Agenda
The Florida State University Board of Trustees
National High Magnetic Field Laboratory, Room B101
September 20, 2002
8:30 a.m.

1. Call to Order and Welcome (5 minutes)
   John E. Thrasher, Chair

2. Minutes (5 minutes) *(Action Item)*
   July 2, 2002
   Tab 1

3. Comments of the Chair of the Board of Trustees (5 minutes)
   John E. Thrasher, Chair

4. President's Report (5 minutes)
   Talbot D' Alemberte, President

5. Comments, Faculty Senate (5 minutes)
   Dr. Valliere Richard Auzenne, President

6. Report from Standing and Ad Hoc Committees
   a. Finance and Administration, David B. Ford, Chair (50 minutes)
      1. Allocation of PECO Funds, FY 2002-03 *(Action Item, if received)*
         Tab 2
      2. Five-Year PECO Request *(Action Item, if received)*
         Tab 3
      3. Enterprise Resource Planning *(Action Item, if received)*
         Tab 4
   b. Legislative Committee, Lee Hinkle, Chair (10 minutes)
   c. Planning Committee, Dr. J. Stanley Marshall, Chair (45 minutes)
      1. Presidential Evaluation *(Action Item, if received)*
         Tab 5

7. Transition Process
   John E. Thrasher, Chair
   Tab 6

8. Tenure Upon Appointment *(Action Item)* (5 minutes)
   Dr. Lawrence G. Abele, Provost
   Tab 7
9. Academic Program Approval (Action Item) (10 minutes)
   Dr. Lawrence G. Abele, Provost

10. Student Assessment of Instruction Policy (Action Item) (5 minutes)
    Dr. Lawrence G. Abele, Provost

11. Rules – Special Appeals and Academic Organization (Action Item) (5 minutes)
    Mr. Mike Cramer, Deputy General Counsel

12. Review of Sunshine Law (10 minutes)
    Mr. Richard McFarlain, University General Counsel

13. Florida State University Research Park (15 minutes)
    Dr. Ray Bye, Vice President for Research

14. Audit Committee Reorganization (15 minutes)
    Harold Knowles

15. Orientation to Support Areas of the University (20 minutes)
    Captain Winston Scott, Vice President for Student Affairs

16. Closing Remarks (5 minutes)
ITEM: 2

BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Minutes

PROPOSED BOARD ACTION

Approve minutes of the meetings held on July 2, 2002.

BACKGROUND INFORMATION

Board members will review and approve the minutes of the meetings held via telephone conference call on July 2, 2002.

Supporting Documentation Included: Minutes: July 2, 2002.
Contact: President Talbot D’Alemberte  Phone: 644-1089
Action Minutes
Florida State University Board Of Trustees
July 2, 2002
Room 201 Westcott Building and in Conference Call
FSU Campus, Tallahassee

Members Present: Duda, Furlow, Garcia, Haggard, Hinkle, Knowles, Marshall, McGee, Pletcher, Thrasher, Uhlfelder (Trustee Uhlfelder joined the conference call during the discussion of item 6a4 on the agenda.)

Members Excused: Bloch, Ford

Chairman Thrasher convened the meeting of The Florida State University Board of Trustees at 1:30 p.m., on July 2, 2002. A call of the roll indicated the presence of a quorum.

The Chair recognized President D’Alemberte for comments. President D’Alemberte reported that he was in London and had just attended with considerable pride the opening session of FSU’s London Center. He noted that FSU was working to expand its international programs to Paris and that he hoped to discuss this further with the Board in the near future. He also expressed the hope that the entire Board might schedule a meeting in London at some time in the future if adequate provisions could be made so the Board could witness first hand the success of the university’s international programs. On another topic, the President indicated that a number of gifts were near completion and would be reported on as they occur. More immediately though, the President wanted Trustees to know that Dr. Paul Robinson, President and Director of Sandia National Laboratories and a former graduate of FSU, would be the August commencement speaker. The President suggested Trustees might want to attend and hear Dr. Robinson’s remarks.

Following the President’s comments, the Chair explained that most of the day’s meeting would focus on recommendations made by the Finance and Administration Committee. Unfortunately he noted, Trustee Ford, Chair of the Committee, would be unable to participate in the meeting, although he did chair the meeting of the Finance and Administration Committee on June 28, 2002. He is out of the country and unavailable despite Herculean efforts on his part to join the conversation. Trustee Ford asked Trustee Haggard, a member of the Finance and Administration Committee, to present the committee’s recommendations to the Board in his absence. The Chair wanted the members to know that after the meeting materials had been mailed, the university received a memorandum from Chancellor Blackwell dated June 28, 2002 delaying the submission deadlines for allocation and development of fixed capital outlay PECO and Facility Enhancement Challenge Grant program appropriations. On the basis of that communication, the Finance and Administration Committee deferred action on the fixed capital outlay agenda items. The Chair indicated the Board would follow suit by deferring items 6 and 7 on today’s agenda, knowing that the Trustees would want to have the time to refine its understanding of the projects involved and would like to
consider such projects in a face-to-face setting later this summer, if at all possible.

The Chair recognized Dr. Vall Richard Auzenne, Faculty Senate president. She thanked the President, the Provost, and Vice President Carnagh for the manner and extent to which they involved the faculty in the budget process. She was encouraged in her discussions with the President and Provost that there is potential for merit increases and raises which are so important for faculty morale. Finally, she noted that discussions with the members of faculty Senates (Advisory Council of Faculty Senates) at the other state universities had shown the relationship between the Faculty and the Board of Trustee at Florida State University is one of the most open and active in the state. She wanted the Board to know the Senate appreciates this. On behalf of the Steering Committee of the Senate, Dr. Richard Auzenne expressed the continued interest in and support of delegation of authority to university Boards of Trustees.

The Chair recognized Trustee Haggard for a motion to approve the minutes of the May 10, 2002 meeting. On a second by Trustee Duda, the motion was approved unanimously.

The Chair recognized Trustee Haggard to present the recommendations of the Finance and Administration Committee. Trustee Haggard provided an overview of the Committee meeting on June 28th and noted that the fixed capital outlay items had been deferred upon information that the state submission date had been changed to October 1, 2002.

Trustee Haggard directed the Board’s attention to item 6a1 at tab 2 in the docket book. He reported that the Committee recommended Board approval of a mutual aid agreement between Florida State University and the Department of Community Affairs. The agreement, he noted, would not obligate FSU to provide resources it does not want to and thus constitutes no risk to the university. Rather, it allows the university to help and be helped in cases of emergency. Other educational entities are in the process of entering into the agreement. The Committee recommended the agreement unanimously. At the call of the Chair, Trustee Hinkle moved approval of the recommendation in item 6a1 and Trustee Garcia seconded. The Board approved unanimously.

Trustee Haggard asked the Board to turn to item 6a2 behind tab 3 containing the Finance and Administration Committee’s recommendation regarding the use of local initiative funds for FY 2003-2003. He explained that the Legislature has allocated $5,218,712 to FSU for use in local initiatives. The Committee recommended dedicating these funds for use in the classroom, increasing the number of faculty by approximately 60 in order to reduce the student to faculty ratio. The Chair accepted a motion from Trustee Hinkle, seconded by Trustee Furlow, to approve the motion in item 6a2 of the docket book regarding the use of local initiative funds. The motion passed unanimously.

At the direction of the Chair, Trustee Haggard requested the Board to take up item 6a3 at tab 4 dealing with FT 2002-2003 Optional Tuition Policy and Emergency Rule. He reported that the Finance and Administration Committee had approved the three-part motion listed at tab 4. The first part approves the increase in optional tuition to the full
extent authorized by the Legislature. The second approves adoption of an emergency rule under the authority of s. 120.54(4), Florida Statutes establishing the student matriculation and non-resident fees for undergraduate, graduate, law and medicine consistent with the recommendation in part 1 beginning Fall, 2002. The substance of this part of the recommendation is contained in the revised emergency rule found with accompanying memorandum at tab 4. The third part approves use of $4,518,758 in optional tuition funds as outlined in item 6a3. Trustee Haggard noted that student and faculty committees had reviewed these recommendations. The Finance and Administration approved the recommendations unanimously and forwarded them to the Board for its approval. Vice President Carnaghi reported that the recommendations had involved participation by faculty and students that reached a general consensus on the recommendations. The Provost noted that approximately 40% of the funds were dedicated to student financial aid and that FSU tuition is likely to remain 48th or 49th in the country even after the increase.

Upon recognition by the Chair, Trustee Pletcher explained that this issue was extremely important to students and that she had considered it seriously. Students, she noted, have expressed general opposition to the increase. As such, she said she had a duty and responsibility to encourage the Board not to enact this increase in the interest of the student body. She applauded the involvement of students in deliberations about the fees and their use. Overall, she approves recommendations about the use of the funds should they be implemented. Nonetheless, she strongly encourages the Board to consider the student position in opposition to the increases. The Chair noted that the Board is likely to hear comments about these increases. While he appreciates the strong representation provided by Trustee Pletcher, he also knows that this issue involves the kinds of flexibility that the Legislature envisioned when they enacted devolution of authority to the Boards of Trustees. The Chair recognized Mr. Alvarez, university budget director, to provide information requested by Trustee Ford. Mr. Alvarez reported that there are four state universities that have not exercised the tuition option fully. The University of Florida raised medical out-of-state by 5% instead of 10%. The University of North Florida raised the undergraduate out-of-state tuition by 4% rather than 10% and out-of-state graduate by 2% instead of 10%. The University of West Florida did not raise any optional tuition. New College raised undergraduate out-of-state by 4% instead of 10%. The remaining state universities have used the full option. Trustee Marshall asked Trustee Pletcher if she had a different recommendation. She commented that she did not have a certain figure in mind, but did think the out-of-state increase was too large in one year and would cause financial hardships among some students.

Following this discussion, the Chair recognized a motion from Trustee Marshall approving the three-part recommendation in item 6a3 that was in turn seconded by Trustee Duda. Without further discussion, the vote was approved by all present with Trustee Pletcher in dissent for a voice vote of 9 in favor and 1 opposed. The Chair promised to continue to work with the students through Trustee Pletcher.

The Chair recognized Trustee Haggard to introduce recommendations by the Finance and Administration Committee regarding item 6a4 at tab 5, the FY 2002-2003 tuition waiver policy. Trustee Haggard noted that proviso in the 2002 Appropriations Act requires the Board of Trustees to adopt a tuition waiver policy. The policy listed at tab
5 amounts to $11,956,790 with $2,283,930 for undergraduates and $9,672,860 for graduates. The policy has separate criteria for undergraduate and graduate students. The Chair on a motion from Trustee Garcia with a second by Trustee Petch received unanimous approval of the tuition waiver policy in item 6a4. Trustee Uhlfelder was recorded present and voting at this point.

Item 6a5 at tab 6 was next on the agenda. Chairman Thrasher recognized Trustee Haggard to lead the discussion. Trustee Haggard noted that the Finance and Administration Committee approved the recommendations unanimously and forwarded them to the Board for its approval. The University Budget Advisory Committee had previously reviewed and recommended them. Trustee Haggard noted the legislative Budget Request consists of seven funding issues, dealing with technology transfer to K-12, nursing, first year experience, advising enhancement, living learning centers, bioinformatics, and graduate assistance stipends. It also advances two substantive issues: an admissions deposit and technology enhancement fee. Details of the request are found behind tab 6. The Chair recognized a motion from Trustee Haggard to approve item 6a5 seconded by Trustee Hinkle. On call of the Chair, the motion was approved unanimously.

Proceeding with the agenda, on acquiescence of the Board, the Chair reiterated that items 6a6 (tab 7) and 6a7 (tab8) would be deferred until the next Board meeting. He recognized Trustee Haggard to present the recommendation of the Finance and Administration Committee on item 6a8 at tab 9 involving litigation with Cybermark, Inc. Trustee Haggard explained the Committee was asking for Board approval for the university to institute legal proceeding against Cybermark Inc. Cybermark Inc. is a private company that has been involved in the development and servicing of a smart card for use in higher education. The card was developed by FSU and turned over to Cybermark in a negotiated contract. The university seeks approval to proceed against the firm for breach of contract for its failure to pay past due royalties and for its unilateral termination of smart card services to the university. The University will seek monetary damages and will be represented by the Office of the Attorney General. Vice President Carnaghi noted that there had been some success in getting software back from the company and in providing services to our students. So, the question now involves getting right with respect to the contract. Trustee Knowles indicated that he thought the university had taken action on this already. The Chair said he had authorized moving ahead, but now wanted the Board’s approval to institute litigation. Trustee Hinkle inquired about the probable outcome of such action. Vice President said that it was important to represent all the other universities who had followed FSU’s lead with this company even if monies were not recovered. Trustee Haggard asked about the prospects for settlement. The Vice-President said the company had just walked away and had not answered an inquiry in a favorable way as yet. The Chair entertained a motion to approve item 6a8 involving litigation with Cybermark from Trustee Garcia with a second from Trustee Hinkle. The motion was approved unanimously.

The Chair recognized Trustee Haggard who added for clarification that Vice President Carnaghi had signed the mutual aid contract in April and that today’s action represents approval by the Board. The Chair also recognized Dr. Bradley, Associate Vice-President for Academic Affairs, to reaffirm that the revised emergency rule was the part 2 of the
three-part motion involved in item 6a3.

On recognition of the Chair, Trustee Haggard expressed the desire to have the FSU Foundation appear before the Finance and Administration Committee and, subsequently, the Board to provide an overview of their operations with an eye towards realizing savings. He also hoped that the Athletic Department and the International Office might provide a review of their budgets and programs. Trustee Knowles suggested that the Board take up reorganization of the Audit Committee. The Chair indicated he would work with the President to include both sets of issues on upcoming agendas.

Following a brief discussion with the President on his upcoming activities, the Chair asked the Trustees to review the fixed capital outlay and PECO materials at tab 7 and 8 very closely before the next meeting. The Chair said he takes the issues involved very seriously and that they merit close study by the Board. There is a lot of interest in these items. He observed that members might get calls on the deferred issues. The Chair expressed the hope that members would listen attentively to anyone who calls, but in the end do what is in the best interest of Florida State University.

The Chair had discussed a number of dates for the next meeting. He indicated his desire that the meeting be in Tallahassee, perhaps toward the end of August or in mid-September. However, the date will be set after conferring with the President upon his return towards the end of July.

The Chair at the request of the President recognized the Provost for a brief report on the progress of the accreditation of the Medical School. The LCME will be here the first week in August.

The Chair adjourned the meeting at 12:25 p.m.
# Florida State University

## Five Year Capital Improvement Plan (CIP) and Legislative Budget Request

### September 13, 2002 (Revised)

<table>
<thead>
<tr>
<th>Priority No.</th>
<th>Project Name</th>
<th>Request Per Fiscal Year</th>
<th>Total Requested</th>
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<tr>
<td>1</td>
<td>Utilities/Infrastructure/Capital Renewal</td>
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<td>4,300,000 PC</td>
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<td>2</td>
<td>Land Acquisition</td>
<td>5,000,000 LA</td>
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<td>3</td>
<td>Building Envelope Improvements</td>
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<td>250,000 P</td>
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<td>4</td>
<td>Science Building Support System Improvements</td>
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<td>5</td>
<td>Psychology Center</td>
<td>23,600,000 C</td>
<td>1,000,000 E</td>
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<td>6</td>
<td>Marine Science Research and Training Center</td>
<td>3,500,000 CE</td>
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<td>7</td>
<td>Johnston Building Remodeling</td>
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<td>8</td>
<td>Campus Networking Improvements</td>
<td>4,100,000 PC</td>
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<td>9</td>
<td>Maintenance Complex</td>
<td>1,150,000 P</td>
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<td>10</td>
<td>Life Sciences Teaching &amp; Research Center</td>
<td>2,900,000 P</td>
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<td>11</td>
<td>Hoffman Teaching Lab Renovation</td>
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<td>12</td>
<td>Stone Building Expansion</td>
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<td>13</td>
<td>Fine Arts Building Remodeling and Expansion</td>
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<td>14</td>
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<td>Panama City Campus Expansion</td>
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<td>Eppes Hall Remodeling</td>
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<td>20</td>
<td>Westcott Building Remodeling</td>
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<td>21</td>
<td>Tully Gym Remodeling</td>
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<td>22</td>
<td>Turnbull Conference Center Expansion</td>
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<td>23</td>
<td>Harpe Johnson Building Remodeling</td>
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<td>24</td>
<td>Panama City Campus Academic Building</td>
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<td>25</td>
<td>South Campus Expansion</td>
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<td>26</td>
<td>FAMU - FSU College of Engineering Phase III</td>
<td>1,000,000 P</td>
<td>9,000,000 CE</td>
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**Total**: 54,450,000

### Challenge Grant Projects

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<tr>
<th>Challenge Grant Projects</th>
<th>Request Per Fiscal Year</th>
<th>Total Requested</th>
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<tr>
<td>Concert Hall - Challenge Grant (State Share)</td>
<td>15,375,000 PCE</td>
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<tr>
<td>Business Bldgs. Remodeling &amp; Expansion (State Share)</td>
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<td>5,000,000</td>
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<td>FSU Child Development Center (State Share)</td>
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<td>5,000,000</td>
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<tr>
<td>College of Law Renov. &amp; Expansion (State Share)</td>
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<tr>
<td>Chemistry Building (State Share)</td>
<td>5,000,000 PCE</td>
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<tr>
<td>Challenger Learning Center (State Share)</td>
<td>150,000 PCE</td>
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**Total**: 35,525,000

**Grand Total**: 69,975,000

*P = Planning  C = Construction  E = Equipment  LA = Land Acquisition*
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Allocation of PECO Funds, FY2002-2003 (if received from Finance and Administration)

PROPOSED BOARD ACTION

Move the approval of the recommendations of the President with regard to the allocation of Fixed Capital Outlay funds.

BACKGROUND INFORMATION

The 2002 Florida Legislature appropriated $74,463,900 to the University in Fixed Capital Outlay funding and directed the University’s Board of Trustees to expend these funds on the following projects: Utilities/Infrastructure/Capital Renewal/Roofs; Building Envelope Improvements – Phase II; Montgomery Gym Remodeling; Science Bldg. Support Systems; Psychology Center; Planning for the Marine Science Research and Training Center; Land Acquisition; Sarasota – Utilities/Infrastructure Improvements; Sarasota – Ringling Art Museum North addition; Entry Galleries, Main Galleries Expansion, Asolo and Support Facilities; Sarasota Ringling Art Museum Conservation/Curatorial/Collections Facility and Renovations. Additionally, the Legislature appropriated $4,271,622 in Fixed Capital Outlay from the State University System Facility Enhancement Challenge Grants to match private donations for the Marine Science Research and Training Center, Concert Hall, West Coast Symphony Hall, and Pepper Center Renovations.

Supporting Documentation Included: President’s Recommendation; Letter dated September 6, 2002, from the Chairman of the Ringling Board of Directors
Contact: Senior Vice President John Carnaghi
Phone: 644-4444
# Florida State University

**FY 2002-2003 PECO Allocation Recommendation**

*September 11, 2002*

<table>
<thead>
<tr>
<th>Project Name</th>
<th>FSU PECO Request</th>
<th>President's Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities/infrastructure/capital renewal/Roofs (P,C)*</td>
<td>4,500,000</td>
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<tr>
<td>Land Acquisition (LA)</td>
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<td>4,500,000</td>
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<tr>
<td>Building Envelope Improvements - Phase II (C)</td>
<td>2,350,000</td>
<td>963,900</td>
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<tr>
<td>Science Building Support Systems (P,C)</td>
<td>4,100,000</td>
<td>100,000</td>
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<tr>
<td>Psychology Center (C)</td>
<td>24,500,000</td>
<td>7,000,000</td>
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<tr>
<td>Montgomery Gym Remodeling (E)</td>
<td>1,500,000</td>
<td>1,500,000</td>
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<tr>
<td>Basic Science Building (C,E)</td>
<td>15,000,000</td>
<td>15,000,000</td>
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<tr>
<td>Marine Science Research and Training Center (Partial)</td>
<td>4,000,000</td>
<td>500,000</td>
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<td><strong>Total Main Campus:</strong></td>
<td>60,950,000</td>
<td>31,563,900</td>
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| Sarasota - Utilities/Infrastructure Improvements (P,C)                        | 7,300,000        | 7,300,000                  |
| Sarasota - Ringling Art Museum North Addition                                 |                   |                            |
| Entry Galleries, Asolo support Facilities (P,C,E)                            |                   |                            |
| Main Galleries Expansion (P,C,E)                                             | 2,237,544        | 11,500,000 **              |
| Sarasota Ringling Art Museum                                                |                   |                            |
| Conservation/curatorial/Collections Facility And                              |                   |                            |
| West Wing Renovations (P,C,E)                                                | 2,077,479        | 13,500,000 **              |
| **Total Ringling:**                                                          | 11,615,023       | 42,900,000                 |
| **TOTAL**                                                                    | 72,565,023       | 74,463,900                 |

* P = planning, C = construction, E = equipment, LA = land acquisition

** For the Main Galleries Expansion and for the Conservation/curatorial/Collections & West Wing Renovations projects in Sarasota, $2,000,000 may be expended for planning for each project. The remainder ($21,000,000) will be released at such time that the Board of Trustees determines that the terms of the proposal contained in the letter dated September 6, 2002 from Vernon G. Buchanan to John E. Thrasher have been satisfactorily fulfilled.
### Florida State University

**Facility Enhancement Challenge Grant Recommendations**

*September 11, 2002*

<table>
<thead>
<tr>
<th>Eligible Projects</th>
<th>FSU Request</th>
<th>Private Match In Hand</th>
<th>President's Recommendation</th>
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</thead>
<tbody>
<tr>
<td>Marine Science Research &amp; Training Ctr.</td>
<td>1,000,000</td>
<td>1,000,000</td>
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<td>Pepper Center Renovations</td>
<td>87,500</td>
<td>87,500</td>
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<tr>
<td>Concert Hall (Main Campus)</td>
<td>15,375,000</td>
<td>2,184,122</td>
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<tr>
<td>West Coast Symphony Hall</td>
<td>0</td>
<td>0</td>
<td>1,000,000 *</td>
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<td><strong>TOTAL</strong></td>
<td><strong>16,462,500</strong></td>
<td><strong>3,271,622</strong></td>
<td><strong>4,271,622</strong></td>
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* Negotiations are underway with the West Coast Symphony of Sarasota. The organization has adequate funds available for the match. This allocation is made with the understanding that the funds will not be released until all matters involving the academic programming are resolved and the matching dollars are provided.
September 6, 2002

The Honorable John E. Thrasher
Chairman, Florida State University Board of Trustees
Smith, Hulsey and Busey
P.O. Box 53315
Jacksonville, FL 32201-3315

Dear Chairman Thrasher:

On behalf of the Ringling Museum Board of Directors, I am writing to convey our strong support for the 2002 legislative appropriation designed to provide $43 million for new construction at the Ringling. We believe this funding is essential to the Museum’s prosperous future and to its ability to serve as a unique and valuable educational resource to FSU’s students and faculty.

President Sandy D’Alemberte has outlined for us his recommendations for Ringling funding and has told us he will present these to you and your fellow FSU Board Members. Our understanding is that Sandy wants to ensure that the new construction can be carried out in a timely fashion and that private funds will be raised to provide endowment to operate programs in the new facilities. We share these goals.

You should know that our Board and Ringling’s other supporters are pledged to raise significant funds for Ringling/FSU. In just two years, we have raised almost 50 percent of the University’s $60 million goal for Ringling—in cash and valuable works of art. We are prepared to do more.

Consistent with Sandy’s recommendations, I respectfully suggest the following to the FSU Board of Trustees:

--Provide the $7.5 million in utilities/infrastructure funds to improve and maintain the Ringling property.
--Provide $10.6 million to construct the already-designed visitors’ pavilion/Asolo Theatre restoration.
--Provide $4 million for planning and design of the proposed new education building, and expansion of the Museum’s north wing gallery space.
--Direct the university administration and the Ringling Board to return with a major fund-raising plan for endowment to ensure adequate funding of programs in the new facilities. Preserve the remaining, unreleased $21 million for Ringling, pending the implementation of this fund raising effort.
-- I further suggest that the FSU Board direct the University administration and
the Ringling Board to return within 30 days a fundraising plan to provide a significant
endowment within five years. The FSU Board would then commit to releasing the
reserved, remaining $21 million in appropriated construction funds as soon as our first
year fund-raising goals are met. If the FSU Board directs us to do so, I will specifically
recommend to our Board of Directors at its September 27 meeting that we commit to
raise $50 million over the next five years—and that at least $10 million of it will be
committed within 12 months, at which point the FSU Board of Trustees would release the
construction funds for both proposed new buildings.

This proposal accomplishes several goals: it gives Ringling the facilities it needs
to fulfill its role as a world-class museum and an extraordinary educational resource for
FSU; it continues Ringling's significant contribution to FSU's capital campaign; and it
also establishes what may be an unprecedented fundraising opportunity in higher
education. Specifically, if we are able to offer donors the opportunity to match their
contributions to the Ringling/FSU endowment through the state-matching program, AND
to then match them again, in effect, by helping us meet our fund-raising commitment to
the FSU Board, donors will quickly see the remarkable value of their contributions.

As Museum supporters, as a community, we are honored and appreciative of our
FSU relationship. While we are 300 miles away, we should be as much a part of FSU as
the London campus, the Asolo Theatre Conservatory, the College of Business and the
Seminole's football team (which attracted our own son to FSU.) We look forward to
continued contributions to the excellence of Florida State.

With appreciation for your consideration,

Yours sincerely,

Vernon G. Buchanan, Chairman
Board of Directors
The John and Mable Ringling Museum of Art

cc: President H. Talbot “Sandy” D'Alemberte, Florida State University
BOARD OF TRUSTEES  
September 19-20, 2002

SUBJECT: Five-Year PECO Request (if received from the Finance and Administration Committee)

PROPOSED BOARD ACTION

Move that the Board of Trustees approve the University's FY2003-08 Fixed Capital Outlay (FCO) Budget Request.

BACKGROUND INFORMATION

Pursuant to Sections 216.0158, 216.043 and 235.435, Florida Statutes, the submission of the Florida Board of Education Division of Colleges and Universities 2003-08 Fixed Capital Outlay Budget Request requires that each college and university update its Capital Improvement Plan (CIP). The CIP, as used by the Division of Colleges and Universities, is intended to present the additional academic and academic support facilities needed for a five-year period. The submittal of the updated CIP is due at the DCU on October 1, 2002.

Additionally, proposed language for the 2003-04 Appropriations Bill concerning the following legislative approvals must be submitted with the initial CIP:

1. Bonded projects
2. Projects funded from institution sources which require general revenue for operation
3. Projects to be financed and constructed by a Direct Support Organization
4. Necessary revisions to previous appropriations.

Supporting Documentation Included: A recommended five year capital improvement plan and a list of projects requiring specific legislative approvals

Other Support Documents Available: None

Contact: Senior Vice President John Carnaghi

Phone: 644-4444
## FIVE YEAR CAPITAL IMPROVEMENT PLAN (CIP) and LEGISLATIVE BUDGET REQUEST

<table>
<thead>
<tr>
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<td>1</td>
<td>Utilities/Infrastructure/Capital Renewal</td>
<td>4,300,000</td>
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<td>5,000,000</td>
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<td>Campus Networking Improvements</td>
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<td>9</td>
<td>Maintenance Complex</td>
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<td>Life Sciences Teaching &amp; Research Center</td>
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<td>Hoffman Teaching Lab Renovation</td>
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<td>Math/Meteorology Complex</td>
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<td>Eppes Hall Remodeling</td>
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<td>21</td>
<td>Tully Gym Remodeling</td>
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<td>Turnbull Conference Center Expansion</td>
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<td>24</td>
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<td>25</td>
<td>FAMU - FSU College of Engineering Phase III</td>
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<td>TOTAL</td>
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#### Challenge Grant Projects

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<td>Concert Hall - Challenge Grant (State Share)</td>
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<td>Business Bldgs. Remodeling &amp; Expansion (State Share)</td>
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<td>FSU Child Development Center (State Share)</td>
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<td>College of Law Renov. &amp; Expansion (State Share)</td>
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<td>Chemistry Building (State Share)</td>
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<td>31</td>
<td>Challenger Learning Center (State Share)</td>
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**P = Planning  C = Construction  E = Equipment  LA = Land Acquisition**
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<tr>
<th>Univ</th>
<th>Project Title</th>
<th>GSF (Total)</th>
<th>Brief Description of Project</th>
<th>Project Location</th>
<th>Project Amount</th>
<th>Funding Source</th>
<th>Est Annual Amt for Operational &amp; Maint Costs Amount</th>
<th>Source</th>
<th>Renewal of Legislative Approval (Yes/No)</th>
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<tr>
<td>FSU</td>
<td>Student Services Building</td>
<td>45,000</td>
<td>This project involves the construction of 45,000 square feet of space for student advising/testing, a computer lab, and space for Contracts and Grants. General Revenue funding is sought only for the portion of the building which will house E&amp;G operations, which is approximately 38,000 sqft.</td>
<td>Main Campus Tallahassee Leon County</td>
<td>$7,800,000</td>
<td>FSU Research Foundation / CITF</td>
<td>$190,000</td>
<td>General Revenue</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Alumni Center</td>
<td>40,000</td>
<td>This project involves the development of a new Alumni Center. This project includes the renovation of the house formerly used by past University presidents. Additionally, new space will be constructed to house the operations of Alumni Affairs and for receptions/meetings. This project will also construct a new residence for future presidents and complete site improvements to the property.</td>
<td>Main Campus Tallahassee Leon County</td>
<td>$7,900,000</td>
<td>Private Funds and Bond Revenues</td>
<td>$200,000</td>
<td>General Revenue</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Communications Facility</td>
<td>163,500</td>
<td>This project involves the construction of a multi-purpose facility for academic and athletic use. Project funding has been derived from PECO and the Seminole Boosters, Inc. General Revenue funding is sought only for the portion of the building which will house primarily E&amp;G operations, which is approximately 67,000 sqft.</td>
<td>Main Campus Tallahassee Leon County</td>
<td>$24,000,000</td>
<td>PECO/ Seminole Boosters, Inc.</td>
<td>$435,000</td>
<td>General Revenue</td>
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<td>Univ</td>
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<td>GSF</td>
<td>Brief Description of Project</td>
<td>Project Amount</td>
<td>Project Location (City/County)</td>
<td>Revenue Source to be Pledged</td>
<td>Renewal of Approval (Yes/No)</td>
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<tr>
<td>FSU</td>
<td>Alumni Center</td>
<td>40,000</td>
<td>This project involves the development of a new Alumni Center. This project includes the renovation of the house formerly used by past University presidents. In addition, new space will be constructed to accommodate the operations of Alumni Affairs and for receptions/meetings. This project will also construct a new residence for future University presidents and complete site improvements to the property.</td>
<td>$7,900,000</td>
<td>Main Campus Tallahassee Leon County</td>
<td>Private Funds and Bond Revenues</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Campus Landscaping Improvements</td>
<td>N/A</td>
<td>The project involves a series of improvements on the Main Campus involving new landscaping, seating areas and similar amenities.</td>
<td>$1,300,000</td>
<td>Main Campus Tallahassee Leon County</td>
<td>Private Funds</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Research and Development Facilities</td>
<td>140,000</td>
<td>This project involves the construction of a new 80,000 square foot building for research and development and major renovations to 60,000 square feet of space in two existing buildings, the Morgan and Sliger-Fuqua Complex.</td>
<td>$15,000,000</td>
<td>Innovation Park Tallahassee Leon County</td>
<td>FSU Research Foundation</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Research and Development Facility</td>
<td>80,000</td>
<td>This project involves the construction of a new building for research and development.</td>
<td>$13,000,000</td>
<td>Innovation Park Tallahassee Leon County</td>
<td>FSU Research Foundation</td>
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<td>FSU</td>
<td>Research and Development Facility - Number Three</td>
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<td>$13,000,000</td>
<td>Innovation Park Tallahassee Leon County</td>
<td>FSU Research Foundation</td>
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<td>FSU</td>
<td>Research and Development Facility - Number Four</td>
<td>80,000</td>
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<td>Innovation Park Tallahassee Leon County</td>
<td>FSU Research Foundation</td>
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<tr>
<td>FSU</td>
<td>Student Services Building</td>
<td>30,000</td>
<td>This project involves the new construction of new space for student advising/testing, a computer lab, and space for Contracts and Grants.</td>
<td>$6,000,000</td>
<td>Main Campus Tallahassee Leon County</td>
<td>FSU Research Foundation</td>
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<tr>
<td>FSU</td>
<td>French Study Center</td>
<td>40,000</td>
<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$10,000,000</td>
<td>Paris, France</td>
<td>DSO Bond Financing</td>
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<tr>
<td>FSU</td>
<td>Spanish Study Center</td>
<td>140,000</td>
<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$11,000,000</td>
<td>Valencia, Spain</td>
<td>DSO Bond Financing</td>
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<td>FSU</td>
<td>Panama Study Center</td>
<td>150,000</td>
<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$6,000,000</td>
<td>Panama, Panama</td>
<td>DSO Bond Financing</td>
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<td>FSU</td>
<td>Italian Study Center</td>
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<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$10,000,000</td>
<td>Florence, Italy</td>
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<td>Project Amount</td>
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<td>Revenue Source to be Pledged</td>
<td>Renewal of Approval (Yes/No)</td>
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<tr>
<td>FSU</td>
<td>Parking Improvements</td>
<td>250,000</td>
<td>This project will provide a series of parking improvements on the Main Campus including the construction of a new 1,500 car parking garage, the development of new surface lots, and improvements to existing surface lots.</td>
<td>$20,000,000</td>
<td>Main Campus Tallahassee Leon County</td>
<td>Parking / Transportation Fees</td>
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<tr>
<td>FSU</td>
<td>Parking Garage No. 4</td>
<td>250,000</td>
<td>This project involves the construction of the University's fourth 1,000 car parking garage.</td>
<td>$20,000,000</td>
<td>Main Campus Tallahassee Leon County</td>
<td>Parking / Transportation Fees</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Alumni Center</td>
<td>40,000</td>
<td>This project involves the development of a new Alumni Center. This project includes the renovation of the residence formerly used by past University presidents. In addition, new space will be constructed to house the operations of Alumni Affairs and for receptions/meetings. Finally, this project will also construct a new residence for future University presidents and complete substantial site improvements to the property. Funding will be provided by private funds (approximately $3 million) and bond revenues (approximately $5 million).</td>
<td>$7,500,000</td>
<td>Main Campus Tallahassee Leon County</td>
<td>Private Funds and Bond Revenues</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>French Study Center</td>
<td>40,000</td>
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<td>$10,000,000</td>
<td>Paris Vicinity, France</td>
<td>DSO Bond Financing</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Spanish Study Center</td>
<td>140,000</td>
<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$11,000,000</td>
<td>Valencia Vicinity, Spain</td>
<td>DSO Bond Financing</td>
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<tr>
<td>FSU</td>
<td>Panama Study Center</td>
<td>150,000</td>
<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$5,000,000</td>
<td>Panama, Panama</td>
<td>DSO Bond Financing</td>
<td>Yes</td>
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<tr>
<td>FSU</td>
<td>Italian Study Center</td>
<td>40,000</td>
<td>This project involves the acquisition of land and construction of a multi-purpose facility for academic and student housing.</td>
<td>$10,000,000</td>
<td>Florence, Italy</td>
<td>DSO Bond Financing</td>
<td>Yes</td>
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BOARD OF TRUSTEES  
September 19-20, 2002

SUBJECT: Enterprise Resource Planning (ERP) (if received from the Finance and Administration Committee)

PROPOSED BOARD ACTION

Move to delegate authority to the University President for approval of contract with PeopleSoft, Inc. for the acquisition of Enterprise Resource Planning systems and implementation services.

BACKGROUND INFORMATION

Senate Bill 1162er, Education Code Rewrite, changed the status of all State Universities from State Agency to Public Corporation. As a result of this change, the State Comptroller has advised that universities will no longer be able to utilize the State accounting systems (SAMAS/FLAIR) nor the Bureau of State Payrolls systems.

In anticipation of this prohibition on the use of State systems, FSU participated in a University Consortium effort to review and evaluate Enterprise Resource Planning (ERP) solutions. ERP solutions offer integrated systems with multiple functionalities required to perform the daily business operations of an organization, including financial and payroll processes. Three ERP vendors' ERP software solutions were reviewed. The final selection of PeopleSoft, Inc., was unanimously agreed to by FSU, University of Florida, and Florida A&M University.

Supporting Documentation Included: Summary of Project Scope and Costs
Other Support Documents Available: None
Contact: John Carnaghi Phone: 644-4444
Enterprise Resource Planning (ERP)
Summary of Project Scope and Costs

Consortium

Florida State University, University of Florida, and Florida A&M University.

Scope

Implementation of the following systems to facilitate ongoing business operations:

Financial Systems
- Budgeting
- Accounting
- Sponsored Research
- Financial Reporting
- Facilities & Property Management
- Accounts Payable
- Accounts Receivable
- Purchasing
- Construction Project Accounting
- Inventory Management
- Travel

Payroll Systems
- On-Cycle Payroll
- Off-Cycle Payroll

Human Resource Systems
- Employee Demographics
- Position Control
- Labor Relations / Performance Evaluations
- Benefits
- Applicant Tracking
- Professional Development

Student Systems
- Admissions
- Registration
- Student Accounts
- Course Scheduling
- Course Catalog
- Permanent Records
- Other student services
**Estimated Total Cost to Consortium**

10-year license fees: $7,313,058
10-year maintenance costs: $10,549,380
Total 10-year Cost: $17,862,438

Estimation of Implementation Services: $4,000,000

**Total License Fees, Maintenance, Implementation Services:** $21,862,438

**Estimated FSU Share of Total Cost** $8,744,975
ITEM: 6c

BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Presidential Evaluation (if received from the Planning Committee)

PROPOSED BOARD ACTION

Consider and adopt a Presidential Evaluation Report, if received, reported from the Planning Committee. Upon approval, the Board Report will be forwarded to the Chancellor, Division of Colleges and Universities, Florida Board of Education.

BACKGROUND INFORMATION

Under the Florida Education Governance Reorganization Act of 2001, university boards of trustees were created and given the power and duty (s.229.0081 (b) and (c), Florida Statutes) to fix the compensation and other conditions of employment of the president and to conduct periodic evaluations of the president, submitting such evaluations to the Chancellor for review. Rule 6C-4.002(3) Florida Administrative Code currently mandates the Florida Board of Education and the Chancellor shall do an evaluation of each president annually. This evaluation shall be based on program goals that have been set jointly by the FBOE, the Chancellor and the president. By law, the President also must be judged against: S. 240.2475 (3)(a) Florida Statutes, the university’s employment equity accountability program; S. 240.533 (4)(d) Florida Statutes, the Gender equity Plan for intercollegiate athletics; and S. 240.2145 Florida Statutes, the performance goals established in the State University System accountability process provided in s. 240.214. Under the Board policy approved in May 2002, the President is to submit evidence of performance on a set of expectations.

The Planning Committee will consider the draft report at its September 19, 2002 meeting and, upon approval, forward its recommendation to the Board.

Supporting Documentation Included: Preliminary Report under consideration by the Planning Committee along with Exhibit containing Presidential Self-Evaluation.
Other Support Documents Available: Self-Evaluation and Appendices mailed to Trustees in August of 2002
Contact: Robert Bradley Phone: 644-2007
MEMORANDUM

TO: Members of Planning Committee

FROM: Robert B. Bradley

DATE: September 10, 2002

RE: Presidential Evaluation

As you recall, the committee will consider the president's self-evaluation at its meeting on September 19, 2002. The meeting will take place in Room 201 of Westcott, beginning at 4:15 p.m. You should have received a copy of the president's self-evaluation (text and appendices; see exhibit 1 for text). At the meeting, the Chair has requested we hear from representatives of the faculty, students, alumni and boosters. The President may also attend and offer response to comments.

I have drafted, under the direction of Dr. Marshall, a proposed report by the committee to the full board for your consideration and revision. See Attached.
Draft
Proposed
Committee Report
Presidential Evaluation 2002
Under the Florida Education Governance Reorganization Act of 2001, university boards of trustees were given the power and duty to conduct periodic evaluations of the president of the university (s. 229.0081 (b) and (c), Florida Statutes), submitting such evaluations to the Chancellor for review. The President submitted his self-evaluation to the Board on August 27, 2002 in accordance with Board policy adopted at its May 10, 2002 meeting. The Board has reviewed his evaluation. It has considered his performance in light of the appropriate statutory guidelines and Board expectations. The Board observations follow.

Overall

President D’Alemberte has performed superbly during his tenure and over the last year, in particular. The President has supported academic excellence and promoted a climate of tolerance and civility. He has worked to beautify campus and invigorate the cultural and intellectual life of the university. He has recruited and supported a splendid administrative team working to improve each student’s educational experience and provide every faculty member with the tools to succeed.

President D’Alemberte has reached out to all elements of the university community in his efforts to improve Florida State University. He has demonstrated the willingness and commitment to involve faculty and students in university decision-making. He consults regularly and effectively with alumni, community leaders and Trustees. The university community has reciprocated his devotion with sustained demonstrations of support. Both the Foundation Capital Campaign and the Booster campaigns are ahead of schedule. The State Legislature and Executive have repeatedly shown great confidence in his leadership.

Florida State University still has challenges before it. There are areas that continue to merit attention. The President is right in pointing toward the need for increased support of graduate education and research. Florida State University must improve its competitive position in the recruitment of talented faculty. But these and other challenges do not diminish what the President has already accomplished. Florida State University benefits from his leadership. In all his representations, his integrity has been unquestioned, his judgment sound, and his temperament a model. He has demonstrated an enthusiasm for the job and a degree of commitment that reflects well on him and Florida State University.

Strengths

The President represents the university exceptionally well in state, national and international venues. He has been active in the Business/High Education Forum, the council of 100, and the National Association of State Universities and Land Grant Colleges. He has proven effective in taking the message of Florida State University to Congress and the Florida Legislature. He has worked tirelessly on behalf of the university with federal agencies, state departments, private businesses, city and county
officials, alumni and friends of the university. He has maintained open and continuing
communication with the many diverse elements of the university community.

The President has retained his commitment to scholarship and teaching. Under his
leadership, the number and caliber of students has increased. The diversity and talents of
the student body has expanded. The President worked to increase the number of eminent
scholar chairs and to establish the Eppes professorships as a means of attracting
outstanding faculty to the university. He has supported and continued efforts recognizing
outstanding faculty through awards for university teaching, developing scholars,
distinguished teaching, Research Excellence, and Continuing Education.

The President has expanded the reach of the university. Under his leadership,
international programs have prospered. Student involvement in civic improvement has
increased. The university’s collaboration with other educational institutions, especially
local public schools experiencing difficulties, has expanded. The university has
maintained its critical role in the national High magnetic Field laboratory. It has worked
with Florida A&M University to improve the Engineering School. It has expanded its
commitment to the cultural heritage and well being of the state with the acquisition of the
Ringling Museum. And perhaps most importantly, the university has launched a College
of Medicine, the first new medical college in a quarter century.

The President has been an effective fundraiser. Both the FSU Foundation and the
Research Foundation have flourished under his leadership. The university’s total
endowment is now almost $330 million, ranked 127th nationally. In 1994, the
university’s endowment ranked 256th. The Research Foundation did not exist.

President D’Alemberte has overseen a dramatic increase in the enrollment of the
university. He has helped spur a spate of new construction on campus, amounting to
hundreds of millions of dollars and encompassing new classroom, laboratory, playing
fields and living facilities. Amidst the construction and the e, he has helped refine and
unify the traditional architecture of the campus. While the university is larger than ever
before, it efforts to communicate its message have never been more successful. It has
improved serve to students even as their numbers have increased. From campus policing
to academic advisement, improvements are everywhere to be seen. These are positive
reflections on the leadership of the President and those he has assembled around him

Areas of Redress

The Board has not identified any areas of substantial weaknesses in the president’s
performance.

Areas Requiring Continued Attention

The President has drawn the Board’s attention to a number of challenges facing the
university in his self-evaluation. He mentions increased support for graduate education
and research, improvement of faculty salaries, the Capital Campaign, expanded research
facilities, continued “roll out” of the medical school, improved campus safety and
continued beautification, expanded collaboration with FAMU, increased focus on the
recruitment talented faculty, consideration of new programs, and continued support for
student community service.

A review of the material presented by the President reinforces these points and raises a
few others. For example, Florida State University has increased its enrollment, providing
access to high quality educational to thousands of additional students. At the same
though, the number of faculty have not increased in pace with student enrollment. As a
temporary measure, this may be fine. In the long run, it will degrade the educational
experience and affect the morale of students and faculty. In similar fashion, the
university already faces an enormous parking problem that will demoralize students,
faculty and staff if left untended.

The President has noted the need to support graduate education. He is clearly correct.
Graduate education is fundamental to the mission of Florida State University. It is key to
our efforts to improve and to be included in the ranks of the best research universities in
the country. The university should increase the number of doctorates it awards. And to
do so, both the Administration and the Board will have to pay increased attention to this
issue.

The President did not mention the university’s graduation and retention rate. But the
exhibits he provided suggest these too are issues that require continuing attention. The
Board commends the Administration for the actions it has taken on these issues and
suggests they been continued and expanded.

The University’s increased cooperative arrangements with K12 schools are commendable
and the President should be recognized for his leadership in this area. Nonetheless, the
precarious situation of many of our public schools (though surely not all) should be a
major concern to the leaders of all of our state universities. While the FSU College of
Education deserves recognition for its many noteworthy effort to assist schools, the fact
remains that great many students are denied sound educational experiences by any
reasonable measure – NAEP scores, for example. The colleges of education at several of
the state universities in Florida are doing a better job than most throughout the country,
but the deplorable state of some our public schools requires even more aggressive and
creative efforts.

The President notes that most students live in the community rather than on campus. It is
the university’s goal that 75% of freshmen live on campus. Some have the opportunity to
reside in living learning centers. These policies are founded on the well-grounded idea
that students living on campus perform better and graduate more consistently than those
living in the community. It is not clear how many of our students should live on campus,
but the Administration and the Board should explore how living arrangements influence
the educational experience and university spirit of our students.
The President notes in his evaluation that the first years of undergraduate instruction by regular faculty merits renewed attention. Florida State University has addressed this to a degree, but it deserves on-going attention. These years are the foundation of the liberal arts education central to the university’s mission.

Florida State University has made great strides in ensuring a rich educational experience, enhanced by a diverse and talented student body. It has both increased diversity and standards. It has been less successful in promoting diversity among its talented faculty, staff and administration. This is not a simple issue. It relates to the President’s concern over salaries and the need for Florida State University to be competitive in the national marketplace for scholars. Nonetheless, it is an issue that cannot be ignored. The President should be aggressive in pointing out to all those concerned with higher education the many adverse implications of inappropriate faculty salaries.

FSU, like many other universities, has made commendable progress in increasing opportunities for women in intercollegiate athletics. At FSU, we have made notable efforts in such team sports as softball, basketball, soccer and volleyball. Still this is an area that deserves continuing attention. Women’s sports lack the attention and acclaim given many of the men’s sports. Recruitment is tied not only to resources but also to the ongoing commitment of the university to publicize the efforts of its women’s teams.

The state legislature has shown great confidence in Florida State University and its leadership. As a consequence, the university is involved in challenging projects with the Ringling Museum, the FAMU/FSU Engineering School, the Panama City Branch Campus, placement testing, and community colleges. Each requires on-going focused administration attention and reexamination.

The President notes that he feels that he has been most successful in leading an outstanding administrative team and he mentions several of those people by name. The Board endorses his observation and notes the number of senior faculty and administrators who will be retiring in the next year or two. Managing this transition is of the greatest importance. Both the Board and the Administration must be mindful of its many implications.

Concluding Remarks

The Trustees commend the President for his through and thoughtful self-evaluation. It raises issues that will be the foundation for further deliberation and action in the months ahead. It is indicative of the spirit of cooperation and communication the President has maintained in his relations with the Board.

The President notified the Trustees on August 30, 2002 of his intention to step down in the coming year, possibly as early as January 2003. On a personal note, it is a departure none of the Trustees welcome. As a Board, we are saddened by your decision. The university, this community and the state has benefited from your service. Your attention,
counsel and friendship have warmed each of us. We hope you will continue to serve
Florida State University in the years to come and to grace us with your enthusiasm and
company. We wish you and Patsy the best.
Exhibit 1
President’s Self-Assessment

Talbot D’Alemberte
Florida State University

August, 2002
Introduction

This self-evaluation, conducted at the request of the Board of Trustees, is being developed in accordance with the evaluation process directed by statute and Board of Trustees policy. An overview of the evaluation process appears in the appendices. The Board of Regents conducted my last full evaluation in January 2001. I received a good evaluation resulting in a salary at the top of the SUS system.

At its first meeting, in September of 2001, the Board of Trustees voted to affirm my performance as President of the University and review it again in a year. Chairman Thrasher subsequently asked the Ad Hoc Planning Committee, chaired by Dr. Marshall, to make recommendations to the Board regarding the evaluation of the University president. The Board adopted a policy on presidential evaluation recommended by the committee at its May, 2002 meeting. That policy requires me to conduct a self-evaluation and submit it to the committee for review and recommendation to the full Board. (See “Overview of the Evaluation Process” at the end of the appendices.)

I welcome the opportunity. I have attempted to assess my performance against both state mandated expectations and those of the university community and the Board. Perhaps as important, I have tried to view my performance against my own expectations and hopes for the Florida State University.

It is not often that you get a chance to step back, see where you have been, reflect on what you have accomplished, and consider how you might have done this or that better. It was my privilege to become president of one of America’s finest universities over eight and a half years ago. I have worked with faculty and staff to make it even better. It is in the spirit of our mutual regard for this great institution that I make the following observations.

Let me provide a brief roadmap since my comments have to cover a fair amount of ground. (See Appendix I for an overview of the requirements) First, I go over progress meeting state mandated expectations. I will cover the State Strategic Plan, Gender Equity Plan in Intercollegiate Athletics, Employment Equity Plan, and Legislative Accountability Measures. Then I will move on to performance in meeting university established expectations, specifically the goals that emerged from the Commission on the Future and the areas the Board of Trustees established at its May, 2002 meeting.
Progress in Meeting State-Mandated Expectations


The State Strategic Plan for FY 1998-2003 established 12 general goals for universities. (See Appendix C). As explicated in the plan, the goals cover virtually every facet of university life. They range from aspirations to improve undergraduate education to expectations for increased on-campus residential opportunities for undergraduate students, student affairs, financial aid, faculty quality, service learning, graduate education and research.

How has Florida State University done measured against these intentions? Quite well, I believe. I have included indicators of our performance on each of the twelve goals. (See Appendix D). Necessarily, they do not capture everything that students gain in programs like Students First, the Math Help Center, or the Reading/Writing Center. The indicators cannot convey all we do, but they do provide a sense of our progress. Let me comment briefly on each goal.

• GOAL 1: TO IMPROVE THE QUALITY OF UNDERGRADUATE EDUCATION

The University has increased standards as called for in the plan. Both the average grade point average and SAT scores of entering freshmen have increased. (See Appendix A). The enrollment in the University’s honors program is up. The numbers of merit scholars choosing Florida State University continues to be strong. Overall, students, who are surveyed regularly, express growing satisfaction with their experiences at the University. There is increasing satisfaction with our academic performance. Performance at the University undergoes continuing favorable scrutiny by accrediting agencies. In areas from education to the arts, FSU has continued to earn high marks.

We are devoting increasing attention to all aspects of the undergraduate experience. More incoming students go through orientation. Increasing numbers take the freshman year experience seminar as a way of getting acclimated to all aspects of university life. We have attempted to keep classes small and, as important, provide students with ample opportunity for learning in intimate discussion sections.

We continue to urge students to broaden their undergraduate experience. Service learning among undergraduates remains at very high levels. The number of mentors is growing. Increasing numbers of students avail themselves of our international programs. The living learning centers that we initiated a few years ago are beginning to establish their merit as means of enriching the undergraduate experience and improving student academic performance. Florida State University’s enduring commitment to our students

1We can recruit greater numbers of Merit, Hispanic, and Achievement Scholars, but it is costly. In our budget cutback, we dropped our large recruitment effort.
is founded on continuing dedication to their safety and campus security. In July, the Campus Police Department received national accreditation for devotion to the very highest standards of excellence.

Using improved means of communicating with all our students electronically, our advising efforts have expanded dramatically. Sites are now deployed across campus, providing assistance. Academic advising now involves more than 60,000 contacts with students monthly at the peak times of interest during the year. We are devoting special attention to disadvantaged students. For example, the Center for Academic Retention and Enhancement (CARE) extends outreach and support to undergraduate students who may be disadvantaged due to economic, educational, or cultural circumstances. CARE provides programs and services targeted to the first-generation college student, and helps to facilitate their preparation, recruitment, adjustment, retention, and graduation. CARE implements programs and services for eligible entering freshmen students, but it also serves selected area middle and high school students with similar backgrounds and characteristics.

Tuition at Florida State University remains low (See Goal VIII), indeed, too low, in my opinion. Over 80 percent of incoming first-time-in-college students from Florida receive Bright Futures Scholarships. However, financial aid is of continuing importance to literally thousands of students. It has grown substantially over the last few years. The University has doubled its institutional support since 1996.

The University has developed a student-centered, fully equipped career center to help ensure students succeed in achieving their personal and professional objectives. The center sponsors career expositions and employment fairs, bringing together students and potential employers. Recently it implemented the FSU Career Portfolio, an interactive tool that allows students to record and evaluate their experiences, both in and out of class, while at the University. The electronic portfolio gives students the opportunity to learn about skills that employers value and helps them build a detailed portfolio of their skills, experiences and accomplishments that can include an online resume, references, transcripts, and even samples of their work.²

The University has made concerted efforts to provide students with all the resources they need to succeed. Over the last two years, the library has added to its number of volumes as well as increased its serial publications and microforms. The university community now has access to over 900,000 government documents, and more than 234 electronic databases and more than 3,516 electronic journals. Increasingly, the resources of the library are available on-line, allowing students, faculty, and staff to do research from their offices or dormitories, as well as in the library.

The University hosts scores of activities structured to assist students and provide for their social, cultural, emotional, and physical well being. A new online calendar has been developed to help students learn of lectures and cultural events as well as student activities.

²This Career Portfolio is an innovative application of technology and a patent application has been filed. I am one of the inventors named in that application.
events. Thousands of students are involved in intramural activities. Even more attend entertainment events sponsored by the University. Increasing numbers of students use the pools and the Leach Center annually. Each year more visit the health center and make use of on campus counseling services.

• **GOAL II: TO PROVIDE ADEQUATE ACCESS TO UNDERGRADUATE AND GRADUATE EDUCATION**

For the last two years, as portrayed in Appendix D, the University has exceeded the state enrollment plan, thereby providing increased access to undergraduate and graduate students. The number of students enrolled has continued to increase, although the number of community college transfers has remained relatively stable over the last few years. The course load of undergraduates has fluctuated only slightly, even as increasing numbers arrive with accelerated course credit. Similarly, enrollment at the Panama City Campus has remained relatively flat, despite increasing numbers of students at the Tallahassee campus.

Minority growth has been especially strong. Over a quarter of the latest class of new students are now minorities. The numbers of first time in college Black and Hispanic students have doubled and tripled, respectively, over the last decade. The percentage of minority students enrolled has grown and remains high.

The growth in faculty has not kept pace with the increasing numbers of students. Nor have faculty salaries kept pace with faculty salaries nationally. Nonetheless, FSU still recruits faculty from the best institutions in the country. Overall, less faculty time is spent on administrative matters and more time is spent on teaching and research. The redirection of additional funds into student advising has allowed more faculty time to be spent in teaching, research, and service.

While faculty have not expanded in pace with the growing numbers of students, the campus has gotten larger. The main campus has grown by more than a third in the last decade, about the same as the growth in full time equivalent students. The University has received considerable infusions of state capital funds over the last few years. Those, together with projects funded through a variety of bonding sources and private contributions, have allowed construction of new parking facilities, helped renovate classroom buildings and residence halls, and allowed for the construction of new buildings. I have worked to improve the aesthetics and safety of campus. This is reflected in a renewed commitment to Jacobean architecture, better lighting, new open spaces, and improved signage.

Significant projects, such as a new Chemistry Building, a new Concert Hall, an academic aquatic center, and a number of athletic facilities, are in the planning or construction stages thanks to successful fundraising efforts.
• GOAL III: TO INCREASE DEGREE PRODUCTION AT ALL LEVELS

The state plan calls for universities to increase degree production at all levels. As seen in Appendix D, Baccalaureate, Masters, and Professional degrees have increased over the period called for in the plan, although the numbers are not dramatic. Doctorates are actually down slightly. There is a worrisome downturn in retention and graduation rates among first time in college students who entered Florida State University in the mid nineties. This is associated with the lower SAT scores of the classes matriculated at that time. It was in anticipation of these difficulties that we directed increasing resources in academic counseling and tracking. We also enhanced counseling and institutional improvement programs to address this decline with the hopes that the rates will improve over the next few years.

We believe that the significant increase in the academic profile of students entering in recent years will restore the graduation and retention rates and we are developing policies that will give special attention to those students who are very close to graduation and who need special encouragement.

• GOAL IV: TO ENHANCE GRADUATE EDUCATION AND RESEARCH

Graduate education and research are essential components of the University. Over the last few years, we have worked to increase the number and quality of our graduate students. We have had some success. The average GRE score of incoming graduate students has improved, although some of our efforts to provide access (i.e., distance learning programs for science and math education) have worked against high GRE scores. The numbers of graduate students have remained relatively steady. (See Appendix D)

We have recruited distinguished scholars, researchers, and creative artists in an attempt to improve our competitive position in the market for graduate students and research faculty through a number of different programs, including the Eppes Scholar program. Further increases are constrained, in part, by funds needed to recruit graduate students. Still, there has been an increase in the number of graduate students involved in some form of teaching. The overall research enterprise of the University has expanded. Contract and Grant expenditures are up substantially. Federal research and development obligations are up, as are research awards generally. While trends for patents and inventions are notoriously subject to the creative process, the data indicate increased activity and an upward movement.

• GOAL V: TO SOLVE CRITICAL PROBLEMS IN FLORIDA

Florida State University contributes substantially to the solution of critical problems in the state. In does so in scores of areas, ranging from applied environmental research to reading programs. It trains state and local employees in the Institute of Government, the Center for Professional Development, and the Florida Center for Public Management. It provides advice on emergency management and maintains the state land
statistics. It also educates students in disciplines critical to the well being of the state. Over the last few years, increasing numbers of students have enrolled in engineering and information studies. (See Appendix D) Distance learning programs where the degree is delivered in its entirety in an off campus environment have been instituted in nursing, computer science, education and information studies.

FSU students have largely maintained their excellent rates of passage on professional exams in education (Also see Goal IX), nursing, and law. The Law School has steadied the number of African Americans enrolled and the School has improved both its national rankings and its job placement rates.

Perhaps most significantly, Florida State University has opened a College of Medicine. The second class is already enrolled, committed to a mission of improving the accessibility of primary care in Florida, especially in rural and underrepresented areas.

FSU has retained its commitment to provide access to minorities. Undergraduate minority enrollment has increased over the last few years. Graduate enrollment has remained high, but did slip in FY 2001. Overall, minority employment on campus has increased but the percent employed has remained at about 25% since I became president.

* GOAL VI: TO ENHANCE PUBLIC-PRIVATE PARTNERSHIPS TO PRESERVE AND IMPROVE QUALITY WITHIN THE SUS. AND TO BETTER SERVE FLORIDA BUSINESS, INDUSTRY, AND GOVERNMENT*

Florida State University has worked diligently to build partnerships with the private sector and friends throughout the country. It has used state challenge grant programs to encourage private gifts funding chairs for distinguished scholars and programs across campus. Overall, the University’s endowment has grown well, deterred only by the vicissitudes of the stock market. Annual giving continues to rise, passing $100 million for the first time this year. In 2001, FSU ranked 127th in the ranking of its endowment, up from 256th in 1994. We have every reason to believe that we have passed other universities this year, and we expect to be higher ranked this year. Within two more years, we should be in list of 100 largest endowments.

Royalties from patents and inventions remain high, after an explosive period of growth. Royalties from license plate sales and licensing of the FSU Logo have flattened though and now appear in a decline.

Notably, at one of FSU’s more recent collaborations, a real turn-around is in evidence. The Ringling Museum is experiencing increased attendance, increased revenues, and increased interest as seen in donations and capital gifts.

FSU is working with business partners such as St. Joe/Arvida to improve education. It has ongoing collaborations with the city and county to improve the area around campus and to help develop the southside of Tallahassee. Schools and Colleges
have put in place advisory boards composed of representatives of business, industry, and government to help provide direction and raise funds.

- **GOAL VII: TO DEVELOP AND IMPLEMENT CREATIVE AND COST-EFFECTIVE PROGRAMS TO INCREASE EFFICIENCY WITHOUT SACRIFICING QUALITY**

Florida State University has made a major investment in and commitment to distance education. In fact, it is increasingly clear that virtually nothing on campus stands apart from the electronic environment now in place.

FSU offers four Bachelor of Science online degree programs:
- Computer and Information Science
- Information Studies
- Interdisciplinary Social Science
- Nursing Program (RN-to-BSN)

It also offers eight online masters and two specialist degree programs in the following areas:
- Criminology and Criminal Justice
- Educational Leadership
- Information Studies
- Instructional Systems
- Math Education
- Mechanical Engineering
- Risk Management/Insurance
- Science Education
- Social Work

There has been steady growth in the number of on-line courses and enrollment. Perhaps as important all teaching is supported through a central infrastructure and a common environment. For instruction, Blackboard is the main software used to set up web-supported and online classes at FSU. Using a Blackboard course website, instructors can deliver content and coordinate online activities. It is used for class announcements, course documents, staff information, assignments and to link with other resources. The campus Technology Enhanced Classroom Initiative is aimed at establishing a new technology baseline for all centrally managed general-purpose classrooms. As a work in progress it will connect all of FSU's general-purpose classrooms to the campus network with a 100 MB network connection and equip every general-purpose classroom with an appropriate level of multimedia capability.

The use of technology has been at the center of a campus wide effort to develop and deploy cost effective programs. Last year the University received 33 Davis Productivity Awards from Tax Watch, an indicator of the extent to which our efforts are yielding fruit. Since the mid-nineties, the University has reduced the E&G funds going to administration by nearly 2 percent.
• **GOAL VIII: TO ESTABLISH A STABLE, RELIABLE SOURCE OF STATE FUNDING PERFORMANCE-BASED PROGRAM BUDGETING**

FSU tuition rates have increased in recent years, helping to fund the objectives established in the 1998 state plan. The University has yet to have complete control over its tuition, as envisioned in this goal. It is worth noting though, that under the devolution plan instituted by the Governor and Legislature, it was able to exercise discretion this year over the tuition paid by out-of-state students.

• **GOAL IX: TO ENHANCE PUBLIC EDUCATION AT ALL LEVELS**

The University has established and supported educational partnerships with school districts and specific schools in its service area and region. It has focused on critically low performing schools. Over 80 different types of ongoing collaborations are underway with K-12 schools. Another 50 relationships have been formed with community colleges. The University also operates the Educational Research Center for Child Development (ERCCD). It serves university academic and professional preparation programs by providing training for student teachers and others studying about young children. The ERCCD is a site for research by faculty members and graduate students in the departments of Early Childhood, Child Development, Psychology, Movement Sciences, and other academic areas. The University also houses the Center for Prevention and Early Intervention Policy (CPEIP) whose work focuses on practices and policies which prevent poor birth outcomes, build strong families, promote maternal and child health and development, and prevent disabilities. The Center has trained hundreds of individuals in prenatal and infant health.

The College of Education is the focus of the University’s efforts to meet this goal. The College operates an extensive outreach program and has increased undergraduate enrollment in the last few years. More than 90% of the University’s graduates pass the state professional examination annually.

I am particularly proud of the Southside Initiative that has helped assemble faculty, staff, students, volunteers, learners and researchers to provide resources for improvement to the southside schools.

• **GOAL X: TO BROADEN EDUCATION, RESEARCH, AND ADVISEMENT SUPPORT THROUGH THE EXPANDED USE OF INFORMATION TECHNOLOGY**

As noted in Goal VII, the University has developed and continues to improve an environment rich in information technology. All students are provided opportunities for connectivity. All administrative offices employ electronic, university-wide sharing of information systems. The University is now beginning implementation of a campus wide enterprise resource planning system that will fully integrate most of its “Back Office” functions, including accounting, budgeting, cash management, human resources,
purchasing and inventory. Student Affairs already has most of its functions fully integrated through web-based applications.

While FSU continues to invest in and deploy web applications, it also maintains large-scale computers to support large-volume information resource applications in numerically intensive computing projects. Its latest acquisition has the highest-ranking performance of any university owned mainframe in the United States.

- **GOAL XI: TO PROVIDE ACCESSIBILITY TO STATE UNIVERSITY PROGRAMS AND SERVICES FOR ALL STUDENTS**

Through the Student Disability Resource Center, the University provides support services at no cost to students with disabilities. It is the primary advocate on campus for students with disabilities. The University has been nationally recognized for its commitment to the unique needs of students both in and out of the classroom.

Of course, the distance learning programs, detailed above, have helped many students gain access to university programs.

- **GOAL XII: TO INCREASE ON-CAMPUS RESIDENTIAL OPPORTUNITIES FOR ALL STUDENTS**

On campus residence opportunities at FSU are limited, and most students live in the community. Still, the University works to ensure that 75% of all first-year freshmen live in the residence halls. The on campus residences are quite old. However, FSU has engaged in renovation of most of its existing dormitories. For example, the renovation of Salley Hall, an 8-story, two-tower dormitory facility housing up to 574 students, was completed earlier this year. A new residence hall consisting of four buildings with a total of 568 beds built in an apartment style is currently under construction.

2. **Gender Equity In Intercollegiate Athletics**

The University has made considerable progress toward providing increased opportunities for women in intercollegiate athletics. See Appendix E. Our commitment remains strong. The numbers of women involved have improved dramatically. The gap between the percentage of women making up all participants in athletics and their proportion of the student body has narrowed considerably. The Title IX Committee has found the University to be in compliance with all of the guidelines established by the Office for Civil Rights.

Still, we have more progress to make. Over the next two years, we will implement a plan that will bring participation of female student athletes to 53% of all those participating. This remains a difficult task, requiring a balance between fiscal responsibility and the demands of assembling a comprehensive and nationally competitive athletic program. FSU does not plan to eliminate any male sports, but it does plan to add sports, such as women’s rowing, in addition to implementing a series of other
improvements.

3. Employment Equity

In Appendix F, I present the results of the annual Equity Accountability Program Report. It consists of three elements: a progress report, a plan update and the budgetary incentive plan. It examines both the current position structure and the disposition of personnel transactions. The plan derives benchmarks for faculty, deans and chairs from the Summary Report: Doctorate Recipients from United States Universities, published by the National Research Council, as a means of determining the proportion of those having the requisite skills. Non-Faculty personnel benchmarks are established from a variety of data sources dealing with occupational distributions in the metropolitan area, state, and region.

By and large, there has been little change in our position over the last year. Over the last few years, the University has improved the percentage of African Americans in senior administrator positions; the number of Hispanic ranked faculty is up slightly. The position of minorities has generally improved. There has been little improvement and even some regression in the position of women.

Across all areas covered in the plan, the University is underrepresented by a total of 43 positions. Between the Fall of 2000 and the Fall of 2001, there were 88 personnel transactions in areas covered by the plan. These did not result in appreciable changes in underrepresented and minority hires. The University has instituted an underrepresented and minority faculty recruitment program to address these deficiencies. Over the last 4 years 21 positions have been allocated and over $1.3 million dollars have been spent on the program. The program is allocated $500,000. It is aimed at taking advantage of opportunities for hiring when an academic unit does not have an opening available. This is critical since annual change due to turnover and new personnel transactions is relatively small.

4. Legislative Accountability

The FY 2001-02 General Appropriation Act established a set of performance measures and standards applicable to state universities. See Appendix G. The evaluation of each president must address how well the University has performed against these standards. I am pleased to report Florida State University has done well. The summary found in Appendix G shows that of the 25 measures established by the Legislature 9 cannot be applied to the University. The data are not available, they are not applicable, or the standard was not set. FSU is above the legislative standard on 11 of the 16 remaining measures.

Overall, FSU does quite well against the Legislative standards. The University does not meet the standard on 5 measures. Some seem inapplicable. For example, the legislative standards indicate FSU should admit 95% of all those qualified Florida students who meet the state requirements. This standard, if met, would put FSU outside
the enrollment plan and ultimately prove impossible with the physical resources available. Moreover, it is at odds with the way in which students choose top caliber institutions at which to study. The best students apply to several universities and then choose one.

Three of the remaining standards deal with the career choices of our students. According to state data, too few of our students go on to good paying jobs or graduate school. Unfortunately, the data available do not capture many of our best students who leave the state are not captured in state statistics. Moreover, they do not account for the disciplines acquired by our students. FSU has large numbers of students in the fine arts, areas where initial salaries are below the average.

The final measure deals with undergraduate instruction by faculty. Here we might do better, but again there are factors worth considering. As a graduate institution, we must provide opportunities for our graduate students to teach. As important, we have made the choice as an institution to emphasize individualized study and small discussion sections in the major disciplines. This choice can only be implemented with a commitment of resources that might otherwise be used to raise the faculty involvement in the lower level courses.

Progress in Meeting University, Community, and Board Expectations

1. Commission on the Future

Appendix H summarizes my view of our accomplishments of the goals established by the Commission on the Future. Both external and internal groups made recommendations in framing the direction of the Commission on the Future. The Commission aimed to work on realizing the goals within 10 years. The Commission did not establish numerical milestones; it offered goals. Many are quite specific; more are less distinct. Assessing their achievement is necessarily somewhat subjective. After three years, I judge that substantial progress has been made on 13 of the 58 goals established; moderate progress on 27; and nominal progress on 18.

Overall, I am heartened by what has been accomplished.

Our successes involve matters such as the medical school, information technology, diversification of the student body, and the capital campaign. Progress has been hard to come by on matters such as the faculty/student ratio, diversification of the faculty, and changes in the curriculum. Quite frankly, some of the goals look impractical in retrospect. It is difficult to know how we would accomplish "reduction of available campus parking" or "establish differential tuition" absent major changes elsewhere.
2. **Board Expectations**

The policy has eight areas for evaluation, as follows:

- **Academic Management and Leadership**

  The University has made great strides this year particularly in building the new College of Medicine, integrating the Ringling Museum into the University and in implementing the program for the Center for Advancement of Human Rights. The continuation of our program of student and faculty recruitment, achieving greater diversity in our student body while increasing academic standards has advanced the reputation of the University.

  Resources have continued to grow from private gifts and research funding.

  I believe that there is a good spirit of collegiality among faculty, administrators, staff and students and there is a great civility in our dealings.

  We have recruited excellent new faculty and have continued with the named professorship program, adding 22 new named professors. The Eppes and other eminent scholar recruitments have worked parallel to this program to bring significant new talent to our faculty.

  The athletic program, free from scandal, gives great attention to academic values.

- **Communication**

  I have attempted to communicate the excellence of the university, not only in our national advertising campaign (“Ideas that Move”) but also in regular press releases, Op-Ed columns, and speeches.

  I have active roles in organizations such as the Business/Higher Education Forum, Council of 100, National Association of State Universities and Land Grant Colleges, and Campus Compact. I also have maintained my contacts through service in American Bar Association committees, including the ABA Central and East European Law Initiative, which I founded.

  Through regular mailings and e-mail, we have attempted to keep the Board of Trustees informed about major events and providing advance warning of possible negative publicity.

- **Student Affairs**

  Student Affairs has been tasked to maintain excellent student programs including extended community service programs.
In the area of off campus study, I have consistently pressed to expand and improve international programs. We are currently working to establish a year-round study center in Paris and we are close to arrangements for a permanent Panama campus. We are also actively considering a study center in New York City that will be possible only if we raise substantial private funding.

- Fundraising

We have continued our Foundation Capital Campaign and the Booster campaign both of which are ahead of schedule. This year we raised more than 100 million dollars ($107 million) for the first time and we have passed the half way mark for our $600 million Capital Campaign.

Research continues to draw in substantial funding and we are in the fourth straight year of double-digit improvement in funding, and we are on track to meet our goal to double contract and grant activity in a five-year period beginning in 1998 with 88 million dollars. This year, Research awards totaled almost $148 million dollars, and we estimate that we are on track to bring in approximately $175 million next year and to top $200 million the following year.

Our total endowment is $328,988,000 (ranking us 127th in the country compared with 256th in 1994) and this includes about $70 million in the Research Foundation endowment that did not exist in 1994.

- Budget and Finance

This area is very well served by an excellent team. Ralph Alvarez and the Budget Office provide very competent technical support while Ruth Feiock and Robert Bradley provide unique insights into the longer-range budget projections, allowing us to anticipate state budget trends.

The principal policy decisions are made in a collaborative manner with the involvement of faculty, deans, staff, and representatives of the faculty. Larry Abele and John Carnaghi provide the direction for the day-to-day decisions in their areas, and we operate with a great deal of authority delegated to them and, in turn, to the operational units.

- Administrative Management and Leadership

Of all my activity as president, this is the area where I feel most successful and I also believe it is the most critical part of my job.

The personnel leading the administration of the University are all excellent and I should particularly mention Larry Abele and John Carnaghi whose extraordinary performances have brought them and the University national recognition. Those reporting to them—deans, administrators, and department chairs—have shown great
initiative and management skills.

In all the areas of this report where we have had notable success, such as Research (Ray Bye), and fundraising (Jeff Robison, Andy Miller, and Jim Melton) the people who have primary responsibility have performed admirably.

In service areas and special functions, again we have personnel who are extraordinary. Richard McFarlain has been an excellent General Counsel and an important advisor on a wide range of issues.

Beverly Spencer’s team is uniformly competent and hard working and particular tribute is owed to Kathleen Daly and her group, to Donna McHugh for the incredible high standard for University functions and for her leadership, along with Carmen Braswell, with our arts festival and to Diane Greer whose initiatives have greatly improved our campus.

In Student Affairs, Winston Scott’s team has done wonderful work with student housing, an enriching lecture series and maintaining high standards of conduct for our students.

- External Relations

I believe that FSU has the reputation for working closely with the public schools, the community colleges, and other universities, although there have been conflicts with other universities, particularly over the so-called “equity plan” of last session. I also have doubts about the wisdom of formalizing and staffing an organization of state university presidents.

The relationship with the local schools is excellent, and I doubt that any university in the state enjoys as much collaboration as we do.

Similarly, we have very good relationships with the community colleges, particularly TCC, and our articulation arrangements with TCC may be the most comprehensive in the country.

Thanks in large part to our emphasis on community service, to our sponsorship of the Tallahassee Boys’ Choir, and our arts festival (“Tallahassee: Seven Days of Opening Nights”), our relationship with local government appears to be quite constructive. John Carnaghi does an excellent job of maintaining day-to-day relationships with local government, and Ray Bye has developed great confidence among the leaders of the Chamber of Commerce and the Economic Development Council.

Kathleen Daly has worked to develop excellent relationships with legislative and executive officials, and, overall, I feel that our government relations effort is the best in the state.
• **Personal Attributes**

This is a difficult area for self-assessment. I still enjoy my job and I look forward to coming to work.

3. **Other personal or institutional achievements**

I serve on the following boards:
- Member, National Association of State University and Land Grant Colleges
- Member, Business-Higher Education Forum
- Vice President, Campus Compact
- Member, ABA Central and East European Law Initiative

Since my last evaluation, I have received recognition from the Law Library of Congress (the Wickersham Award). I am Principal Investigator on a $1.9 million, three-year grant from U.S. AID, and I am one of the inventors on a patent application for our electronic career advising system.

4. **Overall perception of the current state of the University**

The University is clearly on the move and our success in fundraising, contract and grant activity and our initiatives in science (medical school, advanced power systems) and art (Ringling) have captured national attention.

5. **Disappointments, frustrations, problems**

My principal disappointments have been:
- **Salary for faculty**: The budget cutbacks have prevented our implementation of a major salary increase for faculty.
- **Concert Hall**: Our fundraising has not yet provided the resources to build the concert hall.
- **Baseball**: I had hoped that this year would bring a national championship to Mike Martin, who deserves it so much.

6. **Aspects of the last year that have been especially rewarding**

- **Capital Campaign**: We are ahead of schedule.
- **Research**: We are ahead of schedule to double our research funding in the period 1998-2003.
- **U.S. AID**: My project for distance learning legal studies was funded.
- **Success with student, faculty recruitment**: We have continued to attract excellent students and very competent faculty to the university.
- **Campus improvements**: Major projects, including important road realignment, are now underway.
7. Major challenges, opportunities, and primary goals for the future

The goals I see for the future are mainly those that have already been identified through the planning process and consultation with faculty, staff, alumni, and donors.

The first two goals were articulated in my address to faculty last Fall: *Improvement of faculty salaries and increased support for graduate education and research.* It can be argued that these are not goals at all, but rather, means to achieve the goals of (1) recruiting and retaining faculty and (2) recruiting top graduate students. These goals cannot be met if we do not address these two points. Our competitive status as a research university is dependent on top faculty and top graduate students. These cannot be achieved without action by the legislature and the Board of Trustees and the achievement of these goals will require substantial revisions in the arrangements for funding of higher education in Florida.

My other goals for the university are:

- **Capital Campaign**

  We should strive to maintain the pace of private fundraising set this year. If we do so, we will end the campaign very substantially over the goal of $600 million, and our endowment will move into the top 100 among public and private universities. A particular goal of the capital campaign should be the completion of the Concert Hall.

- **Research**

  With research funding last year at $147.9 million, we are on track to double our sponsored research in the five years since 1998 when it was $88.9 million. Our goal should be to continue with that level of improvement.

  We should put together an effort to win funding through the state competition for the $30 million innovation/research program.

  Our internal support for start up projects should continue through support from the FSU Research Foundation.

  Parallel to this effort, we should continue to support the development of our intellectual property through invention disclosures, patent applications, and technology transfer. This will require continued investment by the Research Foundation.

  Finally, we should plan for the future of our research facilities and pursue the plan for an expanded research park in the area of the National High Magnetic Field Laboratory and the Engineering School.
• **Health Care**

The continued “roll out” of the medical school is critical. Completion of arrangements for the clinical years, construction of facilities and full accreditation should be high on our agenda.

As we build a medical school faculty, we must see that we integrate medical education into the university culture and avoid a “silo” mentality. This will require collaboration between the medical school and other units across campus on education, research and service programs.

Especially in the area of research funding, we should set ambitious goals for the medical school. This should deal not only with basic science research but also health care delivery and improvement in medical education.

As the medical school matures, we should examine other health care programs, and two deserve special mention. First, the legislature has provided funding for the university to study a program of alternative and complementary medicine, including a School of Chiropractic, and we should develop a full plan to develop such a program built solidly on a science based curriculum. Second, we have the resources to consider a program in Public Health, and this should be explored.

• **Improvement of Campus and Perimeter Areas**

We have made great progress in campus beautification and in acquiring art for campus. With these successes, we are on the verge of having a truly beautiful campus.

We should work with local government to improve the beauty, safety and function of perimeter areas around our campus, particularly College Avenue, Gaines Street, and Tennessee Street.

• **Collaboration with Other Education Institutions**

It is critically important to develop further collaboration with other institutions in Tallahassee, in the state and beyond. Of particular importance is the development of a plan to move the FAMU/FSU Engineering School past some problems that inhibit its development.

The work with the public schools is paying off handsomely and we will continue that initiative.

• **Faculty Recruitment, Designation of Distinguished Professors**

We must work to replace the large number of senior faculty who are
retiring while developing a program to continue support for retiring professors who maintain active research programs. Our effort to recruit distinguished scholars as Eppes Professors and eminent scholars has been successful, and we should expand that recruitment.

- **Evaluate Possible New Programs**

  We should develop a process to evaluate the possible creation of new programs including, of course, the health care programs mentioned above. Other programs that deserve consideration are an L.L.M. for foreign lawyers; expansion of our arts curriculum to include art conservation, sculpture and representational art; developing the television and recording arts aspects of our Motion Picture, Television and Recording Arts program; create opportunities for interdisciplinary study in creative writing (English, Theatre, Film); and Human Rights.

- **Student Community Service**

  The number of students who are involved in community service has grown steadily, and we should continue to encourage their involvement.

**Concluding Remarks**

This year, I have a sense that there is growing momentum for Florida State University. That sense is based on the exceptional opportunities our faculty, donors, and political leaders have given us.

The College of Medicine offers us a chance to lift the science programs and the university. The integration of the Ringling into the university will, similarly, lift the arts. The recruitment of top faculty, achieved through the eminent scholar and Eppes programs, has raised the visibility of many of our programs.

The consistent advances in contract and grants activity and in private fundraising—academic and athletic—have provided resources to allow us to stretch our vision.
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT:  Transition Process

PROPOSED BOARD ACTION

Approve the establishment of a Presidential Transition Committee, a committee to begin discussions regarding future arrangements, and discuss the transition process in general.

BACKGROUND INFORMATION

President D'Alemberte indicated in a letter dated August 30, 2002, that he intends to step down as President.

The statutes clarify that the role of the board of trustees is to appoint a presidential search committee to make recommendations to the full board of trustees, from which the board of trustees may select a candidate for ratification by the State Board of Education. In a letter dated September 11, 2002, the Chair indicated that as a first step in the transition process he was appointing a Presidential Transition Committee and a committee to begin discussions with President D'Alemberte concerning the future arrangements between the university and the president. Following their report to the Chair, and subsequently the full Board of Trustees, a search advisory committee will be named.

Supporting Documentation Included: Memorandum dated September 11, 2002, concerning Presidential Transition Contact:

Phone:
TO: Members, FSU Board of Trustees
FROM: John E. Thrasher, Chair
DATE: September 11, 2002
SUBJECT: Presidential Transition

As you know, in a letter dated August 30, 2002, President D’Alemberte announced his intention to step down as president of the Florida State University. In his letter, President D’Alemberte indicated his desire to “retain a continued affiliation with the university thereafter.”

During the last year, we have had the opportunity to observe this president at close range, to test his judgment, evaluate his energy and determination, and see how he relates to a wide variety of people and gauge his effectiveness. This president ranks very high, practically off the scale, on these and other qualities. He will leave the presidency with a great legacy and many lasting achievements. No one could have accomplished more during their tenure than Sandy D’Alemberte.

As we seek to fulfill our responsibility to select the next president, let us begin with optimism and hope. We will seek a leader to move us to the next level of excellence and to build on our strengths in teaching, research, and service. It is my hope that we complete this process as soon as possible without sacrificing quality, thoroughness, and due diligence.

So, let’s begin the process. I am announcing today the appointment of a formal presidential transition committee. The charge of the committee will be to:

- Develop the criteria and qualifications for the next president;
- Recommend the composition of a 13-15 member search advisory committee;
- Recommend a timeline for the search process;
- Take public testimony and consult with appropriate individuals, entities, and organizations;
- Develop a position description for advertisement; and
- Recommend advertising sites

110L Westcott Building • Tallahassee, Florida 32306-1310 • (850) 644-5122 • Fax: (850) 644-2283
The membership of the committee will be as follows:

Trustee Hinkle - Chair
Trustee Haggard
Trustee Knowles
Trustee McGee
Trustee Pletic
Dr. Valliere Richard Auzenne

I request that the committee report back to me as soon as possible but not later than October 1, 2002. If additional time is needed for the committee’s work, I ask that the chair notify me. President D’Alemberte has asked that Dr. Robert Bradley and Ruth Storm Feiock provide the staffing for the Presidential Transition Committee.

In addition to this committee, I am asking that Trustees Marshall and Uhlfelder begin discussions with President D’Alemberte regarding the future arrangements between the president and the university and report to the chair no later than November 1, 2002.

I hope that we are able to schedule a Board conference call in October to hear the recommendations from the Presidential Transition Committee and the report from Trustees Marshall and Uhlfelder. Following these recommendations, a search advisory committee will be named.

I expect that we will have a smooth transition in leadership at the university and I urge the administration, faculty, and staff to continue to recruit outstanding faculty and students and to continue to make the student experience as meaningful as possible. The Board will do all within its power to continue the great momentum that has been the hallmark of President D’Alemberte and his team.

Cc: President D’Alemberte
Dr. Valliere Richard Auzenne
Dr. Robert Bradley
Ms. Ruth Storm Feiock
Dr. Carl Blackwell
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Tenure Upon Appointment

PROPOSED BOARD ACTION

Approve granting tenure to the nominees and request that the President forward the names to the Florida Board of Education for approval

BACKGROUND INFORMATION

President D’Alemberte has approved the names of the nominees and certifies that the nominees have met the requirements and conditions contained in Section 6C-5.940 of the Florida Board of Education (FBOE) Personnel Rules and university rules, policies, and procedures for the granting of tenure and that he is satisfied that the nominees will make a significant professional contribution to the university and the academic community in general.

Supporting Documentation Included: Names of nominees and background information are attached
Contact: Steve Edwards Phone: (850) 644-6876
MEMORANDUM

TO:        Dr. Carl W. Blackwell, Interim Chancellor
          Division of Colleges and Universities
          Florida Board of Education

FROM:      Talbot D'Alemberte
          President

RE:        Tenure Nominations as a Condition of Employment

September 16, 2002

I am requesting that the tenure nominations submitted by Florida State University to the Florida Board of Education for five faculty members for whom tenure is a condition of employment be approved. The name, sex, race, rank, degree of effort (if other than full-time), department, and college/school of each nominee are contained on the attached list. In nominating these faculty members for tenure, I certify that the requirements and conditions contained in Section 6C-5.940 of the FBOE Systemwide Personnel Rules, and in University rules, policies, and procedures for the granting of tenure, and for employment by the University have been met and that I am satisfied the nominees will make a significant professional contribution to the University and the academic community generally.

Thank you for your consideration of this request. Please call if you have questions.

Enclosures
## Tenure Nominations

### As A Condition of Employment

**University:** Florida State University 2002-2003

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<thead>
<tr>
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<td>Carol Anne Clayson</td>
<td>F</td>
<td>W</td>
<td>Associate Professer</td>
<td>Meteorology</td>
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<td>College of Human Sciences</td>
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<td>Wayne A. Wiegand</td>
<td>M</td>
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<td>Professor</td>
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<td>School of Theatre</td>
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<tr>
<td>Mary Karen Dahl</td>
<td>F</td>
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<td>Professer</td>
<td>Theatre</td>
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*If part-time.

(1) Race/Ethnicity: I=American Indian or Alaskan Native; A=Asian or Pacific Islander; B=Black, not Hispanic; H=Hispanic; or W=White, not Hispanic.
Tenure is a condition of employment for the following faculty member at The Florida State University

CAROL ANNE CLAYSON
ASSOCIATE PROFESSOR OF METEOROLOGY
COLLEGE OF ARTS AND SCIENCES
FLORIDA STATE UNIVERSITY

Dr. Carol Anne Clayson has accepted an appointment at The Florida State University as Associate Professor of Meteorology, with tenure as a condition of employment. Dr. Clayson comes to the Florida State University from Purdue University where she was a faculty member since 1995 and a tenured Associate Professor since 2001.

Dr. Clayson received her Bachelor of Science degree (1988) in Physics and Astronomy from Brigham Young University. She received both her Masters (1990) and Ph.D. (1995) from the University of Colorado at Boulder in Aerospace Engineering Sciences, Program in Atmospheric and Oceanic Sciences. From 1995-2001, Dr. Clayson was an Assistant Professor in the Department of Earth and Atmospheric Sciences at Purdue University. Purdue promoted her to Associate Professor with tenure in 2001 where she served through June 2002.

During her seven years at Purdue Dr. Clayson has developed an innovative educational program and a strong research program in the area of air-sea interaction. Her honors include: the Purdue Teaching for Tomorrow Award (1999), an NSF Early CAREER Award (1996), an Office of Naval Research Young Investigator Award (2000), and a Presidential Early Career Award for Scientists and Engineers (PECASE, 2000). She has published numerous articles in the refereed literature, and has already been the co-author of two books. As a result of her accomplishments, she has been asked to participate on several key committees in the atmospheric sciences, including the American Meteorological Society (AMS) Board on Meteorological and Oceanographic Education in Universities and the AMS Committee on Interaction of the Sea and Atmosphere. These accomplishments are truly exceptional for a person of her relatively young professional age.

As a developing scholar with established outstanding teaching and research credentials, Dr. Clayson will add intellectual strength and vigor to the University and will enhance the quality, visibility and reputation of the teaching and research activities of our Meteorology Department.
Tenure is a condition of employment for the following faculty member at Florida State University:

**YUN-HWA PEGGY HSIEH**  
PROFESSOR OF NUTRITION, FOOD AND EXERCISE SCIENCES  
COLLEGE OF HUMAN SCIENCES  
FLORIDA STATE UNIVERSITY

Dr. Peggy Hsieh has accepted an appointment at The Florida State University as Professor in the Department of Nutrition, Food and Exercise Sciences, College of Human Sciences, with tenure as a condition of employment. Dr. Hsieh comes to Florida State University from Auburn University where she has been a faculty member since 1993, and tenured since 1997.

Dr. Hsieh received the B.S. in Nutrition and Food Science from Fu-Jen University, the M.S. from Purdue University, and the Ph.D. in Food Science from Florida State University. She was an Assistant Professor in the Department of Nutrition and Food Science at Auburn University from 1993 to 1997. She was tenured and promoted to Associate Professor in 1997, and advanced to full Professor in 2002.

Dr. Hsieh’s area of major research is related to meat species identification where she has characterized monoclonal antibodies specific to those meats. Specifically, she has developed new antibodies that can accurately be used to determine both the meat species and cooking temperature of commercial food products, developed the instrumentation that detects contamination in liquids and solid food products, and discovered a collagen in jellyfish that may have applications for rheumatoid arthritis. Her work has resulted in patents and she has patents-pending. Dr. Hsieh is the author of over 75 articles, book chapters and other publications and has also attracted external funding from both federal agencies and industry to support her work.

Because of her scholarship and leadership, Dr. Hsieh is currently recognized as a national and international leader in the field of food safety as it relates to meat identification. She is the president of the American Chinese Food Society and is an active member of the Institute of Food Technologists and other food science professional organizations. She was also designated as one of the five Leading Authorities at Auburn University.

As a superb researcher and teacher, Dr. Hsieh will greatly enhance both the graduate and undergraduate programs in Food Science. Not only will Dr. Hsieh’s appointment enhance the quality, visibility and prestige of FSU’s Food Science program, it also will provide leadership in research areas that are of critical importance to the state of Florida and the nation.
Tenure is a condition of employment for the following faculty member at Florida State University:

WAYNE A. WIEGAND
PROFESSOR OF INFORMATION STUDIES
SCHOOL OF INFORMATION STUDIES
FLORIDA STATE UNIVERSITY

Dr. Wayne A. Wiegand has accepted an appointment at The Florida State University as Professor of Information Studies, with tenure as a condition of employment. Dr. Wiegand comes to FSU from the University of Wisconsin-Madison, where he has been a Professor since 1989 and a tenured member of the faculty since 1982. Previously he had served as a tenured member of the faculty at the University of Kentucky. Dr. Wiegand will be the F. William Summers Professor of Library and Information Studies in the school.

Dr. Wiegand received his Bachelor of Arts (1968) in History from the University of Wisconsin-Oshkosh, an MA (1970) in History from University of Wisconsin-Milwaukee, the M.S.L.S. (1974) in Library and Information Studies from Western Michigan University, and the Ph.D. (1974) in History from the Southern Illinois University.

Dr. Wiegand was an Assistant Professor in the College of Library and Information Science, University of Kentucky from 1976 to 1982 He was promoted to Associate Professor with tenure in 1982. He was appointed Associate Professor with tenure at the University of Wisconsin-Madison in 1987 and promoted to Professor in 1989. In 1994 he was the William Rand Kenan Jr. Visiting Professor, School of Information and Library Science, University of North Carolina at Chapel Hill. He has also served frequently as a summer visiting Distinguished Professor (between 1993 and 2001) at the School of Library Science, University of Arizona.

Dr. Wiegand is founder and co-director of the Center for Print Culture History in Modern America. His major area of research, teaching, and service centers on the role of the library as an institution in the cultural fabric of American life. This area includes an examination of print culture in American society. He has attracted funding from the National Endowment for the Humanities, the Newberry Library, the Council on Library Resources (now Library and Information Resources), and the Spencer Foundation among other sources. He has been recognized through numerous honors and awards including the Justin Winsor, the William Best Hesseltine Award, and the G.K. Hall awards. He is an elected member of the American Antiquarian Society.

Dr. Wiegand is widely considered the premiere historian of print culture in the library context. Dr. Wiegand will greatly enhance both the professional master’s and doctoral programs in library and information studies in the School of Information Studies, Florida State University. He will provide leadership in his research area for faculty colleagues and graduate students, and will be a valued School, University, and community citizen.
Tenure is a condition of employment for the following faculty member at Florida State University:

DIANNE L. SPEAKE
PROFESSOR AND ASSOCIATE DEAN
SCHOOL OF NURSING
FLORIDA STATE UNIVERSITY

Dr. Dianne L. Speake has accepted an appointment at The Florida State University as Professor and Associate Dean of the School of Nursing, with tenure as a condition of employment. Dr. Speake comes to Florida State University from MGT of America, Inc. where she served as a Senior Consultant until accepting a visiting appointment as Professor and Associate Dean in the School of Nursing at Florida State University in 2001. She previously was a faculty member of the School of Nursing at Florida State University from 1973 to 1988, and held an Associate Professor position with tenure from 1982 to 1988.

Dr. Speake received her Bachelor of Science in Nursing (1969) from the University of Mississippi, and a Masters in Nursing (1972) from University of Mississippi with a major in Medical Surgical Nursing. She has also received a PhD (1986) from the University of Texas at Austin in the area of Adult Health/Gerontological Nursing.

From 1970 to 1971, Dr. Speake served as an instructor at Pearl River Junior College in Poplarville, Mississippi. From 1972 to 1973, she served as an Assistant Professor at the University of Southern Mississippi in Hattiesburg. Dr. Speake joined the Florida State University School of Nursing faculty as an instructor in 1973 and was promoted to Assistant Professor in 1977. In 1982, she was promoted to the rank of Associate Professor with tenure where she served until 1988. During her tenure with the School of Nursing she served as a level coordinator and as chairperson of the junior year. Dr. Speake conducted research studies in health, promotion and gerontology while serving on the faculty. After leaving the School of Nursing, she served as a Senior Research Analyst with the Florida Health Care Cost Containment Board from 1988 to 1990. Also from July 1989 to June 1990, Dr. Speake served as a research associate with the Florida State University Institute on Aging where she was responsible for grant writing, research design, planning, survey data collection, data analysis and report development for research studies on aging, temporary nursing pools, Florida Magnate hospitals and nursing homes. From 1990 to 1999, she served as assistant director for the Office of Performance Improvement and Public Health Nursing, Florida Department of Health. Dr. Speake joined the staff of MGT of America, Inc. in 1999 as a senior consultant where she served until joining the faculty of the School of Nursing again in 2001 in a visiting appointment as Associate Dean and Professor.

Dr. Speake’s areas of teaching and professional interest are concentrated in the areas of health care and the elderly and administration. She brings with her a very strong background in the ability to motivate and lead the School of Nursing faculty in the areas of grant writing and research and scholarly activities. She has already demonstrated her ability to be a strong administrator, over the last eleven months, as the Associate Dean of the School of Nursing by leading faculty to pursue research funding in their various areas of research interest.

Dr. Speake’s appointment will enhance the visibility and prestige of the School of Nursing. She will definitely be a valuable asset to the School of Nursing and Florida State University.
Tenure is a condition of employment for the following faculty member at Florida State University:

MARY KAREN DAHL  
PROFESSOR OF THEATRE  
SCHOOL OF THEATRE  
FLORIDA STATE UNIVERSITY

Dr. Mary Karen Dahl has accepted an appointment at The Florida State University as Professor of Theatre, with tenure as a condition of employment. With her appointment, she has also accepted the responsibility of serving as Director of Graduate Theatre Studies.

Dr. Dahl comes to Florida State University from the University of Kansas. From 1995-2002, she was a tenured Associate Professor, as well as Chair of Theatre & Film and Director of the Performance Resource Center for Laboratory at the University of Kansas. She also served as University Theatre Dramaturg at the University of Kansas-Lawrence during this time. She was an Assistant Professor of Theatre and Drama at the University of Wisconsin-Madison from 1988-1995. From 1986-1988, Dr. Dahl served as Director of the Computing and Civil Liberties Project, Computer Professionals for Social Responsibility, Inc., where she instituted the project and obtained funding for it. She has received several awards and grants, and has written a number of books and articles that have been published or are in progress. She has presented papers at numerous conferences.

Dr. Dahl received her BA in International Relations (cum laude) from Pomona College (1967) and her PhD in Dramatic Literature from Stanford University (1984). Her teaching and research interests center on Europe and the United Kingdom. Her goal is to create students of history who become profoundly curious about the forces that shape contemporary dramatic conventions and social concerns.

A review of Dr. Dahl’s credentials presents a professional background that is extensive and impressive. Her presence in the Florida State University community will certainly provide an enhancement to the academic and artistic mission of the institution.

Professor Mary Karen Dahl meets the University tenure criteria and warrants appointment with tenure.
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Academic Program Approval

PROPOSED BOARD ACTION

Approve request to list the Ph.D. in Dance History: American Dance Studies on the Strategic Plan prior to conducting a needs assessment and completing the planning process for implementation and request that the President forward the proposal to the Florida Board of Education for appropriate action.

Approve request to support planning for a new degree program, LLM in American Law for Foreign Lawyers, and request that the President forward the proposal to the Florida Board of Education for planning.

BACKGROUND INFORMATION

The Education Governance Reorganization Bill provides that the Board of Trustees has responsibility for the establishment of academic degree programs up to and including the master's degree level. The law also indicates that the approval of new academic degree programs must be pursuant to criteria established by the State Board of Education. The Florida Board of Education approves doctoral and professional programs. These programs have been reviewed and approved by the appropriate university staff and are being recommending for approval by the Provost.

Supporting Documentation Included: Academic Degree Program Proposals
Contact: Lawrence G. Abele Phone: 644-1765
MEMORANDUM

DATE: August 25, 2002

TO: Honorable John Thrasher
   Chairman, University Board of Trustees

FROM: Lawrence G. Abele

RE: New Degree Program to Explore

We request approval to list the Ph.D. in Dance History: American Dance Studies on the Strategic Plan prior to conducting a needs assessment and completing the planning process for implementation. This program will require additional authorization by the Florida Board of Education.

I have attached an executive summary of the degree proposal for your review. If you have no problem with this request, we should like to place these items on the agenda for the next meeting of the Board of Trustees.

Please contact me at 644-1765 should you have questions about the request.

Enclosure

cc: President D'Alemberte
Dean Steve Edwards
Interim Dean Dianne Harrison
Dr. Robert Bradley
Dean Marie Cowart
Interim Dean Sally McRorie
Professor Isaac Iberstein
Professor Elizabeth Patenaude
FLORIDA STATE UNIVERSITY DEPARTMENT OF DANCE

REQUEST TO OFFER A NEW DEGREE PROGRAM

EXECUTIVE SUMMARY

The Department of Dance proposes to develop a Ph.D. Degree program in American Dance Studies.

Currently the Department of Dance is in an extraordinarily fortuitous position to implement a Ph.D. Program. A number of initiatives have been put in place, or are in-process, which provide a strong infrastructure to support this degree. These initiatives include: 1) the renovating of Montgomery gym into a world-class dance facility of classrooms, studios, technology centers and stages; 2) the establishment of the National Center for Choreography (NCC); 3) the establishment of the FSUdanceSARASOTA Center, now staffed with Administrative Director Anjali Austin, formerly a Professor of ballet in the Department of Dance; 4) the founding of the Strozier Library multi-media center; 5) the commencement this summer of a MA course “FSU in New York City: Arts and Resources,” with dance profession internships, in NYC.

The successful launching of the Department of Dance MA program in American Dance Studies this year, and the addition of two highly-respected dance historians, Dr. Sally Sommer and Dr. John Perpener to our faculty, focused national attention on FSU and its commitment to excellence in higher dance education. These curricular and faculty enhancements complemented the presence of Eppes Professor Suzanne Farrell, one of the twentieth century’s premier ballerinas, and Professor Jawole Zollar (a Nancy Smith Fichter Professor), one of our most important contemporary African-American artists, demonstrating the depth and range of our program. Most recently, the Department of Dance has hired a full-time grants writer. Although this position is primarily dedicated to obtaining funds for the NCC and the Sarasota-based projects, grants will also be developed for departmental programs and personnel. Because of the close relationships among the programs and initiatives in our department, funding in any one area necessarily enhances all others. Having this kind of strong infrastructure already in place means that any additional support needed for implementation and maintenance of the Ph.D. degree would be minimal (see proposed budget summary attached).

The FSU Department of Dance is recognized nationally as a leader in the training of dance professionals. The Masters program, as well as this proposed Ph.D. Program, have been planned to build upon the tradition of excellence in studio practice while creating a rigorous program of dance scholarship. The proximity and fluidity among modes of artistic and scholarly studies in our Department affords a unique opportunity to train scholars in applied history and theory.
Already ranked among the top three dance programs nationally, the addition of this unique degree program fulfills the university’s mission to be ranked in the top tier of Research I Institutions, and its commitment to advanced graduate and professional studies. Such a program would be a logical extension of our innovative Masters Degree in American Dance Studies, answering requests from our own students and from the field in general about our intentions in this regard. The proposed doctoral program emphasizing dance history would be one of only five in the nation, and it would be the only one in the southeastern United States. Its focus on New World dance and applied theory is unique. A first-rate, scholarly Ph.D. program would add substance and weight to all our programs, and would place us in the strongest position to make major contributions in dance, the performing arts, and the humanities. The proposed Ph.D. program is planned to interface with existing curricular programs and initiatives, creating a rigorous program of dance scholarship that keeps research close to its primary sources of movement. Integrating a Ph.D. into our course structures would not only answer a need in the field, it would also complete the trajectory of study that begins with the BFA, MFA and MA. The most excellent performing component in the Dance Department deserves the most excellent scholarship.

The pedagogical approach of the MA and proposed Ph.D. program establishes a distinctive model because it identifies dance as an essential component and expression of American cultural and intellectual history. This proposed Ph.D. complements developments within the field of dance scholarship. These changes accentuate an inclusive approach to the study of dance history, recognizing the cycling of dance information – both historically and contemporarily – between the popular and the fine arts. This creates an inclusive paradigm that encompasses vernacular and religious forms along with the refined Euro-American concert dance. The interplay of forces is illuminated, exposing the cross-currents between dance genres and varied cultural influences, the effects of social/political events on movement, on performances and on the composition of the audiences. American dance provides the lens through which to examine the deeper background of the inter-textual culture that shapes all American art and life. In this program, the term “American” is used in the broad New World sense, incorporating North and South America as well as the Caribbean. Besides traditional library research in primary-source materials, the program will integrate theory and history with performances among students or visiting companies; or, it may include ethnographic dance-fieldwork in non-stage dance.

New World dance contains more styles than any other. This is a result of the accretions of styles from native populations and the influx of multiple other styles arriving with each new immigrant population. Consequently, these dance forms (whether ballet or club dancing) have historical retentions from these movement legacies and residues of the original functional-contexts in which these dances developed. If dance reflects its specific history, it also reflects its adaptive alterations. Thus the need in the twenty-first century is for scholarship-training that produces researchers and teachers capable of analyzing the complexity of cultural compositions, while appreciating the unique nature and movement of each form of dance.
The same fluidity that exists among various dance forms must be replicated in the relationship between the living art form and scholarly investigations. A cross-referencing of information ties the performance to historical and theoretical perspectives. Exposure to the entire collaborative process of dance, from training to practice to choreographic method and reconstruction to performance is vital. In fact, dance provides a useful model about collaboration and cooperation in production. The study of dance history and theory must be examined not merely as a collection of events and ideas, but as a matrix of information that combines multiple manifestations of human culture. (To read how this multifaceted approach has been implemented in the Dance Department, see the "Denishawn Heritage Project" Addendum.)

Within our internal university culture, FSU programs such as the American Studies and Florida Studies programs, African American Studies, Anthropology, Women’s Studies, History, Music and Theatre have methodologies that enrich our approaches to dance studies. In turn, we can offer them exactitude of specialized knowledge from our own field. Informative interactions and exchanges between our MA in American Dance Studies and these other programs have already begun: a joint NEH grant with Dance and English (Rhetoric) has been written; we have shared Forum presentations with American History; we are planning extensive collaborative programming and conferences with Student Life; besides sharing some student populations, we have had meetings about pedagogical issues with our colleagues in the Theater Department; graduate students from History and American Studies have taken our graduate academic dance courses. On a larger scale, we foresee that some of our graduate students will be doing fieldwork in folklore and dance traditions in Florida and the Caribbean, and they will need advice and guidance from our colleagues in other disciplines. Subjects researched by our graduates have included European-American concert dance forms, such as ballet and modern dance — as well as studying the evolutions in Latino-Caribbean-Floridian Salsa, African-American vernacular dance, and the rhythmic dance practices of FAMU’s world-famous stepping and Marching 100 band.

In the arena of university cultural studies, nationally and internationally, scholars from such diverse fields as Anthropology, Cultural Studies, Gender Studies, and American Studies are beginning to examine dance. However, they lack the necessary training in the fundamental dance work that allows them to accurately develop their theories. It is for these reasons that we need to implement a Ph.D. program to stimulate serious, rigorous study within our own disciplines. It is essential to take the initiative now, to record and analyze our own field with new integrated and scholarly methodology. It is time to take charge of our own history.

FSU Department of Dance Ph.D. Proposal
The Denishawn Heritage Project earned international attention because of its multi-perspective methods. Students investigated the evolution and history of the Denishawn School and Company (1915-31). They looked at the school’s technical and choreographic methods and aesthetics -- as framed by the cultural milieu of romantic, Americanized images of Eastern exoticism which accompanied colonial expansions of the late 1800s and early 1900s. These ideas about “the East” not only shaped the style and look of the dances, they fit popular notions about dance as artful, spiritual and uplifting – although Denishawn dances and audiences were performed everywhere from opera houses to vaudeville. They learned the Denishawn movement techniques, and were taught the dances directly from original company members, now in their eighties and nineties.

Then, the students performed the dances in concert. The costumes were reconstructed from the originals, which are in the FSU Killinger costume collection. Subsequently, an exhibition of these costumes was mounted in the FSU Museum of Art. The dances were written down in a dance score of Labanotation, then reconstructed. The music, taught by Ted Shaw’s 90-year-old musical director and composer, Jess Meeker, had also never been notated. As a result of his work with the FSU Department of Dance, the music was notated, performed, and later recorded. The master classes, rehearsals, performances, lectures, museum exhibit, and two Denishawn conferences hosted by the department were videotaped. The Denishawn costume catalogue, written by Professor Tricia Henry Young is a unique resource that specifically examines how the Denishawn costumes were particularly designed to sculpt the movement of the dances. Dr. Young also developed a CD-ROM of the Denishawn Heritage Project for teaching and research purposes; this interactive medium lends itself perfectly to dance documentation, which is, at heart, a moving art.

This is an example of how studio and academic formats can be used to create a holistic setting that brings together repertory, technique, history, and cultural studies. This model could easily be applied to any dance form, enlarging the study of dance to a more meaningful and in-depth experience that reflects something of the complexity of a dance’s development.
PROPOSED BUDGET

Annual Costs

Minority Faculty Hire Salary, Tenure-Track at Assistant Professor
$55,000

*Fall 2004 Faculty Hire Salary, Tenure-Track at Assistant Professor
$45,000 – 55,000

*Fall 2005 Faculty Hire Salary, Tenure-Track at Assistant Professor
$45,000 – 55,000

Administrative Assistance OPS
$5,000.00

Publicity/recruitment
$6,000.00

Targeted monies for ongoing acquisition of dance-related periodicals and audio-visual resources (e.g., films, videos, DVDs) in order to ensure library resources are kept current.

$4,000.00

**Graduate assistantships (includes 9 credit tuition waiver and $5,000 stipend each semester per each student).
Approx. 12 students @ 5,000.00

$60,000.00

One-Time Expenses

Setup Equipment for New Faculty (will minimally include 3 @ $3,000
$9,000
computer equipment and office furniture

*Depending upon enrollment, 2 new full-time, tenure track faculty lines: one to begin Fall 2004, and another to begin Fall 2005. This would be in addition to the minority hire we are requesting, whose appointment would begin Fall 2003. Therefore, if necessary, these costs would be phased in over a two to three year period.

**Depending upon enrollment Graduate Assistantships would be phased in. Anticipated maximum enrollment in the program in a given year is 12. It is expected that it will take four to
six years to reach maximum enrollment.
MEMORANDUM

DATE: September 11, 2002

TO: Honorable John Thrasher
    Chairman, University Board of Trustees

FROM: Lawrence G. Abele

RE: New Degree Program Planning

We request approval to support planning for a new degree program, LLM in American Law for Foreign Lawyers, and request that the President forward the proposal to the Florida Board of Education for planning.

I have attached an executive summary of the degree proposal for your review.

Please contact me at 644-1765 should you have questions about the request.

Enclosure

cc: President D'Alemberte
    Dean Steve Edwards
    Interim Dean Dianne Harrison
    Dr. Robert Bradley
    Dean Marie Cowart
    Interim Dean Sally McRorie
    Professor Isaac Iberstein
    Professor Elizabeth Patenaude
REQUEST TO OFFER A NEW DEGREE PROGRAM

FLORIDA STATE UNIVERSITY
COLLEGE OF LAW

Proposed Implementation Date: FALL 2003
Name of College or School: College of Law
Complete Name of Degree: LLM in American Law for Foreign Lawyers

(CIP Code: 220101)

The submission of this proposal constitutes a commitment by the university that, if the proposal is approved, the necessary financial commitment and the criteria for establishing new programs have been met prior to the initiation of the program.

President

Date

Vice President for Academic Affairs

Date

Indicate the dollar amounts appearing as totals for the first and the fifth years of implementation as shown in the appropriate summary columns in BOR Table Three. Provide headcount and FTE estimates of majors for years one through five. Headcount and FTE estimates should be identical to those in BOR Table One.

<table>
<thead>
<tr>
<th>Total Estimated Costs</th>
<th>Projected Student</th>
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<td>HDCT / FTE</td>
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| First Year of Implementation | 7 / 5.25 |
| Second Year of Implementation | 7 / 5.25 |
| Third Year of Implementation | 7 / 5.25 |
| Fourth Year of Implementation | 7 / 5.25 |
| Fifth Year of Implementation | 7 / 5.25 |
I. PROGRAM DESCRIPTION

Describe the degree program under consideration, including its level, emphases (including tracks or specializations), and number of credit hours (total, and required for the major).

The College of Law proposes to initiate an LL.M. degree program in American Law for Foreign Lawyers to provide graduates of foreign law schools the opportunity to gain an understanding of the American legal system. The program will provide foreign attorneys individualized courses of study based on the interests and needs of the LL.M. candidates. Enrollment will be limited to seven students per year, allowing each student to benefit from personal counseling by the program director and faculty in designing the student’s individualized program from the wide-range of courses and seminars offered by the College of Law. Although most courses will be available for enrollment by LL.M. students, enrollment will be limited in certain J.D. courses that are historically over-subscribed, certain courses that would not be substantively relevant to a course of study for foreign students, and courses whose participation is limited by other requirements (for example, prerequisites that cannot be achieved in the time degree frame).

In order to earn an LL.M. degree, foreign students will be required to complete 24 credit hours of course study, generally within a one year period. In addition, students will participate in a required, non-credit, seven-day orientation and introduction to the American common law system prior to the beginning of the fall semester.

LL.M. applicants must have a terminal degree in law from a recognized foreign university. Applicants for whom English is a second language must demonstrate proficiency by taking the TOEFL examination and scoring a minimum 600 (or 250 on the computer-based examination) or by evidence of a degree from an institution of higher education in which English was the primary language of instruction. Students must also submit an application, cover statement, official transcripts from law study, proposed study plan, resume and two letters of recommendation, preferably from law professors or others who can comment on the applicant’s professional qualifications. Applicants will be reviewed on the basis of TOEFL scores, academic record, references and, where applicable, professional experience. Applicants must also demonstrate proof of financial support to be eligible for consideration.

II. INSTITUTIONAL MISSION

Is the proposed program listed in the current State University System Strategic Plan? How do the goals of the proposed program relate to the institutional mission statement as contained in the Strategic Plan?

The proposed program is listed in the current State University System Strategic Plan, and the goals of the proposed program relate to the institutional mission statement of The Florida State University. The University’s Mission Statement states that its primary role is to serve as a center for advanced graduate and professional studies. More specifically, it also states that “the University is strongly committed to its mission in international education” and attracts students from 131 foreign countries. The proposed program is not only consistent with that mission, but will enhance the goal of educating foreign students and promoting their respect for the rule of law.
III. PLANNING PROCESS AND TIMETABLE

Describe the planning process leading up to submission of this proposal. Include a chronology of activities, listing the university personnel directly involved and any external individuals who participated in planning. Provide a timetable of events for the implementation of the proposed program.

In May 2000, Law Dean Donald Weidner submitted a proposal to Provost Abele to explore development of the LLM. Program. This request was submitted to Board of Regents on May 24, 2001, and was authorized and listed to be published in the SUS Strategic Plan. During the 2001-2002 academic year, the International Programs Committee of the College of Law developed the framework for the LLM. Program, which was subsequently approved by a vote of the College of Law faculty. The College of Law proposes to begin accepting applications for the program during the 2002-2003 academic year and to implement the program beginning in the Fall semester of 2003.

The College of Law has submitted documentation to the American Bar Association for "acquiescence" for the LLM. Program and for a site review for the Program in early fall 2002. It should be noted that the ABA does not accredit LLM. degree programs, but must find that the program will not interfere with the administration of the ABA-accredited Juris Doctor degree program.

IV. ASSESSMENT OF NEED AND DEMAND

A. What national, state, or local data support the need for more people to be prepared in this program at this level? (This may include national, state, or local plans or reports that support the need for this program; demand for the proposed program which has emanated from a perceived need by agencies or industries in your service area; and summaries of prospective student inquiries.) Indicate potential employment options for graduates for the program. If similar programs exist in the state, provide data that support the need for an additional program.

The demand for training in American law by foreign lawyers has always been substantial, but the emergence of new legal systems and development of the rule of law in these systems has increased the demand. In addition, globalization is leading to changes in numerous aspects of legal education for foreign lawyers and contributing to the need for such programs. Post-JD training of individual foreign attorneys in the United States contributes both to career development and to the development of the rule of law in emerging democracies.

In general, United States attorneys cannot practice in foreign jurisdictions and transactions in foreign jurisdictions require associates in those countries who are not only able to practice within that jurisdiction, but who have an understanding of the United States legal system as well. Training in American law at a U.S. law school greatly enhances the opportunities for foreign lawyers in their countries in private practice; conversely, it provides Florida State J.D. students the opportunity to establish relationships with practicing attorneys from foreign jurisdictions that may be important professional contacts in the future. Thus, Florida State students, who are also affected by globalization, may directly benefit from this program for foreign lawyers.

Public law attorneys are also reaping benefits from training in complex areas of law in the U.S., for example, criminal law and environmental law. Many countries are funding U.S. law training for public law training for attorneys in these areas. Finally, reform of judicial systems is leading many countries to fund U.S. training for judges and judicial administrators.
Currently, about 50 American law schools offer post-JD programs designed exclusively for foreign attorneys — most ranging in size from 5 to 25 students, but a few are large programs with over 100 students. The Florida State College of Law receives numerous inquiries from around the world about the availability of such a program. Although records have not been regularly kept, it is estimated that about 100 inquiries per year are received from around the world.

The University of Florida Frederic G. Levin College of Law has had an LL.M. Program in Comparative Law since 1994 that annually enrolls 15-20 foreign lawyers. The program director reports that this year the program had over 80 applicants and that the number of applicants has increased each year of the program. He states that the demand for LL.M. programs for foreign lawyers is substantial and that the program’s students come from all over the world (with perhaps a slightly larger percentage from China and Korea than from other particular countries). He also stated that the pool of applicants is strong academically and that the students have generally had no difficulty in achieving academic success in the program.

B. Use ... BOR Table One B (graduate) to indicate the number of students (headcount and FTE) you expect to major in the proposed program during each of the first five years of implementation, categorizing them according to their primary sources. In the narrative following Table One, the rationale for enrollment projections should be provided and the estimated headcount to FTE ratio explained....

For all programs, indicate what steps will be taken to achieve a diverse student body in this program. If the proposed program duplicates programs at FAMU or FIU, provide an analysis of how the program might impact those universities relative to their ability to attract students of races different from that which is predominant on their campuses. Please create a place for signature at the end of section (IV)/(C) and have your university’s Equal Opportunity officer read, sign, and date this section of the proposal.

As the attached BOR Table One B indicates, it is expected that seven students per year (5.25 annual FTE) will enroll (major) in the proposed program during each of the first five years of implementation. It is anticipated that all LL.M. students will be foreign residents since the program is aimed exclusively at applicants who already have a terminal degree in law from a recognized foreign university. Enrollment projections are based on an admissions policy that will limit the number of applicants admitted to seven per year and the expectation that students will complete the program in one year.

It is anticipated that the proposed program will provide a rich diversity of students. The program is designed to attract foreign lawyers and judicial officials from all over the globe. Since there is a significant demand for training in American law both from Asia and Africa, the applicant pool should reflect the racial and ethnic diversity of those regions, as well as western Europe. The program does not duplicate any programs at FAMU or FIU.
V. CURRICULUM

A. For all programs, provide expected specific learning outcomes, a sequenced course of study and list the total number of credit hours for the degree. For bachelor's programs, also indicate the number of credit hours for the major coursework, the number of credit hours required as prerequisites to the major (if applicable), and the number of hours available for electives.

The program is intended to provide foreign lawyers with the opportunity to enhance their knowledge of the American legal system. Learning outcomes will be dependent on the needs and interests of the individual candidates in designing their personal curriculum. While some students may want to gain a fundamental understanding of the American legal and judicial system, other students may want to use the opportunity to gain expertise in specialized areas of the law. Individual counseling and advising for curriculum development will allow a personal curriculum to be designed for each student.

B. For bachelor's programs, if the total number of credit hours exceeds 120, provide a justification for an exception to the SUS policy of a 120 maximum.

Not applicable.

C. Provide a one or two sentence description of each required or elective course.

There are no required courses. LL.M. students will be able to design an individualized curriculum from over 100 courses. Appendix I lists the courses for which LL.M. students may enroll, the professors teaching these courses, and the historic enrollment in those courses.

D. For bachelor's programs, list any prerequisites, and provide assurance that they are the same as the standardized prerequisites for other such degree programs within the SUS....

Not applicable.

E. For bachelor's programs, if the university intends to seek formal Limited Access status for the proposed program provide a rationale which includes an analysis of diversity issues with respect to such a designation.

Not applicable.

VI. INSTITUTIONAL CAPABILITY

A. How does the proposed program specifically relate to existing institutional strengths such as programs of emphasis, other academic programs and/or institutes and centers?

In the last decades, the College of Law has continually strengthened its programs in international and comparative law. Beginning in the 1980s with the establishment of the Caribbean Law Institute (CLI), the College of Law began its efforts to contribute to the development of law in developing countries through numerous model law projects in the Commonwealth Caribbean countries. This very successful program continues today in conjunction with the Caribbean Law Institute Center at the University of the West Indies.
The Edward Ball Eminent Scholar Chair in International Law has provided the opportunity for the College of Law to bring outstanding speakers, scholars, and visiting professors from around the world to enhance the law school environment. Funds also contributed to the development of a strong core of library resources in the international and comparative law field and to the establishment of the Journal of Transnational Law and Policy at the law school. The Ball Chair has been held by such eminent scholars as Professor Richard Lillich and Professor Jordon Paust. Most recently, the Ball Chair has been awarded to Professor Frederick Abbott as a permanent member of the College of Law faculty. Professor Abbott is a world-renowned expert in international trade law and international intellectual property.

In Fall 2002, Professor Fernando Teson will also join the College of Law faculty. Professor Teson’s work in public international law jurisprudence, international human rights and the law of humanitarian intervention is widely recognized. Professor Teson’s strength in these areas will complement the current strengths in the faculty provided by Professor Abbot in international business and trade, Professor Tahrih Lee in international business and Chinese Law, and Professor Donna Christie in international environmental law and law of the sea. In addition, several other faculty members, including Professor Larry Garvin and Professor Jack VanDoren, occasionally teach international or comparative law courses. In short, the international and comparative law faculty is the strongest in the history of the College of Law.

The College of Law has been a leader in providing summer abroad educational opportunities for law students. FSU was the first law school to establish a summer law program in Oxford in the 1970s. The summer program in law at Barbados is still the only summer law program in the Caribbean. FSU’s Prague summer program was the second in the country.

The College of Law is also working closely with the Florida State University Center for the Advancement of Human Rights. The Center is an interdisciplinary endeavor established in 2000 with a mandate of facilitating the development of human rights-related courses throughout the university, of establishing human rights field placements for FSU students, and of supporting non-governmental organizations throughout the world that engage in human rights work. The College of Law is adding new courses in the human rights area with the addition of Professor Teson to the faculty and is working with the Center on the development on human rights-related internships for law students.

Most recently, the College of Law has developed a Certificate Program in International Law. The Certificate Program allows FSU law students to take advantage of the strength of the current curriculum and faculty to concentrate their studies in international law in second and third year elective courses.

The globalization of law has created numerous challenges for law schools. Programs must not only teach U.S. law to U.S. students, but also provide opportunities for students from around the world to experience U.S. legal culture and expose U.S. students to other legal cultures and systems. The LL.M. Program for Foreign Lawyers is intended to draw upon the strengths of the law school in all areas of American law, provide broad exposure to the American legal culture to foreign lawyers and provide a new opportunity for FSU’s law students to benefit from the creation of friendships and professional relationships with foreign lawyers.
B. If there have been program reviews, accreditation visits, or internal reviews in the discipline pertinent to the proposed program, or related disciplines, provide all the recommendations and summarize the institution's progress in implementing the recommendations.

The American Bar Association is the accrediting body for J.D. programs. The Florida State University College of Law was most recently reviewed in 2001. Based on the Report of the Site Evaluation Team, the only “concern” noted by the ABA Accreditation Committee in its letter to President D’Alemberte dated July 11, 2001, was that the College had not satisfactorily established its compliance with the accreditation standard requiring that full-time clinical faculty be afforded “non-compensatory perquisites reasonably similar to those provided other full-time faculty members.” (Clinical faculty are not on a tenure-track.) By letter dated April 30, 2002, Dean Weidner reported to the ABA that clinical faculty now serve on most faculty committees and that those clinical faculty on long-term contracts have been given the right to vote on most issues except faculty hiring and tenure. President D’Alemberte and Dean Weidner were advised by letter dates July 16, 2002, that the College’s response demonstrates that it had satisfactorily addressed the Accreditation Committee’s concerns and that it is now in full compliance with all ABA accreditation requirements.

The ABA does not accredit LL.M. degree programs, but reviews those programs to determine whether they will interfere with the administration of the school’s J.D. degree program. The College of Law has submitted documentation to the ABA requesting its “acquiescence” for the LL.M Program and has requested a site review for the Program in fall 2002.

C. Describe briefly the anticipated delivery system for the proposed program as it may relate to resources e.g., traditional delivery on main campus; traditional delivery at branches or centers; or nontraditional instruction such as instructional technology (distance learning), self-paced instruction, and external degrees. Include an analysis of the feasibility of providing all or a portion of the proposed program through distance learning technologies. Include an assessment of the institution’s own technological capabilities as well as the potential for delivery of the proposed program through collaboration with other universities. Cite specific queries made of other institutions with respect to the feasibility of utilizing distance learning technologies for this degree program.

Inasmuch as the proposed LL.M. Program will not involve any new courses or other instructional resources, but will utilize exclusively existing J.D. courses, the delivery system will primarily be by traditional classroom instruction at the College of Law facilities on the FSU main campus in Tallahassee. To date, the ABA has been very restrictive in approving distance-learning instructional methods at the J.D. level, in effect limiting law schools to synchronous-based technologies, but is likely soon to consider amending the accreditation standards to permit law schools to experiment with more ambitious distance education technologies. For the past three years, the College of Law has been offering a few specialized courses by synchronous videoconferencing in cooperation with other accredited law schools. As these opportunities become more widespread and new technologies are used for the College’s J.D. program, those distance learning opportunities will also be available to the LL.M. students.
D. Assessment of Current and Anticipated Faculty

1. Use BOR Table Two to provide information about each existing faculty member who is expected to participate in the proposed program by the fifth year. If the proposal is for a graduate degree, append to the table the number of master’s theses directed, number of doctoral dissertations directed, and the number and type of professional publications for each faculty member.

It is contemplated that LL.M. candidates might enroll in virtually any and all classes taught by members of the tenure-track faculty. Annually, each of the seven LL.M. candidates will register for 24 semester hours of course work. That means they will, in the aggregate, “consume” 168 hours of instruction. At the current staffing level, the College of Law has 32 tenure-track faculty, so that (on average) each tenure-track faculty member will provide 5.25 hours of instruction to LL.M. candidates.

Each J.D. candidate, on the other hand, will (on average) register annually for 28 semester hours of course work. (88 hours required for J.D. degree less four hours of Legal Research and Writing taught by non-tenure track writing faculty = 84 hours/3 years = 24 hours per year on average.) Assuming an average yearly enrollment of 660 J.D. students at the College of Law (220 x 3 = 660), the J.D. candidates will, in the aggregate, annually consume 18,480 hours of instruction (660 x 28). Thus, each of the 32 tenure-track faculty members will provide an average of 577.5 hours of instruction to J.D. candidates. Therefore, layering the additional 5.25 hours for LL.M. candidates on top of the 577.5 hours for the J.D. candidates, the average faculty member will provide 582.75 hours of instruction annually, and the instructional hours provided to the LL.M. candidates will, in the aggregate, constitute 0.91% (5.25/582.75 = .0091) of the faculty’s instructional effort.

2. Also, use BOR Table Two to indicate whether additional faculty will be needed to initiate the program, their faculty code (i.e., one of five unofficial budget classifications as explained on the table), their areas of specialization, their proposed ranks, and when they would be hired. Provide in narrative the rationale for this plan; if there is no need for additional faculty, explain.

No additional new faculty will be needed to initiate the LL.M. Program nor will additional faculty be needed in the future. All instruction of LL.M. candidates will occur through their participation in courses already being offered at the J.D. level.

3. Use BOR Table Two to estimate each existing and additional faculty member’s workload (in percent person-years) that would be devoted to the proposed program by the fifth year of implementation, assuming that the program is approved. (Note: this total will carry over to BOR Table Three’s fifth year summary of faculty positions.)

The time allocation for existing or future faculty will be de minimus as BOR Table Two demonstrates.
E. Assessment of Current and Anticipated Resources

1. In narrative form, assess current facilities and resources available for the proposed program in the following categories:

   a. Library volumes (Provide the total number of volumes available in this discipline and related fields.)

   The College of Law Library currently reports 441,732 volumes and volume equivalents (generally, microfiche). This places the College of Law Library in the top one-third of the law libraries nationally. Over 90% of these volumes are in American law with the rest relating to international or foreign law.

   b. Serials (Provide the total number available in this discipline and related fields, and list those major journals which are available at your institution.)

   The College of Law currently subscribes to 5,059 serials. See Appendix II for the listing of these serials.

   c. Describe classroom, teaching laboratory, research laboratory, office, and any other type of space which is necessary and currently available for the proposed program.

   It is not anticipated that any additional space needs will be generated by the program.

   d. Equipment

   It is not anticipated that the program will require any additional equipment.

   c. Fellowships, scholarships, and graduate assistantships (List the number and amount allocated to the academic unit in question for the past year.)

   The following table sets out the scholarships and fellowships available at the College of Law in the last year. It should be noted, however, that LL.M. students would be required to provide their own funding and would not be eligible for any of the funding listed.

<table>
<thead>
<tr>
<th>Scholarship Name</th>
<th># of Awards</th>
<th>Total Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alumni Recruitment</td>
<td>4</td>
<td>$10,500.00</td>
</tr>
<tr>
<td>Amelia White Rowell</td>
<td>1</td>
<td>$300.00</td>
</tr>
<tr>
<td>Bedell-Standley</td>
<td>1</td>
<td>$350.00</td>
</tr>
<tr>
<td>Beverly Stout McLear</td>
<td>2</td>
<td>$17,000.00</td>
</tr>
<tr>
<td>Blank-Miller</td>
<td>15</td>
<td>$15,500.00</td>
</tr>
<tr>
<td>Scholarship Award</td>
<td>Awards</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>--------</td>
<td>-----------</td>
</tr>
<tr>
<td>Bruce Wragg</td>
<td>1</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>College of Law Alumni</td>
<td>1</td>
<td>$250.00</td>
</tr>
<tr>
<td>Dan Bradley</td>
<td>2</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>David G. McGunegle</td>
<td>1</td>
<td>$2,300.00</td>
</tr>
<tr>
<td>David W. Denney</td>
<td>1</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Dean's Scholarship</td>
<td>3</td>
<td>$7,500.00</td>
</tr>
<tr>
<td>Delores Auzenne</td>
<td>1</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Denise Diaz</td>
<td>1</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>FL Ch., Am. Academy Matrimonial Lawyers Family Law</td>
<td>2</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Florida Bar Law Student</td>
<td>4</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>G.P. McCord</td>
<td>1</td>
<td>$490.00</td>
</tr>
<tr>
<td>General Earmarked</td>
<td>14</td>
<td>$10,260.00</td>
</tr>
<tr>
<td>James Harold Thompson</td>
<td>4</td>
<td>$3,800.00</td>
</tr>
<tr>
<td>Katzentine-Simon</td>
<td>30</td>
<td>$47,800.00</td>
</tr>
<tr>
<td>Mason Ladd Phi Delta Phi</td>
<td>1</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>MPLE (tuition waiver plus stipend)</td>
<td>27</td>
<td>$439,668.00</td>
</tr>
<tr>
<td>National Notary Association</td>
<td>1</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Patricia Dore</td>
<td>2</td>
<td>$1,700.00</td>
</tr>
<tr>
<td>Ralph Bailey</td>
<td>8</td>
<td>$9,600.00</td>
</tr>
<tr>
<td>Richard M. Davis</td>
<td>1</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Robin Young General Earmarked</td>
<td>1</td>
<td>$2,090.00</td>
</tr>
<tr>
<td>Sandra Barr</td>
<td>1</td>
<td>$400.00</td>
</tr>
<tr>
<td>Steven C. and Blanche Koegler</td>
<td>1</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>Tubbs Endowed</td>
<td>1</td>
<td>$600.00</td>
</tr>
<tr>
<td>University Fellowship (tuition waiver plus stipend)</td>
<td>1</td>
<td>$18,653.52</td>
</tr>
<tr>
<td>Virgil Hawkins</td>
<td>20</td>
<td>$355,618.40</td>
</tr>
<tr>
<td>W.P. &amp; Erin C. Shelley</td>
<td>1</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>Wayne &amp; Patricia Hogan</td>
<td>1</td>
<td>$550.00</td>
</tr>
</tbody>
</table>
2001-2002 Total Scholarship Awards

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>156</td>
</tr>
<tr>
<td></td>
<td>$993,029.92</td>
</tr>
</tbody>
</table>

2. Describe additional facilities and resources required for the initiation of the proposed program (e.g., library volumes, serials, space, assistantships, specialized equipment, other expenses, OPS time, etc.). If a new capital expenditure for instructional or research space is required, indicate where this item appears on the university's capital outlay priority list. The provision of new resources will need to be reflected in the budget table, and the source of funding indicated.

Not applicable.

VII. ASSESSMENT OF IMPACT ON PROGRAMS CURRENTLY OFFERED

A. Budget

1. Assuming no special appropriation or BOR allocation for initiation of the program, how would resources within the institution be shifted to support the new program?

The proposed program is small scale, involving only a maximum of seven students, and is not anticipated to require any additional resources or shifting of present resources.

2. Use BOR Table Three to display dollar estimates of both current and new resources for the proposed program for the first and the fifth years of the program. In narrative form, identify the source of both current and any new resources to be devoted to the proposed program.

Not applicable.

3. Describe what steps have been taken to obtain information regarding resources available outside the institution (businesses, industrial organizations, governmental entities, etc.). Delineate the external resources which appear to be available to support the proposed program.

Not applicable.

B. Describe any other projected impacts on related programs, such as prerequisites, required courses in other departments, etc.

Not applicable.
VIII. COMMUNITY COLLEGE ARTICULATION

For undergraduate programs, describe in detail plans for articulation with area community colleges.

Not Applicable.

IX. ASSESSMENT OF APPLICABLE ACCREDITATION STANDARDS

List the accreditation agencies and learned societies which would be concerned with the proposed program. Does the institution anticipate seeking accreditation from any of these agencies? If so, indicate when accreditation will be sought. If the proposed program is at the graduate level, and a corresponding undergraduate program is already in existence, is the undergraduate program accredited? If not, why?

The Florida State University College of Law is accredited by the American Bar Association (ABA). Although the ABA does not accredit post-Juris Doctor programs, it must “acquiesce” to adoption of such programs by certifying that the programs will not interfere with the accredited Juris Doctor degree program. The College of Law is submitting documentation to the American Bar Association for acquiescence for the LL.M. Program and site review for the Program in early fall 2002. ABA acquiescence is anticipated at the winter meeting of its accreditation committee.

X. PRODUCTIVITY

Provide evidence that the academic unit(s) associated with this new degree have been productive in teaching, research, and service. Such evidence may include trends over time for average course load, FTE productivity, student headcounts in major or service courses, degrees granted, external funding attracted; as well as qualitative indicators of excellence.

Please see Appendix III for evidence of College of Law faculty productivity.
<table>
<thead>
<tr>
<th>Source of Students (Non-duplicative Count in Any Given Year)</th>
<th>YEAR 1</th>
<th>YEAR 2</th>
<th>YEAR 3</th>
<th>YEAR 4</th>
<th>YEAR 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individuals drawn from agencies/industries in your service area (e.g., older returning students)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students who transfer from other graduate programs within the university</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individuals who have recently graduated from preceding degree programs at this university**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individuals who graduated from preceding degree programs at other SUS universities**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individuals who graduated from preceding degree programs at non-SUS Florida colleges and universities**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional In-state residents**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* List projected yearly cumulative ENROLLMENTS instead of admissions.
** Do not include individuals counted in any PRIOR category in a given COLUMN.
<table>
<thead>
<tr>
<th>Additional out-of-state residents**</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional foreign residents**</td>
<td>7</td>
<td>5.25</td>
<td>7</td>
<td>5.25</td>
<td>7</td>
<td>5.25</td>
<td>7</td>
<td>5.25</td>
</tr>
<tr>
<td>Other (Explain)**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>7</td>
<td>5.25</td>
<td>7</td>
<td>5.25</td>
<td>7</td>
<td>5.25</td>
<td>7</td>
<td>5.25</td>
</tr>
</tbody>
</table>

* List projected yearly cumulative ENROLLMENTS instead of admissions.
** Do not include individuals counted in any PRIOR category in a given COLUMN.
## BOR Table Two

### Faculty Participation in Proposed Degree Program by Fifth Year

<table>
<thead>
<tr>
<th>Faculty Code</th>
<th>Faculty Name</th>
<th>Academic Discipline/Specialty</th>
<th>Rank</th>
<th>Contract Status</th>
<th>Highest Degree Granted</th>
<th>Initial Date of Participation in Proposed Program</th>
<th>Full Year Workload in Proposed Program (portion of position)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Abbott</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>LLM</td>
<td>2003</td>
<td>0.0091</td>
</tr>
<tr>
<td>A</td>
<td>Atkinson</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td>0.0091</td>
</tr>
<tr>
<td>A</td>
<td>Baldwin</td>
<td>Law</td>
<td>Ascc P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td>ETC</td>
</tr>
<tr>
<td>A</td>
<td>Bank</td>
<td>Law</td>
<td>Ascc P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Banoff</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Christie</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Crossley</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Dodge</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>LLM</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Ehrhardt</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Garvin</td>
<td>Law</td>
<td>Ascc P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Gey</td>
<td>Law</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Gore</td>
<td>Law</td>
<td>Asst P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
</tbody>
</table>

### Faculty Code

<table>
<thead>
<tr>
<th>Faculty Code</th>
<th>Corresponding Faculty Position Category</th>
<th>Proposed Source of Funding for Faculty</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Current General Revenue</td>
<td>Existing Faculty – Regular Line</td>
</tr>
<tr>
<td>B</td>
<td>Current General Revenue</td>
<td>New Faculty – To Be Hired on Existing Vacant Line</td>
</tr>
<tr>
<td>C</td>
<td>New General Revenue</td>
<td>New Faculty – To Be Hired on a New Line</td>
</tr>
<tr>
<td>D</td>
<td>Contracts &amp; Grants</td>
<td>Existing Faculty – Funded on Contracts &amp; Grants</td>
</tr>
<tr>
<td>E</td>
<td>Contracts &amp; Grants</td>
<td>New Faculty – To Be Hired on Contracts &amp; Grants</td>
</tr>
</tbody>
</table>

**Overall Total for 5th Year**
### BOR TABLE TWO

**FACULTY PARTICIPATION IN PROPOSED DEGREE PROGRAM BY FIFTH YEAR**

<table>
<thead>
<tr>
<th>Faculty Code</th>
<th>Faculty Name</th>
<th>Academic Discipline</th>
<th>Specialty</th>
<th>Rank</th>
<th>Contract Status</th>
<th>Highest Degree Granted</th>
<th>Initial Date of Graduation</th>
<th>(For Existing Faculty Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Griffith</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>LLM</td>
<td>2003</td>
<td>0.0091</td>
</tr>
<tr>
<td>A</td>
<td>Hirsch</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>PhD</td>
<td>2003</td>
<td>0.0091</td>
</tr>
<tr>
<td>A</td>
<td>LeBel</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td>0.0091</td>
</tr>
<tr>
<td>A</td>
<td>Lee</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>PhD</td>
<td>2003</td>
<td>etc</td>
</tr>
<tr>
<td>A</td>
<td>Markell</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Mitchell</td>
<td>Law</td>
<td></td>
<td>Asst P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Powell</td>
<td>Law</td>
<td></td>
<td>Asst P</td>
<td>9 mo.</td>
<td>LLM</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Priest</td>
<td>Law</td>
<td></td>
<td>Asst P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Ruhl</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Seldenfeld</td>
<td>Law</td>
<td></td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Shepherd</td>
<td>Law</td>
<td></td>
<td>Asst P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Southerland</td>
<td>Law</td>
<td></td>
<td>Asst P</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td></td>
</tr>
</tbody>
</table>

### FACULTY CODE

- **A**: Current General Revenue
- **B**: Existing Faculty — Regular Line
- **C**: New General Revenue — New Faculty — To Be Hired on a New Line
- **D**: Contracts & Grants — Existing Faculty — Funded on Contracts & Grants
- **E**: Contracts & Grants — New Faculty — To Be Hired on Contracts & Grants
# BOR Table Two

## Faculty Participation in Proposed Degree Program by Fifth Year

<table>
<thead>
<tr>
<th>Faculty Code</th>
<th>Faculty Name or New Hire</th>
<th>Academic Discipline/Specialty</th>
<th>Rank</th>
<th>Contract Status</th>
<th>Highest Degree Granted</th>
<th>Initial Date for Participation in Proposed Program</th>
<th>5th Year Workload in Proposed Program (Amount of Personnel)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Stern</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td>0.0091</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Teson</td>
<td>Prof</td>
<td>9 mo.</td>
<td>PhD</td>
<td>2003</td>
<td>0.0091</td>
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</tr>
<tr>
<td>A</td>
<td>Van Doren</td>
<td>Prof</td>
<td>9 mo.</td>
<td>JD</td>
<td>2003</td>
<td>0.0091</td>
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</tr>
<tr>
<td>A</td>
<td>Weidner</td>
<td>Dear/Prof</td>
<td>12 mo.</td>
<td>JD</td>
<td>2003</td>
<td>0.0091</td>
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<tr>
<td>A</td>
<td>Yetter</td>
<td>Prof</td>
<td>9 mo.</td>
<td>LLM</td>
<td>2003</td>
<td>0.0091</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>New hire (JWL line)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>New hire (JCO line)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>New hire (JSR line)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>New hire (JKV line)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Faculty Code</th>
<th>Corresponding Faculty Position Category in Table 3 for the Fifth Year</th>
<th>Proposed Source of Funding for Faculty</th>
<th>5th Year Workload, if Any Revisions in Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Current General Revenue</td>
<td>Existing Faculty – Regular Line</td>
<td>0.0091</td>
</tr>
<tr>
<td>B</td>
<td>Current General Revenue</td>
<td>New Faculty – To Be Hired on Existing Vacant Line</td>
<td>0.0091</td>
</tr>
<tr>
<td>C</td>
<td>New General Revenue</td>
<td>New Faculty – To Be Hired on a New Line</td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>Contracts &amp; Grants</td>
<td>Existing Faculty – Funded on Contracts &amp; Grants</td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>Contracts &amp; Grants</td>
<td>New Faculty – To Be Hired on Contracts &amp; Grants</td>
<td></td>
</tr>
</tbody>
</table>

**Overall Total for 5th Year:** 0.0091
## BOR TABLE THREE
**COSTS FOR PROPOSED PROGRAM**

<table>
<thead>
<tr>
<th>Positions (FTE)</th>
<th>First Year</th>
<th>Fifth Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>General Revenue</td>
<td>Contracts &amp; Grants</td>
</tr>
<tr>
<td>Faculty</td>
<td>0.0091</td>
<td>0.0091</td>
</tr>
<tr>
<td>A&amp;P</td>
<td>0.0175</td>
<td>0.0175</td>
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<tr>
<td>USPS</td>
<td>0.0175</td>
<td>0.0175</td>
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<tr>
<td>Total</td>
<td>0.0441</td>
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<table>
<thead>
<tr>
<th>Salary Rate</th>
<th>First Year</th>
<th>Fifth Year</th>
</tr>
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<tbody>
<tr>
<td>Faculty</td>
<td>100000 (avg)</td>
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<tr>
<td>A&amp;P</td>
<td>42870</td>
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<tr>
<td>USPS</td>
<td>24100</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>???</td>
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</table>

<table>
<thead>
<tr>
<th>I&amp;R</th>
<th>First Year</th>
<th>Fifth Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries &amp; Benefits</td>
<td>???</td>
<td></td>
</tr>
<tr>
<td>Other Personnel Services</td>
<td>0</td>
<td></td>
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<tr>
<td>Expenses</td>
<td></td>
<td></td>
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<tr>
<td>Operating Capital Outlay</td>
<td>1000</td>
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<tr>
<td>Electronic Data Processing</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>LIBRARY RESOURCES</strong></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>SPECIAL CATEGORIES</strong></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL I&amp;R</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>NON-I&amp;R</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>OTHER ACTIVITIES</strong></td>
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<tr>
<td><strong>LIBRARY STAFFING</strong></td>
<td>0</td>
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<tr>
<td><strong>UNIVERSITY SUPPORT</strong></td>
<td>0</td>
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<tr>
<td><strong>FINANCIAL AID</strong></td>
<td>0</td>
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<tr>
<td><strong>STUDENT SERVICES, OTHER</strong></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL OTHER ACTIVITIES</strong></td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**SUMMARY**

** TOTAL I&R + TOTAL OTHER ACTIVITIES

* Should relate directly to numbers in Table 2
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Student Assessment of Instruction Policy

PROPOSED BOARD ACTION

Approve a policy to allow Florida State University to continue use of the Student Assessment of Instruction.

BACKGROUND INFORMATION

We would like to continue use of the student evaluation of instruction under the two rules in the Florida Administrative Code (6C-5.940 and 6C2-4.033) and we ask that the Board of Trustees endorse a policy to allow our use of this student assessment of instruction.

Supporting Documentation Included:
Contact: Lawrence G. Abele
Phone: 644-1765
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Rules – Special Appeals and Academic Organization

PROPOSED BOARD ACTION

Approve the repeal of F.A.C. 6C2-5.001 – Academic Organization; and F.A.C. 6C2-5.087 – Special Appeals.

BACKGROUND INFORMATION

These rules were listed in a required report to the Joint Administrative Procedures Committee in an annual report in 2000 as scheduled for repeal as without sufficient statutory authority. The 2000 Legislature passed what was termed a Rules Authorization Bill, HB 1687, which clarified university authority. In the subsequent report, these rules were listed as still scheduled for repeal but not for reasons of lack of authority. The Committee, JAPC, still considers these as listed for repeal under the earlier report. The rules are both technically wrong in some fashion and unneeded, in any event.

The Academic Organization Rule, 6C2-5.001, is more properly accomplished under the Uniform Rules as provided in current organizational charts, which the These rules were listed in a required report to the Joint Administrative Procedures university maintains.

The Special Appeals Rule, 6C2-5.087, is also now technically incorrect in a few areas and applies primarily only to student teaching appeals which can be provided for by internal procedures or are already governed by other existing law, rule or policy.

Supporting Documentation Included: F.A.C. 6C2-5.001 and F.A.C. 6C2-5.087; Letter from Jesslyn Krouskroup of the Joint Administrative Procedures Committee
Other Support Documents Available: None
Contact: Dayton M. (Mike) Cramer, Deputy General Counsel
July 17, 2002

Mr. Arthur R. Wiedinger, Jr.
Associate General Counsel
Florida State University
Suite 424, Westcott Building
Tallahassee, Florida 32306-1612

RE: Florida State University Rules 6C2-5.001 and 5.087

Dear Mr. Wiedinger:

The Joint Administrative Procedures Committee staff is in the process of preparing the agenda for the next meeting of the Committee. Included on the agenda will be a final report on the October 1 list of agency rules which exceed delegated legislative authority. The university placed rules 6C2-5.001 and 5.087 on the list in 1999, and has indicated in subsequent correspondence and telephone conversations that the rules will be repealed. As of this date, a notice of repeal has not been received.

In light of the substantial amount of time which has elapsed, I have been instructed to prepare a recommended objection to these rules. Unless a notice of repeal is published and sent to our office within two weeks, the objections will be placed on the agenda and presented to the Committee.

Please do not hesitate to contact me if you have questions.

Sincerely,

Jesslyn A. Krouskroup
Chief Attorney
6C2-5.001 Academic Organization.

(1) The University is divided into five units: four Divisions and Graduate Studies and Research. A Provost heads each Division and is responsible for the Division. The Provost for Graduate Studies and Research is responsible for the administration of the graduate office, the Office of Research, the Computer Center, and other research units.

(2) The Divisions are:
(a) Division I. Arts and Sciences.
(b) Division II. Professional Schools.
   1. College of Business.
   2. College of Education.
   3. School of Home Economics.
   4. School of Library Science.
   5. School of Nursing.
(c) Division III. Social Sciences and Law.
   1. School of Criminology.
   2. College of Law.
   3. College of Social Sciences.
(d) Division IV. Communication and The Arts.
   1. College of Communication.
   2. School of Music.
   3. School of Theatre.
   4. School of Visual Arts.
   5. Department of Dance.

Specific Authority 240.227(1) FS. Law Implemented 240.227(1), (21) FS. History–New 9-30-75, Formerly 6C2-5.01.
6C2-5.087 Special Appeals.
(1) In order to avail himself of any special appeal a student must execute a written waiver of any and all other administrative or judicial appeals available to him.
(2) Student Teaching Appeals.
(a) Areas of Competence.
1. The University Associate Student Teaching Appeals Committee shall hear appeals from any Florida State University degree candidate or certification candidate who has been denied admission to associate student teaching or recommendation for certification on the basis of criteria specified in Rules of Professional Practice Commission, Chapter 287-4.02(3). Professional personnel charged with determining who shall be admitted to the teacher education program should use the following as minimal criteria:
   a. Personality.
      i. Sense of humor.
      ii. Perspective.
      iii. Flexibility.
      iv. Maturity of judgment.
   v. Poise.
   b. Evidence of good mental health.
   c. Evidence of good physical health.
   d. Absence of physical limitations that would impair the candidate’s ability to teach.
   e. Ability to communicate effectively.
   f. Commitment to young people and teaching.
   g. Leadership, initiative and follow-through.
2. The following criteria will be considered by the University Associate Student Teaching Appeals Committee for undergraduates who elect to appeal associate student teaching assignments on the basis of financial hardship. No rank order is assigned to the criteria.
   a. Cash assets.
   b. Securities.
   c. Personal and real property.
   d. Income, personal.
   e. Income, family.
   f. Dependents.
Academic and course requirements are specifically excluded from the Committee’s area of competence.
(b) Membership of the Committee. Five faculty members and four students in teacher preparation programs in any college of the University shall be selected by the Dean of the College of Education and constitute the Committee. The Director of Field Experiences shall serve as executive secretary. The nine member Committee shall select a member of the Committee to serve as chairman in the conduct of hearing for each appeal.
(c) Appeal Procedure. Appeals on admission to associate student teaching or
certification recommendation shall be directed in writing by the candidate to the Director of Field Experiences or any member of the Committee. Financial hardship appellant shall complete the appropriate Appeal Form providing pertinent financial data. Appeals to assignments based upon financial hardship shall be given in writing to the Director of Field Experiences no later than indicated in the following schedule:
October 1 Winter Quarter Associate Student Teachers
January 10 Spring Quarter Associate Student Teachers
April 1 Fall Quarter Associate Student Teachers
(d) Hearing Procedure. Upon receipt of a written appeal, the Committee shall schedule a hearing within 60 days, but no later than eight days after application due date, and advise the candidate. The candidate may secure such advice and counsel as he deems necessary to assist in presenting the reasons and supporting data for admission to associate student teaching and/or recommendation for certification.
(e) Decisions. The Committee shall within the space of seven calendar days render a decision to admit or deny exception to assignment, or associate student teaching and/or certification and cause to communicate the decision to the candidate in writing. The Committee shall arrive at its decision by majority vote.
(f) Records. The Director of Field Experiences shall maintain a record of the principals and decisions in all appeal cases and shall be the agent to communicate decisions.
(3) School of Social Work Student Grievance Procedure.
(a) Individual student’s complaints against prejudice or capricious academic evaluations; improper disclosure of student’s views, beliefs, and political associations; limitations of freedom of expression; and improper disclosure of information to peers or to prospective employers by University employees or students.
(b) Procedure.
1. Within thirty (30) university class days after the incident/grievance, the following procedures must be implemented:
   a. The student with the grievance first should discuss it with the person or group he/she feels has wronged him/her.
   b. The situation(s) should be discussed by the student with his/her advisor.
   c. If the situation is not clarified to the satisfaction of the student he/she must bring it to the attention of the Director of Social Work Student Affairs.
2. The Director of Social Work Student Affairs shall obtain written confirmation that Section A of this document has been followed.
3. Written Statements.
   a. The student and the person or group of whom the complaint is made should prepare brief written statements of their viewpoints in the situation and file these with the Director of Social Work Student Affairs within seven (7) calendar days of the confirmation of complaint.
   b. If either party wishes to submit supporting statements from other parties to be considered by the Student Faculty Hearing Panel, these statements must be submitted to the Director of Social Work Student Affairs by the same deadline.
   c. The Director of Social Work Student Affairs will refer the written statement to the Student-Faculty Hearing Panel and notify panel members of the impending hearing which must be held within seven working days following notification.
Grievances originating in the field internship will be considered an exception and a period of fourteen working days following notification will be allowed to hold a hearing. Except in extraordinary circumstances, a decision should be reached within the required period.

d. The Director of Social Work Student Affairs will be responsible for staffing the Student-Faculty Hearing Panel during preparations for the hearing, convening the hearing, and serving as chairperson for the hearing without vote.

e. The Student-Faculty Hearing Panel shall be composed of three students, each with an alternate, and three faculty members, each with an alternate. The Student organizations each will elect three students and three alternates at the beginning of each academic year to serve for a period of one year. The student representatives/alternates on each panel shall be determined by the student organization to which the aggrieved student belongs. The student and the person or group against whom the complaint is being filed shall have the right to make a maximum of two preemptory challenges from the elected membership of the Student-Faculty Panel, accepting the alternates as the replacements. These challenges must be made within the seven day period following confirmation of the complaint and in which written documents are submitted. In the event that one of the members of the Student-Faculty Panel cannot serve for just reason, the alternate will replace the member. If the student representatives are interning outside of Tallahassee, preference will be given to their alternates as representatives due to financial consideration of travel and related expenses. Either party concerned may solicit support from up to three witnesses who have submitted supporting statements as described in paragraph (b)3.b. and who will be allowed to present supporting evidence during the hearing. The final decision will be by secret ballot.

f. The Student-Faculty Hearing Panel will make its report and recommendations of action to the Dean. Any further action will follow normal administrative channels. The Dean will communicate in writing the final decision to both parties. All materials of the hearing will be placed in a special appeals folder in the Dean’s office, not in the students’ file, to be kept for a maximum of five years.

(c) Rights and Protection during Student-Faculty Hearing,

1. The hearing will be closed to all persons except those parties immediately involved: The Director of Social Work Student Affairs, the Student-Faculty Hearing Panel, the aggrieved student, the person or group against whom the complaint is made, and up to three witnesses for each party. Witnesses shall be present only during their presentation.

2. During the above-mentioned procedure, the person making the complaint and the person or group against whom the complaint is being filed shall have the following right:

a. To see written statements and any other supporting materials submitted by both parties prior to or during the hearing;

b. To question any witness at the hearing;

c. To receive a copy of the Student-Faculty Hearing Panel report and recommendations submitted to the Dean.

Specific Authority 240.227(1) FS. Law Implemented 240.227(1) FS. History—New 9-30-75, Formerly 6C2-5.87.
ITEM: 12

BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Review of Sunshine Law

PROPOSED BOARD ACTION

Review state law relating to open meetings

BACKGROUND INFORMATION

Richard McFarlain, the university’s general counsel, will discuss the state law concerning open meetings.

Supporting Documentation Included: Letter from Richard McFarlain to the trustees dated July 25, 2002
Contact: Richard McFarlain Phone: (850) 644-3300
MEMORANDUM

DATE: July 25, 2002

TO: Members of the University Board of Trustees

FROM: Richard C. McFarlain, General Counsel

SUBJECT: The Sunshine Law

I write this to you at the request of the Chair by way of the President. The purpose is to ensure that members of the Board of Trustees are aware of the far reaches of Florida's Public Meetings and Records law. Complying with this law takes constant care. Section 286.011, F.S. is the co-called "Sunshine Law." It requires the decision-making process of state government to be made in public for the benefit of the public. As members of the FSU Board of Trustees, you are covered by this law. It applies to any gathering of two or more members of the Board who meet to discuss any matter which will foreseeably come before the Board for action. The three basic requirements of compliance are:

(1) Meetings of the Board of Trustees and members must be open to the public.

(2) Reasonable notice of such meetings must be given.
(3) Minutes of the meeting must be taken and promptly recorded and open to the public.

The law also applies to committees of the Board of Trustees and advisory committees appointed by the Board even though the advisory committees’ recommendations are subject to review because “[n]o official act which is in and of itself decision-making can be remote from the decision-making process, regardless of how many decision-making steps go into the ultimate decision.” (Wood v. Marston, 442 So.2d 934). A limited exception to this is for committees established for fact-finding only. This means strictly gathering information and reporting the information. When the fact-finding committee can or does make recommendations, it is covered by the Sunshine Law.

Staff

Meetings of the Board of Trustees staff are not ordinarily subject to the Sunshine Law unless the staff has been delegated decision-making functions outside normal activity, or are acting as liaisons between Board members, or are acting in place of the members at the members’ direction. Further, when a staff member is appointed to a committee which is delegated authority to make recommendations to the Board, the staff member loses the identity as staff while working on the committee and is covered by the Sunshine Law. It is the act performed which is dispositive.
Board Members

There is no requirement that a quorum be present for the law to apply. It applies to any gathering, whether formal or casual, of two or more members of the Board to discuss some matter on which foreseeable action will be taken by the Board.

"Every thought, as well as every affirmative act, of a public official as it relates to and is within the scope of his official duties, is a matter of public concern; and it is the entire decision-making process that the legislature intended to affect by the enactment of the statute before us." *Times v. Williams*, 222 So.2d 470.

Written Correspondence

The use of a writing by one Board member to inform others of a subject which will be discussed at a public meeting is not a violation if there is no interaction related to the writing among the Board members. Such communication, which includes email, however, is a public record and should be maintained. (AGO 89-23 and AGO 01-20). If the report is circulated among Board members for their comments, it is subject to the Public Records Act.
Telephone

Law applies where two or more members of the Board discuss some matter which foreseeably will come before the Board for action. The use of the telephone does not remove it.

Use of Liaisons between Board Members

The law applies to meetings between a Board member and another not a member of the Board when that person is used as a liaison to other Board members. In particular, when such meetings are held in rapid-fire succession, they amount to a de facto meeting. This does not mean that individual Board members are prohibited from meeting privately with staff for informational purposes. Staff should not call each member of the Board separately and ask them to state their position on a matter which will foreseeably be presented before the entire Board in open session. An exception made by the courts is the decision to file an appeal by counsel to a Board after discussions between that counsel and individual members of the Board, if Board approval for the appeal is not required. In Florida Parole and Probation Commission v. Thomas, 364 So.2d 480, the Court concluded that all decisions taken by legal counsel to a public board need not be made or approved by the Board; thus, the decision to appeal made by legal counsel after private discussions with the individual members did not violate s.286.011, F.S. (In my view it may be legal but it would be a bad policy.)
Confidentiality regarding Litigation

In order for the Board to legally meet with counsel in private to discuss litigation, the following is required:

(a) The Board must be a party to an active lawsuit.

(b) Counsel shall advise the Board at a public meeting that he desires advice concerning the litigation.

(c) The Board must give reasonable public notice of the time and date of the attorney-client closed session and the names of people who will be attending it. It shall commence at an open meeting, at which time the Chair shall announce the beginning and estimated length of the session and the names of the persons attending. When the session is over, the Chair shall re-open the meeting and announce the termination of the session.

(d) The subject matter of the meeting shall be confined to 1) settlement negotiations or 2) strategy sessions related to litigation expenses.

(e) The entire session shall be recorded by a certified court reporter. The reporter shall record the time of commencement and termination of the session, all discussions and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter’s notes shall be fully transcribed and filed with the Board’s secretary within a reasonable time after the meeting.
(f) The transcript will be part of the public record upon conclusion of the litigation.

The "Government-in-the-Sunshine Manual" opines that if counsel does not advise the entity that he desires advice regarding litigation, the Board would not be precluded from providing such advice to counsel, but must do so at a public meeting. (I am not kidding.) In these closed sessions, only those people listed in the statutory exemption, i.e. the Board, counsel, the chief administrative officer, and the court reporter, are authorized to attend a closed session. Other staff are not to be present. Attendance of special counsel is also authorized. No final decisions on litigation can be legally voted on during these private sessions. The decision to settle a case for a certain amount of money under certain conditions is a decision which must be voted upon in a public meeting. "The settlement of the case is exactly the type of final decision contemplated by the drafters of section 286.011(8) which must be voted upon in the Sunshine." *Zorc v. City of Vero Beach*, 722 So.2d 891. See also *Breckner v. City of Dania Beach*, 2220 W.L. 1430374.

Please note that the Board, in order to have such a session, must have "pending litigation." The exemption "does not apply when no lawsuit has been filed, even though the parties involved believe litigation is inevitable." (AGO 98-21).
Exemption-Risk Management

Section 768.28(15)(c) F.S. says that proceedings relating solely to the evaluation of claims or offers of compromise filed with a risk management program of the state are exempt. The minutes are also exempt until the termination of the litigation.

Personnel Matters

Personnel matters discussed before the Board are not exempt.

Evaluations

When the Board is assessing the performance of the President or others, it should conduct the review and appraisal process in proceedings open to the public as prescribed by the Sunshine Law.

Social Events

Trustees are not prohibited from meeting together socially, provided that issues which could foreseeably come before their Board are not discussed.

(AGO 92-79).
Abstention from Voting

The Sunshine Law says: "No member...who is present at any meeting...at which an official decision, ruling or other official act is to be taken or adopted may abstain from voting...a vote shall be recorded or counted for each member present except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under s. 112.311, s. 112.313 or s. 112.3143, .F.S." (Code of Ethics for Public Officers and Employees)

The Unpleasant Part

Violations of the Sunshine Law carry criminal penalties. Any Board member who knowingly violates the law is guilty of a misdemeanor of the second degree. If convicted of this, the person may be sentenced to a term of imprisonment not to exceed sixty days and/or fined up to $500. Further, the Governor may suspend the offender. If convicted, the person may be removed by the Governor. The statute also imposes non-criminal penalties for an infraction up to a fine not exceeding $500. Even if the conduct takes place outside the state, it is still a second degree misdemeanor. Charges would be filed in Tallahassee.

Notice

Section 120.525 F.S. requires the Board of Trustees to give seven days notice of meetings and make an agenda available in this seven-day period before and during the meeting. The agenda may only be changed for "good
cause" by "the person designated to preside." Notice must either be in the "Florida Administrative Weekly" or, alternatively, in the newspaper along with other postings which may include the internet. Whatever is used must give notice in a time and manner that will enable the media and general public to attend the meeting.

Conclusion

The Sunshine Law is at one and the same time simple and convoluted. If you have questions, let me have them. The best advice I can give you is, when in doubt, don't. Remember, two or more members meeting to discuss any matter which will foreseeably come before the Board for action. That is the trigger. A defense of "I was just talking to myself and she was in the area" will not do. And, yes, I know that no corporation could stay in business like this. But here, you are not in business, you are part of government.

RCM:lw
Encl.: F.S. 286.011

cc: Sandy D'Alemberte
Larry Abele
Ray Bye
John Carnaghi
Winston Scott
Beverly Spencer
Bob Bradley
Ruth Felock
All lawyers, General Counsel's Office
286.011 Public meetings and records; public inspection; criminal and civil penalties.—

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

(3)(a) Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by fine not exceeding $500.

(b) Any person who is a member of a board or commission of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions hereof is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e) Conduct which occurs outside the state which would constitute a knowing violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(4) Whenever an action has been filed against any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision to enforce the provisions of this section or to invalidate the actions of any such board, commission, agency, or authority, which action was taken in violation of this section, and the court determines that the defendant or defendants to such action acted in violation of this section, the court shall assess a reasonable attorney's fee against such agency, and may assess a reasonable attorney's fee against the individual filing such an action if the court finds it was filed in bad faith or was frivolous. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual members or members of the board or commission. However, this subsection shall not apply to a state attorney or his or her duly authorized assistants or any officer charged with enforcing the provisions of this section.

(5) Whenever any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision appears or issues any board order which has found said board, commission, agency, or authority to have violated this section, and such order is affirmed, the court shall assess a reasonable attorney's fee for the appeal against such board, commission, agency, or authority. Any fees so assessed may be assessed against the individual member or members of such board or commission; provided, that in any case where the board or commission seeks the advice of its attorney and such advice is followed, no such fees shall be assessed against the individual member or members of the board or commission.

(6) All persons subject to subsection (1) are prohibited from holding meetings at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility.

(7) Whenever any member of any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision is charged with a violation of this section and is subsequently acquitted, the board or commission is authorized to reimburse said member for any portion of his or her reasonable attorney's fees.

(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire meeting shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The entity shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the session.

History.--s. 1, ch. 78-205; s. 33, ch. 91-222; s. 1, ch. 93-392; s. 1, ch. 95-146; s. 1, ch. 95-322.
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Florida State University Research Park

PROPOSED BOARD ACTION

For information only.

BACKGROUND INFORMATION

External research activities at FSU continue to grow and new research space for these activities present the University with a continuing challenge.

The proposal is that FSU will lead an effort to develop a new, 1500 acre R&D park that would be located south of Doak Campbell Stadium. The University currently owns approximately 700 acres that includes the FSU golf course and FSU’s Broadcast House; the remaining acreage is largely undeveloped FSU property. The proposed site includes the existing Innovation Park, which is operated by the Leon County Research and Development Authority and is nearing capacity, as well as the buildings for the FAMU-FSU College of Engineering. Within the 1500 acre concept are additional properties held by the state of Florida, Leon County, the City of Tallahassee, and approximately 100 acres of privately-held parcels.

The University, with the smallest campus among the state universities, would benefit from such a park that would primarily house university and private sector research activities. The proposed park would be located less than a mile from the main FSU campus.

Supporting Documentation Included:
Other Support Documents Available:
Contact: Ray Bye Phone: 644-3347
ITEM: 14

BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Audit Committee Reorganization

PROPOSED BOARD ACTION

Discuss the current structure of the Audit Committee and take action, if appropriate

BACKGROUND INFORMATION

Trustee Knowles indicated at the May 9-10, 2002, meeting of the Board of Trustees that he wanted to discuss the structure of the Audit Committee. The current structure of the Audit Committee is the Provost, Senior Vice President for Finance and Administration, the university general counsel, and Trustee Knowles. The Inspector General staffs the Audit Committee. Trustee Knowles also serves as the liaison from the Audit Committee to the full Board of Trustees.

Supporting Documentation Included:
Contact: President D’Alemberte Phone: (850) 644-1089
BOARD OF TRUSTEES
September 19-20, 2002

SUBJECT: Orientation to the Support Areas of the University

PROPOSED BOARD ACTION

No action required. Captain Winston Scott, Vice President for Student Affairs will provide an orientation to the division. This discussion is a follow-up to the presentations made by Vice Presidents Spencer, Carnaghi, and Bye at earlier meetings of the Board.

BACKGROUND INFORMATION

The chief executive officer of Florida State University is the President. The president is assisted by the Provost (who is also the Vice President for Academic Affairs), the Vice President for Finance and Administration, the Vice President for Student Affairs, the Vice President for Research, the Vice President for University Relations, the General Counsel, and the Inspector General.

Supporting Documentation Included:
Contact: Captain Winston Scott Phone: (850) 644-5590