



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

RENAISSANCE TOWER
DALLAS, TEXAS 75270

REGION VI
LOUISIANA
MISSISSIPPI
TEXAS

September 8, 2023

By email only to: [REDACTED]

Richard Corcoran
Interim President
New College of Florida
5800 Bay Shore Road
Sarasota, Florida 34243

Re: OCR Docket No. 04-23-2301
New College of Florida

Dear President Corcoran:

On August 24, 2023, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received a complaint filed against the New College of Florida (the College) alleging discrimination based on disability. Specifically, the Complainant alleges that the College is failing to afford persons with disabilities an opportunity to participate in and benefit from the services, programs, and activities communicated through the College's websites and third-party websites that is equal to opportunities afforded to others.

OCR enforces Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance. We also enforce Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. As a recipient of Federal financial assistance from the Department and a public entity, the College is subject to these laws.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening this disability discrimination allegation for investigation. Specifically, we will investigate the following issues:

- Whether the College, on the basis of disability, excluded qualified persons with disabilities from participation in, denied them the benefits of, or otherwise subjected them to discrimination in its programs, activities, aids, benefits, or services in violation of the regulation implementing Section 504 at 34 C.F.R. § 104.4 and the regulation implementing Title II at 28 C.F.R. § 35.130.
- Whether the College failed to take appropriate steps to ensure that its communications with applicants, participants, members of the public, and companions with disabilities are

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

as effective as its communications with others, in violation of the regulation implementing Title II at 28 C.F.R. § 35.160(a).

Please note that opening an allegation for investigation in no way implies that OCR has made a determination with regard to its merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the College, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegation(s), in accordance with the provisions of Article III of OCR's *Case Processing Manual*. The Complainant may have a right to file a private suit in Federal court whether or not OCR finds a violation.

Please see [OCR's Complaint Processing Procedures](#), including information about:

- Regulatory prohibitions against retaliation, intimidation, and harassment of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

Additional information about the laws OCR enforces is available on [OCR's website](#).

OCR intends to conduct a prompt investigation of this complaint. The regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6, which is incorporated by reference in the Section 504 regulation at 34 C.F.R. § 104.61, requires that a recipient of Federal financial assistance make available to OCR information that may be pertinent to reach a compliance determination. Pursuant to the Title II regulation at 28 C.F.R. § 35.171(a)(3), OCR uses its Section 504 procedures to investigate Title II complaints.

Thank you for your cooperation in this matter. OCR may request documents from the College and may need to interview individuals at the College with knowledge of the facts of this case. If OCR determines that an onsite visit is necessary, OCR will contact you to schedule a mutually convenient time for its visit.

A complaint may be resolved prior to the conclusion of an OCR investigation when the recipient expresses an interest in resolving the allegations, OCR's investigation has identified issues that can be addressed through a resolution agreement, and OCR determines that it is appropriate to resolve the allegations. In such cases, OCR obtains a resolution agreement signed by the recipient. The agreement must be tied to the allegations and the evidence obtained, and it must be consistent with applicable regulations. Additional information about this voluntary resolution process may be found on [OCR's website](#).

Upon receipt of this letter, please provide OCR the name, title, address, email address, and telephone number of the person who will serve as the College's contact person during OCR's investigation of this complaint.

We are committed to prompt and effective service. If you have any questions regarding this matter, please contact me at 202-987-1453 or David.Kutch@ed.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Kutch". The signature is stylized and cursive.

David Kutch
Attorney

STUDENT, FACULTY, AND STAFF CIVIL RIGHTS COMPLAINT
AGAINST NEW COLLEGE OF FLORIDA BOARD OF TRUSTEES AND ADMINISTRATION
August 22, 2023

SENT TO:

Office for Civil Rights
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Lyndon Baines Johnson Department of Education Bldg.
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C. The Board quickly undermined New College’s existing leadership, faculty, and staff.

III. The new leadership tore down All-Gender bathroom signs and took other steps to make the bathrooms on campus unwelcoming to non-binary students.

IV. The new leadership disproportionately recruited Christian students and gave them preference in admissions, scholarships, and incentives as compared to current students.

V. The new leadership discriminated against current students in housing assignments, including by renegeing on contracts at the last minute and pushing upperclassmen into mold infested, three-to-a-room dorms.

VI. The new Administration canceled Living Learning Communities (LLC) associated with Black students and LGBTQ+ students.

VII. The new leadership abolished the office charged with DEI initiatives, without replacing supportive programming for students who are members of protected classes.

Conclusion

I. Introduction

New College of Florida is a small, public, liberal arts college in Sarasota, Florida. It currently has fewer than 700 undergraduate students, and the student-faculty ratio is approximately 6:1. New College is the designated honors college of the Florida university system. New College eschews grades in favor of narrative evaluations, and prizes hands-on learning, small classes, and close ties between students and professors. It is known as one of the nation's leading undergraduate institutions in part because, per capita, its students receive an extraordinarily high number of Fulbright and other prestigious awards.¹ U.S. News and World Report in its annual ranking of the nation's best colleges and universities listed New College as No. 5 on its "Top Public Schools" list.²

Florida Governor Ron DeSantis is attempting to change how race, gender, and sexual orientation are discussed in schools. He inveighs against the ideas that there is systemic racism in the United States and that gender and sex consist of more than a heterosexual, male-female binary. He has labeled these views "woke" and said that his goal is to "make sure woke ideology ends up in the dustbin of history."³ To this end, in January of 2023, Governor DeSantis appointed six new members to the New College of Florida's thirteen-member Board of

¹ Colleges That Change Lives, *New College of Florida*, <https://ctcl.org/new-college-of-florida/>; Tessa Stuart, *Inside the Fight to Keep a Florida College Queer*, Rolling Stone (May 19, 2023), <https://www.rollingstone.com/culture/culture-features/ron-desantis-takeover-florida-queer-new-college-1234732975/>.

² U.S. News and World Report, *Top Public Schools (2022-2023)*, <https://www.usnews.com/best-colleges/rankings/national-liberal-arts-colleges/top-public>.

³ Bianca Quilantan, *Ron DeSantis Upended Education in Florida. He's Coming for Your State Next*, Politico (May 26, 2023), <https://www.politico.com/news/2023/05/26/desantis-florida-education-record-00099037>.

Trustees. The DeSantis-controlled Board of Governors appointed a seventh. Members of the new Board have indicated their intent to replace the New College curriculum with one modeled on the curriculum at conservative, Christian, private Hillsdale College. To this end, on August 10, the Board approved a motion to shutter the Gender Studies Program in 2024, after several Trustees stated that the program was incompatible with the College's new mission.

However, the Board's actions have gone beyond the pedagogical. The Board also wants to change the culture and demographics of the student body. To this end, its selected interim President, and his newly-hired staff members have verbally attacked New College students, parents, and faculty, instituted discriminatory policies targeting LGBTQ+ students, and taken other actions overtly hostile towards New College students, faculty, and staff on the basis of race, gender, religion, and disability.

For example:

1. As previously reported [REDACTED] [REDACTED] the Administration scraped off or removed "all-gender" and "gender neutral" restroom signs from single-stall bathrooms and replaced them with signs indicating that only men and women, or "families" were welcome in the bathrooms. In their haste, some of these new signs were not ADA compliant. [REDACTED] [REDACTED] previously reported the lack of accessibility signage and incorrect placement of restroom signs to the Department of Justice Civil Rights Division [REDACTED]
2. Members of the Board of Trustees have personally insulted specific New College students, parents, and faculty based on perceived disability and gender prejudice, calling them "hysterical" and mentally ill, intentionally misusing pronouns, and otherwise denying the individual's gender identity. Other Board members have sat silently while their fellow Trustees openly mock students.

[REDACTED]

4. The Administration lowered academic standards and admitted vastly more men than women in an attempt to make the school more male.

5. [REDACTED] removal of all inclusive and diversity-focused content from Admissions marketing materials and the College's website, including images of students of color, LGBTQ+ appearing individuals, inclusive language, and the removal of student and alumni stories of achievements and works related to diversity.

6. [REDACTED]

7. [REDACTED]

8. Just weeks before the semester was to start, the Administration reneged on existing housing contracts with returning students. It is housing the first-year student athletes [REDACTED] together

⁴ New College of Florida, *New College Announces Coaching Staff For Inaugural Year of Intercollegiate Athletic Competition* (Aug. 4, 2023), <https://www.ncf.edu/news/new-college-announces-coaching-staff-for-inaugural-year-of-intercollegiate-athletic-competition/>.

in the most desirable dorm rooms, which historically are allocated to non-first year students. It put the remainder of the 2023-24 entering class into the next most desirable on-campus housing. Returning students previously assigned to those living spaces, including graduating students writing their theses, students with food allergies, and students with respiratory health concerns were told they would be placed into mold-infested dorms where as many as three students would share one room and a bathroom. In previous years, these rooms housed only two students per room. An independent mold report conducted in the Spring stated that these dorms “should not be occupied” without extensive renovations and repairs, but the college Administration has no plans to fix those dorms. When receiving notice that the school was reassigning housing, returning students were told they had three days to confirm that they still wanted to live on campus or face financial penalties.

9. The new leadership canceled the Africana Studies Living Learning Community (LLC) in January or February of 2023 and changed the name of the Pride LLC to “Great Books” in July of 2023, thereby singling out the communities it associated with Black and LGBTQ+ students for disapproval and cancellation. Subsequently, the school decided to cancel all LLCs for the year to accommodate its policy of giving housing preferences to the incoming students.
10. The Board of Trustees summarily dismantled the Office of Outreach and Inclusive Excellence (OOIE), which managed initiatives designed to promote an inclusive learning environment, and to mitigate racism and inequality on campus, among other services, without consulting with students or staff. The abolishment of the OOIE harms all students who benefited from its services, but weighs particularly heavily on students with marginalized identities, who are most likely to benefit from its initiatives.
11. The new Administration quickly fired multiple LGBTQ staff without notice. Days after dismantling the OOIE, the President fired the Dean of Diversity, Equity, and Inclusion and Chief Diversity Officer Yoleidy Rosario-Hernandez, a gender fluid person of color, while reassigning other employees of that office. Not long after firing Rosario-Hernandez, the Administration fired

Helene Gold, an associate dean of the library. Gold supported many students with research for academic projects, and was fired just three weeks before graduating students needed to submit their theses in order to matriculate and two weeks before all students were turning in final projects. Quickly firing these staff members put fear into LGBTQ+ students and faculty, and interfered with all current students who relied on services provided by these staff members.

These actions constitute intentional discrimination and harassing conduct sufficiently serious as to limit or deny students' ability to participate in or benefit from the educational program. Leadership perpetrated, knew, or should have known, about the discrimination and harassment; and the school failed to take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent the harassment from recurring, and, as appropriate, remedy its effects. Under its new leadership, New College is therefore in violation of Title IV of the Civil Rights Act of 1964 (race, sex, and religion); Title VI of the Civil Rights Act of 1964 (race); Title IX of the Education Amendments of 1972 (sex); Section 504 of the Rehabilitation Act of 1973 (disability); and the Fourteenth Amendment to the United States Constitution. In addition, many of these policies and actions are contrary to the U.S. Department of Education's recommendations for supporting transgender youth in schools. <https://www2.ed.gov/about/offices/list/ocr/docs/ed-factsheet-transgender-202106.pdf>.

II. A newly-appointed Board of Trustees commences a "hostile takeover" of New College.

- A. The Board takes on the goal of remaking New College into "a little Hillsdale," a private Christian school.

On January 6, 2023, Florida Governor Ron DeSantis appointed six people to open seats on New College's Board of Trustees. The Florida Board of Governors appointed a seventh soon thereafter, giving DeSantis-aligned appointees a majority on the Board. Governor DeSantis and the Board of Trustees are on a

mission to convert New College into a facsimile of Hillsdale College.⁵ DeSantis has pledged to turn New College into a “little Hillsdale,” citing his placement of Hillsdale Dean Dr. Matthew Spalding and right-wing activist Christopher Rufo on the Board.⁶

Hillsdale is a private college in Michigan that maintains “by precept and example” the “teachings and practices of the Christian faith.”⁷ Hillsdale scorns what it calls “multicultural diversity” and takes no federal money so that it does not have to comply with federal anti-discrimination laws and is not subject to this Department’s enforcement powers. Hillsdale is notoriously unfriendly to LGBTQ+ students. One of Hillsdale’s founding documents is its “Guidelines Regarding the Mission and Moral Commitments of Hillsdale College.” The Guidelines state that “[t]he College has always understood morally responsible sexual acts to be those occurring in marriage and between the sexes. This understanding has been unwavering, undergirds its policies regarding student conduct, and informs its institutional practices.”⁸ In 2015, one of Hillsdale’s chaplains emailed students warning them about same-sex marriage and inviting them to pray to destroy “evil” same-sex marriage.⁹

⁵ Zac Anderson, *DeSantis Seeks to Transform Sarasota's New College with Conservative Board Takeover*, Sarasota Herald-Tribune (Jan. 9, 2023), <https://www.heraldtribune.com/story/news/politics/2023/01/06/gov-ron-desantis-wants-conservative-overhaul-at-new-college-of-florida/69784941007/>.

⁶ A.G. Gancarski, *At Hillsdale, Ron DeSantis Says New College Will be a ‘Little Hillsdale’*, Florida Politics (Apr. 6, 2023), <https://floridapolitics.com/archives/601690-at-hillsdale-ron-desantis-says-new-college-will-be-a-little-hillsdale/>.

⁷ Hillsdale College, *Mission Statement*, Hillsdale.edu, <https://www.hillsdale.edu/about/mission/>.

⁸ Hillsdale Board of Trustees, *Guidelines Regarding the Mission and Moral Commitments of Hillsdale College*, Hillsdale College (Jul. 2010), <https://www.hillsdale.edu/about/history/founding-documents/guidelines-regarding-the-mission-and-moral-commitments-of-hillsdale-college/>.

⁹ Cyd Zeigler, *Hillsdale College Asks Gay Athlete to Pray for Destruction of ‘Evil’ Same-Sex Marriage*, OutSports (May 5, 2015),

New College is a public, secular college whose students are protected by federal civil rights laws. Students, faculty, and staff have spent years working to develop a supportive climate for students of all genders and all identities.¹⁰ New College has become known in recent decades as a uniquely accepting and supportive place for LGBTQ+ people — and for having a high percentage of LGBTQ+ students. New College’s student body includes people of different races, religions, and abilities.

When the Board of Trustees and the Administration pursue their goal of converting New College into a “little Hillsdale,” they are going beyond changes to the curriculum. They are striving to change the character and attributes of the student body. The “little Hillsdale” goal means creating a Christianity-aligned school where students do not have the benefits and protections of federal civil rights law, and where LGBTQ+ students in particular are neither welcome nor safe. By closing the DEI Office and the Pride LLC and by moving to abolish the Gender Studies Program, the Administration is taking away co-curricular and academic support for LGBTQ+ students.

The goal of driving out current New College students and replacing them with students like the ones that attend Hillsdale—cisgender, straight, politically conservative, and Christian—is explicit. Trustee Rufo has promised that “the student body will be recomposed over time: some current students will self-select out, others will graduate; we'll recruit new students who are mission-aligned.”¹¹

<https://www.outsports.com/2015/5/5/8553391/hillsdale-college-prayer-gay-marriage>.

¹⁰ *Florida's New College the nation's most gay-friendly*, The Advocate (Aug. 24, 2005), <https://www.advocate.com/news/2005/08/24/florida-college-nations-most-gay-friendly>.

¹¹ Exhibit 1, Tweet from Christopher Rufo (Feb. 28, 2023), <https://twitter.com/realchrisrufo/status/1630604192539881473>.

B. Trustee Rufo mocks transgender students, calls New College students mentally ill, and blames their mothers, while the rest of the Board and the Administration stay silent.

The new leadership has made their hostility towards New College explicit, and has even publicly attacked individuals. Governor DeSantis criticized New College students for their support for DEI principles and LGBTQ+ students, saying that the school was “almost like a commune. It was left of the left, all about ideology, critical race theory, gender theory, all this other stuff”.¹² While “critical race theory” and “gender theory” do not have set meanings, the phrases are associated with demands for equal rights for people of color, women, and LGBTQ+ people. By ridiculing these “theories”, without assuring students that they will be treated equally regardless of race, gender, or religion, the new leadership causes students to reasonably fear that their rights will be violated.

New Trustee Christopher Rufo uses the language of conquest when talking about his view of New College students, faculty, and staff. He celebrates the Board’s “hostile takeover”, talks about laying “siege” to the school,¹³ and enthuses that the new Board will “lay waste” to “woke institutional capture”¹⁴.

Rufo recently called New College the “social justice ghetto of the Florida university system” in a podcast interview.¹⁵ Rufo says LGBTQ+ people have false,

¹² A.J. Gancarski, *Ron DeSantis compares New College to a “commune”* Florida Politics (May 26, 2023), <https://floridapolitics.com/archives/614847-new-college-commune/>.

¹³ Christopher Rufo, *Laying Siege to the Institutions*, City Journal (May 24, 2022), <https://www.city-journal.org/article/laying-siege-to-the-institutions>.

¹⁴ Exhibit 1, Tweet from Christopher Rufo (Feb. 28, 2023), <https://twitter.com/realchrisrufo/status/1630604192539881473>.

¹⁵ Richard Hanania, Propaganda and Power | Chris Rufo and Richard Hanania, CSPI YouTube Channel (jul. 24, 2023), https://youtu.be/Kb5_BSLc_9U.

“synthetic sexual political identities”.¹⁶ Rufo says transgender people have “personal psychopathologies” and that support for transgender people is “a justification for violence”.¹⁷ He wrote he believes “that ‘nonbinary’ is an entirely fake identity. ”He further reinforced his point flatly, “It does not exist. Nobody is ‘nonbinary’.”¹⁸

After being appointed as a Trustee, Rufo wrote and circulated a piece –*The Great Feminization of the American University*–asserting that women are permissive and coddling and that there are too many female students and administrators in higher education.¹⁹

Rufo has targeted specific New College students, parents, and staff with his sexist and transphobic ridicule. In response to parents opposing new policies at Board of Trustees meetings, Rufo tweeted that many of the commenters were mothers of students. Rufo called these women “screaming” and “hysterical” helicopter parents engaged in unhealthy coddling. As a result of this parenting, New College students were “more likely” to be “anxious-depressive”.²⁰

A transgender New College student expressed her fear and trepidation in response to the hostile takeover, telling a reporter that she was so upset after the news that she had to lay down. Rufo copied her quote from the news article and tweeted it to his followers with the “laugh-cry” emoji indicating he was mocking

¹⁶ Exhibit 2, Tweet from Christopher Rufo (Mar. 29, 2023), <https://twitter.com/realchrisrufo/status/1640990939945598976>.

¹⁷ *Id.*

¹⁸ Exhibit 3, Tweet from Christopher Rufo (Mar. 18, 2023), <https://twitter.com/realchrisrufo/status/1659214415332544513>.

¹⁹ Christopher Rufo, *The Great Feminization of the American University*, Substack (Mar. 10, 2023), <https://rufo.substack.com/p/the-great-feminization-of-the-american>.

²⁰ Exhibit 4, Tweet from Christopher Rufo (Feb. 28, 2023), <https://twitter.com/realchrisrufo/status/1630723098071937024>.

her.²¹ He continued to make fun of her in other contexts, twisting her statement to suggest that she was such a weakling, she had to “take a nap.”²²

Rufo mocked and misgendered New College’s Director of OOIE, Rosario-Hernandez, after ze was summarily fired.²³ Rufo pressed criminal charges against student Catherine “Libby” Harrity for allegedly spitting at him. In two tweets about the case (charges were eventually dropped), he asserted that Harrity uses they/them pronouns and then pointedly referred to Harrity as “she” in the next sentence.²⁴ Harrity also uses she/her pronouns, so the intended insult reads as particularly belabored.

When Harrity was forced to withdraw from New College as a result of Rufo’s claims, he dropped the charges against her, labeling himself “magnanimous”. In reality, he had achieved exactly what he wanted, pushing out an LGBTQ+ student leader who was not aligned with the “little Hillsdale” mission.

The other members of the Board have never criticized, censured, or condemned Rufo’s statements. Indeed, some expressly agree. Former Trustee Jason “Eddie” Speir, who served from January to May, wanted to wipe the New College slate clean, saying that one of his "initial intentions" was to terminate "all contracts for faculty, staff and administration and immediately rehiring those faculty, staff and

²¹ Exhibit 5, Tweet from Christopher Rufo (Jan. 10, 2023), <https://twitter.com/realchrisrufo/status/1612840319862857730>.

²² Christopher Rufo, *The Conservative Counter-Revolution Begins in the Universities*, YouTube (Jan. 12, 2023) at 11:35-12:00, <https://www.youtube.com/watch?v=gOftsRQyHAg&t=625s>.

²³ Exhibit 7, Tweet from Christopher Rufo (Mar. 11, 2023), <https://twitter.com/realchrisrufo/status/1634675382850064384>.

²⁴ Exhibit 6, Tweet from Christopher Rufo (Jul. 7, 2023), <https://twitter.com/realchrisrufo/status/1677411849468547072>.

administration who fit in the new financial and business model."²⁵ Trustee Ryan T. Anderson opposes same sex marriage and believes that being transgender is a false identity, ideologies he expressed in two of his books, *What Is Marriage?: Man and Woman: A Defense* and *When Harry Became Sally: Responding to the Transgender Moment*. After his appointment to the Board, Anderson wrote an article claiming that being trans is a "false identity" and called gender affirmation hormones/procedures "mutilating bodies."²⁶

C. The Board quickly undermined New College's existing leadership, faculty, and staff.

At the first official Board meeting on January 31, the Board pushed out President Patricia Okker without cause, just over a year into her tenure, and despite strong positive change in admissions numbers and campus culture. In her place, it appointed former Florida Education Commissioner Richard Corcoran as interim President. As with so many of his future hires, Corcoran obtained both his undergraduate degree and his law degree from Christian schools. Corcoran is under investigation for a bid-rigging scandal involving the takeover of a public school district by charter-school corporation and for working to eliminate diversity, equity, and inclusion (DEI) initiatives from schools.²⁷ As Education

²⁵ Eddie Speir, *My Intentions for the January 31st Board Meeting*, Substack (January 29, 2023), <https://eddiespeir.substack.com/p/my-intentions-for-jan-31st-board>.

²⁶ Ryan T. Anderson, *Loving Those Caught In Gender Ideology: The Ethics and Metaphysics of Sexual Identity*, Christ Over All (February 15, 2023), <https://christoverall.com/article/concise/trans-metaphysical-ethics-loving-those-who-dont-love-their-bodies/>.

²⁷ Lawrence Mower and Ana Ceballos, *Grand jury investigating bid-rigging involving DeSantis' education department*, Tampa Bay Times (Aug. 4, 2023), <https://www.tampabay.com/news/florida-politics/2023/08/04/desantis-florida-education-corcoran-jefferson-investigation/>.

Commissioner, Corcoran boasted that he fired a high school teacher who posted a Black Lives Matter flag and taught anti-racism.²⁸

Prior to the takeover, Florida lawmakers had frequently expressed concern about the high per capita cost of educating students at New College. But the Board gave Corcoran a base salary of \$699,000, which is \$400,000 more than Dr. Okker made. In addition, Corcoran will receive an \$84,000 annual housing stipend, a \$12,000 automobile allowance and the potential to earn a 15 percent goal-based salary bonus. His pension will add another \$104,850 in annual contract costs. As the interim leader of Florida's smallest public university with fewer than 700 students, Corcoran now has the third-highest president's salary in the system.²⁹ This is just one example of how the Board of Trustees is investing significant resources towards the "little Hillsdale" mission.

At the first Board of Trustees meeting in January, Board members proposed abolishing the school's Office of Outreach and Inclusive Excellence (OOIE), which provided support for New College students, faculty, and staff in navigating a diverse and multicultural community and creating an open and welcoming educational environment. The Board was opposed to diversity, equity, and inclusion (DEI) on principle and made no initial effort to investigate the range of services the OOIE provided, which included assisting students in obtaining financial aid and providing services for disabled veterans. After some speakers pointed out that not all the work performed at the OOIE was related to DEI and some of its functions may be legally mandated, the Board asked for a report on

²⁸ Hannah Natanson et al., *Caught in the culture wars, teachers are being forced from their jobs*, Wash. Post (Jun. 16, 2022), <https://www.washingtonpost.com/education/2022/06/16/teacher-resignations-firings-culture-wars/>.

²⁹ Divya Kumar, *Does New College Have Money to Pay Richard Corcoran's Salary? Some Have Doubts*, Tampa Bay Times (Feb. 24, 2023), <https://www.tampabay.com/news/education/2023/02/24/does-new-college-have-money-pay-richard-corcorans-salary-some-have-doubts/>.

the extent that DEI work existed at the college and what functions the OOIE was responsible for.

Acting Interim President Brad Thiessen prepared this report and presented it at the subsequent meeting in February. Titled “Implementation of DEI Changes,” the report recommended that OOIE staff be transferred to other departments. The report recommended that Chief Diversity Officer and Dean of DEI at the OOIE Yoleidi Rosario-Hernandez shift to Associate Dean of Housing & Residential Life in Student Affairs, an understaffed department.³⁰ Instead, after becoming Interim President just that week and without meeting with zem, Corcoran fired Rosario-Hernandez, a trans fluid person of color who uses ze/zir/zirs pronouns, and the only trans person in the OOIE.³¹ The Administration did not inform the New College community that Rosario-Hernandez was fired or explain why. In response to a news article about zir termination, Trustee Rufo mocked Rosario-Hernandez’s pronouns on Twitter and said he hopes “she (sic) uses the opportunity to develop useful skills.”³²

In March, students learned that the Admissions Office canceled the scheduled Valuing Inclusivity Program (VIP) Weekend. VIP Weekend was intended for prospective students of color in order to further diversity on campus, and to allow students to get a sneak peek into the New College community. However, after the Board dissolved the OOIE, the VIP Weekend was changed to a single day and

³⁰ Zac Anderson, *New College President Richard Corcoran Fires Diversity Dean, Hires Former GOP Operative*, Sarasota Herald-Tribune (Mar. 13, 2023), <https://www.heraldtribune.com/story/news/politics/2023/03/13/desantis-ally-richard-corcoran-fires-new-colleges-diversity-dean/69993231007/>.

³¹ Jack Stripling, *Ousted Florida College Diversity Leader: I Am The First Casualty*, Wash. Post (Mar. 10, 2023), <https://www.washingtonpost.com/education/2023/03/10/new-college-diversity-officer-fired/>.

³² Exhibit 7, Tweet from Christopher Rufo (Mar. 11, 2023), <https://twitter.com/realchrisrufo/status/1634753515318038533>.

opened up to all admitted students. Students involved in organizing and hosting the event were not told of the changes until they were announced publicly.³³

On May 1, 2023, Corcoran abruptly fired the Jane Bancroft Cook Library's Associate Dean for Academic Engagement Helene Gold three weeks before the end of the spring semester when students were finishing their final theses (which, along with a baccalaureate examination by three faculty members) are required to graduate from the school).

Helene was beloved by students. One called her "out, proud, good at her job, and a shining light of hope."³⁴ Helene's office was covered in rainbows and decked out with pride decor. On the day she had to clean out her office, there was a campus-wide period of mourning and multiple classes were canceled. Helene was removed during a time when students needed her for their thesis work. "They fired her a week before thesis deadlines, as final exams are starting, and a lot of students were still working with her on their research projects," said one 2023 graduate.³⁵ Getting rid of her was a blow that indicated that the Administration did not care to support students in their studies, and was targeting LGBTQ+ individuals.

In April of 2023, the Board denied tenure to five faculty members who had already been approved at all other points in the tenure review process. The tenure denial prompted the abrupt resignation of Matthew Lepinski, the faculty trustee on the board, who said that the Board was destabilizing the academic

³³ Brynn Halpern, *VIP Weekend Canceled: How, Why, and What Will Replace It?*, *The Catalyst* (Mar. 21, 2023), <https://ncfcatalyst.com/vip-weekend-canceled-how-why-and-what-will-replace-it/>.

³⁴ [REDACTED]

³⁵ Claire Woodcock, *College Librarians in Florida Are Hoping for the Best, but Preparing for the Worst*, *Slate* (Jun. 25, 2023), <https://slate.com/human-interest/2023/06/libraries-florida-dei-crt-college.html>.

program. He departed New College entirely at the end of the term.³⁶ As of today 38 faculty members have been driven out of New College by the Board’s official hostility to the school, a “ridiculously high” number totalling approximately one-third of the university’s teachers.³⁷ Natural sciences are struggling from severe job loss. The majority of faculty teaching in the natural science department who have left were women, LGBTQ+ people, and/or people of color. Eight faculty members affiliated with the Environmental Studies Department have left.³⁸

Students have been left wondering if they would be able to finish their required senior honors theses and have their baccalaureate because members of their committees did not get tenure and are in danger of leaving, or have sought employment elsewhere.

[REDACTED]

³⁶ Sophia Brown, *Board of Trustees Shuts Down Faculty Seeking Tenure, Community Members: A Deep Dive Into Their Most Divisive Meeting Yet*, *The Catalyst*, The Catalyst (May 2, 2023), <https://ncfcatalyst.com/board-of-trustees-shuts-down-faculty-seeking-tenure-community-members-a-deep-dive-into-their-most-divisive-meeting-yet/>.

³⁷ Ian Hodgson, *At New College of Florida, A ‘Ridiculously High’ Number of Faculty are Gone*, *Tampa Bay Times* (Jul. 18, 2023), <https://www.tampabay.com/news/education/2023/07/18/new-college-florida-ridiculously-high-number-faculty-are-gone/>.

³⁸ [REDACTED]
³⁹ [REDACTED]

These facts make clear that the new Administration’s attack on New College is not, or not only, a “culture war” dispute over teaching “critical race theory” or “gender theory” but a broad attack on students, staff, and faculty, which is interfering with students’ abilities to get an education.

III. The new leadership tore down All-Gender bathroom signs and took other steps to make the bathrooms on campus unwelcoming to non-binary students.

As previously reported by [REDACTED], the Administration scraped off or removed “all-gender” and “gender neutral” restroom signs from single-stall bathrooms and replaced them with signs indicating that only men and women, or “families” were welcome in the bathrooms. In their haste, some of these new signs were not ADA compliant.⁴⁰ [REDACTED] previously reported the lack of accessibility signage and incorrect placement of restroom signs to the Department of Justice Civil Rights Division [REDACTED]

In January, students observed Trustee Eddie Spier visiting campus with a group of potential applicants. [REDACTED] gave the group directions. [REDACTED] Spier and the group standing in front of the gender-neutral bathrooms signs, taking photos of themselves, and laughing.⁴¹

Around April 27, 2023, various single-stall bathrooms across campus no longer read “gender-neutral” as they had for years. The Administration changed bathroom signage in the Jane Bancroft Cook Library, Heiser Natural Sciences Complex, Cook Hall, the Four Winds Cafe, and College Hall. It scraped off letters indicating gender neutrality and removed some signs completely.⁴² At least one

⁴⁰ Exhibit 8, Photos of on-campus restrooms with altered signs.

⁴¹ [REDACTED]

⁴² Nat Kornblum, “All Gender” and “Gender Neutral” Signage Removed from Academic Side of Campus, The Catalyst (May 9, 2023), <https://ncfcatalyst.com/all-gender-and-gender-neutral-signage-removed-on-academic-side-of-campus/>.

student rewrote Gender-Neutral on the signs but the correction was taken down. When *The Catalyst*, the New College student paper, contacted Physical Plant staff to see who initiated the signage change, it received an email from Communications and Marketing that said: “We are in the process of making the bathroom signs throughout campus consistent.” When asked for further information on where the initiative came from, there was no response. Students believe that this unprompted, unexplained, and unnecessary change indicates an official position that queer, gender fluid, and non-binary students are not welcome in school bathrooms.

This fear is also based on the fact that at the February 28, 2023 New College Board of Trustees meeting, two visiting transgender students from nearby Eckerd College were challenged by school security officers for using the appropriate bathroom for their gender. These students came to campus to protest the abolition of the OOIE office and other changes at New College. A private security officer hired by the Administration insisted on seeing the two Eckerd students’ ID cards to check their gender, as they attempted to use the men's bathroom during the four-hour meeting. The students reported that the private security agent said that the students “looked like females” and referred to them as “things.”⁴³ The Administration has refused to comment and has never followed up.

IV. The new leadership disproportionately recruited Christian students and gave them preference in admissions, scholarships, and incentives as compared to current students.



⁴³ Grey Curcio, *Transgender Eckerd Students ‘Carded’ in Men’s Bathroom at New College*, *The Current: The Official Newspaper of Eckerd College* (Mar 2, 2023), http://www.theonlinecurrent.com/news/transgender-eckerd-students-carded-in-men-s-bathroom-at-new-college/article_92929bda-b93e-11ed-95e3-73c17cad8fc3.html.

[REDACTED]

[REDACTED]

44 [REDACTED]

45 A.G. Gancarski, *Ron DeSantis Compares New College to a “Commune”*, Florida Politics (May 26, 2023), <https://floridapolitics.com/archives/614847-new-college-commune/>.

46 [REDACTED]

47 [REDACTED]

[REDACTED] the college announced the creation of an athletic department and that it had hired Mariano Jimenez, who at the time was working at Inspiration Academy, former Trustee Eddie Speir's K-12 Christian school. Jimenez will serve as New College's athletic director and head baseball coach. The Vice President of Enrollment Management authorized Jimenez—and ultimately other coaches who either went to or worked at Christian schools, or both—to identify, recruit, and participate in admitting student athletes.

[REDACTED]

[REDACTED]

[REDACTED] Five other men were also hired to work in Admissions to recruit student athletes. All of them were students at other schools – either Spier's Inspiration Academy or a different Christian school in the area. The

48 [REDACTED]

estimated pay for the [REDACTED] group of tour guides was \$19.25, [REDACTED]
[REDACTED] 49

Newly recruited athletes were offered \$1400 laptops.⁵⁰ The Admissions Office also disproportionately doled out to recruited athletes \$10,000 a year scholarships, despite many of them having on average lower GPAs and test scores than the rest of the incoming class.⁵¹

The athletics program has only hired coaches from Christian schools. There are now coaches for seven sports: baseball, softball, men's and women's basketball, lacrosse, and men's and women's soccer.⁵² All of the coaches hired so far graduated from Christian undergraduate colleges, or most recently worked at a Christian college. Screenshots of their LinkedIn profiles are attached to this complaint.⁵³ The coaches are:

⁴⁹ Exhibit 10, Screenshot of job announcement about updated hourly pay rates (Apr. 25, 2023).

⁵⁰ Steven Walker, *New College Pushes Upperclassmen to Dorms with Mold Issues Amid Influx of Student Athletes*, Sarasota Herald-Tribune (Jul. 15, 2023), <https://www.heraldtribune.com/story/news/education/2023/07/15/new-college-pushes-returning-students-into-dorms-with-mold-problems/70409258007/>.

⁵¹ Steven Walker, *New College of Florida nets record number of new students, but at academic cost*, Sarasota Herald-Tribune (Jul. 27, 2023), <https://www.heraldtribune.com/story/news/education/2023/07/27/new-college-of-florida-pursues-student-athletes-at-academic-cost-richard-corcoran/70445567007/>.

⁵² *Id.*; see also Nate March, Director of Communications, *New College Announces Coaching Staff for Inaugural Year of Intercollegiate Athletic Competition*, New College of Florida Press Release (Aug. 4, 2023), <https://www.ncf.edu/news/new-college-announces-coaching-staff-for-inaugural-year-of-intercollegiate-athletic-competition/>.

⁵³ *Mariano Jimenez*, LinkedIn, <https://www.linkedin.com/in/mario-jimenez-14304544/> (Aug. 15, 2023); *Andrew Wingreen*, LinkedIn, <https://www.linkedin.com/in/coachwingreen/> (Aug. 15, 2023); *Brian Cruz*, Warner Royals Staff Directory, <https://warnerroyals.com/staff-directory/brian-cruz/350> (Aug. 15, 2023); *Glodi Konga*, LinkedIn,

- Mariano Jimenez: Baseball coach & Athletic Director. BA, MA, Palm Beach Atlantic University (Christian university). Experience: 10 years at Inspiration Academy, (Speir’s Christian high school).
- Andrew Wingreen: Men's Basketball Coach. BA, Northland Baptist Bible College (unaccredited by any approved Department of Education accreditor, name later changed to Northland International University). MA, Concordia University Irvine (Lutheran Christian university). Experience: Assistant Coach, Bob Jones University (Christian university); Assistant Coach, Bethel College (Mennonite school).
- Brian Cruz: Women's Basketball Coach. BA, Western Governors University (online school, though accredited). Experience: Assistant Coach, Warner University (Christian school “committed to guiding individuals toward Christ-like character and intellectual maturity while equipping them to serve.”).
- Glodi Konga: Men's Soccer Coach. BA, MA, Liberty University. PhD, Concordia University Chicago (Lutheran University). Experience: Head Soccer Coach, Eastern University (Christian university).
- Debbie Pikel: Woman's Soccer Coach. BA, Grace Christian University. Experience: Assistant Coach, Bob Jones University.
- Kate Leavell: Women's Lacrosse. BS: Concordia University-St. Paul (Christ-centered institution). Experience: Inver Hills Community College (Public two-year college).

<https://www.linkedin.com/in/gkonga/> (Aug. 15, 2023); *Debbie Pikel*, LinkedIn, <https://www.linkedin.com/in/debbie-pekkel-mba-2a6852ba/> (Aug. 15, 2023); *Kate Leavell*, LinkedIn, <https://www.linkedin.com/in/kate-leavell-4b62217a/> (Aug. 15, 2023); *Aly Bermudez*, LinkedIn, <https://www.facebook.com/coachalybz/> (Aug. 15, 2023).

- Aly Bermudez: Head Softball Coach. Undergraduate education: Lasell University-Massachusetts (Private non-denominational university). Experience: Pitching Coach at Bishop Verot Catholic High School.

The New College admissions office succeeded in enrolling a more racially diverse entering class than in the previous year.⁵⁴ The student athlete cohort skews heavily male, eighty percent male by some estimates. Lowering standards to admit far more men than women appears to be intentional discrimination on the basis of sex. Trustee Rufo told the New York Times that an important part of the college's investment in athletics is that it is a way to make New College more male (and, thereby, he believes, less left wing).⁵⁵

Further, it is unclear how much the incoming class otherwise will benefit from the student-athlete push. Many future sports at New College do not appear to have enough student-athletes enrolled in the fall semester to field a team, senior admissions officials told the Sarasota Herald-Tribune.⁵⁶ At one point, women's basketball and men's soccer had only one athlete apiece, while women's soccer had only six athletes enrolled. Meanwhile, 70 students have been enrolled for men's baseball, compared to 37 on the University of Florida's Division I team.⁵⁷

Athletes who already play sports at New College are being left out. New College already fields intercollegiate and intramural athletic teams, including crew,

⁵⁴ See footnote 53.

⁵⁵ Michelle Goldberg, *At a College Targeted by DeSantis, Gender Studies Is Out, Jocks Are In*, N.Y. Times (Aug. 14, 2023), <https://www.nytimes.com/2023/08/14/opinion/columnists/gender-studies-ron-desantis-florida.html>.

⁵⁶ *Id.*

⁵⁷ Johanna Alonso, *Chaos at New College of Florida*, Inside Higher Ed (Aug. 16, 2023) <https://www.insidehighered.com/news/students/academics/2023/08/16/chaos-reigns-new-college-florida-fall-semester-nears/>.

sailing, powerlifting, swimming, soccer, e-sports, archery, and softball.⁵⁸ These teams were co-ed and included many LGBTQ+ student athletes, who are now feeling excluded and insulted. The new coaching team has not reached out to these student athletes. Apparently, these are not “the right students,” not the athletes that they want.

It’s a little thing, but the new Administration also gave a contract to operate the campus’ Four Winds Cafe to Sorrento Sweets from April 25 to May 18. The owner of Sorrento Sweets was the athletic director at Classical Preparatory School, a charter school that Interim President Corcoran's wife founded in 2011. The café served drinks in cups that had a Bible verse printed on it (Philippians 4:13).

In the broader context, the message to New College students is clear. New College is to be a Christian school.

V. The new leadership discriminated against current students in housing assignments, including by renegeing on contracts at the last minute and pushing upperclassmen into mold infested, three-to-a-room dorms.

⁵⁸ Brynn Halperin, *Novos splash into National College Club Swimming League*, *The Catalyst* (Apr. 11, 2023), <https://ncfcatalyst.com/novos-splash-into-national-swim-competition/>; New College of Florida ICSA Scores, College Sailing (2009-2020), <https://scores.collegesailing.org/schools/new-college/f09/>; Abby Weingarten, *Three New College powerlifters earn medals at statewide competition*, NCF.edu (Dec. 5, 2021), <https://web.archive.org/web/20230613080439/https://www.ncf.edu/news/three-new-college-powerlifters-earn-medals-at-statewide-competition/>; Abby Weingarten, *Rowers from New College place first and second in multiple races at the “Head of the 941” regatta*, NCF.edu (December 5, 2012), <https://web.archive.org/web/20230613080439/https://www.ncf.edu/news/three-new-college-powerlifters-earn-medals-at-statewide-competition/>.

The new Administration reneged on its contractual commitments to current students' assigned housing to give incoming students recruited under the new Hillsdale mission the most-desirable rooms and to threaten existing students with the possibility that they will be forced into uninhabitable rooms polluted with mold.

As with most colleges, New College gave housing preference to students depending on how long they have been attending the school. Fourth year students benefit from having single rooms in a suite so that they can work on writing their thesis projects, and still have some social interaction. This past year, students who applied by the deadline were guaranteed a space on campus for the 2023-24 academic year, with the students enrolled for the longest time getting first pick; on-campus housing assignments for returning students were finalized by the end of the semester. The housing contract says that the school may cancel or reassign students housing assignments "if deemed necessary by the College **and** in the best interest of order, health, discipline, safety, security, disaster, failure to make required payments according to the Payment Schedule, or compliance with the College's immunization policy."⁵⁹

Nevertheless, in July 2023, students received an email stating that they would be pushed out of assigned housing into other buildings, to make way for the incoming student athletes. The new cohort would live as a block in the apartment-style Dort and Goldstein buildings⁶⁰ — which have historically housed returning students — while returning third- and fourth-year students would be

⁵⁹ Exhibit 11, New College of Florida Housing Contract (2023-2024).

⁶⁰ Putting only student athletes in a dorm building is prohibited by the National Collegiate Athletic Association regulations. NCAA Regulations Division I, General Rule 16.5.1 [A] ("An institution is required to apply the same housing policies to student-athletes as it applies to the student body in general. During the academic year, the institution may not house student-athletes in athletics dormitories or athletics blocks within institutional or privately owned dormitories or apartment buildings (when the institution arranges for the housing) on those days when institutional dormitories are open to the general student body.").

moved to other, shared-space dorms, such as the older I. M. Pei designed buildings. Returning students were told that as many as three people could be assigned to live in a single room with a shared bathroom.

Worse, the Pei dorms have well-known mold problems. A 2020 report chronicled mold and mildew problems in Pei. More recently, on May 22, 2023, *two months before the Administration made this decision*, an inspection commissioned by the school revealed that the Pei dorms "should not be occupied in their current condition" due to the systematic mold problem that would require a fiscal investment to repair, and which has not and will not be remediated before the beginning of the school year. Interim President Corcoran said in a July Trustee meeting that some of the necessary repairs, such as a complete HVAC system replacement, cannot happen and a recent budget proposal includes renovations for all dorms except the Pei dorms.⁶¹

Mold can cause symptoms such as stuffy nose, sore throat, coughing or wheezing, burning eyes, or skin rash, according to the Centers for Disease Control and Prevention.⁶² People with asthma or who are allergic to mold could have more severe reactions, and immunocompromised people could get lung infections from mold.

⁶¹ *New College of Florida Mold Report*, Sarasota Herald-Tribune (Jul. 14, 2023), <https://www.heraldtribune.com/picture-gallery/news/education/2023/07/14/report-identifies-mold-problems-new-college-buildings/12255396002/>; Steven Walker, *New College pushes upperclassmen to dorms with mold issues amid influx of student-athletes*, Sarasota Herald-Tribune (July 15, 2023) <https://www.heraldtribune.com/story/news/education/2023/07/15/new-college-pushes-returning-students-into-dorms-with-mold-problems/70409258007/>.

⁶² Centers for Disease Control, *Mold*. <https://www.cdc.gov/mold/default.htm#:~:text=Mold%20can%20cause%20many%20health,mold%20may%20have%20severe%20reactions> (Accessed Aug. 5, 2023).

Despite the uncertainty about where they would live and health concerns about living in the Pei dorms, returning students were given until July 14 to cancel their housing agreements, a deadline *only three days* after the email was sent, or face financial penalties. The school imposed this deadline while giving students no information about where they would be assigned. For example, students who were registered to live in B-Dorm were told only that they would be “relocated to another building” with no further details.⁶³ The new Administration suggested that students who did not like the new arrangements should move off campus, despite the fact that scholarship funds generally must be used for on-campus housing and housing in the community is about \$550/month more for comparable lodging.⁶⁴

There was an uproar in response to this policy, resulting in unfavorable articles in the Sarasota Herald-Tribune, Tampa Bay Times, and USA Today. Students and parents also organized push-back at subsequent Board of Trustees meetings.

Faced with this opposition, it appears that the Student Affairs Office scrambled to accommodate these sudden policy changes and only on August 3rd was able to provide at least some of the affected students with details about their living situation. The administration now says it is prepared to house some returning students off-campus in a Home2 Suites Hyatt airport hotel for the same price as the most expensive on-campus housing, which is more expensive than some students contracted for. A week before the start of school, some students still do not have their housing information, and inadequate information about how they will be able to get to campus from hotels as much as four miles away.



⁶⁴ Ian Hodgson, *As New College Wrestles With Decaying Dorms, New Students Get the Best Rooms*, Tampa Bay Times, (July 18, 2023), <https://www.tampabay.com/news/education/2023/07/18/new-college-wrestles-with-decaying-dorms-new-students-get-best-rooms/>.

Only recently were students told that they would not have to move into the mold-infested Pei dorms, which failed a recent inspection report. Students were worried that the inspection would not be enough to ensure their health and safety, as there is just one, unrepairable HVAC system for the entire building, making mold impossible to contain.⁶⁵

It is stunning that the new leadership would even consider assigning students to dorm rooms that pose a risk of physical harm. Before making this decision, the Administration made no effort to identify students with pre-existing conditions, food allergies, or faith-based dietary constraints. Some of the students assigned to these dorms need their own kitchens due to celiac disease or allergies, making having one's own kitchen a medical necessity.⁶⁶

The Sarasota Herald Tribune interviewed several students who have suffered as a result of this policy, and who feel unwelcome at the school: Zoe Fountain, a 20-year-old psychology and gender studies student, said giving student-athletes the nicer apartment-style dorms is indicative of the school's new leadership trying to shape a new student body while neglecting the needs of current students. Megan Nigro, a 19-year-old zoology fourth-year student, was set to live in the Dort building with three other students this fall. Now, she may have to live in the moldy Pei dorms, three people to a room. Since Nigro pays for housing through scholarships at the school, she is unable to afford an apartment off-campus.

This callous disregard for returning students falls especially heavily on students who follow religious diets, who have food allergies, neurodivergent students, and students with disabilities. A number of students who had to make decisions about whether to return to New College over the weeks of uncertainty decided to leave.

⁶⁵ Steven Walker, *New College board considering hotels for student housing, dorm renovation amid mold issues*, Sarasota Herald-Tribune (jul. 18, 2023), <https://www.heraldtribune.com/story/news/education/2023/07/18/new-college-of-florida-turns-to-hotels-amid-mold-in-dorms-renovations/70421837007/>.

⁶⁶

Student Basil Pursely is transferring to an out-of-state college after being kicked out of previously assigned housing, which is medically necessary.⁶⁷ [REDACTED]

[REDACTED]

Ultimately [REDACTED] decided to leave the school.⁶⁸

The situation has also fallen heavily on LGBTQ+ students who are concerned about having a safe and comfortable living situation. Some students may no longer live with the people they chose, but could be placed in a shared room or in a dorm with members of the incoming class. The Administration has praised the entering class for fitting the Hillsdale model. These students are concerned that being forced into a close living arrangement with people who do not support same-sex relationships or who are transphobic, and who are empowered and supported in those beliefs by the school leadership, will be excruciating, if not dangerous.

The Administration’s housing debacle illustrates a callous disregard for the comfort, peace of mind, health, seniority, and learning environment for current New College students and favors student athletes who are disproportionately male, and who the Administration may believe to be Christian.

⁶⁷ Sean Kinane, *This New College Student is Transferring Out of State Because The School Kicked Them Out of Medically Necessary Housing*, 88.5 WMNF (jul. 18, 2023), <https://www.wmfn.org/new-college-of-florida-student-transferring-out-of-state-school-kicked-them-out-of-medically-necessary-housing/>.

⁶⁸ [REDACTED]

VI. The new Administration canceled Living Learning Communities (LLC) associated with Black students and LGBTQ+ students.

Living Learning Communities (LLCs) consist of groups of students with shared interests living in the same dorm area, and participating in intellectual and co-curricular programming on that topic of interest.⁶⁹ LLCs are designed to improve connection and community among students, especially first-years who do not know anyone yet. These communities also help with student retention, which is normally a goal of a college.

New College's LLCs centered around interests such as Health and Wellness, Performing Arts, and Sustainability. Its longest-lived LLC was Pride. Pride LLC was a safe space for LGBTQ+ students and allies, where different pride flags and pride resources were housed within the dorm. Every year, the Pride Resident Advisor would host events to celebrate and push for equality for the LGBTQ+ community. Pride LLC held Pride events, Trans Day of Remembrance events, educational events for LGBTQ+ students where they provided resources in the area for LGBTQ+ students, as well as LGBTQ+ culture events which would celebrate LGBTQ+ art. These events were frequently in collaboration with the Gender Studies faculty and local LGBTQ+ non-profits.

The newest LLC was Africana Studies. Associate Professor of Sociology Queen Zabriskie was the faculty sponsor of that LLC. It was designed as a place where students could congregate with people interested in Africana studies, and while not all the people in the LLC were Black, it was a safe, open, and welcoming space for Black students on campus. The LLC built community around cultures, religions, food, and history from many different parts of the African diaspora. This LLC was

⁶⁹ Mimi Benjamin et al, *Elon Statement on Residential Learning Communities as a High-Impact Practice*, Center For Engaged Learning (2019), <https://www.centerforengagedlearning.org/publications/elon-statements/elon-statement-on-residential-learning-communities/>.

an important academic resource for students because there is no Africana studies Area of Concentration at the school.

Early in the Spring semester, [REDACTED] learned that the school would not continue that LLC. In July, students noticed that the New College website no longer listed the Pride LLC. In its place was a “Great Books LLC”.⁷⁰ At that time, the other LLCs remained the same, clearly communicating the new leadership’s distaste for Black and LGBTQ+ students, and the belief that they should not feel proud nor have a shared sense of identity.

A few weeks later, on July 28, 2023, students learned that all the LLCs had been disbanded.

LLC students have now been reshuffled out of the room assignments they had received in Spring 2023. Students applied for these LLCs with the knowledge that the dorms were places in which they could express their gender identity, sexuality, religious background, and cultural background. By removing these LLCs and dispersing these students into new roommate groups with incoming students, the administration is changing these students’ housing based on their identities and putting them into uncertain and potentially hostile living arrangements.

VII. The new leadership abolished the office charged with DEI initiatives, without replacing supportive programming for students who are members of protected classes.

As previously explained, at the February 28, 2023 meeting, the new Board of Trustees dismantled the OOIE, which organized diversity, equity, and inclusion programs on campus, among other things, and triggered the firing of Chief

⁷⁰ Exhibit 13, screenshots of “before” and “after” Living Learning Community webpage (Jun 13, 2023).

Diversity Officer and Dean of DEI Rosario-Hernandez, the only queer person of color in the office, despite a recommendation that ze be appointed to the understaffed Student Affairs Office.

In summarily disbanding the office, important New College programs aimed at creating an inclusive and nondiscriminatory learning environment ended. As one professor explained at that February Board meeting, OOIE provided an essential resource for faculty members adjusting to a new generation of students with different values and expectations.⁷¹

The [REDACTED] DEI group, as well as Presidents of Queery, Hillel, People of Color Union (POCU), Latinx Club, Black Student Union (BSU), Disability Advocacy Club, the Muslim Student Association, and faculty affiliated with the Gender Studies Program worked with the OOIE to design an inclusive learning environment. For example, the OOIE helped students create DEI guidelines for school parties to ensure that campus events were inclusive. Since the office has been disbanded, students have found that [REDACTED] [REDACTED] The OOIE held many events that raised awareness about diverse communities and many cultural events such as Pride events, Women's History month speaking events, Black History Month events, etc.

In 2022, the OOIE helped provide food to Muslim students observing Ramadan. Professor Zabriskie, who was serving as the interim head of the OOIE, and two students advocated for Muslim students by speaking to the New College administration about the lack of accessible food during Ramadan. In response, the food service arranged to provide food for Muslim students, on the student meal plan, and which could be picked up after dining hours ended.

⁷¹ Ian Hodgson and Divya Kumar, *New College Trustees, Led by DeSantis Appointees, Dismantle Diversity Office*, *Tampa Bay Times* (February 28, 2023), <https://www.tampabay.com/news/education/2023/02/28/new-college-desantis-trustees-diversity-inclusion/>.

⁷² [REDACTED]

By the time of Ramadan 2023, however, the OOIE had been disbanded. The food service vendor was left with no clear source of funding for after-hours meals and would not provide them. [REDACTED] [REDACTED] tried to organize the evening meal for students. [REDACTED] was told that [REDACTED] could not use RA funds for that purpose. Instead, students approached Save New College, an organization created by New College alumni, students, faculty, members of the public, and others opposing the hostile takeover and wishing to support students. The Save New College allocated \$2,500 of fundraiser funds to cover the cost of ingredients to cook food, leaving about \$83.30 per day to cover both morning and evening meals for about 10 students. Additionally, meal preparations for this group can take up to three hours each night.⁷³ After an article in the student newspaper *The Catalyst*, the food service provided after-hours drinks. Each night, someone would order food from a local restaurant, and a student or faculty member would have to drive to the restaurant and pick up food for everyone. In short, without the OOIE, and without official support for programs labeled as DEI, the success of Ramadan at New College ultimately relies on student labor and external financial support, instead of the institution itself.

In the past the Gender Studies Program provided support for events, including Black History Month and Feminist Fridays, but as of August 3, 2023, the Gender Studies Program's budget has been voided, [REDACTED] [REDACTED]. So, while some identity-based club activities are continuing, increasingly all organizing and logistical planning falls on students. The NCSA (student government) is forced to spend its budget very differently in order to have the funds to plan the same events.

The new Administration took additional steps to erase evidence of LGBTQ+ students and sympathies on campus. The Gender and Diversity Center (GDC) in

⁷³ Qadira Locke, *Reflecting on Ramadan at New College*, *The Catalyst* (April 11, 2023), <https://ncfcatalyst.com/ramadan-mubarak-reflecting-on-ramadan-at-new-college-how-is-the-campus-handling-it/>.

Hamilton Center (the student center) made resources such as books on religion, sexuality, race and gender identity available to students and was decorated with LGBTQ and international flags as well as LGBTQ and pro-choice posters and stickers. The Sexual Health and Reproductive Education (SHARE) Room was also in Hamilton Center, and decorated with pro-choice and safe sex posters and a trans flag. It provided inclusive materials for safer sex and healthy relationships, including STD and HIV prevention materials and resources for survivors of abuse. These spaces are managed by the New College Student Alliance (NCSA) and changes are supposed to be approved by the student government. Students learned that school officials have removed the signs from these offices. They were told that the Administration believed the materials were “not appropriate” and were taken down before prospective students toured the campus.⁷⁴ This act hid from incoming students the fact that the New College student body supports students of different genders, sexual orientations, ethnicities, religions, and races.

Conclusion

Current and former students, staff, and faculty are submitting this complaint requesting that the U.S. Department of Education Office of Civil Rights and the U.S. Department of Justice Office for Civil Rights investigate discrimination and creation of a hostile environment at New College of Florida on the basis of membership in protected classes, and order the Board of Trustees and Administration to take the following remedial steps:

- Take at least the measures recommended by the U.S. Department of Education for supporting transgender and other gender-nonconforming youth in school⁷⁵, such as using welcoming and inclusive language, adopting

⁷⁴ E

⁷⁵ U.S. Department of Education, *Supporting Transgender Youth In School* (Jun. 2021), <https://www2.ed.gov/about/offices/list/ocr/docs/ed-factsheet-transgender-202106.pdf>.

policies that respect all students' gender identities, and facilitating opportunities for students to find support with peers, teachers, faculty, and staff.

- Provide a complaint process where complaints from New College students against members of the Board of Trustees, the Administration, the faculty, other students, and other members of the community must be heard;
- Fairly investigate discrimination against students who are transgender, non-binary, gender diverse, and intersex, and to take remedial measures;
- Order New College to implement mandatory training for staff, administration, and the Board of Trustees on supporting LGBTQ+ students, students of color, students from diverse religions, and disabled students;
- Ensure that students with disabilities are assigned to safe and healthy living spaces;
- Order the new leadership to take any other actions necessary to eliminate the hostile environment for students;
- Order the New College administration to provide safe and equivalent housing for students who want to live "on-campus";
- Order the New College Administration to rescind its discriminatory policies and directives.

The Board and Administration should also be required to take whatever additional measures are necessary to eliminate the hostile environment for all students, including mandatory training for staff, administration, and the Board on supporting students who are members of marginalized communities.

Exhibit 1



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← **Christopher F. Rufo** 18K Tweets Follow

59 153 700 210.2K

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Christopher F. Rufo @realchrisrufo · Feb 28 ...

We will be shutting down low-performing, ideologically-captured academic departments and hiring new faculty. The student body will be recomposed over time: some current students will self-select out, others will graduate; we'll recruit new students who are mission-aligned.

289 229 732 426.1K

Christopher F. Rufo @realchrisrufo · Feb 28 ...

I believe in an uncompromising new conservatism that attempts to restore the authority of the people over their government—and lay waste to woke institutional capture. The Republic is not yet dead. We have a duty to do whatever we can to save it.

I'm ready to fight—and win.

229 140 874 120.7K

Christopher F. Rufo Retweeted

Wokal Distance @wokal_distance · Feb 27 ...

1/
Woke and Weaponized Bureaucracy!

I'd like to explain how wokeness has been able to take over many, if not all, of our societies most valuable institutions of culture, business, knowledge, government, and education.

So, Woke and Weaponized Bureaucracy,

Exhibit 2



Christopher F. Rufo ✂️🔒 @realchrisrufo · Mar 29

The "trans suicide" blackmail, which threatened violence against self, was not enough to prevent state legislatures from banning child sex change procedures, so now the movement proceeds to the second phase, "trans vengeance," which threatens violence against others.

148

1,414

6,933

583.5K



Christopher F. Rufo ✂️🔒 @realchrisrufo

The media will work itself into contortions to minimize, deflect, justify, and deny the fact that radical trans activists, like Antifa, seek refuge in synthetic sexual-political identities, which serve as a mask for personal psychopathologies and a justification for violence.

1:15 AM · Mar 29, 2023 · **80.6K** Views

332 Reposts **16** Quotes **2,381** Likes **27** Bookmarks



Post your reply!

Reply



Christopher F. Rufo ✂️🔒 @realchrisrufo · Mar 29

Brace yourself: it's going to get worse before it gets better. Powerful NGOs, media corps, and medical systems have turned to "trans child" into a post-modern totem and they cannot easily back away from their public commitments. They will escalate.

rufo.substack.com/p/the-trans-ch...

57

428

2,126

72.9K



Exhibit 3



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 0:48

231 418 1,236 403.8K

 **Christopher F. Rufo** @realchrisrufo · May 18 ...
Among other things, the problem is that "nonbinary" is an entirely fake identity. It does not exist. Nobody is "nonbinary." This is weapons-grade pseudoscience that ends up pushing kids on a path to lifetime medicalization, sterilization, and castration.

28 195 1,167 28.7K

 Christopher F. Rufo Retweeted

 **Elon Musk** @elonmusk · May 17 ...
Replying to @realchrisrufo
Thank goodness

382 909 18.2K 766K

 **Christopher F. Rufo** @realchrisrufo · May 17 ...
NEW: A psychiatrist working with Texas Children's Hospital's child sex-change program explains how he circumvents "parental rights" concerns by telling families that if they do not affirm their child's "preferred name and pronouns," they will increase "the risk of suicide."



Exhibit 4



Christopher F. Rufo ✂️ 🔒 @realchrisrufo · Feb 28

...

I've noticed a pattern at our New College of Florida board meetings: a huge number of the public commenters are the mothers of current students. I would have been mortified if my mom came to my university dressed in a costume, screaming about "fascism." Bizarre development.

🗨️ 175

↻️ 198

❤️ 1,973

📊 221.2K



J.D. Haltigan, PhD 🗑️ 🧑🔬 🔒 @JDHaltigan · Feb 28

...

The over sensitive, intrusive, over-stimulating mother-figure. The devouring mother. @jordanbpeterson

🗨️ 9

↻️ 6

❤️ 293

📊 34.6K



Christopher F. Rufo ✂️ 🔒 @realchrisrufo

...

This might offer a partial etiological explanation for the Cluster B phenomenon you have documented. Archetypally, left-wing protest mom might be more likely to create anxious-depressive child. Worth further family dynamic analysis.

4:14 PM · Feb 28, 2023 · **12.2K** Views

4 Reposts **4** Quotes **298** Likes **4** Bookmarks



Exhibit 5



Explore

⚙ Settings

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Christopher F. Rufo
@realchrisrufo



"I got really sad and then just, like, laid down,' she told The Daily Beast."



7:54 AM · Jan 10, 2023 · **23.8K** Views

8 Retweets **11** Quotes **414** Likes **3** Bookmarks



Cheryl Johnson @aquadreams237 · Jan 10



Is there a link to the article? I'd like a really good laugh myself.



1



534



Cthocas @cthocas · Jan 10



That cannot be a real line.

I don't want to look.



2



482



[Show more replies](#)

Exhibit 6



Christopher F. Rufo ✂️🔒 @r... · 24m ⋮

NEWSFLASH: Catherine Harrity, the New College student ("they/them") who spat on me during a protest, has agreed to voluntarily withdraw from the university. As an act of magnanimity, I asked the state attorney to drop the first-degree battery charge against her.



💬 53

↻ 48

❤️ 356

📊 9,890



Exhibit 7



Post



Christopher F. Rufo ✂️ 🔒

@realchrisrufo

New College of Florida has fired its former DEI director, Yoleidy Rosa Hernandez ("ze/zir"), after abolishing her department. Rosario-Hernandez lashed out at me in the Washington Post, but I wish her v and hope she uses the opportunity to develop useful skills.

trustees to eliminate New College's Office of Outreach and Inclusive Excellence. The move, while not unexpected, signals a broader remaking of New College, which Gov. Ron DeSantis (R) has identified as a staging ground for a larger "anti-woke" agenda that has become a central platform for his likely presidential bid. In January, DeSantis [appointed six new members](#) to the college's board, including conservative activist Christopher Rufo, a vocal critic of college diversity programs.

Rosario-Hernandez spoke with The Washington Post about zir recent termination and what it may say about the debate over college diversity efforts in

[Rufo responded to Rosario-Hernandez statements in an email to The Post on Friday. Rufo said he had done extensive reporting on DEI and had "an in-depth understanding of how it promotes racial division, scapegoating, and discrimination." Rosario-Hernandez's "false and inflammatory comments to The Washington Post," he wrote, "are further confirmation that President Corcoran made the right decision" in terminating Rosario-Hernandez's employment. Rufo added that he hoped this "period of unemployment" would give Rosario-Hernandez "the opportunity to develop

1:59 PM · Mar 11, 2023 · **463.8K** Views

Exhibit 8

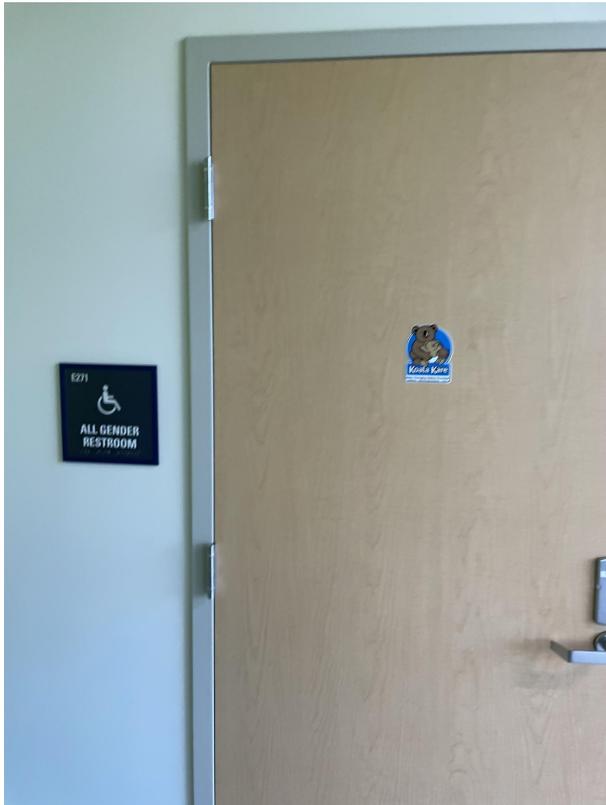
The following photos were taken by students and show the defaced and removed signs:



In a typical example, the ADA compliant All-Gender bathroom sign has been scraped off and the new sign on the door does not indicate that the restroom is accessible. (Jane Bancroft Library)



Additional photos of newly-placed ADA-noncompliant signage. (Top Right, Heiser natural sciences building, Top Left: College Hall, Lower Right and Lower Left: Cook Hall)



All Gender restroom signs (Heiser Natural Sciences Building)



(Jane Bancroft Library)



Students made efforts to re-label the restrooms as all-gender, but these were removed as well. (Top: College Hall, Bottom: Heiser Natural Sciences Building)

Exhibit 9

Exhibit 10

Exhibit 11

Housing Contract 2023-2024

Student Name: _____ Student ID (N#) _____

The terms, conditions, and responsibilities below apply to the assignment, utilization, and costs of housing rooms and spaces at New College. The Board of Trustees' approved Residency Requirement mandates that everyone participate in the Housing Process each year. Requests for waivers of any of these requirements must be granted in writing by the Director of Residence Life and Housing or Designee on an annual basis.

Terms, Conditions, and Responsibilities (please be advised that 2023-2024 housing rates have not been approved by the BOT at this time)

1. This contract, when appropriately signed and dated, becomes effective and binding upon acceptance by New College of Florida, and remains in effect through **Sunday, May 19, 2024** at noon. Fees are due and payable by 3:00 PM on the dates stated in this contract. **Please note that invoices are NOT mailed from the Office of Housing and Res Life, and it is the student's responsibility to meet the deadlines listed. Fall Semester payment includes ISP (January term) and is due by Friday, September 8, 2023.** Failure to meet the payment deadlines will result in late fees and may result in other penalties/fines. **Spring Semester payment is due by Friday, February 9, 2024.**

FEES ARE PAYABLE AS LISTED IN NEW COLLEGE OF FLORIDA FEE SCHEDULE. CHECKS SHOULD BE MADE PAYABLE TO NEW COLLEGE OF FLORIDA & MAILED TO: New College of Florida, Attn: Business Office-A/R, 5800 Bay Shore Road, PMD-123, Sarasota, FL 34243. The student's name and student ID number should appear on the check.

2. **Housing Fees.** Students who contract for a room after the semester begins will be charged a prorated fee. Prorated refunds will be initiated as appropriate for approved contract cancellations (see Cancellation of Housing Contract Information below. Residence halls open for new students on the first day of Orientation, **Sunday, August 20, 2023**. Residence Halls open for returning students on **Wednesday, August 23, 2023**. Please note that the residence halls will be closed on **Sunday, December 17, 2023** at Noon and reopen **Monday, January 1, 2024**, at noon. There will be no access to residence halls during this time unless a separate contract is signed and additional fees assessed. Fall term includes ISP from January 1, 2024 to January 26, 2024, students who stay late due to the Langston Rule will be charged the daily rate and any late fees. Students who arrive earlier, or must stay late, will be charged \$150.00 per night. Halls close officially on **Sunday May 19, 2024 at noon**. Students checking out after noon will be subject to the late charge of \$150.00.

Students who find themselves in double rooms without a roommate will be given the choice of relocation, or be automatically billed for a "Studio Single" if space is available.

Returning students who are approved to arrive on campus prior to the end of ISP will be charged per day.

Students unable to return to campus for any reason, including, but not limited to the College prohibiting you from returning to campus for your safety or the safety of others, the College reserves the right to pack and store your items until such time as 1) you can safely retrieve your possessions and/or 2) they can be shipped to you at our convenience. Cost for storage/shipping will be the responsibility of the student.

3. Terms of Contract/Cancellation Policy. Upon acceptance of the contract by New College of Florida, students are liable for all specified payments and charges. Requests for contract cancellation must be directed in writing to the Director of Residence Life and Housing or Designee according to the terms set out in Cancellation of Housing Contract Information below. If a request for cancellation is approved, students are liable for charges incurred prior to the effective date of cancellation. New College of Florida reserves the right to cancel this contract for non-payment of fees or for any other breach of this agreement, including the use of the residence halls by students in violation of any Federal, State, or institutional laws, regulations, policies, or rules. If a request for cancellation is approved, students must remove personal belongings, clean their assigned room, schedule and complete a check out appointment where students return room keys and assist staff in completing a room condition report. Students who do not complete these steps will not be considered released from the contract and may be liable for fees until the end of the school year and other damage and key loss charges, or may be assessed fees for improper check out or failure to vacate. Students released from their contracts for the spring semester must vacate their rooms following proper check out procedures before **Friday, January 26, 2024** at 5 PM. Students released from their contracts for January ISP must vacate their rooms following proper check out procedures before **Sunday, December 17, 2023** at Noon. **No refunds will be issued for ISP housing under any circumstances. Students not returning to New College will be charged the Spring cancellation charge of \$200.00.**

4. Campus Meal Plan. All New College residential students are required to purchase an appropriate student meal plan for each semester. After the first 10 business days of the Fall and Spring terms, no meal plan downgrades will be allowed. Any requests for meal plan adjustments must be submitted in writing prior to Friday, July 28, 2023 for the Fall term, and prior to Friday, January 26, 2024 for the Spring term. No refunds, or credits, are available on unused dining dollars at the end of Spring term. **All residential students are required to participate in the meal plan unless an exemption is granted through the Advocacy and Accessible Learning Center.**

5. New College of Florida Regulations. Students are responsible for knowing and observing New College of Florida Regulations, policies, and rules, which are incorporated herein by reference. Students are required to read notices from housing staff, including information sent in emails and posted on the New College Residential Life portal and website. New College of Florida reserves the right to make additional rules and policies as deemed necessary for the safety, care, and cleanliness of New College's facilities, and for the preservation of good order therein. New College of Florida may initiate a transfer of a student's assigned space or may initiate cancellation of this contract if deemed necessary and in the best interests of order, health, safety, security, maximum residential utilization of facilities, disaster, or for failure to make payment.

6. Resident Responsibilities, Room Assignments, Use of Space, & Common Spaces

a. Housing space may only be occupied by the student to whom it is assigned. Housing space may not be sublet or assigned to any other person. No permanent guests are allowed in residence hall rooms. Students who access housing spaces without prior approval from the Office of Residential Life will be assessed a fee of \$100.00 for each violation, per day.

b. The Office of Residential Life reserves the right to make or change room assignments to ensure standard occupancy of available rooms. At its discretion, New College of Florida may allow non-standard occupancy of rooms with an appropriate fee adjustment (e.g. Pei Complex

single or triple occupancy). If a suite falls to 50% occupancy or lower, room assignments may be consolidated to similar accommodations.

c. Students may transfer to another room only with the prior written permission of the Office of Residential Life. Such a move will be approved only after a room change request and a room condition report are completed and appropriately signed. The Office of Residential Life will not recognize unauthorized moves. Such moves will result in a \$100.00 improper room move fee.

d. Furniture and fixtures included in original inventory specifications may not be removed or altered in any way without the specific prior written permission of the Office of Residential Life. No changes may be made to the walls, floors, or ceilings of any housing space or common area. Common suites must be free of clutter and items that obstruct the function and use of the room. Mattresses are not permitted on the floor due to safety issues. Furniture left on any balconies may result in a charge split among the residents of the room.

e. Students shall keep assigned housing spaces clean and orderly and shall use such space for residential purposes only. Due to safety and security concerns, students may NOT prop open any windows or doors. All doors must remain locked and secured. Students who lose their key will be responsible for the cost of re-coring their living area and all replacement keys associated with the living area. The total cost is \$24.00 for each replacement key and \$100.00 for each door/key core. **In order to protect our community, any lost key will result in the room/suite being re-cored, no matter where the key was lost. Any key mailed back to the Housing Office must be placed in a secured padded envelope and sent by certified mail.**

f. A student shall be liable for the cost of damages caused by the student or their guest. The Office of Residential Life will determine the applicable charges and culpability for damages. The student shall also be liable for any charges associated with special cleaning of the housing space made necessary by student or guest negligence or failure to abide by the terms contained herein. The student shall be assessed a fee for any necessary cleaning, repairs, or replacements. A schedule of applicable charges is posted on the New College Website and the Residential Life portal site. Damage to the common areas of the residence halls may be charged back to residents of the area at the sole discretion of the Office of Residential Life. Students must check out of their rooms at the end of their occupancy; a room damage assessment will be completed at that time or as damage is discovered. A student's failure to properly complete check out procedures may result in forfeiture of the right to contest charges. Students will be billed until their space is officially declared vacant.

g. Authorized New College of Florida personnel may enter assigned rooms for routine procedures such as cleaning, pest control, and maintenance replacement (e.g. air filters or fire alarm checks). **When possible, 24-hour written notice to occupants will be given via email for these purposes.** All rooms will be inspected at least twice per semester before, during, or after scheduled closures and/or breaks. If a violation of the code of conduct has been identified during a room/suite inspection, authorized New College of Florida personnel will document and/or confiscate the violation and follow up via e-mail with the resident(s) regarding the alleged violation. Authorized New College of Florida personnel may return within 30 days to conduct a follow up inspection at the discretion of the Director of Residence Life and Housing or Designee. College officials may enter a room without notification when a clear and present danger exists to students and/or property, to recover stolen property, and when there is a clear and present violation of the College's drug and alcohol policy or State law, as identified by College officials and the Police.

h. Acceptance of this Contract does not guarantee assignment to a specific room or particular type of accommodation. If a student is assigned to a Resident Advisor Suite, the student understands that they will be required to relocate if the Resident Advisor is terminated or resigns. We cannot guarantee that a suite will be available, if the students are required to relocate we will do our best to find either a double or triple room in our PEI community.

i. No open flames, no smoking, vaping, candles, flexible extension cords, drug paraphernalia, deep fryers, gas powered appliances/vehicles, toaster ovens, hot plates, or other open element appliances are allowed in residential or common areas. Smoking/Vaping is also prohibited in residential and common areas, and is not allowed on campus. If it is determined that a student has been smoking in their room/suite, the student will be charged for repainting the bedroom/suite areas. The student will also be charged for additional carpet cleaning as necessary. Students found smoking/vaping on campus may receive a warning for the first offense, and may be fined for each subsequent violation. This includes any cigarette containers left out in front of an assigned residential space.

j. Students are not permitted to keep any pets except as provided in this section. Students may keep small fish in individual rooms, provided the equipment is properly maintained. Each resident is limited to one twenty-gallon fish tank. No other pets are allowed in any part of the residence hall unless outlined by a recommendation from the Advocacy and Accessible Learning Center. Violations of this rule will result in removal of the pet, plus any cleaning and fumigation charges, and may result in cancellation of the Contract. Students found with unregistered pets may forfeit their right to apply for emotional support animals for one year. Students may NOT allow a guest's pet into the residence halls. Pets left alone for 24 hours may be turned over to the appropriate authorities off campus. Students may not field dress any animals on campus.

k. No personal appliances (full-size refrigerators, deep fryers, heating lamps, pools, tanning beds, etc.) are permitted without prior approval. These add to the utility costs and may present a fire hazard.

l. No personal furniture (couches, grills, non-approved furniture, hammocks, rugs, etc.) are allowed on the exterior, public walkways, common lobby areas, or entrance ways on either side of B Dorm, or the sidewalk areas in Dort and Gold Dorms. Students may not hang anything from the exterior of the building without prior approval (tapestry, signs, hammocks, blankets, ropes, flags, clothes, etc.). Bikes, sailboards, surfboards and skateboards are not permitted in public common areas and must be stored in the appropriate locations designated by the Office of Residential Life. Students may be charged for the removal and disposal of any of these items. Damages caused to community spaces will be billed to the entire community unless the responsible individuals assume responsibility. Bikes left in common areas will be removed and placed in storage. Removal fees will be assessed and added to the student's account for this service. This is to avoid damages to the interior common areas.

m. Bikes, sailboards, surfboards and skateboards are not permitted in public common areas and must be stored in the appropriate locations designated by Residential Life. Students may be charged for the removal and disposal of any of these items. Damages caused to community spaces will be billed to the entire community unless the responsible individuals assume responsibility. Bikes left in common areas will be removed and placed in storage. There will be a storage fee added to the student's account for this service. This is to avoid interior damages to the interior common areas. Bikes may not be stored on the walkway areas in Dort or Gold dorms. No clothing, towels, blankets or other items may be hung from any railing in Dort or Gold.

n. ESA accommodations: Students must receive written approval from the AALC and

Housing Offices prior to bringing any ESA on campus. **Student's ESAs are restricted to the student's living area**. Any damages to college property will be the sole responsibility of the student approved for the ESA. Unauthorized animals will be removed from campus immediately, and any subsequent charges placed on the student's account.

o. In compliance with the College's Solicitation Policy, New College of Florida prohibits solicitation, sales, or door-to-door canvassing by students or non-students on college property except with permission of the Dean for Student Affairs or designee. No concession for profit or other commercial business will be operated on college property without the written permission from the Vice President for Finance. For more information on this policy contact the Student Activities and Campus Engagement Office.

7. **Weapons, Firearms or Explosive Devices on Campus.** The possession, use, or sale of any weapon, firearm, or any incendiary, explosive, or destructive device, including fireworks, may be a violation of New College of Florida Regulations, rules, and policies. Knives must be used and maintained for cooking purposes only.

8. **Reassignment and Cancellation.** In accordance with applicable laws, Regulations, rules, or policies, the Office of Residential Life may initiate reassignment or cancellation of the housing contract, with any and all applicable charges, if deemed necessary by the College and in the best interest of order, health, discipline, safety, security, disaster, failure to make required payments according to the Payment Schedule, or compliance with the College's immunization policy. The Office of Residential Life may also cancel the contract of any student whose enrollment status changes (including but not limited to voluntary withdrawal, dismissal, or change in full time status) over the term of the contract. Students whose contract have been cancelled will be required to vacate the residence halls within 24 hours of receiving notification from the Office of Residential Life. A student's accepted contract may be cancelled by the Department of Residential Life due to the maximum utilization of facilities at which time any fees paid will be refunded in the same method in which it was collected. **Cancellation of the housing contract will automatically result in a cancellation fee of \$200.00. This includes emergency leave of absences, leave of absence, academic dismissals, approval for off campus status and students withdrawing from New College of Florida.**

Students who reserve a room and do not show up will be billed the daily room charge up through the administrative withdrawal date, September 12, 2022. This daily charge and the cancellation charge of \$200.00 will then be added to the students account.

9. **Changes to Regulations and Policies.** The College reserves the right to make additional rules and regulations, and/or to modify existing rules and regulations. Student residents will be subject to the new or modified rules and regulations as adopted. The Office of Residential Life agrees to make every reasonable effort to inform resident students of any regulation changes or pertinent policy information.

10. **Prohibited Guests.** Students are prohibited from inviting or hosting a person in their room, residence hall, or on campus when the student knows that the person has been barred from campus by the College Police or College officials. ALL guests must be registered with the Police and must have approval from the roommate/suitemates prior to their arrival. Guests may not stay longer than three consecutive nights without written approval of the roommate/suitemates. Students found in violation of this policy may forfeit their housing privileges without any monetary compensation for both academic terms.

11. **Provisional Removal.** Resident(s) who have been determined to create an immediate danger or threat to the community may be provisionally removed from New College housing until an investigation and a resolution can occur. This authority shall rest with the Director of

Residence Life and Housing or their Designee. Residents will remain financially responsible for the contract during the provisional removal.

12. **Smoking/Smoke Detectors/Sprinklers.** The State Fire Marshall's Rules and Regulations require smoke detectors in all residence halls. Removal or alteration of these smoke detectors is a crime. Each room occupant is subject to a \$200.00 charge in addition to any other legal/civil penalties and fines if they violate this regulation. If sprinkler sensors in housing areas are damaged or destroyed, the water released causes tens of thousands of dollars in damages. **DO NOT HANDLE - OR ALLOW ANYTHING TO HANG FROM OR IMPACT - THE SPRINKLER SENSORS.**

Smoking and vaping is **NOT** permitted on campus. Students may **NOT** smoke in doorways, balconies or entrance ways of any dorm. Rooms/Suites identified as having been smoked in will be repainted and furniture professionally cleaned. Cost for this service will be billed to the resident's student account.

13. **New College of Florida Responsibilities.** New College is not liable for damages to or loss of personal property, failure or interruption of utilities, or for injury to persons (except to the extent set forth in Chapter 768.28, Florida Statutes). The student hereby releases the State of Florida, the Board of Governors, the New College Board of Trustees, and New College of Florida from any and all such liability. **Students who are not covered under their parents' homeowner's insurance policies are strongly urged to purchase renters' insurance.**

14. **Telecommunications.** Ethernet connections for access to the Internet and New College computing services are provided in all student rooms. Students are required to adhere to the College's telecommunications policies and procedures.

15. **Damages.** Residents are responsible for any common area damages that occur within their bedroom, suite, community kitchen, laundry room and/or the exterior of their building. Community damages/thefts will be divided among all students residing in the affected area (minimum \$5.00 charge per person). This includes damages due to the improper storage of personal property left in common areas. Charges may be removed from the community once the responsible individual(s) have been identified, at which point the responsible individual becomes liable for the full cost of any damages.

Property left in a room/suite after 24 hours from the time of checking out will be disposed of permanently and if necessary at the cost to the student. The college will not assume responsibility for any items left behind after 24 hours.

College officials maintain the right to dispose of any food/garbage left behind during break periods if it is deemed to be a health hazard, or result in damage to the room/suite or prevents the college from utilizing said space for new occupants. In addition, during the break periods, or during the school year, if suite areas are deemed to be a health hazard, or has been left in poor condition, the College maintains the right to clean these areas and bill the occupants for cleaning, removal of trash and restaging of the suite/room back to its original condition.

16. **FERPA and Drugs/Alcohol.** New College of Florida may make disclosures to the parent of a student regarding the student's violation of any federal, state, or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance without the student's consent, if it is determined that the student committed a disciplinary violation with respect to that use or possession. (See 34 CFR 99.31(15)). Refer to <https://www.ncf.edu/life-at-new/safety-conduct/> for policies, procedures, and other announcements.

17. **Cancellation of Housing Contract Information.** This contract may not be canceled without the prior written approval of the Director of Residence Life and Housing or Designee. Cancellation requests must be submitted in writing to the Director of Residence Life and

Housing or Designee. Applicable deadlines and fees are outlined below. These terms apply regardless of the date on which this contract was received and/or accepted by New College. Cancellation of this Contract is not permitted unless authorized by the terms and conditions contained herein.

a. **Cancellation Fees – New Students.** Incoming, newly enrolled New College students must submit a written cancellation request to the Director of Residence Life and Housing or Designee on or before June 1, 2023. Incoming students who meet this deadline will not be assessed housing fees. Written requests for cancellation received after June 1, 2023 may result in a \$200.00 cancellation fee.

b. **Cancellation Fees – Returning Students.** Returning New College students must submit a written cancellation request to the Director of Residence Life and Housing or Designee on or before June 1, 2023. Returning students who meet this deadline will not be assessed housing fees. **Written requests for cancellation received after June 1, 2023 will result in a \$200.00 cancellation fee. This includes those who apply, and are accepted for “Off Campus Status”, Emergency Leave of Absences, or Academic Withdraws throughout the entire school year. No refunds will be issued for ISP housing.**

c. **Cancellation Deadlines and Refunds.** The following schedule of cancellation deadlines and refunds applies to students who request contract cancellation, or who are approved for Off Campus Housing. Students will still be responsible for the daily rate charges up until the day they return their room key.

1. Fall 2023 Semester		
	September 8, 2023	100% refund of housing fees
	September 15, 2023	50% refund of housing fees
	September 22, 2023	25% refund of housing fees
	September 23, 2023	No refund of housing fees
2. Spring 2024 Semester		
	February 9, 2024	100% refund of housing fees
	February 16, 2024	50% refund of housing fees
	February 23, 2024	25% refund of housing fees
	February 24, 2024	No refund of housing fees

d. **Grounds for Cancellation.** Students who request cancellation of the Housing Contract must state the grounds for their request to the Director of Residence Life and Housing or Designee. Subject to the terms, deadlines, and fees outlined above, students may request contract cancellation based on the following grounds:

1. Denial of admission;
2. Academic or administrative withdrawal, including leaves of absence;
3. Academic or administrative suspension or expulsion;
4. Off campus study;
5. Early graduation;
6. Evidence of marriage; or
7. Other extraordinary circumstances, as determined by the Office of Student Affairs and Campus Legal Counsel.

e. **Academic or Administrative Dismissal.** Students who are removed from housing and/or dismissed from the College as a result of academic or administrative reasons are subject to the

terms outlined in Deadlines, Fees, and Refunds above. As determined by the Director of Residence Life and Housing or Designee, certain adjustments may be applied to account for extraordinary circumstances or unnecessary hardship.

Students who have been determined to have preemptively unsat their contract prior to the end of the semester may be required to vacate the residence halls. Student must be in good academic standings with the College to remain a residential student. Students requested to leave due to having a preemptive unsat will forfeit any and all refunds and will be charged any fees/fines/cancellation charges.

f. **Conduct Dismissal.** Students who are removed from housing and/or dismissed from the College as a result of sanctions or interim measures according to the Student Code of Conduct are liable for the full fees under the Housing Contract. No refunds will be issued for students removed from New College due to violation of the Academic code of conduct.

g. All Transfer Students are required to live on campus unless they have been approved through the Off-Campus Housing process and obtained written confirmation from the Housing Office.

New College of Florida is an equal opportunity institution and assigns spaces to full-time degree-seeking officially enrolled students without regard to sex, race, gender, religion, sexual orientation, disability, age, or national origin.

By signing this Agreement, the student hereby contracts for a space in New College of Florida Residence Halls and agrees to pay the housing fees at the rates established by New College of

Florida as set forth in New College of Florida 2023-2024 Housing Fee Schedule. By signing this Agreement, the student understands and affirms that this Agreement may not be terminated without prior approval of the Office of Residential Life. If the student abandons their room without prior approval, the student's obligation to pay housing fees for the duration of this Agreement period will continue. In the event of default of payment, the student will be liable for collection costs up to 30% of the unpaid debt and any other costs incurred by the College in an effort to collect monies due from the student. The student agrees that the phone number listed on the housing application is an acceptable contact number (even if it is a cell phone number), for all reasons, including collections, if needed. The undersigned understands that this agreement is a license. It is not a lease and does not create a tenancy relationship.

Terms, Conditions, and Responsibilities (please be advised that 2023-2024 housing rates have not been approved by the BOT at this time)

IMPORTANT: Read the Contract Terms, Conditions, and Responsibilities on all pages of this contract before signing. **THIS IS A BINDING CONTRACT FOR BOTH SEMESTERS OF THE ACADEMIC YEAR.** By signing below, you certify that you have read, understand, and agree to the Terms, Conditions, and Responsibilities as noted in this contract.

Name of Student (print) E-mail Address

Signature of Student Signature of Parent or Guardian
(if student is under 18 years of age)

Date: _____ Banner _____ Student
File

Food Service Contract 2023-2024

Student Name: _____ Student ID (N#)

This contract, by and between New College of Florida and the student (or parents or guardians if the student is under eighteen years of age), sets forth the basic tenets of food plan purchases and service. All students are required to purchase an appropriate meal plan for each semester (see Meal Plans Offered). This contract is for the purchase of the selected meal plan for both fall and spring semesters. (please be advised that 2023-2024 dining rates have not been approved by the BOT at this time)

Food Service Contract 2023-2024

This contract, by and between New College of Florida and the student (or parents or guardians if the student is under eighteen years of age), sets forth the basic tenets of food plan purchases and

service. All residential students are required to purchase an appropriate meal plan for each semester (see Meal Plans Offered). This contract is for the purchase of the selected meal plan for both Fall and Spring semesters.

Service

The bar-coded student ID cards are used as a meal swipe or debit card (declining balance) and records purchases as they are made. It is the student's responsibility to report balance discrepancies to the Office of Residential Life and Food Service. Meal Plan flex dollars roll over from Fall to Spring Semester, but zero out after the Spring Semester. Students who have been awarded financial aid for 2023-2024 and have sufficient financial aid to cover their fall tuition, room and board will not have to pay their balance until aid is disbursed. Late payments will result in a late fee and/or a suspension of privileges. Special requests regarding meal plan obligations must be directed in writing to the Office of Residential Life and Food Service no later than, Fall Term Friday, September 8, 2023 and Spring Term Friday, February 9, 2024. Special requests are granted at the discretion of the Director of Food Service and will require supporting documentation. No special requests or changes besides meal plan upgrades will be granted after that date.

Terms, Conditions, Responsibilities

When appropriately signed and dated this contract is effective and binding from the date of acceptance until May 17, 2024. Payment is due and payable by 3:00 p.m. on the days noted below. Per the following New College of Florida Meal Plan Fee Schedule. 2022-23 meal plan rates are listed below, when 2023-24 meal plan rates are approved by the Board of Trustees, rates will be found here.

Base Meal Plan	Fall	Spring	Total	ISP
Residential AYCE	\$1,528	\$1,528	\$3,056	\$486
Commuter 25 Block	\$425	\$425	\$850	
Commuter 50 Block	\$600	\$600	\$1,200	
Commuter 100 Block	\$900	\$900	\$1,800	

Meal Plans Offered

A complete list of the meal plans offered is located at <https://www.ncf.edu/campus-life/dining/>.

Please note: *Students must upgrade to plans to the minimum plan required for their living space if approved for a room change during the academic year.*

Fees/Payment Deadlines

The amount of each meal plan is set forth in the New College of Florida Meal Plan Fee Schedule. Fees are due and payable by 3:00 p.m. on the days noted below. ***In the event of default of payment, the student will be liable for collections costs up to 30% of the unpaid debt and others incurred by the College in an effort to collect monies due from the student.***

Students agree that the phone number listed on this contract is an acceptable number to be reached at (even if it is a cell number), for all reasons, including collections, if needed.

Fall Semester payment includes ISP (January term). Payment for all meal plans is due by Friday, September 8, 2023.

Spring Semester payment for meal plans is due by Friday, February 9, 2024.

Late fees will be assessed on all accounts paid after these dates.

Refunds

The following schedule of refunds applies to students who submit a request in writing to the Director of Residence Life and Housing or Designee. A \$200.00 cancellation fee will be charged when the refund is granted. Commuter students last day for a full refund is September 8, 2023.

FALL 2023 SEMESTER

September 8, 2023	100% refund of meal plan
September 15, 2023	50% refund of meal plan
September 22, 2023	25% refund of meal plan
September 23, 2023	No refund of meal plan

SPRING 2024 SEMESTER

February 9, 2024	100% refund of meal plan
February 16, 2024	50% refund of meal plan
February 23, 2024	25% refund of meal plan
February 24, 2024	No refund of meal plan

Contract Cancellation

Students food service contract may be terminated under the following conditions: Withdrawal, academic termination, suspension, or expulsion. Unused flex dollars rollover from Fall to Spring term, but do NOT rollover after Friday, May 17, 2024.

Plan Options

Students will be automatically enrolled in the base meal plan available for residential (19 All You Can Eat) or commuter students (25 All You Can Eat Block plan). Upgrades and other options will be available to students through eRezLife.

I HAVE READ AND UNDERSTAND THE CONDITIONS AND REGULATIONS LISTED IN THIS CONTRACT. THIS CONTRACT IS BINDING FOR BOTH SEMESTERS OF THE ACADEMIC YEAR. Contract is voidable by New College if not signed by parent of student under 18 years of age. Student is held liable for fees regardless

Student Signature Date Signature of Parent/Guardian if student is under 18 years of age

_____ Banner _____ Student File

Exhibit 12

Exhibit 13

Screenshot of LLC webpage taken after February but before June 13, 2023

<https://web.archive.org/web/20230613033721/https://www.ncf.edu/life-at-new/where-to-live/living-learning-communities/>

Global Village X Hall



Health & Wellness W Dorm



Outdoor Adventure Z Hall



Performing Arts Y Hall



Pride V Hall



Sustainability Z Hall



Writing Z Hall



Screenshot of LLC webpage taken sometime after June 13, 2023

Civitas Pei 3 / Third Court



Global Village X Hall



Health & Wellness W Dorm



Outdoor Adventure Z Hall



Performing Arts Y Hall



Great Works V Hall



Sustainability Z Hall



Writing Z Hall



Exhibit 14