

NOTICE OF CHANGE IN PROPOSED REGULATION AMENDMENT

Date: July 31, 2008

REGULATION TITLE:

Disruptive Behavior

REGULATION NO.:

6C1-1.008

SUMMARY OF CHANGES: The University of Florida, in response to comments received concerning the above regulation, has clarified paragraph (2) to read as follows:

(2) In accordance with First Amendment speech rights within a designated public forum, when the University chooses to open its campus for such an event that is open to the public for speech, disruption by an attendee who is not staffing or acting on behalf of the University at the event does not include the use of rude or offensive language alone, if it is spoken at the designated time and place by a person whose turn it is to speak under the event's protocol. Members of the University community are encouraged to communicate effectively. This is often (but not always) fostered by respectful conduct and speech. However, the language used by the featured speaker or an attendee at such an open public event is a personal choice, pursuant to First Amendment speech rights within designated public fora. This provision does not protect speech that, alone or in combination with any conduct, is obscene or constitutes or is likely to provoke violence, an unsafe condition, an illegal action, or conduct that violates another provision of the University's regulations.

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS~~RULES~~ OF
UNIVERSITY OF FLORIDA

6C1-1.008 University of Florida; Disruptive Behavior

(1) Academic Personnel (AP), students, Technical, Executive, Administrative and Managerial Support (TEAMS) employees, and any other employees [hereinafter referred to as "member(s)" of the University], who intentionally act to impair, interfere with, or obstruct the mission, purposes, order, operations, processes, and functions of the University shall be subject to appropriate disciplinary action by University authorities for misconduct, as set forth in the applicable regulations~~rules~~ of the University of Florida, 6C1-3.046, 6C1-3.047, 6C1-4.016, and 6C1-7.048, ~~F.A.C.~~ and state law governing such actions. Disruptive conduct shall include, but not be limited to, the following:

- (a) Violence or threat of violence to others or against one's self.
- (b) Theft, conversion, misuse, damage or destruction of University property or of the property of members of the University community.
- (c) Interference with the freedom of movement of any member or guest of the University.
- (d) Interference with or impeding the rights of others to carry out their activities or duties at or on behalf of the University or in entering, using or leaving any University facility or scheduled activity.
- (e) Interference with academic freedom and freedom of speech of any member or guest of the University.

- (f) Non-compliance with written or oral requests or orders of authorized University personnel in the performance of their official duties.
- (g) Providing false information to University officials, withholding required information from University officials or others, or misusing University documents.
- (h) Possession or use of fireworks, explosives, dangerous chemicals, ammunition, or weapons, on campus or in areas controlled by the University of Florida, without the written approval of the appropriate University authority.
- (i) Creating or in any way initiating a false alarm.
- (j) Misuse of, or interference with, firefighting equipment.
- (k) Disturbing the peace.
- (l) Violation of the University policy concerning the use of alcoholic beverages on campus or in areas controlled by the University of Florida, Regulation~~Rule~~ 6C1-2.019, ~~F.A.C.~~
- (m) Illegal possession or misuse of drugs and other controlled substances.
- (n) Unauthorized solicitation of funds. Refer to Regulations~~Rules~~ 6C1-2.003 and 6C1-4.006.
- (o) Violation of the Laws of Florida or of the United States. - Any act that could constitute a violation of the laws of this state or nation will establish cause for legal and/or disciplinary action by the University.
- (p) Endangering the health, safety and welfare of members or guests of the University.
- (q) Actions or statements which by design or intent amount to ~~intimidation or~~ hazing, ~~or~~ put abuse of others in reasonable fear of imminent physical harm, or create a hostile environment in which others are unable reasonably to conduct or participate in University work, education, research or other activities.

- (r) Sexually harassing a member or guest of the University.
- (s) Actions which impair, interfere with or obstruct, or aid and abet, or initiate the impairment, interference with or obstruction of the orderly conduct, processes and functions of the University.

(2) In accordance with First Amendment speech rights within a designated public forum, when the University chooses to open its campus for such an event that is open to the public for speech, disruption by an attendee who is not staffing or acting on behalf of the University at the event does not include the use of rude or offensive language alone, if it is spoken at the designated time and place by a person whose turn it is to speak under the event's protocol. Members of the University community are encouraged to communicate effectively.

This is often (but not always) fostered by respectful conduct and speech. However, the language used by the featured speaker or an attendee at such an open public event is a personal choice, pursuant to First Amendment speech rights within designated public fora. This provision does not protect speech that, alone or in combination with any conduct, is obscene or constitutes or is likely to provoke violence, an unsafe condition, an illegal action, or conduct that violates another provision of the University's regulations.

(32) This regulation~~rule~~ shall apply to acts conducted on or off campus when relevant to the orderly conduct, processes and functions of the University.

Specific Authority: BOG Resolution dated January 7, 2003~~1001.74(4), 1012.92 FS.~~

~~Law Implemented 1001.74(19), 1012.92 FS.~~

History--New 3-26-80, Formerly Rule 6C1-7.45, Amended 3-25-85, Formerly 6C1-1.08, Amended 7-27-98, 6-24-99, 2-3-03, _____.

