

**STATE UNIVERSITY SYSTEM OF FLORIDA**  
**BOARD OF GOVERNORS**  
September 13, 2012

**SUBJECT:** Public Notice of Intent to Promulgate New Board of Governors Regulation 3.001 Relating to Penalties for Failure to Report Child Abuse

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**PROPOSED COMMITTEE ACTION**

Approve Public Notice of Intent to Promulgate New Board of Governors Regulation 3.001 relating to Penalties for Failure to Report Child Abuse

**AUTHORITY FOR BOARD OF GOVERNORS ACTION**

Article IX, Section 7, Florida Constitution; Section 39.205, Florida Statutes

**BACKGROUND INFORMATION**

A new regulation is being proposed to implement the new statutory requirements in section 39.205, Florida Statutes. During the 2012 legislative session, section 39.205 was amended to authorize the Board of Governors to impose a million dollar penalty on a university if the Board determines that a university administrator or law enforcement agency willfully and knowingly failed to report known or suspected child abuse, abandonment, or neglect that occurred on university property or at a university-sponsored event or function to the Department of Children and Family Services. Although the statute provides for an administrative proceeding to be brought by a university that desires to challenge a determination made by this Board to impose a fine, it does not provide a process for the Board to use to investigate whether a statutory violation occurred. Consequently, the new regulation sets forth the internal process to be used by the Board's Inspector General for investigating whether there was a statutory violation, and which will culminate in a report to be presented to the Audit and Compliance Committee for a recommendation to the full Board.

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**Supporting Documentation Included:** Proposed New Board Regulation 3.001

**Facilitators/Presenters:** Vikki R. Shirley