

THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

NOTICE: On November 17, 2022, in case number 4:22cv304-MW/MAF and 4:22cv324- MW/MAFF the United States District Court for the Northern District of Florida issued a preliminary injunction prohibiting enforcement of portions of Florida Statutes Section 1000.05 (the Florida Educational Equity Act) and Florida Board of Governors Regulation 10.005 (Prohibition of Discrimination in University Training or Instruction). University Regulation FPU-1.0041 is derived from BOG Regulation 10.005 – therefore, consistent with the District Court’s order, University Regulation FPU-1.0041 is suspended pending further court action.

FPU-1.0041 Prohibition of Discrimination in University Training or Instruction

(1) Purpose. The University is committed to providing and maintaining a dignified environment in which all members of the University Community appreciate and respect one another by collectively sustaining a welcoming environment to work, study, and interact with one another free from any form of unlawful discrimination. Discrimination on the basis of race, color, national origin, or sex by subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the Concepts defined below is prohibited. This does not prohibit discussion of the Concepts as part of a larger course of training or instruction, provided such training or instruction is given in an objective manner without endorsement of the Concepts.

(2) Definitions. For purposes of this regulation, the enumerated terms are defined as follows:

(a) “Concepts” are the following:

- 1) Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- 2) A person, by virtue of his or her race, color, national origin, or sex is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- 3) A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- 4) Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- 5) A person, by virtue of his or her race, color, national origin, or sex bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- 6) A person, by virtue of his or her race, color, national origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- 7) A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.

- 8) Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.
- (b) “Training” is defined as a planned and organized activity conducted by the University as a mandatory condition of employment, enrollment, or participation in a University program for the purpose of imparting knowledge, developing skills or competencies, or becoming proficient in a particular job or role.
- (c) “Instruction” is defined as the process of teaching or engaging students with content about a particular subject by a University employee or a person authorized to provide instruction by the University within a course.
- (d) “Substantiate” is defined as establishing the existence or truth of a particular fact through the use of competent evidence.
- (e) “Administrator” means the following high level University personnel who have been assigned the responsibilities of University-wide academic or administrative functions: University president, provost, senior/executive vice presidents, vice presidents, associate vice presidents, assistant vice presidents, associate/vice provosts, deans, equal opportunity compliance officer, chief audit executive, and chief compliance officer.

(2) Reporting Violations. Any member of the University Community may report alleged violations of this Regulation to the University’s Chief Compliance Officer using the process described in University Regulation FPU-1.005 Discrimination and Harassment Complaint and Investigation Procedures.

(3) Chief Compliance Officer Contact Information.

Location: University Audit and Compliance
3425 Winter Lake Rd, LTB 1146
Lakeland, Florida 33803

Fax: 863-874-8509
Phone: 863-874-8441

Mail: P.O. Box 1808
2615 Ellis Ave.
Eaton Park, Florida 33840

Website: <https://floridapoly.edu/university-audit-compliance.php>

Authority: BOG regulation 10.005

History: New: 09.28.2022