

Exhibit 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

LEROY PERNELL, et al.,

Plaintiffs,

v.

FLORIDA BOARD OF GOVERNORS OF
THE STATE UNIVERSITY SYSTEM, et al.,

Defendants.

Case No.: 4:22-cv-304

**DECLARATION OF JENNIFER SANDOVAL IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

I, Jennifer Sandoval, hereby declare and state as follows:

A. Background

1. My name is Jennifer Sandoval. I am over 18 years of age.
2. I have personal knowledge of the following facts and if called to testify could and would competently do so.
3. I am an Associate Professor at the Nicholson School of Communication and Media at the University of Central Florida ("UCF"). I started as an Assistant Professor at UCF in 2011, and was promoted to Associate Professor with Tenure in 2017. My research interests include communication and identity, intercultural communication, feminist research methods, and participatory research methods. My work has been published in multiple academic journals,

including the Journal of International Intercultural Communication, the Journal of Intercultural Communication Research, and the Journal of Creative Communications.

4. I teach courses in interpersonal, intercultural, and gender communication. This semester, I will teach a graduate seminar called Intercultural Communication. The course explores ways in which identity and culture affect communication in various contexts.
5. I am also the Assistant Director of Inclusive Culture. I have held this role since Fall of 2019. In this role, I serve as the primary resource for diversity, equity, and inclusion issues in the Nicholson School of Communication and Media. My responsibilities include developing resources to make classrooms more inclusive, helping faculty navigate uncomfortable situations in their classes, and addressing student complaints related to diversity, equity, and inclusion issues.
6. I became the Program Coordinator for the Ph.D. in Strategic Communication in Fall of 2021. In this role, I work on recruitment, admissions, curricula, and assessments for the Program.
7. I served as the Faculty Fellow for Inclusive Excellence from 2017 to 2019. In that role, I developed and implemented equity and inclusion initiatives for UCF faculty.

8. I have held several positions within the United Faculty of Florida (“UFF”) at UCF, including Vice President (2019), Lead Negotiator (2018–2019), Contract Enforcement Chair (2017–2018), and Senator (2016–2019). I will begin another term as a Senator in Fall of 2022. As a Senator, I serve as a faculty representative in our local union council and frequently engage in discussions about union members’ teaching and employment considerations and concerns.
9. I received a Ph.D. in Communication and Culture in 2010 from the University of New Mexico, where I received the Everett Rogers Doctoral Graduate Scholar Award, the Hank R. Trewitt Departmental Service Award, and the Dean’s Outstanding Doctoral Applicant Award. I also earned a Master’s of Dispute Resolution from Pepperdine School of Law in 2003.
10. Before joining the UCF faculty in 2011, I worked as a mediator, trainer, instructor, and consultant.

B. The Interaction Between the Stop W.O.K.E. Act¹ and the Content of My Courses

11. Based on my information and belief, on April 22, 2022, Governor Ron DeSantis signed H.B. 7 into law. This law amended § 1000.05(4), Fla. Stat.,

¹ Ch. 2022-72, Laws of Fla.

to add a list of eight prohibited concepts that instructors are permitted to denounce but are not permitted to advance.

12. I understand this to mean that I can be held liable for violating civil rights law if I endorse any of the concepts listed in the law. The provision that prohibits advancing the concept that “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 often same race, color, national origin, or sex” is particularly concerning to me, because I cannot control how students feel about what I say. I fear that a student who feels psychological stress in my class because of something I said about race or sex will interpret my lesson to advance the concept that the student should feel guilty.

13. Based on my reading of the law and guidance from UCF and UFF, I believe that portions of my course curricula may be prohibited under the Stop W.O.K.E. Act. For example, in my Intercultural Communication seminar this semester, I plan to include a unit on whiteness, as I always do, except that this year, I am risking liability under H.B. 7. I have decided to take this risk, knowing that I have tenure. But because of H.B. 7 I might be disciplined or receive negative reviews based on the perception that I am too “woke.” For

example, when I teach students that people of color are underrepresented in our field, in part because of historical discrimination by white academics, students who feel uncomfortable—perhaps because they believe they benefit from the tendency to hire and promote white academics—might decide to complain about me for espousing the view that they bear responsibility for and should feel guilty because of historical discrimination by white people. Now, because of H.B. 7, the consequences of those complaints could be dire.

14. Because I study inequality as a fundamental component of my work, I see my research and teaching as a public good. It is in the public interest for me to educate my students so that they understand the causes and effects of inequality, and can learn to ameliorate it.

15. Additionally, my research suggests that people interpret messages differently depending on factors like race and sex, because those factors affect how they are perceived and treated in this world. I need to teach my students about systemic inequality so that they understand why we need to communicate differently to people with different identities and can produce messages that will be effective for people of all sorts of identities. But my instruction could be perceived as violating the Stop W.O.K.E. Act by promoting the concept that my students should not attempt to treat their audience without respect to their racial identities—a concept I’m not even sure how to interpret. Indeed,

Section 2(4)(a)(4) has become the center of conversations and questions I engage in with colleagues, because nobody can figure out what it means.

16. My instruction also may violate Section 2(4)(a)(8), because I explicitly teach that that “racial colorblindness” fundamentally denies the lived reality of people in a system that has an embedded racial hierarchy. I do not believe—and will not teach—that racial colorblindness or its sibling philosophies are appropriate or positive.

17. UCF and UFF’s main message around the Stop W.O.K.E. Act is to teach “objectively.” My pedagogy is not based on “objectivity.” In fact, many fundamental philosophical approaches in subdisciplines of communication studies contest the notion that there is a 30,000-foot view from which everyone would perceive the world in the same way. Positionality is central to my work, and I believe that people perceive the world in all different ways, depending on various identity and circumstantial factors.

18. My work is qualitative, and centered on lived experiences. A more “objective” framework would say that we should only instruct students on knowledge derived from evidence collected through specific and narrowly-defined practices. The evidence for my work comes from conversations and experiences that are just as meaningful as statistics, but they might not be considered “objective.”

C. Interpretation and Enforcement of the Stop W.O.K.E Act at UCF

19. In my capacity as Assistant Director of Inclusive Culture, I was asked to provide Nicholson School of Communication and Media faculty with an update on inclusive culture and the Stop W.O.K.E. Act. Before my presentation, many faculty members spoke with me about their concerns about how H.B. 7 would be enforced, and told me to come prepared to answer questions about what could and could not be taught in professors' courses. For example, film faculty wanted to know whether they needed to change which films they showed in class, and expressed uncertainty as to whether they could still share their views on how and why, for example, women were underrepresented in certain roles. On August 11, 2022, I presented my update, and encouraged professors to include disclaimers in their syllabi stating that assignments of readings and topics for discussion do not equate to endorsement of the author or of one specific perspective on the subject matter.
20. I answered faculty questions as best I could, which sometimes meant confirming that they might face liability for presenting honest, accurate instruction to their students, particularly for gender-nonconforming and darker-skinned professors who are perceived differently when they talk about

gender and race. An overwhelming majority of the professors who have expressed concerns to me are Black or Latinx.

21. Nontenured professors have asked me whether they will be fired or lose job prospects if they continue to teach particular courses that could be seen as espousing some of the viewpoints that the Stop W.O.K.E. Act prohibits, and I am unable to ease their fears, because my read of the Stop W.O.K.E. Act does suggest that some of their courses are no longer legal. For example, I don't believe a professor could teach a course on critical race theory without advancing the view that "[a] person's . . . status as . . . oppressed is necessarily determined by his or her race[.]" Section 2(4)(a)(3).
22. Tenured professors, too, have expressed to me that they worry the Stop W.O.K.E. Act will affect their 5-year reviews. Some are considering whether to eliminate lessons from their syllabi because they think they will be penalized for teaching certain truths accepted in their fields that make some students uncomfortable—for example, that trans people face discrimination and violence because of their sex, or that people of color face additional barriers to educational opportunities because of their race.
23. In July, UCF published FAQs on H.B. 7 to help instructors understand what they can and cannot say. The answers to the FAQs do not alleviate my

concerns. In fact, they only underscore my fear that the vagueness of the law will result in faculty censoring their speech.

24. In response to the question “What does ‘in an objective manner without endorsement’ mean?” UCF answers: “This language is not defined by Florida law, and the Florida Legislature did not provide guidance on what this language means in the context of implementing or complying with the requirements.” UCF proceeds to quote language from the UFF Collective Bargaining Agreement that asserts “employees shall have freedom to present and discuss their own academic subjects, frankly and forthrightly, without fear of censorship,” but that statement is simply inconsistent with the Stop W.O.K.E. Act.

25. Some of UCF’s responses are not answers at all. For example, in response to the question “What if my course involves instruction on one or more of the ‘specified concepts’?” UCF’s answer is: “If your course involves the specified concepts, we recommend that you consider how to present and lead discussion of the specified concepts during instruction.” There is a link to a UCF webpage that discusses “How to facilitate discussion of discipline-relevant controversial issues in class,” but I cannot be sure that following that guidance will save me from liability under the Stop W.O.K.E. Act.

26. According to UCF's FAQs, "including the 'specified concepts' in my instruction" can lead to students filing lawsuits, filing complaints with the Board of Governors, or filing complaints with a standing committee of the Florida Legislature. Based on my information and belief, upon a substantiated finding of a violation, I could be disciplined by my university, and the university would lose all performance-based funding for the following year.

27. UCF's FAQs promote resources on "civil pedagogy." But many scholars in my field believe that framework is based on dominant culture, and white communication practices that do not accommodate racial and ethnic difference or neurodiversity. Instead, the civil pedagogy framework is based on a narrow range of acceptable behaviors that we associate with "professionalism" and "niceness" that are reflected in white practices rather than more diverse spaces.

28. In my capacity as Program Coordinator, I have spoken to many graduate student teaching assistants who are worried that the Stop W.O.K.E. Act will affect their funding.

29. It is already clear that university administrators are reading H.B. 7 to ban speech about diversity and social justice. In June of 2022, UCF removed anti-racism statements from departmental websites. Those statements were deliberately put there to signify that we recognize that racism exists and we

are striving to become a more inclusive campus. Removing the statements signaled to all of us that we are no longer supposed to express those types of views and goals on campus.

D. Exhibits

1. Syllabus for Intercultural Communication
2. Handout for Nicholson School of Communication about H.B. 7
3. Presentation deck for 8/11 update on Inclusive Culture & H.B. 7
4. [Open letter from Florida Faculty](#)
5. UCF's FAQs on H.B. 7

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and accurate.

Executed on August 16, 2022.



Jennifer Sandoval

EXHIBIT A



Course Description & Note from Dr. Sandoval

In this seminar, we will explore the existing and emerging issues, theories, and questions in intercultural communication. The goal of this course is to critically investigate and reflect on the key theoretical perspectives, concepts, and methodologies that are relevant to the scholarship on culture and communication. We will broaden our understanding of culture from more traditional views (i.e. culture as nation, ethnicity, or race) to the views that are reflexive of the contemporary global conditions and local practices. We will unpack the debates and conversations among scholars in order to understand what is at stake and what is being contested when it comes to theorizing communication from a cultural point of view. The readings in this course will address the concepts and contexts that shape intercultural encounters, including race, gender, sexuality, identity, ideology, discourse, globalization, and postcolonialism. Assignment of readings and topics for discussion do not equal an endorsement of the author or one specific perspective on the subject matter. Finally, as an instructor of this course, my goal is to facilitate your intellectual and personal efforts to develop the ways in which you approach your questions. We all need to engage in continuing learning and unlearning to effectively communicate across difference.

Course Materials & Resources

All readings will be available here on Webcourses through the library or download. Many of your readings will be taken from *The Handbook of Critical Intercultural Communication* edited Nakayama and Haluanlani. If you are completely new to this topic you may wish to check out the additional textbooks:

- Allen, B. (2011). *Difference matters: Communicating social identity*. Waveland Press.
- Halualani, R. (2020). *Intercultural communication: A critical perspectives*. Cognella
- Sorrells, K. (2015). *Intercultural communication: Globalization and social Justice*, 2nd Ed. SAGE Publishing

Instructor Contact and Office Hours

Jennifer.sandoval@ucf.edu; CMB 202A Wednesdays from 4- 5 p.m.

I am also happy to make appointments for those who cannot make it during the scheduled time and am more than happy to hold virtual/ Zoom meetings.

Table of Contents

Course Description & Note from Dr. Sandoval	1
Course Materials & Resources	1
Resources for You	4
UCF Policy Statements	5
Assignments: 400 points	8
Tentative Course Schedule	10
Week 1: Introduction to the Course.....	10
Week 2: Historical Foundations and Key Concepts.....	10
Week 3: Identity and Intersectionality	11
Week 4: Gender, & Sexuality.....	11
Week 5: Whiteness	12
Week 6: Body and Embodiment	12
Week 7: First Celebration of Knowledge.....	13
Week 8: The Politics of Institutional Diversity	13
Week 9: The Health Context.....	13
Week 10: Challenging Eurocentrism and Ethnocentrism	14
Week 11: Globalization, Migration & Transnationalism.....	14
Week 12: Reflections and Futures of the Field.....	15
Week 13: Workshops	15
Week 14: Thanksgiving Wednesday	15
Week 15: Project Presentations.....	15
Week 16: Finals Week: Celebration of Knowledge	15
A Brief Introduction to my Teaching Philosophy	16

Learning Goals

- Understand theoretical perspectives and methodological approaches in intercultural communication scholarship.
- Develop our awareness, self-reflexivity, and capacities as intercultural communicators.
- Understand, critique, and raise awareness of the essential questions, problems, and issues addressed in the field of intercultural communication.
- Engage theories and research methods with attention to the epistemological and ontological assumptions associated with various research paradigms.
- Complete a research proposal using appropriate theoretical concepts, methodology, and analysis.

Frequently Asked Questions (FAQs)

Do I need to buy a book?

- Nope! There are many assigned readings for this course but they are all available to download in the modules in your Webcourse.

Okay cool, but do I really have to read ALL of those articles?

- Well...depends on what you are trying to accomplish in the class. You have annotations and discussion questions for every article due every week. If you don't complete them you don't get the points and that will add up quickly to affect your grade.

Do I have to come to class?

- Graduate seminars are designed to center discussion and engagement. I know there are many competing issues in your lives, but we will get so much more out of connecting than working in isolation – I promise!

When are things due and can I turn stuff in late?

- End of day is 11:59 p.m. and that is the deadline on any date listed in the schedule. Should you run into illness or emergencies please contact me as soon as you can so we can adjust your timelines.

How often should I be in Webcourses?

- Honestly, as often as you can. I recommend trying to pop in everyday, or every couple of days at least! Graduate courses are intense and there will be a lot of resources to help you be successful!

How do I get an A?

- Your grade is only one constructed indicator of “success” or “excellence.” Don't let it distract you from a balance of well-being and learning. Stay on top of the deadlines, don't turn in first drafts, and just do your best! See the Learning and Metacognition section of your intro module for more information.

A note on our current context:

We have been living with compound crises for a long time now. Everything is a lot. We are human beings first and foremost. This syllabus contains a lot of policy information, but we will also be working to create a community of care and to find support in our time together. I love this course and I am looking forward to the engaging conversations we will have and the connections we will create.

Public health:

There are currently no protocols regarding COVID 19 at UCF or in the state of FL. However there remain very real risks related to the coronavirus. Do not come to class if you are sick. I will regularly check the [county transmissions numbers](#) and during peak contagion may request

that we resume wearing masks inside. Monkeypox numbers are high in Florida and there are [limited vaccines in Orange County](#) – if you are at particular risk you may be eligible.

A note on basic needs:

Your safety and wellbeing are paramount. If you are struggling and feel comfortable doing so, please reach out and let me know so I can get you connected to the appropriate resources. If you need help with housing, food, or basic needs please see this link for the UCF Student Emergency fund.

Land Acknowledgement

The University of Central Florida is located on the occupied land of the Seminole and Timucua people. To learn more about the stolen Native territories please see <https://native-land.ca/>.

Course Policies:

Humane and equitable learning environment

We will commit to entering a brave and safer space together where everyone is able to bring their full authentic self to conscious conversations. Our focus is communicating effectively across difference and we should aim to model that in our engagement. In order to do this well we must center impact over intention and hold each other accountable for harm. We will co-construct our further commitments the first night of class.

Participation

We all come from different spaces and experiences. Participation is not about how many words you say in class. It is about contributing to an effective learning environment for yourself and your peers. I encourage you to stretch yourself and engage as much as possible, but we are also living in a context that is pretty consistently exhausting – so we must show grace all around. Please keep in open communication with me!

Extra Credit

There is no extra credit. An 'A' grade cannot be earned by turning in more 'C' level work than the rest of the students. It is possible that a unique opportunity may arise during the semester due to research or special events and if so I will let you know. Do not request extra credit. If you are struggling with material please make an effort to meet with me early on to give optimal opportunity for improvement.

Resources for You

Equity and Inclusion: The University of Central Florida considers the diversity of its students, faculty, and staff to be a strength and critical to its educational mission. UCF expects every member of the university community to contribute to an inclusive and respectful culture for all in its classrooms, work environments, and at campus events. Dimensions of diversity can include sex, race, age, national origin, ethnicity, gender identity and expression, intellectual and physical ability, sexual orientation, income, faith and non-faith perspectives, socio-economic class, political ideology, education, primary language, family status, military experience, cognitive style, and communication style. The individual intersection of these experiences and characteristics must be valued in our community.

Title IX prohibits sex discrimination, including sexual misconduct, sexual violence, sexual harassment, and retaliation. If you or someone you know has been harassed or assaulted, you can find resources available to support the victim, including confidential resources and

information concerning reporting options at www.shield.ucf.edu and <http://cares.sdes.ucf.edu/>.

If there are aspects of the design, instruction, and/or experiences within this course that result in barriers to your inclusion or accurate assessment of achievement, please notify the instructor as soon as possible and/or contact Student Accessibility Services.

For more information on diversity and inclusion, Title IX, accessibility, or UCF's complaint processes contact:

- Title IX – OIE – <http://oie.ucf.edu/> & askanadvocate@ucf.edu
- Disability Accommodation – Student Accessibility Services – <http://sas.sdes.ucf.edu/> & sas@ucf.edu
- Diversity and Inclusion Training and Events – www.diversity.ucf.edu
- Student Bias Grievances – Just Knights response team – <http://jkrt.sdes.ucf.edu/>
- UCF Compliance and Ethics Office – <http://compliance.ucf.edu/> & complianceandethics@ucf.edu
- Ombuds Office – <http://www.ombuds.ucf.edu>

Accessibility Services: Students needing academic accommodation please contact me as soon as possible so we can work together to ensure your needs are met. In addition, please make arrangements with Accessibility Services if needed. If you need accommodations but are not working with SAS please feel free to reach out to me so we can make sure your learning environment is appropriate for you!

The Writing Center: Free tutoring and resources are available to you at the University Writing Center. You can drop in or make an appointment for assistance. – they even have online appointments available. Look at their resources today – your grade will thank you!! They are located in 105 Colbourn Hall.

Health Center and Psychological Counseling Services: College is stressful and managing your personal, professional and student lives can take a toll on your body and your emotional health. Don't forget to take care of yourself and seek help from the resources available right here on campus.

University Police: 407-823-5555, **Counseling Services:** 407-823-2811, **Crisis Line:** 407-823-2811, **Campus Health Center:** 407-823-2701

UCF Cares: During your UCF career, you may experience challenges including struggles with academics, finances, or your personal well-being. UCF has a multitude of resources available to all students. Please visit UCFCares.com if you are seeking resources and support, or if you are worried about a friend or classmate. Free services and information are included for a variety of student concerns, including but not limited to alcohol use, bias incidents, mental health concerns, and financial challenges. You can also e-mail ucfcares@ucf.edu with questions or for additional assistance. You can reach a UCF Cares staff member between 8 a.m. and 5 p.m. by calling 407-823-5607. If you are in immediate distress, please call Counseling and Psychological Services to speak directly with a counselor 24/7 at 407-823-2811, or please call 911.

UCF Policy Statements

Academic Integrity

Students should familiarize themselves with UCF's Rules of Conduct, According to Section 1, "Academic Misconduct," students are prohibited from engaging in

1. Unauthorized assistance: Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record. The unauthorized possession of examination or course-related material also constitutes cheating.
2. Communication to another through written, visual, electronic, or oral means: The presentation of material which has not been studied or learned, but rather was obtained through someone else's efforts and used as part of an examination, course assignment, or project.
3. Commercial Use of Academic Material: Selling of course material to another person, student, and/or uploading course material to a third-party vendor without authorization or without the express written permission of the university and the instructor. Course materials include but are not limited to class notes, Instructor's PowerPoints, course syllabi, tests, quizzes, labs, instruction sheets, homework, study guides, handouts, etc.
4. Falsifying or misrepresenting the student's own academic work.
5. Plagiarism: Using or appropriating another's work without any indication of the source, thereby attempting to convey the impression that such work is the student's own.
6. Multiple Submissions: Submitting the same academic work for credit more than once without the express written permission of the instructor.
7. Helping another violate academic behavior standards.

For more information about Academic Integrity, consult the [International Center for Academic Integrity](#). For more information about plagiarism and misuse of sources, see "[Defining and Avoiding Plagiarism: The WPA Statement on Best Practices](#)"

Responses to Academic Dishonesty, Plagiarism, or Cheating

Students should also familiarize themselves with the procedures for academic misconduct in UCF's student handbook, [The Golden Rule](#). UCF faculty members have a responsibility for students' education and the value of a UCF degree, and so seek to prevent unethical behavior and when necessary respond to academic misconduct. Penalties can include a failing grade in an assignment or in the course, suspension or expulsion from the university, and/or a "Z Designation" on a student's official transcript indicating academic dishonesty, where the final grade for this course will be preceded by the letter Z. For more information about the Z Designation, see [The Golden Rule](#).

Course Accessibility Statement

Students with disabilities who need access to course content due to course design limitations should contact the professor as soon as possible. Students should also connect with [Student Accessibility Services \(SAS\)](#) (Ferrell Commons 185, sas@ucf.edu, phone 407-823-2371). For students connected with SAS, a Course Accessibility Letter may be created and sent to professors, which informs faculty of potential course access and accommodations that might be necessary and reasonable. Determining reasonable access and accommodations requires consideration of the course design, course learning objectives and the individual academic and course barriers experienced by the student.

Accommodations through SAS are not the only way to increase course accessibility. If you do not have formal assistance through these programs but have any learning challenge please reach out so we can arrange appropriate options for you.

Campus Safety Statement

Emergencies on campus are rare, but if one should arise during class, everyone needs to work together. Students should be aware of their surroundings and familiar with some basic safety and security concepts.

In case of an emergency, dial 911 for assistance.

- Every UCF classroom contains an emergency procedure guide posted on a wall near the door. Students should make a note of the guide's physical location and review the [online version](#).
- Students should know the evacuation routes from each of their classrooms and have a plan for finding safety in case of an emergency.
- If there is a medical emergency during class, students may need to access a first-aid kit or AED (Automated External Defibrillator). To learn where those are located, see <<http://www.ehs.ucf.edu/AEDlocations-UCF>> (click on link from menu on left).
- To stay informed about emergency situations, students can sign up to receive UCF text alerts by going to <https://my.ucf.edu> and logging in. Click on "Student Self Service" located on the left side of the screen in the toolbar, scroll down to the blue "Personal Information" heading on the Student Center screen, click on "UCF Alert", fill out the information, including e-mail address, cell phone number, and cell phone provider, click "Apply" to save the changes, and then click "OK."
- Students with special needs related to emergency situations should speak with their instructors outside of class.
- To learn about how to manage an active-shooter situation on campus or elsewhere, consider viewing [this video](#).

Deployed Active Duty Military Students

Students who are deployed active duty military and/or National Guard personnel and require accommodation should contact their instructors as soon as possible after the semester begins and/or after they receive notification of deployment to make related arrangements.

Make-Up Assignments for Authorized University Events or Co-curricular Activities

Students who represent the university in an authorized event or activity (for example, student-athletes) and who are unable to meet a course deadline due to a conflict with that event must provide the instructor with documentation in advance to arrange a make-up. No penalty will be applied. For more information, see the [UCF policy](#).

Religious Observances

Students must notify me in advance if they intend to miss class for a religious observance. For more information, see the [UCF policy](#).

Copyright

This course may contain copyright protected materials such as audio or video clips, images, text materials, etc. These items are being used with regard to the Fair Use doctrine in order to enhance the learning environment. Please do not copy, duplicate, download or distribute these items. The use of these materials is strictly reserved for this online classroom environment and your use only. All copyright materials are credited to the copyright holder.

Assignments: 400 points

Reading Annotations and Discussion Questions (10 weeks x 10 points = 100 points)

- **What it is:** Annotations are an active reading approach that help us structure our engagement with content and retain information. It is a way to take strategic notes while reading your articles and chapters that will create a library of summaries for your future work or exams.
- **Why we do it:** Reading a lot of information can feel overwhelming so having a structured approach can help us be more focused and intentional. In order to best use our “live” class time together we each need to be prepared for those discussions to the best of our ability. These works are important for not only building your intellectual foundation but for engaging in everyday communication across difference. These will also be useful resources for comps, theses/ dissertations, and projects.
- **Requirements:** Each week you will have 3 required articles or chapters and your annotations should be approximately 150 words per article. You must complete annotations on 2 of the 3 articles. The rubric and template are in Webcourses. Each annotation will cover the following components: author’s primary argument, key terms/concepts/quotations, strengths and weaknesses, connections to other readings or concepts. You will also need to pose 1-2 discussion questions about the article. Each week your annotations are worth 10 points and you must complete 10 of the 11 weeks. They are due on Wednesdays at noon.

Assumption Paper (50 points)

- **What this is:** All scholars and learners operate from a set of assumptions which are only occasionally articulated clearly. This brief introductory paper will ask you to engage in self-reflexivity about the intersecting identities, lived experiences, biases, and assumptions you bring to our discussions of identity and communicating across difference.
- **Why we do it:** In order to engage fully in our safer and brave space we have to be aware of our own entry points to this work. By taking the time to thoughtfully interrogate our own positionality we will be able to engage in conscious conversation about these complex topics.
- **Requirements:** approx 3 pages in length, this paper is from your first-person lens and experience and does not require research but should be carefully constructed and connected to the topics of identity and communication across difference.

A Closer Look Presentation (50 points)

- **What it is:** In pairs you will create a 10-12 minute presentation that goes deeper in understanding and application of a concept/topic (e.g. embodiment, gender, migration). You will provide an explanation of the concept and contextualize it in our contemporary moment. For example, you might want to talk about (mis)representations of intersectionality in media or the erasure of disability in institutional diversity efforts. You will present these on the applicable topic night.
- **Why we do it:** We could arrange an entire course around most of our weekly topics. This will help us expand our understanding and allow you to engage with an area that speaks directly to you or your interests. Your presentations will provide additional insight as we move into the next readings.
- **Requirements:** The presentations should be a minimum of 5 minutes long and no longer than 15 minutes. You will work with a partner and it should include a deep exploration of a concept, the current issue you are tying it to, and a clear connection. These should

be visually interesting, but you can use any format. You will provide a reference page for the sources you use to create your presentation or video.

Celebrations of Knowledge (50 pts x 2 = 100 points)

There will be two “exams” covering the readings, lectures, presentations etc. They will be a combination of multiple choice, short answer and essay questions.

Research Proposal (100 points total)

The research proposal consists of three separate assignments: the literature review (35 pts), the final paper (50 pts), and a presentation (15 pts) of your project proposal. In pairs you will pick an intercultural communication topic of your choice and propose a study. The literature review will provide appropriate background on the issue of interest. The final paper will include a revised literature review, hypotheses/research questions, a complete method section, planned analysis, and any relevant appendices (e.g., measures). All assignments must adhere to APA style. Students will be required to give a conference style presentation at the end of the course so that we may all benefit from the perspective you are taking.

Basic Guidelines

- ❑ *12-15 pages*
Quality is more important than quantity, however a good literature review is exhaustive and can be quite lengthy when done well. This is a good guideline for the number of text pages – that does not include a cover page, bibliography, or appendices.
- ❑ *APA style*
If you are not familiar with this –get familiar! Writing styles are used for important reasons, not the least of which so that other readers can find your sources easily. In short, it matters – do it correctly!
- ❑ *Introduction*
Engage the reader. Present the problem you are going to address/study. Preview the paper and give us a good indication of why this topic/project matters.
- ❑ *Literature Review*
Cover all the major concepts/topics relevant to your study. Don’t just provide simple summaries, but rather synthesize the information in an organized and useful pattern. Apply the theories and information to the study you are proposing.
- ❑ *Method*
You will provide a detailed description of how you would investigate this question/problem you propose. Include rationale for the methodology, the method, the population, data collection process, ethical considerations and researcher reflexivity.
- ❑ *Bibliography*
You should have approximately 20-25 scholarly sources in APA style
- ❑ *Presentation*
You will have the chance to present your proposal to the class in an informal/conference style setting. Be creative, engaging, and professional. Provide a one page handout for the class about your project.

Grading information:

A: (excellent, outstanding)

A = 372 - 400
A- = 360 - 371

B: (very good, above average)

B+ = 348 - 359
B = 332 - 347
B- = 320 - 331

C: (average college-level)

C+	=	304 - 319
C	=	292 - 303
C-	=	280 - 291

D: (below average, barely passing)

D+	=	268 - 279
D	=	252 - 267
D-	=	240 - 251

Tentative Course Schedule

**No lesson is intended to espouse, promote, advance, inculcate, or compel a particular feeling, perception, viewpoint or belief.*

Week 1: Introduction to the Course

Aug 24 **Due:** Intro Survey (Financial Aid Activity)
Reading Annotation 1

Required readings:

Croucher, S. M., Sommier, M., & Rahmani, D. (2015). Intercultural communication: Where we've been, where we're going, issues we face. *Communication Research and Practice*, 1, 71-87. doi:10.1080/22041451.2015.1042422

Moon, D. G. (1996). Concepts of culture: Implications for intercultural communication research. *Communication Quarterly*, 44, 70-84.

Shome, Rhaka Postcolonial Approaches to Communication: Charting the Terrain, Engaging the Intersections. *Communication Theory*, 12(2), 2002. 249-270.

Additional readings:

Collier, Mary Jane. "Culture and Communication." *Encyclopedia of Communication Theory*. Ed. Thousand Oaks, CA: SAGE, 2009. 280-86. SAGE Reference Online.

Giri, V. N. (2009) "Intercultural Communication Theories." *Encyclopedia of Communication Theory*. Eds. Littlejohn, S. & Foss, K. Thousand Oaks, CA: Sage. 533-38. SAGE Reference Online.

Week 2: Historical Foundations and Key Concepts

Aug 31 **Due:** Reading Annotation 2
Sign up for Closer Look Video week

Required readings:

Leeds-Hurwitz, W. (1990). Notes on the history of intercultural communication: The Foreign Service Institute and the mandate for intercultural training. *Quarterly Journal of Speech*, 76, 262-281

Bryant Keith Alexander, Lily A. Arasaratnam, Roberto Avant-Mier, Aisha Durham, Lisa Flores, Wendy Leeds-Hurwitz, S. Lily Mendoza, John Oetzel, Joyce Osland, Yukio Tsuda, Jing Yin & RonaHalualani (2014) Defining and Communicating What "Intercultural" and "Intercultural Communication" Means to Us, *Journal of International and Intercultural Communication*, 7:1, 14-37, DOI: 10.1080/17513057.2014.869524

Xu, K. (2013). Theorizing difference in intercultural communication: A critical dialogic perspective. *Communication Monographs*, 80, 379-397. doi:10.1080/03637751.2013.788250

Additional readings:

Arasaratnam, L.A. (2015). *Research in Intercultural Communication: Reviewing the Past*

Decade, *Journal of International and Intercultural Communication*, 8:4, 290-310.

Martin, J.N. & Nakayama, T. K. (2010). Intercultural communication and dialectics revisited. In T. K. Nakayama & R. T. Halualani, (Eds.), *The Handbook of Critical Intercultural Communication*, (pp. 59-83). West Sussex, United Kingdom: Wiley-Blackwell.

Week 3: Identity and Intersectionality

Sept 7 **Due:** Reading Annotation 3
Assumption Paper

Required readings:

Jackson II, R.L., and Moshin, J. (2010). Identity and difference: Race and the necessity of the discriminating subject. In T. K. Nakayama & R. T. Halualani, (Eds.), *The Handbook of Critical Intercultural Communication*, (pp. 59-83). West Sussex, United Kingdom: Wiley-Blackwell.

Chavez, K. (2012). Doing intersectionality: Power, privilege, and identities in political activist communities. In N. Bardhan & M. P. Orbe (Eds.), *Identity research and communication: Intercultural reflections and future directions* (pp. 21-32). Lanham, MD: Lexington Books.

Mendoza, S. L., Halualani, R. T., & Drzewiecka, J. A. (2002). Moving the discourse on identities in intercultural communication: Structure, culture, and resignifications. *Communication Quarterly*, 50(3), 312-327.

Additional readings:

Crenshaw, K. "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color". In: Martha Albertson Fineman, Rixanne Mykitiuk, Eds. *The Public Nature of Private Violence*. (New York: Routledge, 1994), p. 93-118.

Kim, Y. Y. (2007). Ideology, Identity, and Intercultural Communication: An Analysis of Differing Academic Conceptions of Cultural Identity. *Journal of Intercultural Communication Research*, 36(3), 237-253. <https://doi.org/10.1080/17475750701737181>

Gloria Nziba Pindi "Hybridity and Identity Performance in Diasporic Context: An Autoethnographic Journey of the Self Across Cultures" *Cultural Studies <=> Critical Methodologies*, 18(1) 9-15. 2018. 3-8.

Week 4: Gender, & Sexuality

Sept 14 **Due:** Reading Annotation 4

Required readings:

Chávez, K. R. (2013) Pushing Boundaries: Queer Intercultural Communication, *Journal of International and Intercultural Communication*, 6:2, 83-95, DOI: 10.1080/17513057.2013.777506

Lengel, L. & Martin S.C. (2010). Situating gender in critical intercultural communication studies. In T.K. Nakayama & R.T. Halualani (Eds). *The handbook of critical intercultural communication*. (pp. 335-347). Malden, MA: Blackwell Publishing.

Calafell, B. M. (2012). Monstrous Femininity: Constructions of Women of Color in the Academy. *Journal of Communication Inquiry*, 36(2), 111-130. <https://doi.org/10.1177/0196859912443382>

Additional readings:

Atay, Ahmet. "Intercultural Queer Slippages and Translations." *Queer Intercultural Communication: The Intersectional Politics of Belonging in and Across Differences*, edited by Shinsuke Eguchi and Bernadette Marie Calafell, Rowman and Littlefield, 2020,141-156.

Eguchi, S. (2015) Queer Intercultural Relationality: An Autoethnography of Asian-Black (Dis)Connections in White Gay America, *Journal of International and Intercultural Communication*, 8:1, 27-43, DOI: 10.1080/17513057.2015.991077

Aiello, G., Bakshi, S., Bilge, S., Hall, L., Johnston, L., Pérez, K., & Chávez, K. (2013). Here, and Not Yet Here: A Dialogue at the Intersection of Queer, Trans, and Culture. *Journal of International & Intercultural Communication*, 6(2), 96-117.
<https://doi.org/10.1080/17513057.2013.778155>

The XX and XY lie: our social construction of a sex and gender binary Week 5:
 Unpacking Whiteness

Week 5:	Whiteness
Sept 21	Due: Reading Annotation 5

Required readings:

Moon, D. (2016). "Be/coming" white and the myth of white ignorance: Identity politics in white communities. *Western Journal of Communication*, 80, 282-303.
 doi:10.1080/10570314.2016.1143562

Warren, J.T. (2010). It really isn't about you: Whiteness and the dangers of thinking you got it. In T.K. Nakayama & R.T. Halualani (Eds). *The handbook of critical intercultural communication*. (pp. 446- 460). Malden, MA: Blackwell Publishing.

Alley-Young, G. (2008). Articulating Identity: Refining Postcolonial and Whiteness Perspectives on Race within Communication Studies. *Review of Communication*, 8(3), 307-321. doi: 10.1080/15358590701845311

Additional readings:

Washington, M. (2020). Woke skin, white masks: race and communication studies, *Communication and Critical/Cultural Studies*, 17:2, 261-266, DOI: 10.1080/14791420.2020.1770820

Carrillo Rowe, A. & Malhotra, S. (2006). (Un) hinging whiteness. In M. P. Orbe, B. J. Allen & L.A. Flores (Eds.) *The same and different* (pp. 166-192). Washington, D.C.: NCA.

hooks, b. (1992). Representations of whiteness. In *Black looks: Race and representation*. (pp. 165-178). Brooklyn, NY: South End Press.

Week 6:	Body and Embodiment
Sept 28	Due: Reading Annotation 6

Required reading:

Alcoff, L. M. (2006). The phenomenology of racial embodiment. *Visible identities: Race, gender, and the self*. New York, Oxford University: 179-194.

Fassett, D. L. (2010). Critical reflections on a pedagogy of ability. In T. K. Nakayama & R. T. Halualani (Eds.), *The handbook of critical intercultural communication* (pp. 461-471). Malden, MA: Blackwell.

Sekimoto, S. (2012). A multimodal approach to identity: Theorizing the self through embodiment, spatiality, and temporality. *Journal of International and Intercultural Communication*, 5(3), 226-243. doi:10.1080/17513057.2012.689314

Additional readings:

Kaur-Gill, S. & Dutta, M.J. (2020) Negotiating the (im)mobility of domestic work: Communicative erasures, disrupted embodiments, and neoliberal Asia, *Journal of International and Intercultural Communication*, 13:2, 130-150, DOI: 10.1080/17513057.2020.1739319

Week 7: First Celebration of Knowledge

Oct 5

Week 8: The Politics of Institutional Diversity

Oct 12 **Due:** Reading Annotation 7

Required readings:

Ahmed, S. (2012). *On being included: Racism and diversity in institutional life*. Durham: Duke University.

Allen, B. J. (2010). A proposal for concerted collaboration between critical scholars of intercultural and organizational communication. In T.K. Nakayama & R.T. Halualani (Eds.) *The handbook of critical intercultural communication*. Malden, MA: Blackwell.

Cheng, H.I. (2010). A critical reflection on an intercultural communication workshop: Mexicans and Taiwanese working on the US-Mexico border. In T.K. Nakayama & R.T. Halualani (Eds.) *The handbook of critical intercultural communication*. Malden, MA: Blackwell.

Additional readings:

Oetzel, J., McDermott, V., Torres, A., & Sanchez, C. (2012). The Impact of Individual Differences and Group Diversity on Group Interaction Climate and Satisfaction: A Test of the Effective Intercultural Workgroup Communication Theory. *Journal of International & Intercultural Communication*, 5(2), 144-167. <https://doi.org/10.1080/17513057.2011.640754>

DiAngelo, R. (2018). Why does white fragility show up at workplace diversity trainings? Yes! Magazine.

Newkirk, P. (2019). Why diversity initiatives fail: Symbolic gestures and millions of dollars can't overcome apathy. *The Chronicle of Higher Ed*.

Week 9: The Health Context

Oct 19 **Due:** Reading Annotation 8
Topic and group proposal

Required readings:

Dillard, S., Dutta, M., & Sun, W.-S. (2014). Culture-centered engagement with delivery of health

services: Co-constructing meanings of health in the Tzu Chi Foundation through Buddhist philosophy. *Health Communication*, 29, 147-156.
doi:10.1080/10410236.2012.729262

Dutta, M. J. (2007). Communicating about culture and health: Theorizing culture-centered and cultural sensitivity approaches. *Communication Theory*, 17(3), 304-328. doi: 10.1111/j.1468-2885.2007.00297.x

Bonilla-Silva, E. (2020). Color-Blind Racism in Pandemic Times. *Sociology of Race and Ethnicity*.
<https://doi.org/10.1177/2332649220941024>

Additional readings:

Ramadurai, V., Sharf, B.F., & Sharkey, J.R. (2012). Rural food insecurity in the United States as an overlooked site of struggle in health communication. *Health Communication*, 27 (8), 794 -.

Week 10: Challenging Eurocentrism and Ethnocentrism

Oct 26 **Due:** Reading Annotation 9

Required Reading:

Shome, R. (2010). Internationalizing critical race communication studies: Transnationality, space, and affect. In T. K. Nakayama & R. T. Halualani (Eds.), *The handbook of critical intercultural communication* (pp. 149-170). Malden, MA: Blackwell.

Covarrubias, P. (2007). (Un)Biased in Western theory: Generative silence in American Indian communication. *Communication Monographs*, 74(2), 265-271.

Miike, Y. (2010). Culture as text and culture as theory: Asiaticity and its raison d'être in intercultural communication research In T. K. Nakayama & R. T. Halualani (Eds.), *The handbook of critical intercultural communication* (pp. 190-211). Malden, MA: Blackwell.

Additional readings:

Asante, M. K. (2002). Intellectual Dislocation: Applying Analytic Afrocentricity to Narratives of Identity. *Howard Journal of Communications*, 13(1), 97-110.
<https://doi.org/10.1080/106461702753555067>

Week 11: Globalization, Migration & Transnationalism

Nov 2 **Due:** Reading Annotation 10

Required readings:

Michael Lechuga (2020) Mapping migrant vernacular discourses: Mestiza consciousness, nomad thought, and Latina/o/x migrant movement politics in the United States, *Journal of International and Intercultural Communication*, 13:3, 257-273, DOI: 10.1080/17513057.2019.1617332

Kinefuchi, E. (2010). Finding home in migration: Montagnard refugees and post-migration identity. *Journal of International & Intercultural Communication*, 3(3), 228-248. doi: 10.1080/17513057.2010.487220

Asante, M. K. (2006). The Rhetoric of Globalisation: The Europeanisation of Human Ideas. *Journal of Multicultural Discourses*, 1(2), 152-158. doi: 10.2167/md054.0

Additional readings:

Sorrells, K. (2010). Re-imagining intercultural communication in the context of globalization. In T. K. Nakayama & R. T. Halualani (Eds.), *The handbook of critical intercultural communication* (pp. 171-189). Oxford: Wiley-Blackwell.

Week 12: Reflections and Futures of the Field

November 9 **Due:** Reading Annotation 11

Required readings:

Chakravartty, P. & Jackson, S. J. (2020) The disavowal of race in communication theory, *Communication and Critical/Cultural Studies*, 17:2, 210-219, DOI: 10.1080/14791420.2020.1771743

Chakravartty, Paula, Rachel Kuo, Victoria Grubbs, and Charlton McIlwain. "#CommunicationSoWhite." *Journal of Communication* 68 (2018): 254-266.

Bernadette Marie Calafell (2020) The Critical Performative Turn in Intercultural Communication, *Journal of Intercultural Communication Research*, DOI: 10.1080/17475759.2020.1740292

Additional Readings:

Chávez, Karma R. "Beyond Inclusion: Rethinking Rhetoric's Historical Narrative." *Quarterly Journal of Speech* 101 (2015): 162-172.

Week 13: Workshops

Nov 16 **Due:** Literature Review

Week 14: Thanksgiving Wednesday

Nov 23

Week 15: Project Presentations

Nov 30

Week 16: Finals Week: Celebration of Knowledge

Dec 7

A Brief Introduction to my Teaching Philosophy

So, here's the thing... I actually never wanted to teach. In fact, my grandmother (despite many wonderful qualities) always told my mother, "we were not college people." Luckily however, I watched my mom enroll in university when I was 12 and begin to change the trajectory for women in my family. I studied with her and went to the library with her, completely enthralled with the level of learning I witnessed. Not knowing many people who had higher levels of education I fumbled my way through my own applications, decisions about my major, course enrollment, and communication with faculty. To add to the basic challenges, I worked full time while in college and transferred to a new institution my junior year. Somehow, I eventually met a professor who took interest in my success. He often laughed when I told him I was going to law school and would say "someday you'll figure out that you need a Ph.D., not a J.D."

Fast forward quite a few years, and he ended up being right, but it was not a clear-cut path for me. Today, I can't imagine doing anything else. My courses focus on ways to effectively and equitably communicate across difference and difficulty. I have the great joy and privilege of watching students develop as human beings and make decisions about how they will engage with the diverse world around them. I continue to find that developing student character and inner potential is the most meaningful contribution I can make.

I strive to enact what Hart (2007) calls a "pedagogy of interiority." Hart says, "Our most sustainable and valuable educational goals do not have much to do with test scores, instead they have something to do with a balance between preparing young people for surviving and thriving in the world while developing their authentic inner potentials. (2007, pg. 2) It is my continual goal to create an environment of curiosity, compassion, and intensive reflection where students come to know themselves and their strengths beyond a single classroom. Teaching the practice of contemplation and reflexivity I invite students to participate in their education in a deeply meaningful way, by moving beyond the basic content competency, toward mindfulness in thought and behavior. Education should be humane, inclusive, and embodied and I continually examine my experiences in the classroom in order to bring those elements into each course.

A note:

You do not need an "academic" reason to come see me. You are welcome to contact me any time and I am happy to discuss your program of study, your education experience, challenges, career choices or anything else that is on your mind. You can also just stop by to grab something from the snack basket.☺ If you are unable to come by at posted hours never hesitate to call or email to make other arrangements.

EXHIBIT B



UNIVERSITY OF CENTRAL FLORIDA

NSCM Inclusive Culture Updates

Below are summaries and links to information provided to NSCM faculty at the annual work day on August 11, 2022. This is a resource guide and should not be interpreted as legal advice or policy. Please contact Dr. Sandoval with any questions.

Dr. Jen Sandoval (she/ella)
Jennifer.sandoval@ucf.edu
CMB 202A

Inclusive Teaching Resources

- [Resources from FCTL](#)
- [Universal design for learning](#)
- [Norton Guide to Equity-minded teaching preview](#)
- [Designing for accessibility](#)

HB7 (Individual Freedom or “Stop Woke Act”) Information

Key points: On July 7, 2022 HB7 went into effect in Florida. This bill is contained in the larger anti-discrimination laws for the state. The bill has vague restrictions on faculty instruction related to eight specific “concepts” that are listed below in both the UFF recommendations and the BOG policy draft. Fundamentally, the law does NOT explicitly deny faculty the right to teach their subjects comprehensively. However, I recognize that instructors experience varying degrees of vulnerability depending on their individual identities and positions within the university. Most faculty engage their course topics in good faith with the expectations that students will engage thoughtfully and critically. Higher education is largely intended to promote exploration of new ideas and develop students abilities to evaluate information that is presented to them. My pedagogical and philosophical approaches to teaching are based on my own positionality, my 19 years of teaching experience, and my subject matter expertise. These recommendations are informed by those things as well as a recognition for pragmatism in this moment. Please adapt accordingly and reach out if you would like individual assistance:

- Manage course expectations early and clearly
- Co-construct conversational commitments with your students
- Describe and define critical thinking, theory, and informational literacy
- Consider adding a short, simple syllabus statement (examples below)
- Consider recording lectures, carefully document all material and instruction

Sample statements:

- Simple -
Assignment of readings and topics for discussion do not equal an endorsement of the author or one specific perspective on the subject matter. AND/OR

No lesson is intended to espouse, promote, advance, inculcate, or compel a particular feeling, perception, viewpoint or belief.
- From my graduate seminar on culture and communication -
This course engages a diverse range of topics and perspectives. Thoughtful inquiry into the world we live in requires critical thinking, active listening, and mindfulness of difference. We will unpack the debates and conversations among scholars in order to understand what is at stake and what is being contested when it comes to theorizing communication from a cultural point of view. The readings in this course will address the concepts and contexts that shape intercultural encounters, including race, gender, sexuality, identity, ideology, discourse, globalization, and postcolonialism. Assignment of readings and topics for discussion do not equal an endorsement of the author or one specific perspective on the subject matter. Finally, as an instructor of this course, my goal is to facilitate your intellectual and personal efforts to develop the ways in which you approach your questions. We all need to engage in continuing learning and unlearning to effectively communicate across difference.

- UCF FCTL example syllabus statement

Fundamental to University of Central Florida's mission is support for an environment where divergent ideas, theories, and philosophies can be openly exchanged and critically evaluated. Consistent with these principles, this course may involve discussion of ideas that you find uncomfortable, disagreeable, or even offensive. These ideas are intended to be presented in an objective manner and not as an endorsement of what you should personally believe. Objective means that the idea presented can be tested by critical peer review and rigorous debate, and that the idea is supported by credible research. Not all ideas can be supported by objective methods or criteria. Regardless, you may decide that certain ideas are worthy of your personal belief. In this course, however, you may be asked to engage with complex ideas and to demonstrate an understanding of the ideas. Understanding an idea does not mean that you are required to believe it or agree with it.

- UFF-FEA syllabus statement

*Students are encouraged to employ critical thinking and to rely on data and verifiable sources to interrogate all assigned readings and subject matter in this course as a way of determining whether they agree with their classmates and/or their instructor. **No lesson is intended to espouse, promote, advance, inculcate, or compel a particular feeling, perception, viewpoint or belief.***

- [Bill Summary](#)

- [UCF FCTL information](#)

- [Video of forum with UFF, ACLU, and NAACP](#)

FAQs

What does this actually mean for my courses?

This depends largely on your pedagogical approach and subject matter. However, we know that vulnerability also differs across identities and ranks. Ostensibly, nothing should change because the bill addresses behaviors and messages that are unlikely in your classroom. UFF believes there is a fundamental difference between discussion of “inherent virtues/qualities of ideas” vs empirical effects for categories of people. Keep instruction evidence based.

Can I talk about difficult topics that might be uncomfortable?

Yes. See above

Can I use the same films, clips, artistic examples, exercises I have used in the past?

Most likely. These are parts of curricular instruction so same ideas above apply.

Can I use the textbook I prefer?

Yes

Should I record my lectures?

Maybe. There are pros and cons. If you record remember you must retain the recordings as likely public record. If administration asks for copies or to view them, you must provide them. If you feel particularly vulnerable and are sure you are not violating the bill this can be important evidence if for example a student only records one part of the lecture.

What protections exist for faculty?

Many – but they will be tested by this type of legislation.

- Annual contract
- UCF policy and regulation
- Collective Bargaining Agreement
- Whistleblower protection
- First Amendment
- Academic Freedom
- Equal Protection/Anti-discrimination laws

What happens if I am accused of violating HB7?

The University will conduct a local investigation. If they find a substantiated claim, they are required to send it to the Board of Governors. The BOG will then conduct its own investigation. If you are found to have violated HB7 the disciplinary process in the CBA will commence. The discipline will be decided *locally*. CBA requires *just cause* and *progressive discipline*. UFF, FEA, NEA, and AFT will represent **members** who are charged with violations

Academic Freedom generally includes

- liberty to conduct research and draw conclusions rooted in evidence
- right to select course materials and content, pedagogy, make assignments, and assess student performance. (Should be germane to subject matter)
- *Limits*: grading policies, protections against a hostile education environment

SCOTUS Precedent

- [Keyishian v. Board of Regents of University of State of N.Y. 385, U.S., 589, 603 \(1967\)](#)
- [Regents of Univ of Cal v. Bakke, 438 U.S. 265, 312 \(1978\)](#)
- [Sweezy v. State of New Hampshire, 354 U.S. 234, 250 \(1957\)](#)

CBA Article 5: ACADEMIC FREEDOM

5.1 *Policy*. It is the policy of the University and the UFF to maintain and encourage full academic freedom. Academic freedom and responsibility are essential to the full development of a true university and apply to teaching, research/creative activities, and assigned service. An employee engaged in such activities shall be free to cultivate a spirit of inquiry and scholarly criticism and to examine ideas in an atmosphere of freedom and confidence.

5.2 *Academic Freedom*. Academic freedom is the freedom to teach, both in and outside the classroom, to conduct research, and to publish the results of that research. Consistent with the exercise of academic responsibility, employees shall have freedom to present and discuss their own academic subjects, frankly and forthrightly, without fear of censorship, and to create and select instructional and course materials, and to determine grades in accordance with University grading policy. Objective and skillful exposition of such subject matter, including the acknowledgment of a variety of scholarly opinions, is the duty of every employee. Employees are also free to address any matter of institutional policy or action. As individuals, employees are free to express their opinions to the larger community on any matter of social, political, economic, or other public interest, without institutional discipline or restraint due to the content of those messages. Unless specifically authorized by the administration, employees' opinions do not reflect the policies or official positions of the University of Central Florida.

5.3 *Academic Responsibility*. Academic freedom is accompanied by corresponding responsibility on the part of employees. University faculty are members of a learned profession. As scholars and educators, they should remember that the public may judge their profession and their institution by what they say and do. Accordingly, they shall:

- (a) Be forthright and honest in all professional settings, including teaching, advising, service, and the pursuit and communication of scientific and scholarly knowledge;
- (b) Observe and uphold the ethical standards of their disciplines in the pursuit and communication of scientific and scholarly knowledge;
- (c) Adhere to their proper roles as teachers, researchers, intellectual mentors, or counselors;
- (a) Be forthright and honest in all professional settings, including teaching, advising,
- (d) Respect students, staff, and colleagues as individuals; treat them in a professional manner; and avoid any exploitation of such persons for private advantage;
- (e) Respect the integrity of the evaluation process, by evaluating students, staff, and colleagues fairly according to the criteria the evaluation process specifies;
- (f) Contribute to the orderly and effective functioning of their academic unit i.e., program, department, school and/or college and/or the University;
- (g) Observe the regulations of the University, provided they do not contravene the provisions of this Agreement; and
- (h) Indicate when appropriate that one is not an institutional representative unless specifically authorized as such.

UFF- FEA Guidance

While the law lists a number of prohibitions (included in detail under the “Reasonable Risk” option below), HB 7 also states that its prohibitions (emphasis added) “may not be construed to prohibit discussion of the concepts listed therein 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.” This means that the law’s enforcement mechanisms are focused very much on *feelings and perceptions* of objectivity. Thus, individual members need to decide for themselves how much risk they are comfortable taking in the name of academic freedom. Presumably, student complaints will trigger investigation of HB 7 violations, which will be investigated according to this new Board of Governor’s policy.

We suggest that all faculty consider recording and maintaining copies of their lectures, but we strongly recommend it for faculty pursuing the “Reasonable” or “Higher” risk courses of action described below. Faculty should retain copies of the course recordings and should be prepared to turn those recordings over to administrators if requested to do so. Faculty must inform students in the syllabus that they should expect recordings of class lectures and discussion. Further advice below is grouped by risk level: Low Risk, Reasonable Risk, and Higher Risk.

Low Risk

- 1) Don’t teach or address any of the topics prohibited in HB 7.
- 2) Remove all posters and art in your office that “endorse” positions prohibited by HB 7.
- 3) Don’t speak to any of the topics addressed in HB 7 with any student groups you may sponsor.
- 4) Don’t guest lecture on any Florida campus about any of the topics addressed in HB 7.

*Reasonable Risk***Prohibition or “Faculty may not endorse the concept that___”**

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,

Recommended Approach

While we doubt this has ever come up, don’t make this kind of statement in your classroom, ever.

Faculty can still 'suggest or assert' that a person, by simple virtue of his/her race, benefits from certain social structures. Underscore that this is not the same thing as claiming that an individual, in their heart of hearts, is racist, sexist, or otherwise oppressive.

Faculty should remind students that "benefits from" is not synonymous with "status as privileged" and "is harmed by" is not synonymous with "is oppressed."

Faculty response will depend upon material under discussion, but consider: “if the goal of the policy is to minimize ‘X’ _outcome, then adopting a ‘Y’ _approach has been shown to achieve that end.”

Instructors can protect themselves by saying "I am not suggesting anyone bears individual responsibility or should feel

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 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.

We imagine that this is supposed to stop discussions about affirmative action. Consider the following kind of phrasing: "An affirmative action policy says X, and here's the basis for it according to these scholars/articles. These policies tend to have Y effects on Z populations. If you believe that Y effects are desirable, approval of affirmative action policies might be the outcome."

Instructors can protect themselves by saying "I am not suggesting anyone bears individual responsibility or should feel guilt" about [X].

Consider: "Merit-based systems of (insert here) can aggravate racial/sex (etc.) inequalities," and "Those who imagined these systems probably did not have the intent of discriminating, but in practice these are the effects."

Higher Risk

Change nothing and teach as you believe is best based on your scholarship and your expertise in your field. You can serve as a test case for potential litigation or organizing against this law if you are ever investigated or harmed. If you find yourself in this position, contact your chapter's grievance committee or the assigned UFF Labor Relations Specialist.

If you, as a UFF member, experience any discipline, harm, or other adverse action from your supervisor or institution in response to your attempts to navigate the prohibitions in HB 7, you should immediately contact your local union leaders for support. You should also encourage your colleagues to join UFF, as the collective power enforced by a strong local Collective Bargaining Agreement (CBA) is the best defense any faculty member can have against the overreaching, totalitarian authority represented in this law.

UFF supports honesty in education, accurate teaching of American history, and clear, thoughtful analyses of our country's governmental and social institutions for biases toward any group, all to build the public good in Florida and beyond. We will defend any member who is harmed for trying to teach the truth and to give their students the best education possible under the difficult circumstances imposed by this law.

Board of Governors Policy Language

10.005 Prohibition of Discrimination in University Training or Instruction

(1) **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) *“University regulation”* is defined as the regulation required by section (2)(a) below. (f) *“Administrator”* means the following high level 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, associate/vice provosts, deans, equal opportunity programs director, chief audit executive, and chief compliance officer.

(2) University Regulation and Content Review (a) Each university shall have a university regulation that prohibits 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 as defined in paragraph (1)(a). Such university regulation shall contain a method for submitting complaints of alleged violations of the university regulation and the title and contact information of the office(s) designated by the university to receive and maintain such complaints. (b) The university regulation shall include that the prohibition in section (2)(a) 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. (c) Each university shall post the university regulation on a public website where the university commonly publishes regulations. (d) Each university shall periodically review its regulations, policies and institutional training materials to ensure that the content does not violate the university regulation.

(3) University Investigation and Corrective Action (a) Each administrator who receives a complaint of an alleged violation of the university regulation shall timely forward such complaint to the office(s) designated to receive such complaints. (b) After reviewing the complaint and obtaining any additional information to aid in the review, the designated office shall direct, supervise, or coordinate the investigation of credible complaints that identify a training or instruction that espouses, promotes, advances, inculcates, or compels a student or employee to believe any of the concepts. (c) In the event the investigation finds that an instruction or training is inconsistent with the university regulation, the university shall inform the Board of Governors through the Office of Inspector General and take prompt action to correct the violation by mandating that the employee(s) responsible for the instruction or training modify it to be consistent with the university regulation, issuing disciplinary measures where appropriate and remove, by termination if appropriate, the employee(s) if there is a failure or refusal to comply with the mandate. (d) If the Board of Governors receives a complaint about which it has not been previously informed pursuant paragraph 3(c), it shall refer the complaint to the subject university's Chief Audit Executive to be addressed pursuant paragraphs 3(a)-(c).

(4) Proceedings to Determine a Substantiated Institutional Violation (a) Upon receipt of a credible allegation that a university willfully and knowingly failed to correct a violation of the university regulation, the Board of Governors' Office of Inspector General shall conduct an investigation to determine if evidence exists to support the allegation and ineligibility for performance funding. In determining whether a university willfully and knowingly failed to correct a violation, the Office of Inspector General shall consider whether the university made a good faith determination that the complaint did not allege a violation of the university regulation or whether it took prompt corrective action after it substantiated a violation of the university regulation. If it is determined an external qualified investigative firm is necessary to assist with or conduct the investigation, the subject university will be responsible for any costs incurred. (b) The Inspector General shall submit the investigatory findings to the Chair of the university's Board of Trustees, or the Chair's designee, which shall have twenty (20) business days to submit a written response after receipt of such findings. The Office of Inspector General shall provide a rebuttal, if any, to the university within twenty (20) business days after receipt of the university's response. The university's response and the Office of Inspector General's rebuttal to the response, if any, shall be included in a final investigative report provided to the Board of Governor's Audit and Compliance Committee and the Chair of the university's Board of Trustees. (c) The Board of Governor's Audit and Compliance Committee shall make a recommendation to the Board as to whether it should substantiate an allegation that a university willfully and knowingly failed to correct a violation of the university regulation. The Board shall review the investigative report and recommendation and make a final decision regarding whether the alleged willful and knowing failure to correct a violation of the university regulation is substantiated. Such decision will be rendered in writing to the university within twenty (20) business days of the meeting at which the report is considered. (d) If the Board of Governors determines that a university willfully and knowingly engaged in conduct at the institutional level that constituted a substantiated violation of section 1000.05(4)(a), Florida Statutes, and failed to take appropriate corrective action, the university will be ineligible for performance funding for the next fiscal year following the year in which the Board of Governors made the determination. (5) Additional Proceedings. A university or the complainant may seek judicial review by filing a petition for writ of certiorari review with the appropriate circuit court within thirty (30) days of the date of the Board's final decision pursuant to Florida Rule of Appellate Procedure 9.190(b)(3). Authority: Section 7(d), art. IX, Fla. Const.; Section 1000.05, Florida Statutes; Section 1001.92, Florida Statutes; History: New _____.

EXHIBIT C

NSCM Inclusive Culture

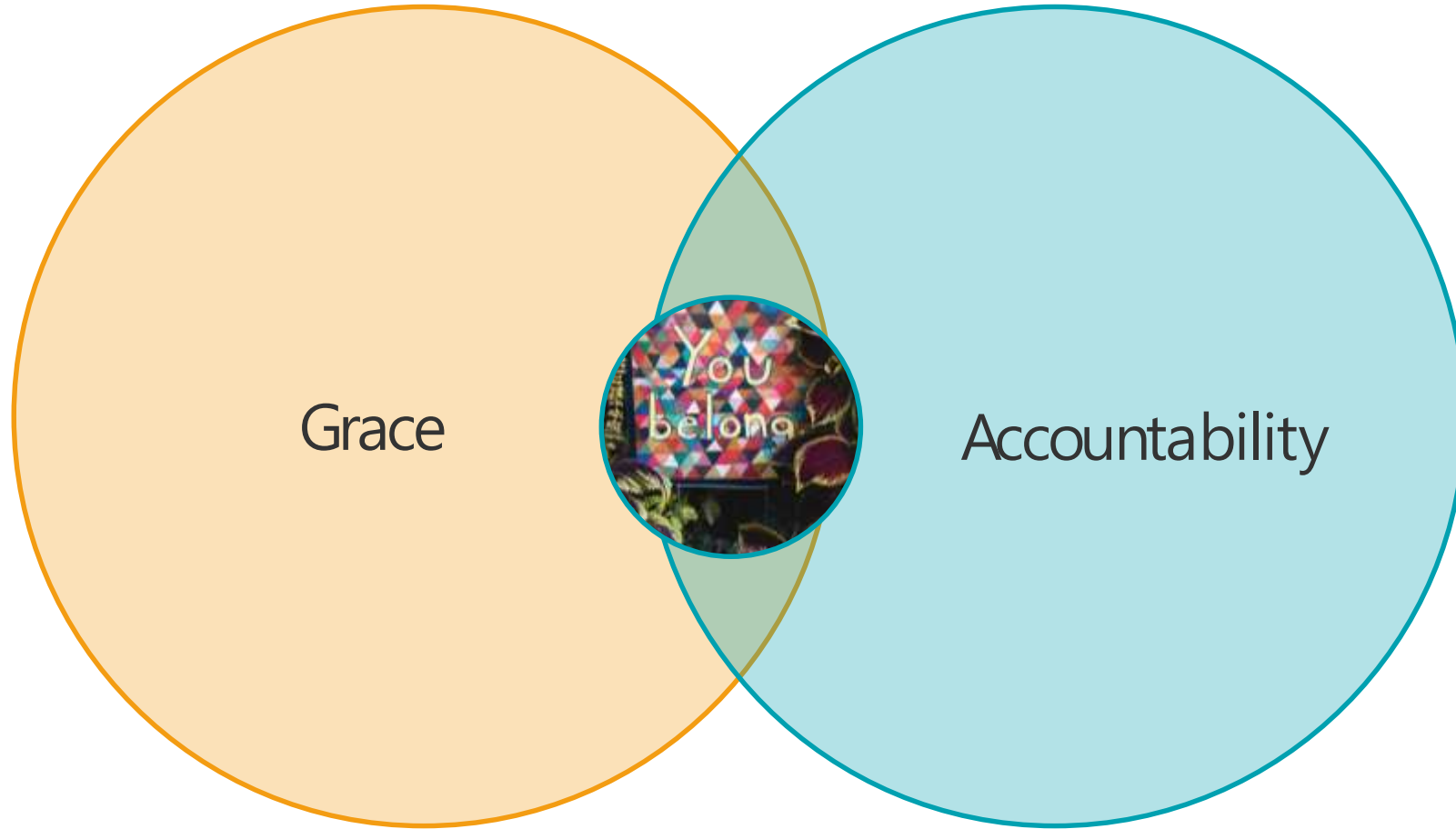
Jennifer A. Sandoval, PhD



Plan

- 1 | Reminders about inclusive teaching
- 2 | Department diversity statements
- 3 | HB7 guidance
- 4 | Questions

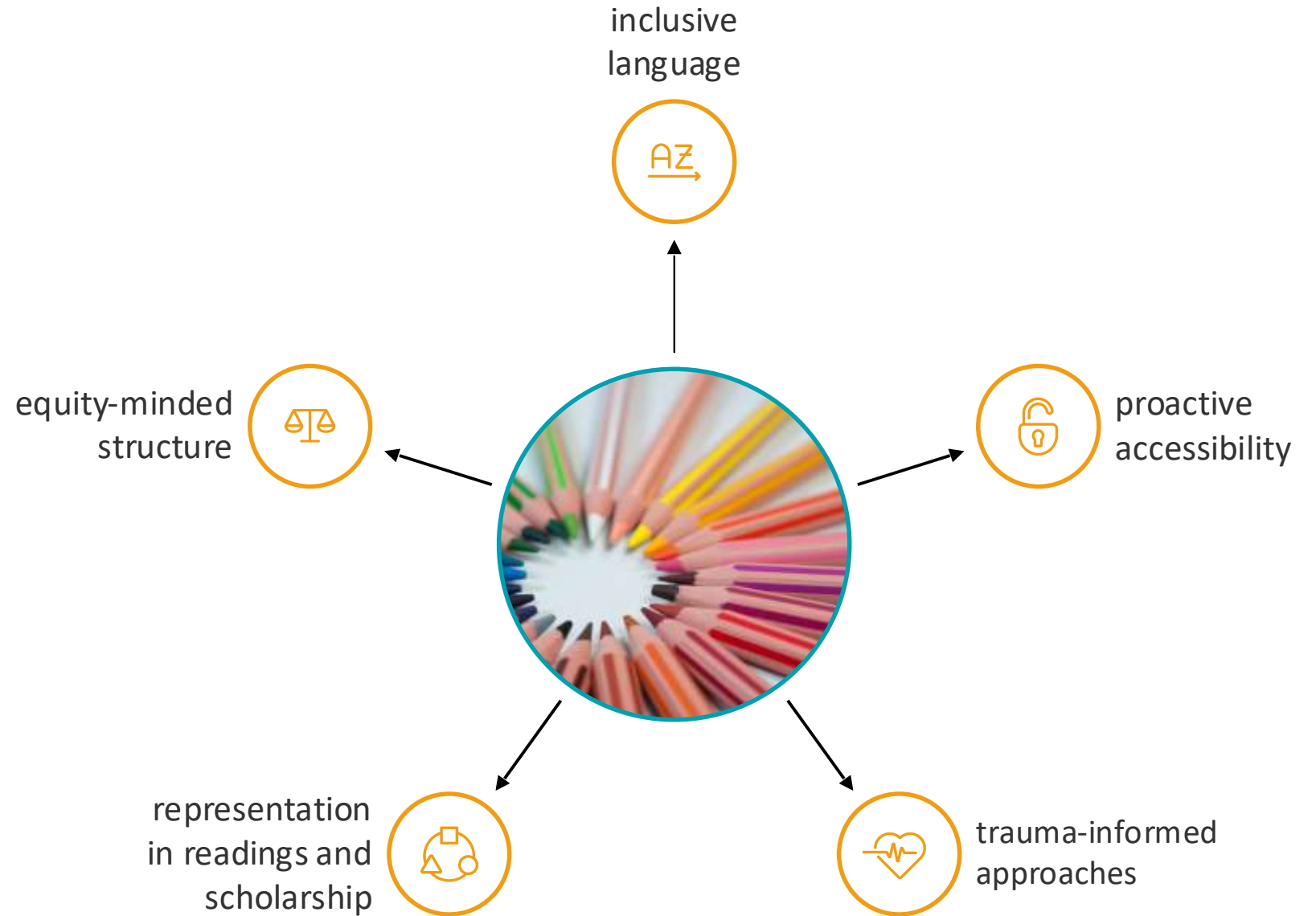




Plan for

Inclusive Teaching

Pick one thing to change each semester!



Inclusive Teaching

focusing on most historically excluded increases accessibility for all



universal design



inclusive language



acknowledge neurodiversity



trauma informed approaches

Inclusive Teaching



Universal Design

1. equitable use
2. flexibility in use
3. simple and intuitive use
4. perceptible information
5. tolerance for error
6. low physical effort
7. size and space for approach and use

Inclusive Teaching



neurodiversity

- not really any such thing as “neuro typicality”
- processing time
- nonverbal communication differences

Inclusive Teaching



inclusive language

- identify own bias/scripts
- honor self-identification
- don't assume you know anything about a person's identity
- person centered
- embrace change
- impact over intent

Inclusive Teaching



Trauma informed practice

- compound crises - unregulated nervous systems
- connect to resources
- self and community care

TYPE CAPTION

Diversity Statement Update



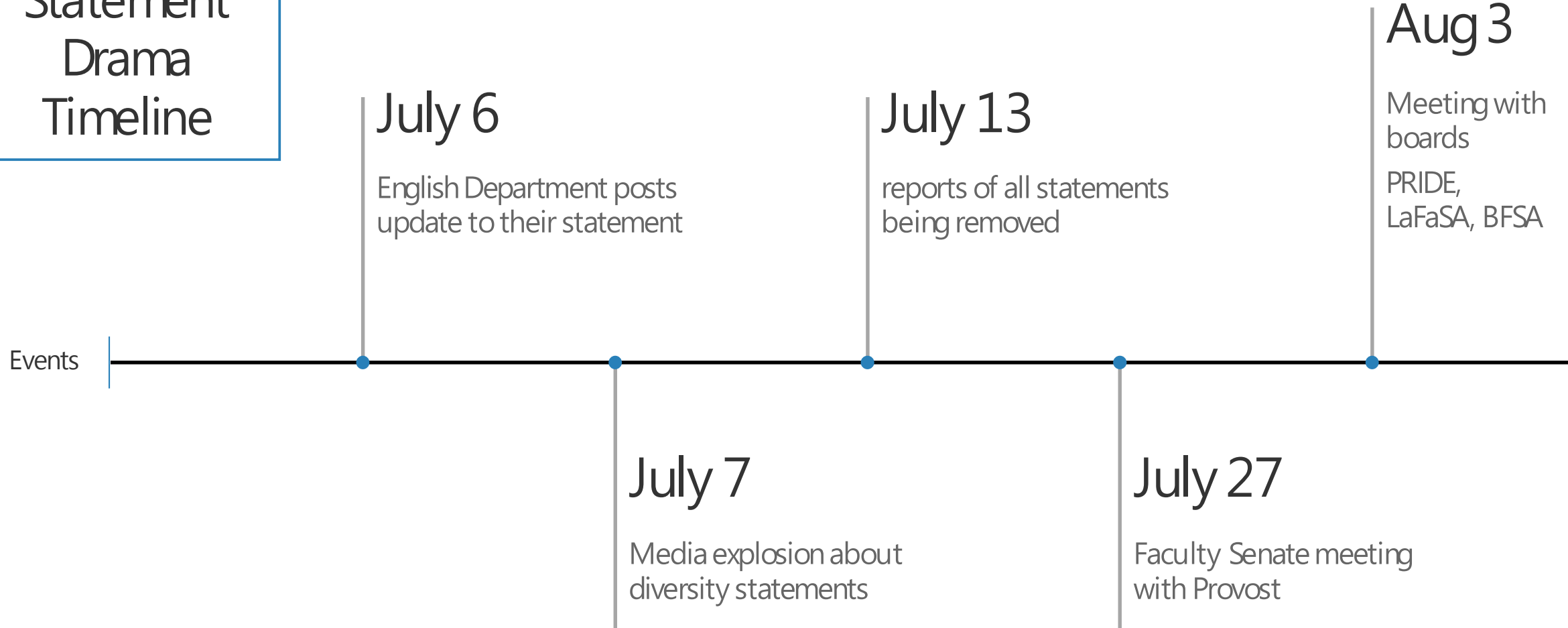
UNIVERSITY OF CENTRAL FLORIDA

Nicholson School of
Communication and Media

404 Not Found

The page you requested could not be found. Sorry about that!

Diversity Statement Drama Timeline



The fun stuff

HB7



State of FL
The “ law”



UCF/UFF
Guidelines



Jen
Perspective

- Contracts
- Collective Bargaining Agreement
- Policies and Regulations
- Whistleblower protection
- First Amendment Outside of Classroom
- Academic Freedom
- Equal Protection law



Faculty Protections

Instruction

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.

Training

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.

Concepts

list of 8 things we may not endorse in our classroom instruction

Substantiate

establishing the existence or truth of a particular fact through the use of competent evidence



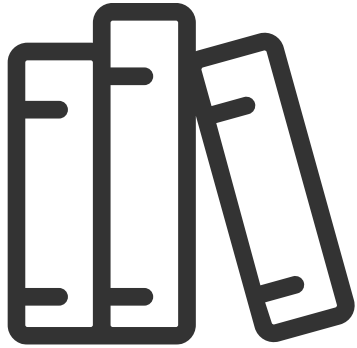


- ✓ Members of one race, color, national origin, or sex are **morally superior** to members of another race, color, national origin, or sex.
- ✓ A person, by virtue of his or her race, color, national origin, or sex is **inherently** racist, sexist, or oppressive, whether consciously or unconsciously.
- ✓ A person' s **moral character or status** as either privileged or oppressed is necessarily defined by his or her race, color, national origin, or sex.
- ✓ 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.

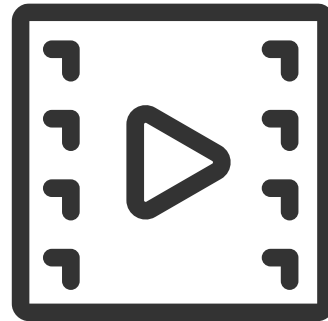


- ✓ A person, by virtue of his or her race, color, national origin, or sex **bears responsibility** for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- ✓ A person, by virtue of his or her race, color, national origin, or sex should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- ✓ A person, by virtue of his or her race, color, sex, or national origin, bears 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 members of the same race, color, national origin, or sex.
- ✓ **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.**

FAQs



textbooks/syllabi



materials/examples



discussions

Syllabus Statements

Simple:

- Assignments of readings and topics for discussion do not equate to endorsement of the author or one specific perspective on the subject matter.

If you want to explain more:

- Don't over explain
- Don't get too technical
- Examples from FCTL and UFF in handout



Focus on

Making the best decisions for you

1 Managing expectations

2 Good faith engagement

3 Documenting your stuff



Public Health Note

- no more institutional resources or policies for COVID
- monitor County numbers
- clarify expectations with students
- include accurate information about Monkeypox



THANKS!

jennifer.sandoval@ucf.edu



Hope you feel less like this



And maybe a little more like this

EXHIBIT D

Let Our Students Learn!

In the devastating 2022 Florida legislative session, several bills that limit the freedoms of Florida citizens were signed into law. HB7, or the “Stop Woke Act”, restricts educators from covering topics in the classroom that could potentially cause discomfort ([See the list here](#)). As faculty in the State University System of Florida we refuse to be censored. We are committed to resisting unconstitutional invasions into public education. We call upon state and university officials to let our students learn! Below is our open letter to the State. We hope you will consider supporting our resistance with your signature.

An open letter from Florida faculty regarding HB7

As we face complex social, environmental, health, geopolitical, and fiscal crises, the State of Florida has placed numerous restraints on what can be taught in public classrooms.

Florida [HB7](#), which came into effect on July 1st, 2022, prohibits classroom teachers from *advancing* ideas that may make students uncomfortable. And [HB233](#)—passed one year earlier—prohibits educators from *shielding* students from language they may find uncomfortable. Neither law aims to further critical thinking, scientific exploration, informational literacy, or any other aspect of student learning. Instead, these laws function primarily to undermine the ability of teachers to provide students with the knowledge and skills needed to understand and address some of today’s most pressing issues. [SB7044](#) further undermines the education of Florida’s students by *prohibiting* regular external reviews of our academic programs and protocols by the accrediting agency (SACS) historically entrusted to uphold academic standards for the entire Southern region of the U.S.

As the Association of American University Professors (AAUP) notes, bills such as these infringe on “the right of faculty to teach and of students to learn” and “substitutes political mandates for the considered judgment of professional educators” ([AAUP 2021](#)). Educators have the responsibility, as well as the right, to exercise their best professional judgment. We must then resist any law that tells us what concepts we can and cannot use to teach about the natural world and social practices and institutions. All fields of study operate under codes of conduct that inform what we teach and how we teach it. We are not free to alter the facts of history, just as we cannot teach that the earth is flat. State legislators and University administrators who ask us to do so are asking us to abandon our intellectual and moral integrity. We refuse. We must continue to engage in good faith partnership with our students, colleagues, and communities - even in the face of such bad faith legislation. Our commitment remains to those who need and seek to better understand the world they inhabit, with the hope to improve it.

This statement originated with Dr. Shelley Park, Professor of Philosophy & Cultural Studies, Dr. Talat Rahman, Pegasus Professor of Physics, Dr. Lee Ross, Professor of Criminal Justice, and Dr. Jennifer Sandoval, Associate Professor of Communication, tenured faculty in the State University System of Florida.

[Link to Google Form to add signature to letter](#)

List of Signatures Below:

#	Name	Title/Role	School
1	Jennifer Sandoval	Associate Professor	University of Central Florida
2	Shelley Park	Professor of Philosophy & Cultural Studies	University of Central Florida
3	Lee E. Ross	Professor of Criminal Justice	University of Central Florida
4	Talat S Rahman	Pegasus Professor	University of Central Florida
5	Robert Cassanello	Assoc Professor	UCF
6	Laura Gonzales	Assistant Professor	University of Florida
7	Bruce Janz	Professor, Humanities & Cultural Studies; Co-director, Center for Humanities and Digital Research	University of Central Florida
8	Claudia Schippert	Associate Professor of Humanities, Religion, and Cultural Studies	UCF
9	Martha C Brenckle	Professor, Interim WPA	University of Central Florida
10	Leandra Preston	Senior Lecturer, Women's and Gender Studies	University of Central Florida
11	Michael Armato	Lecturer	University of Central Florida
12	Kevin Coffey	Professor	University of Central Florida
13	Ann Gleig	Dr.	UCF
14	Dr Reshawna Chapple	Associate Professor of Social Work	College of Health Professions and Sciences
15	Brigitte Kovacevich	Associate Professor	University of Central Florida
16	David Mitchell	Associate Professor	University of Central Florida
17	Betsy Kalin	Assistant Professor	UCF
18	Lakelyn E. Taylor	Graduate Teaching Associate	University of Central Florida
19	Jonathan Conway	Associate Instructor	University of Central Florida
20	Bridget Rubenking	Associate Professor	University of Central Florida
21	Michelle Dusseau	Associate Lecturer	University of Central Florida

#	Name	Title/Role	School
22	Ben LaPoe	Assistant Professor	Ohio University
23	Jonathan Beever	Associate Professor of Philosophy	University of Central Florida
24	Dori Griffin	Associate Professor	School of Art + Art History
25	Charissa de Bekker	Courtesy Associate Professor	University of Central Florida
26	Jonathan Cox	Assistant Professor of Sociology	University of Central Florida
27	Kristina Tollefson	Professor of Theatre	University of Central Florida
28	Margaret McLaren	Professor of Philosophy	Rollins College
29	Elizabeth Harris	Associate Lecturer	University of Central Florida
30	Laurie Shrage	Professor, Philosophy	Florida International University
31	Jonathan Hernandez	Lecturer	Middle Tennessee State University
32	Anne E. Duggan	Professor of French studies	Wayne State University
33	Sandra Wheeler	Associate Lecturer	University of Central Florida
34	Srivi Ramasubramanian	Professor	Syracuse U
35	Shana Harris	Assistant Professor	University of Central Florida
36	Simon Evnine	Professor	University of Miami
37	Kristy A. Lewis	Assistant Professor of Biology	University of Central Florida
38	Lisa Logan	Associate Professor	UCF
39	John Scott	Professor	University of Central Florida
40	Janice Myatt	Ms	All
41	Karen Marrero	Associate Professor	Wayne State University
42	Susan Hubbard	Professor Emerita	UCF
43	Brett Stockdill	Professor	Northeastern Illinois University

#	Name	Title/Role	School
44	Esther Romeyn	Senior Lecturer	University of Florida
45	Michelle Ferrier	Professor	Florida Agricultural & Mechanical University
46	Jacek Blaszkiewicz	Assistant Professor of Music History	Wayne State University
47	John Raible	Senior Instructional Designer	University of Central Florida
48	Rosalind Beiler	Associate Professor of History	University of Central Florida
49	Richard Chappell	Associate Professor of Philosophy	University of Miami
50	Jaclyn King	Adjunct	University of Central Florida
51	Christian Ravela	Associate Professor of Humanities and Cultural Studies	University of Central Florida
52	Jay Jurie	associate professor (retired)	University of Central Florida
52			
53	Anna Lindner	Doctoral Candidate	Wayne State University
54	Angela Rounsaville	Associate Professor	University of Central Florida
55	Lana Williams	Associate Lecturer	University of Central Florida
56	Amy Barnickel	Lecturer	UCF
57	Jane Vaughan	Associate Lecturer	University of Central Florida
58	Dawn Trouard	Professor Emerita	UCF
59	Donovan Adams	Assistant Professor	University of Central Florida
60	Catherine imbesi	Business owner	Edgewater high
61	Devin Moran	Student	UCF
62	Megan Lambert	Associate Instructor	University of Central Florida
63	Matthew Giles	Associate Professor	Ringling College of Art and Design
64	Stephen M. Fiore	Professor	University of Central Florida

#	Name	Title/Role	School
65	Richard H. Harrison II	Associate University Librarian	University of Central Florida
66	Alison Sutton-Ryan DBH, LCSW, LISAC	Clinical Assistant Professor	Salisbury University
67	Priti Shah	Professor	University of Michigan
68	Beatriz Reyes-Foster	Associate Professor	University of Central Florida
69	Daun Fields	TA	University of Florida
70	Charles Hughes	Professor	University of Central Florida
71	Jason Buel	Assistant Professor of Communication	North Carolina Wesleyan University
72	Brook J. Sadler, Ph.D.	Associate Professor	University of South Florida
72			
73	Richard Manning	Associate Professor, Philosophy	University of South Florida
74	Alex Levine	Chair, Department of Philosophy	University of South Florida
75	Rachel May	Associate Professor	University of South Florida
76	Anjana Mudambi	Assistant Professor	University of Wisconsin-Milwaukee
77	Lorrayne Carroll	Associate Professor of English/Women & Gender Studies Faculty (ret.)	University of Southern Maine
78	Ronald L Claypool	Dr.	Santa Fe College
79	Sonia Stephens	Associate Professor	University of Central Florida
80	Kristin Congdon	Professor Emerita, Philosophy and Humanities	UCF
81	Eve A. Raimon	Professor	University of Southern Maine
82	Cheryl Hall	Associate Professor	University of South Florida
83	R. Paul Wiegand	Assistant Professor	Winthrop Univ. (formerly UCF faculty,

#	Name	Title/Role	School
			2007-2020)
84	Kathryn Seidel	Dean Emerita and Professor of English (retired)	University of Central Florida
85	Bruce E. Drushel, Ph.D.	Professor & Chair, Department of Media, Journalism & Film	Miami University
86	M. Scott Solomon	Director, School of Interdisciplinary Global Studies	University of South Florida
87	Carole Hinshaw	University librarian	University of central Florida
88	Mark Klisch, Ph.D.	Clinical Psychologist	University of South Florida, retired
89	Nessette Falu	Assistant Professor	University of Central Florida
90	Yan Fernandez	Professor	University of Central Florida
91	Daryl Gordon	Associate Professor	Adelphi University
92	Rec. Dr. Donna M. Cox	Professor	University of Dayton (OH)
93	Diane Price Herndl	Professor and Chair	University of South Florida
94	Nicole Guenther Discenza	Professor of English	University of South Florida
95	Harry S. Coverston, Ph.D., J.D.	Assistant Lecturer, Philosophy (retired)	University of Central Florida
96	Golfo Alexopoulos	Professor	USF
97	Milton W Wendland	Professor of Instruction	University of South Florida
98	Jeremy Kelly	Teacher	G-star School of the Arts
99	Scott Ferguson	Associate Professor	University of South Florida
100	Summer Qabazard	Assistant Professor of English	The University of South Florida
101	Jessica Young	Adjunct	University of South Florida
102	Amy Rust	Associate Professor	University of South Florida

#	Name	Title/Role	School
103	Marsha Bryant	Professor & Distinguished Teaching Scholar	U of Florida
104	Tison Pugh	Pegasus Professor	University of Central Florida
105	Aaron Augsburger	Assistant Professor	University of South Florida
106	Roberto Hugh Potter,	Professor of Criminal Justice	University of Central Florida
107	Steve J. Collins	Associate Professor	University of Central Florida
108	Alison Cares	Associate Professor	University of Central Florida
109	Tina Leisner McDermott	Professor, Communication Studies	Antelope Valley College
110	Jackie Chini	Associate Professor	University of Central Florida
111	Michael Chini	Associate Professor of Physics	University of Central Florida
112	Mason Cash	Associate Professor	University of Central Florida
113	Claire Strom	Professor	Rollins College
114	Cornelia Flora	Distinguished Professor Emerita	Iowa State University
115	Ann A Warren	Emerita Instructor of English	Kansas State University
116	Laurene Tetard	Associate Professor	University of Central Florida
117	Jose Vazquez	Workplace Safety Manager	University of Central Florida
118	Christina Hauck	Associate Professor Emeritus	Kansas State University
119	Kris	Dr.	University of Kansas School of Medicine (former)
120	Scott Cairns	Professor of English	Seattle Pacific University
121	Peter Funke	associate professor	USF
122	Gregory F. Welch	Pegasus Professor and AdventHealth Endowed Chair in Healthcare Simulation	UCF College of Nursing
123	Garrett Arban	Instructor	University of Central Florida

#	Name	Title/Role	School
124	Martin Ottenheimer	Retired Professor	KSU
125	Sandra Sousa	Associate Professor	University of Central Florida
126	Stephen Ethridge	Instructor	University of Central Florida
127	Dr. Daniel Britt	Pegasus Professor of Physics and Planetary Sciences	University of Central Florida
128	Christian Beck	Associate Lecturer	University of Central Florida
129	Gary T. Leavens	Professor of Computer Science	University of Central Florida
130	Esther Milu	Assistant Professor	University of Central Florida
131	Robert Fitak	Assistant Professor	University of Central Florida
132	Christine Wargo Deatrick	Lecturer	University of Central Florida
133	Julie Pomerleau	Senior Instructor	University of Central Florida
134	Jason Chesnut	Lecturer, Psychology	University of Central Florida
135	Amy Donley	Associate Professor	University of Central Florida
136	Vladimir Solonari	Professor	University of Central Florida
137	vance geiger	Senior Lecturer	UCF
138	Jacqueline Withers	Associate Instructor	UCF
139	Daniel Murphree	Associate Professor	Department of History
139			UCF
140	Bruce Wilson	Professor	University of Central Florida
141	Jonathan	Knuckey	University of Central Florida
142	Leslie Connell	Senior Instructor	University of Central Florida
143	Steven Hornik	Dr.	University of Central Florida
144	Christina Christie	Visiting Lecturer	University of Central Florida
145	Sarah Barber	Professor of Anthropology	University of Central Florida

#	Name	Title/Role	School
146	Frank J. Corbishley	The Rev.	University of Miami
147	J. Marla Toyne	Associate Professor	University of Central Florida
148	Tremon Kizer	Director of Athletic Bands	University of Central Florida
149	Annie Wu	Associate Professor	University of Central Florida
150	Barry Sandler	Associate Professor	NSCM
151	Barry Sandler	Associate Professor	University of Central Florida
152	Jamie Vega	Instructor	University of Central Florida
153	Laura Runge	Professor of English	University of South Florida
154	Joel M Bergholtz	PhD, Lecturer	UCF
155	Michelle Taylor	Assistant Professor of Instruction	University of South Florida – Tampa campus
156	Joel Schneier	Lecturer	University of Central Florida
157	Richard Hofler	Professor	University of Central Florida
158	Andrew Dicus	Assistant Professor of English	Flagler College
159	Lisa Mills	Professor of Film	Nicholson School of Comm, COS, UCF
160	Linda Goddard	Professor of English	Valencia College
161	David Ponton III	Assistant Professor	University of South Florida
162	Joanna Mishtal	Professor	UCF
162			
163	Diane J Graves	University Librarian and Professor Emerita	Trinity University
164	Arturo Jimenez-Bacardi	Assistant Professor	University of South Florida
165	Diane Smith	Professor	Trinity University
166	Nusaiba Zaman	Graduate Teaching Associate	University of Central Florida
167	Edd Dickerman	Mr.	AB, Indian University

#	Name	Title/Role	School
168	John Gardiner	Assistant Professor	University of Central Florida
169	Mark L. Kamrath	Professor of English, Co-Director of the Center for Humanities and Digital Research	University of Central Florida
170	Jennifer Thomas	Associate professor, emeritus	Music
171	Kendal Broad	Associate Professor	UF
172	Hyoung Jin Cho	Professor	College of Engineering and Computer Science
173	Euripides Montagne	Senior Lecturer	University of Central Florida
174	Irina McLaughlin	instructor	UCF
175	Nick Myrca Gauthier	Instructor	University Of Central Florida
176	Elizabeth Dale	Professor	UF
177	Lucas R. Martindale Johnson	Principal Investigator	Far Western Anthropological Research Group, Inc.
178	Lisa Johnson	Assistant Professor-in-Residence	University of Nevada, Las Vegas
179	Amanda Logan	Associate Professor	Northwestern University
180	Pamela Gilbert	Professor	UF
181	Heather Nepa	Administrative Assistant	University of Nevada Las Vegas
182	Nicholas Barron	Dr.	University of Nevada Las Vegas
183	Christopher A. Pool	University Research Professor	University of Kentucky
184	Saffy	Student	University of Central Florida
185	Daniel C Benyshek	Professor	University of Nevada, Las Vegas
186	Alecia Schrenk	Dr.	University of Nevada, Las Vegas
187	Gabriela Oré Menéndez	Assistant Professor	University of Nevada Las Vegas
188	Chris Hawkins	Professor	Public Administration

#	Name	Title/Role	School
189	Ruth M. Van Dyke	Professor of Anthropology	Binghamton University - SUNY
190	Paul Ortiz	Professor of History	University of Florida
191	Brian Villmoare	Associate Professor	University of Nevada Las Vegas
192	Sharon Austin	Professor	University of Florida
193	Dr. Yiorgo Topalidis	Assistant Director	University of Florida
194	Christina Rivers	Assoc. Prof., Political Science	DePaul University
195	Amie Kreppel	Professor	University of Florida
196	Elizabeth Brown	Associate Professor of Psychology	University of North Florida
196			
197	Stacie Manolis	Retired 35 year Florida teacher	Hernando county schools
198	Jennifer Lieberman	Associate professor	University of North Florida
199	Tina Certain	School Board member	Alachua County
200	David Canton	Director African American Studies	College of Liberal Arts and Sciences
201	Karen Harry	Dr.	University of Nevada Las Vegas
202	Avani Vijayalakshmi-Ramanathan	MPH	Florida International University
203	Mark Law	Distinguished Professor	Engineering
204	John Hatle	Professor of Biology	University of North Florida
205	Aida A. Hozic	Associate Professor	University of Florida
206	Lori Lee	Associate Professor of Anthropology	Flagler College
207	Nichole Shippen	Professor	City University of New York
208	Lara Beaty	Professor	LaGuardia Community College, CUNY

#	Name	Title/Role	School
209	Nick Shrubsole	Associate Lecturer	University of Central Florida
210	Jessica Alvarez	Graduate student	University of Florida
211	Dimitris Stamatopoulos	Professor in Balkan and Late Ottoman History	University of Macedonia, Thessaloniki

EXHIBIT E

FAQ on HB7 and Instruction and Training

Background on the change in law:

In brief, HB 7 amends a current Florida non-discrimination law (Fla. Stat. 1000.05: Florida Educational Equity Act) to provide that an educational institution, including UCF, may not subject any student or employee to training or instruction that “espouses, promotes, advances, inculcates, or compels such student or employee to believe” any of eight “specified concepts” (listed below, each based on race, color, sex, or national origin) because such action would be *per se* discriminatory under the amended statute.

The eight specified concepts are:

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 defined 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.

Teaching Resources

Teaching Strategies

Course Design

Learning Spaces

Classroom
Management

– Attendance

– Civil Pedagogy

– FAQ on HB7 and
Instruction and
Training

Promoting Academic
Integrity

Inclusive Teaching

Faculty Focus

Video Resources

7. A person, by virtue of his or her race, color, sex, or national origin, bears 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 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.

Importantly, the statute provides that the specified concepts can be discussed as part of a larger course of training or instruction, so long as the training or instruction is “given in an objective manner without endorsement of the concepts.”

The Florida Board of Governors (BOG) provides the following definition of “**instruction**”: 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.

Instruction is instructor-led class content (i.e., syllabus lectures, assessments, and assigned materials) delivered by a faculty member assigned to a specific course, at specific time and place, and/or in a specific modality to a student enrolled in that course. Because instruction occurs within a course, it does not include faculty speaking engagements outside of a specific course (unless attendance by students within a specific course is mandatory or offered as the only option in exchange for tangible benefits, e.g., extra credit), faculty research outside of a specific course (e.g., publishing scholarly articles), faculty commentary outside of a specific course (e.g., social media), student to student discussions (whether inside or out of class), or to student-generated coursework such as presentations..

The BOG provides the following definition of “**training**”: 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. Training could occur as part

of employee onboarding, orientation, specialized skills training as part of a volunteer or employed role, or other required activities that qualify as training for a role. However, where individuals seek out activities on a voluntary basis, e.g., for reasons of personal interest or enrichment, that would not constitute training for purposes of this law.

HB 7 “SPECIFIED CONCEPTS” FAQ

Can I discuss topics or teach concepts in my classroom that may make people feel uncomfortable?

Yes. The law does not prevent discussion of topics that may be controversial or make some people feel uncomfortable. However, you may not tell students they should or must feel guilty because they belong to a particular race, color, national origin or sex. And you should not tell students how to feel or that they need to admit to feeling a certain way about these topics. The legislature’s stated purpose in adopting this law was to prohibit coercing students and employees to particular beliefs.

What if my course involves instruction on one or more of the “specified concepts”?

The law requires instruction on one or more of the specified concepts to be conducted “in an objective manner without endorsement of the concepts.” Otherwise, the instruction may be viewed as discrimination against your students under Florida law, which has potential consequences.

This does not mean that you are forbidden from discussing such concepts in your course, so long as your discussion is done “in an objective manner without endorsement of the concepts.” If your course involves the specified concepts, we recommend that you consider how to present and lead discussion of the specified concepts during instruction. UCF has several resources available through the FCTL- including a page dedicated to civil pedagogy at <https://fctl.ucf.edu/teaching-resources/classroom-management/civil-pedagogy/> – that may be of interest.

What about trainings that discuss the “specified concepts”?

Similar to student instruction, the University may not subject employees or students to a mandatory training that “espouses, promotes, advances, inculcates, or compels [the individual] to believe” any of the eight “specified concepts.” The concepts may be discussed as part of a larger course of training as long as they are delivered in an “objective manner without endorsement of the concepts.”

Can I teach or train about advantages enjoyed by some members of our society?

Yes. An individual’s background and experience may have given that individual advantages or disadvantages different from those experienced by others with different backgrounds and experiences. It is okay to discuss these kinds of differences as part of instruction or training as long as nobody is told (1) that they should feel guilty or superior about their respective advantages and disadvantages or (2) that they are responsible for or the beneficiary of others not having the same advantages or disadvantages.

What about historical events that are racist or sexist, is it okay to talk about them in my class?

Yes. Discussion about historical events, even events that are difficult to talk about, are important to include as appropriate to the subject(s) of your classes. However, you may not tell students in your class that they are responsible for those events, or that they should feel guilty because they belong to a particular group that was responsible for the events.

I have experienced racism or sexism. Is it okay for me to talk about this in the classroom?

Yes, it is okay to tell your story. However, you may not tell students they must feel guilty because they belong to a group that committed racist or sexist acts toward you.

How do we teach on the concepts described as “unlawful discrimination” when there is so much scientific evidence to support them?

We recognize that this change in law presents a challenge when addressing certain topics. Teaching objectively about any, or all, of the concepts specified in the bill is acceptable and allowed. What the law prohibits is the university (through its trainers or instructors of record) training or instructing employees or students that they are personally responsible for events that occurred in the past or telling them they should feel guilty for these events. This change in law was described by the bill sponsors as one that seeks to ensure that universities do not place guilt or blame on the basis of an individual's race, sex, national origin, or color.

Can training on cultural competency be required as a condition of employment?

Yes; however, individuals who take cultural competency training must not be told they should feel guilty because they belong to a particular group (such as a particular race or national origin or sex or color), and they cannot be required to admit to guilt as a condition of their employment.

What does "in an objective manner without endorsement" mean?

This language is not defined by Florida law, and the Florida Legislature did not provide guidance on what this language means in the context of implementing or complying with the requirements. However, the University interprets this phrase according to its plain meaning and consistently with faculty members' existing obligations to teach their academic subjects in an objective and skillful manner. See UFF UCF Collective Bargaining Agreement ("CBA"), specifically Section 5.2 (Academic Freedom):

Consistent with the exercise of academic responsibility, employees shall have freedom to present and discuss their own academic subjects, frankly and forthrightly, without fear of censorship...[o]bjective and skillful disposition of such subject matter, including the acknowledgement of a variety of scholarly opinions, is the duty of every employee.

Faculty members who teach in disciplines related to the specified concepts can best protect themselves from claims of discrimination by continuing to acknowledge a variety of evidence-based *scholarly* opinions on academic subjects. Ideas in a course should be founded in scholarly evidence and opinions, just as they must be in a published work.

How can I present material “in an objective manner without endorsement” if it is my own scholarly research?

Consistent with the dual concepts of academic freedom and academic responsibility, you may present and discuss your own scholarly research without censorship while also being expected to acknowledge a variety of other *scholarly* opinions in the same subject area.

You may wish to include an explicit statement for your students, whether in your syllabus or verbally during instruction, making it clear that your students are free to form their own opinions about your scholarly research, for or against, after considering the other evidence-based scholarship in the same subject area.

What are the consequences for including the “specified concepts” in my instruction?

Students who feel they have been subject to instruction on one or more of the “specified concepts” in a way that was not objective, or in a way that involved endorsement of the concepts, can take one of three routes to complain: file a lawsuit, file a complaint with the Board of Governors, or file a complaint with a standing committee of the Florida Legislature. If one of these three bodies makes a “substantiated finding” of a violation, the University will be ineligible for all performance-based funding for the fiscal year following the year in which a violation is found. Additionally, violation of these provisions by a university employee could result in disciplinary action from the University, if you instruct students or train on the “specified concepts” in a manner that violates your responsibility to the institution.

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