

**THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES
NOTICE OF PROPOSED REGULATION AMENDMENT**

REGULATION NUMBER AND TITLE: FPU- 1.010 Regulation Governing Skateboarding, Skating, Scooters, Ripsticks and Other Similar Devices and High Risk Activities on University Property.

SUMMARY OF THE REGULATION: This regulation is being amended to change the title of the regulation and to include that using, possessing or storing self-balancing electric boards, including hoverboards, on University property is a prohibited high risk activity.

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the Florida Polytechnic University Board of Trustees website, at <<http://floridapolytechnic.org/board-of-trustees/university-policies-and-regulations/>>. If you would like a copy of the Proposed Regulation, please contact Bacogie Luke, Administrative Assistant to the VP and General Counsel at (863) 874-8412.

AUTHORITY: Board of Governors Regulation 1.001

NAME OF PERSON INITIATING PROPOSED REGULATION: Gina DeIulio, Vice President & General Counsel

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

THE CONTACT PERSON REGARDING THIS REGULATION IS: Bacogie Luke, Administrative Assistant to the VP and General Counsel at 4700 Research Way, Lakeland, Florida 33805-8531, Email: bluke@floridapolytechnic.org, Phone: (863) 874-8412

DATE OF PUBLICATION: January 28, 2016

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

FPU- 1.010 Use of Skateboards, Skates, Scooters and Similar Devices and High Risk Activities.~~Regulation Governing Skateboarding, Skating, Scooters, Ripsticks and Other Similar Devices and High Risk Activities on University Property.~~

(1) Purpose.

Skateboards, longboards, skates of any type, scooters, ripsticks, or other similar devices propelling a person by means other than walking and excluding a mobility assistance devices, may only be used on University sidewalks and while crossing the street at crosswalks. The aforementioned devices must be operated at speeds reasonable and prudent, having due regard to traffic, pedestrians, property of others, surface of the sidewalk or pavement, the hazard at intersections, and other conditions. In addition, high risk activities are prohibited on University property unless specific written approval from the President/designee is obtained in advance.

(2) Definitions:

- (a) Crosswalk. A specifically paved or marked path where pedestrians have the right of way to cross.
- (b) Service Animals. The Americans with Disabilities Act defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.
- (c) Sidewalks. That portion of a street between the curb-line, and the lateral line, of a roadway and the adjacent property lines or the walkway between buildings intended for use by pedestrians. Sidewalks do not include the walkways immediately around the IST building or the walkways across the ponds.
- (d) Small Wheeled Devices. Skateboards, longboards, skates of any type, scooters, ripsticks and other similar devices used to propel a person by means other than walking.
- (e) University Property. Any real or personal property owned, leased or otherwise controlled by Florida Polytechnic University including, but not limited to any vehicles, equipment, fixtures, materials or other items that are located on, within or around, any one of the above areas.

(3) Use of Small Wheeled Devices.

No person shall use small wheeled devices on University Property except as a means of transportation on sidewalks (excluding the walkways immediately surrounding the IST Building and the pond walkways) and while crossing the street at crosswalks.

(4) Prohibited Areas.

The use of small wheeled devices is prohibited at all times, in/on curbs; benches; stairs; stairwells; railings; ramps; parking lots; parking garages; wooden walkways; landscaped areas; the interior or exterior of any building; including inside and outside patios and terraces. The use of small wheeled devices is also prohibited at all times in any area(s) where the University has posted a sign(s) prohibiting the use of skateboards, longboards, skates of any type, scooters, and other similar devices. Specifically, the use of small wheeled devices is prohibited:

- (a) Inside the IST building and inside all other campus buildings;
- (b) Within fifteen (15) feet of the IST building and all other campus building entrances;

- (c) On the IST building first floor sidewalks and outer perimeter and the entrances immediately surrounding the IST building; and
- (d) Anywhere on the second floor terrace of the IST building.

(5) Right of Way.

Pedestrians have the right of way on all sidewalks, crosswalks, walkways, and paths commonly used for pedestrian traffic. Persons operating small wheeled devices shall yield to pedestrians and service animals.

(6) ~~Other~~ Prohibited High Risk Activities.

The following high risk activities are prohibited in, on or about the University's Property:

- (a) Acrobatics (e.g., jumping on or over steps, benches, walls, ramps, rails, bike racks, "free running," "Parkour," etc.);
- (b) Excessive speed;
- (c) Blocking pedestrian paths (e.g., sidewalks, ramps, doors, entryways, etc.);
- (d) Entering buildings while wearing skates of any type;
- (e) Slack lining;
- (f) Skating/skateboarding or biking on the pond walkways; ~~and~~
- (g) Rappelling; climbing in any areas, buildings, facilities, and/or exterior and interior locations that are not designated for climbing-; and
- (g)(h) Using, possessing or storing self-balancing electric boards, including hoverboards, on University property.

(7) Sanctions.

- (a) Any person who violates this regulation is subject to an order to leave University Property by the Public Safety and Police Department or any University representative having responsibility for the area(s) in, on, or about the University Property. Persons failing to comply with the order to leave or remain off the University Property are subject to arrest.
- (b) Any University student who violates this regulation may also be subject to discipline under the Student Code of Conduct.
- (c) Any University employee (faculty, staff, or otherwise) who violates this regulation may also be subject to disciplinary action by the University.
- (d) The University may seek restitution for damage to University Property due to a violation of this regulation.

(8) Exceptions.

Activities otherwise prohibited by this regulation may be allowed as part of a University approved/sponsored program, activity or event or a program, activity, and/or event of a registered student organization provided the program, activity, and/or event has been pre-approved in writing by the President or designee.

Authority: BOG regulation 1.001
History: New 12-11-2014.