation submitted does not support the determination and must specify, in writing, the reason therefore. The Executive Director shall notify, in writing, the Investigator, the President of the Institution and the FCSAA President not more than 5 business days after receipt of the Initial Determination from the Investigator. If the Executive Director is unavailable and cannot address the matter in the designated timeframe, the matter will be addressed by the FCSAA President-Elect or designee. In the event of a rejection of an initial determination that a violation

has occurred, the FCSAA President may direct that further investigation be conducted in accordance with subsection A.3. of this policy. The Investigator, whose initial determination was rejected, may specifically request that the FCSAA President initiate such an investigation. Such request must be submitted, via e-mail or otherwise in writing, within 3 days of receipt of the notice from the Executive Director. Upon receipt of a timely request, the President shall order an investigation pursuant to section A.3. of this policy.

If the Executive Director accepts the Initial Determination that a violation has occurred, the Executive Director shall notify the President of the Institution, the FCSAA President and the Investigator of such acceptance and the proposed penalty, including effective dates. This notification must be provided not more than 5 business days after receipt of the initial determination from the Investigator. If the Executive Director is unavailable and cannot address the matter in the designated timeframe, the matter will be addressed by the FCSAA President-Elect or designee.

The Institution may accept the findings and recommended sanctions or may appeal the findings, the sanctions or both. In the event the Institution wishes to appeal, it shall file a notice with the Executive Director and the FCSAA President not more than 5 business days after receipt of the Notice from the Executive Director. All appeals shall follow the provisions of subsection B.3. of this policy. If the Institution accepts the findings and penalties, the matter shall be considered closed.

All violations in which a penalty is imposed, except where an appeal is taken under section B.3. of this policy, shall be submitted to the FCSAA Executive Committee for informational purposes at the next regular meeting.

3. **Expedited Investigation/Hearing Process:** Upon rejection by the Executive Director of an Initial Determination that no violation has occurred or upon request of an investigator as set forth in subsection A.1. or A.2. of this policy, the FCSAA President, or designee if unavailable, shall, within 5 business days of receipt of the rejection notification or Investigator's request, appoint, from among the members of the Executive Committee, an investigation/hearing panel to review the allegations, Initial Determination Report and all other relevant documents. The hearing panel shall include, in the case of an athletic eligibility violation, the athletic commissioner who did not conduct the initial investigation and in the case of other, non-athletic events, a State Advisor who did not conduct the initial review. The Institution at issue may submit to the FCSAA President, within 5 business days of receipt of the notice provided for in Subsection A.1 or A.2., a

position statement addressing the allegations and Initial Determination. Such position statement will be provided to members of the investigation/hearing committee. The investigation/hearing committee may meet by telephonic or electronic means, provided that such meeting is open and accessible to the Institution and members of the public.

The investigating panel shall review the applicable eligibility rules, the notice of initial determination and supporting documentation (including any notices provided for in Sections A.1. and A.2.) and, if submitted, the position statement of the Institution. The Executive Director shall facilitate the meeting but SHALL NOT vote and the FCSAA President shall serve as the Chair but SHALL NOT vote on the matter. The committee may, by a majority vote, determine whether or not a violation occurred. The Investigation/hearing committee shall, in the event of a violation, impose the appropriate sanction upon a majority vote. An institution may appeal the decision of the Investigation/hearing panel under section B.3. of this policy. NOTE: An institution who chooses to appeal and proceeds with activities as though no penalties had been imposed shall not be immune from additional sanctions, including forfeiture of events in which an ineligible student participated.

B. Non-Eligibility Related Issues Allegation(s) concerning violation of FCSAA rules not pertaining to eligibility of student athletes/activities participants shall be directed to the Executive Director. Such allegations must be in writing and must contain sufficient information to identify the Institution(s) involved, the student or employee involved and the conduct which is alleged to constitute a violation. Should the allegations be so vague or incomplete as to render a meaningful investigation impossible, then the Executive Director, in consultation with the FCSAA President, may close the matter without further action. The Executive Director shall report the matter, including the disposition, at the next Executive Committee meeting for information only.

If the report contains sufficient information on which to act, then the Executive Director shall notify, in writing, the President of the Institution involved, the appropriate athletic commissioner or academic division State Advisor and the President of the FCSAA within 10 business days of the receipt of the allegations. If the Executive Director is unavailable and cannot address the matter in the designated timeframe, the matter will be addressed by the FCSAA President-Elect or designee.

1. Informal Action: If the Executive Director views the violation as a minor violation (meaning no competitive advantage has been gained and the institution has not had any other violations within the previous 5 years),

informal action may be taken. Informal Action shall be limited to finding the allegations are supported and recommending minor sanctions. The Executive Director shall consult with the President of the Institution or his/her designee to reach an agreement on the sanctions or penalties to be imposed. If the President of the Institution and the Executive Director are able to reach an agreement, then the Executive Director shall submit the proposed agreement to the FCSAA President and the appropriate Commissioner/State Advisor for review and acceptance. If the Commissioner/State Advisor does not wish to accept the agreement, he/she shall submit a written notice of rejection to the FCSAA President within 5 business days of receiving the notice of the agreement specifying the reasons for rejecting the agreement. The FCSAA President, or designee if unavailable, shall review the written notice of rejection and act upon same within 5 business days of receipt of the notice of rejection. If the FCSAA President finds that the rejection is well founded, then the agreement shall be rejected and the Executive Director may be instructed to conduct further informal action with the Institution or may direct that the Executive Director refer the matter for formal action under section B.2 of this policy. The FCSAA President shall have the discretion to reject any agreement under this section and refer the matter for formal action. Such rejection must occur not more than 10 business days after receipt of the agreement from the Executive Director. Institutions accepting agreements under this section shall not have right of appeal.

2. **Formal Action:** Should the Executive Director, upon receipt of an allegation, determine that it is not appropriate for informal action under section B.1., or on rejection of the outcome of informal action in section B.1., then more formal investigatory and hearing procedures, as described in this section, shall be utilized.

- a. **Investigation:** The Executive Director will forward the allegations or other appropriate documentation to the FCSAA President and the President of the Institution (s) involved. The FCSAA President shall, within 10 business days of receipt of the information from the Executive Director, forward the information to the FCSAA President-Elect (or his/her designee on the FCSAA Steering Committee) for investigation. If the FCSAA President-Elect is affiliated with the sport or activity involved in the allegations of misconduct or was previously (within the past 5 years) or is currently employed at the institution involved in the allegations, then the FCSAA President shall select a member of the Steering Committee who is not disqualified for the above reasons to

investigate the allegations. The investigator shall be responsible for conducting a complete investigation into the allegations which may include review of documentation, interviewing or obtaining written statements from any person with knowledge of the events or with knowledge that will, in the discretion of the investigator, assist in understanding the governing rules and conduct involved in the allegations. The Executive Director may assist the President-Elect (or his designee) with this process. Any institution accused of a violation is expected to cooperate in the investigation, and failure to fully cooperate may be taken into consideration in reaching an ultimate decision relating to sanctions, as provided in Section D of this policy. The investigation shall be completed within 30 calendar days, and the investigator shall provide to the FCSAA President a report that sets forth the evidence considered including individuals interviewed or from whom statements were received, findings of fact, the Rule or Rules involved in the matter, detailed finding of violations or no violations and a recommended sanction to be imposed. All written statements or other documentary evidence shall be forwarded to the FCSAA President with the report. The FCSAA President may extend the time of the investigation in instances where the allegations are complex or involve multiple violations or institutions or for other good cause. In no event shall an investigation extend beyond 60 days without signed consent from the President of the Institution(s) involved and the FCSAA President.

Upon receipt of the investigative report, the FCSAA President shall, within 10 business days, provide a copy to the President of the Institution and the Executive Director. If the report finds no violation(s) occurred, the matter shall be closed. If the report determines that there was a violation, then the FCSAA President shall review the proposed sanctions and notify the Executive Director and the President of the Institution, at the time of providing the report, of whether the FCSAA President has accepted the recommended sanction or is proposing an increased or lesser sanction (specifying the reason for departing from the recommended sanction). The FCSAA President shall submit the final report and the recommended sanctions to the Executive Committee at the next regular meeting or at a special meeting called for that purpose. The institution may submit a position statement to the Executive Director who shall ensure that the position statement is placed on the Executive Committee agenda along with the FCSAA

President's recommendation. The Executive Committee may accept the FCSAA President's recommendation or reject same. If a position statement filed by the institution contains an alternative recommended sanction, including effective dates, that the Executive Committee determines is reasonable and proper under the circumstances, the Executive Committee may adopt those recommendations after rejecting the recommendations of the FCSAA President. In the event the Executive Committee adopts recommended sanctions from an institution's position statement, the institution shall have no further right of appeal and the matter will be deemed closed. If the Executive Committee accepts the recommendation of the FCSAA President, the Institution may appeal in accordance with Section C of this policy. If the Executive Committee rejects the FCSAA President's recommended sanctions, the matter shall proceed to an appeal in accordance with section C of this policy.

C. Appeals: An appeal may be instituted only in accordance with the provisions set forth in this Policy. An appeal will be initiated by the filing of a notice of appeal with the Executive Director. A notice shall be sufficient only if it is in writing and contains the following information:

- a. Identification of the decision being appealed, specifying whether the appeal is addressing the findings of a violation, the penalty being imposed, or both.
- b. A concise statement of the alleged error in the decision, including citation to any controlling policy, practice or precedent.
- c. A statement of whether the appellant is seeking to orally argue the appeal before the panel or intends to rely on the written submissions.

Within 5 business days of receipt of a notice of appeal, the Executive Director shall review the notice for compliance with this section. If the Executive Director is unavailable and cannot address the matter in the designated timeframe, the matter will be addressed by the FCSAA President-Elect or designee. If the notice is not sufficient, the Executive Director shall notify the Appellant of the deficiencies and the appellant shall have 5 business days from receipt of the notice to correct the notice of appeal. Should the appellant fail to submit a sufficient notice after notice from the Executive Director of insufficiency, the matter shall be deemed closed and no further action will be taken. The Institution shall be notified of the final action and final decision shall be presented to the Executive Committee at its next regular meeting for informational purposes only.

Within 5 days of receipt of a sufficient notice of appeal, the Executive Director shall notify the FCSAA President, who shall, within 10 business days of such notice, appoint an appeals

committee from among the members of the Executive Committee. The appeals committee shall consist of 5 members, including, in a case involving athletics, the athletic commissioner who does not oversee the athletics involved (i.e. the men's commissioner shall serve for a violation involving women's athletics) or, in non-athletic activities, a State Advisor not involved in the activity involved in the violation. An Executive Committee member who is affiliated with the sport or activity involved in the allegations of misconduct or was previously (within the past 5 years) or is currently employed at the institution involved in the allegations shall not be eligible to serve on the appeals panel. The appealing institution shall not be involved in the selection of panel members and have no right of approval or denial of panel members if panel members meet requirements of this policy. The Executive Director shall serve as the facilitator and point of contact for the appeals panel. Appeals panel members may not communicate with each other except in a duly noticed public hearing. The appeals panel may hold meeting via electronic means (which includes telephone, video conferences, or web based), provided such meetings are open and accessible to all members of the public and all interested parties.

- 1. Appeal Panel Procedures (no oral argument requested):** Upon appointment, each member of the Appeals Panel shall be provided a complete copy of all documents created or collected during the prior proceedings. Documents may be provided electronically.

Within 10 business days of appointment, the panel shall convene at a time and place determined by the Executive Director. The President of the Institution and the investigator shall be provided specific notice of the time and place of the meeting and, if the meeting is held via electronic means, the required access information. The meeting shall also be noticed on the FCSAA website. Such notice shall include access information for meetings held by electronic means. The panel shall discuss the issue and may take any of the following actions:

- a. Affirm the findings and penalties that were appealed.
- b. Affirm the findings and modify the penalties to be imposed.
- c. Overrule the findings and penalties and determine other action.

- 2. Appeal Panel Procedures (oral argument requested):** Upon appointment, each member of the Appeals Panel shall be provided a complete copy of all documents created or collected during the prior proceedings. Documents may be provided electronically.

Within 20 business days of appointment, the panel shall convene in person at a time and place determined by the Executive Director. The President of the Institution and the Investigator shall be provided specific notice of the time and place of the meeting. The meeting shall also be noticed on the FCSAA website.

The College President or his designee shall be provided an opportunity to present its position verbally to the Appeals panel. The Executive Director, as facilitator, shall establish, prior to the convening of the Panel, the time limits for oral arguments. Such time shall not be less than 5 minutes nor more than 20 minutes per side based on the complexity of the issues involved. The Appealing College may reserve time for rebuttal but must indicate the amount of time to be reserved prior to commencing its argument. The Appealing College shall make its oral argument, followed by the FCSAA Investigator. No evidence may be presented at the oral argument except for evidence already in the documents provided to the Appeals Panel, unless the party seeking to introduce such evidence establishes, to the satisfaction to the Panel, that such evidence was not available during the prior procedures through no fault of that party. The Executive Director shall strictly enforce the time limits imposed.

At the conclusion of all arguments, the Panel may ask questions of the parties. Following all arguments and questions, the panel shall discuss the issue and may take any of the following actions:

- a. Affirm the findings and penalties that were appealed.
- b. Affirm the findings and modify the penalties to be imposed.
- c. Overrule the findings and penalties and determine other action.

The decision of the Appeals Panel shall, in the event penalties are imposed, indicate effective dates of the penalties. The decision shall be reduced to writing by the Executive Director and provided to the Institution and the FCSAA President within 5 business days of the conclusion of the Appeal. The decision shall be included for informational purposes on the agenda of the next regular meeting of the executive committee.

A College who requests oral argument on appeals shall be assessed the cost of such arguments in the event the panel acts to affirm the findings and penalties or elects to affirm the findings but modifies the sanctions; except where the appeal was as to the penalties only and lesser penalties are imposed by the Panel. Such costs shall include all expenses incurred by or on behalf of the FCSAA including but not limited to travel costs (mileage, meals and lodging), room rentals and other costs incurred in accordance with FCSAA policies and procedures.

The decision of the Appeals Panel may only be appealed to the Assembly of Presidents as outlined in Section 3 below.

3. Assembly of Presidents: Should an institution seek to appeal the decision of the Appeals Panel, the President shall notify the FCSAA representative from the Florida College System Council of Presidents, the Executive Director and the FCSAA President within 10 business days of receipt of the Appeals Panel decision. Such notice shall specifically state the basis for the appeal and whether the appeal is directed to the factual findings, penalties or both. Upon receipt of a sufficient and timely notice, the FCSAA COP Representative shall notify the Chair of the COP who shall appoint a panel of not less than three Presidents for review the matter. In the case of Athletics, Brain Bowl or Student Government violations, none of the selected Presidents shall be from an institution within the same athletic conference, Brain Bowl region or Student Government district as the Appealing institution. The Executive Director shall assist the COP Chair in identifying which Presidents meet this criteria. The Executive Director shall deliver all documents, including the Appeals Panel decision, to the Presidents. Such review shall be limited to the documents previously filed in the matter. The Panel may request a written response to the Institution's Notice of Appeal from the FCSAA. The Presidents shall render a decision on the appeal not more than 45 business days after receipt of the Institution's notice. The Chair of the COP may extend time for rendering a decision, in his/her sole discretion. The review of the Assembly of Presidents panel shall be limited to determining if all appropriate procedures were followed, that the penalties imposed are not unreasonable under the circumstances and that the decision is supported by competent substantial evidence. The Assembly of Presidents panel may take only the following actions:

- a. Affirm the decision, in which case the decision is final and cannot be appealed.
- b. Vacate the decision, specifically stating the reason for vacating, and direct additional proceedings to occur.

D. For the above processes in this policy, sanctions and disciplinary actions may include, but are not limited to, the following actions (as appropriate to division), which may be taken alone or in combination:

- 1. Warning: Issue a letter of warning.
- 2. Reprimand: Issue a written letter of reprimand;
- 3. Forfeiture: Forfeiture of specific contests;
- 4. Restriction of athletic letters of intent or athletic grants in aid the college may issue (athletic violations only);

5. Probation: Restrict or place limits on certain types of participation for a stated time period. Other actions and stipulations may be included in the probation. Teams on probation shall (as appropriate to division):
 - a. Have all contests (including conference contests) counted as regular season contests for the college on probation and the opponent and counted as wins or losses;
 - b. Have no conference/region record and not be eligible for the conference/region championship;
 - c. Not be eligible for state, region, or other tournaments/conferences.
6. Suspension: Deny permission to participate for a stated time period.