MEMORANDUM

TO: President T.K. Wetherell
FROM: Jim Smith
DATE: September 22, 2008
SUBJECT: Items Approved by the Board of Trustees

The Florida State University Board of Trustees approved the following items on September 19, 2008.

- Ratify SGA Bills
- 2008-2009 Work Plan for the Office of Audit Services
- Status Report on Purchase Orders over $1 million and 5 year+ Service Contracts for Fiscal Year 2007-2008
- Status Report on Construction Projects over $1 million for Fiscal Year 2007-2008
- Adoption of 6C2R-2.0151, Supplier Diversity Program
- Amendment of Regulation 6C2R-1.015 Purchasing and Procurement
- Request for Final Approval after Notice of FY 2008-2009 Tuition Policy and Administrative Action
- ACC Certification Form
- Political Campaign Policy
- COB Articles of Incorporation and Bylaws
- College of Medicine Waivers
- Out-of-state Waivers
- Finalization of the following Budgets (tentatively approved 6/13/08)
  - 2008-2009 Operating Budget
  - 2008-2009 Direct Support Operating Budget
  - 2009-2010 Fixed Capital Outlay Budget Request

cc: Dr. Lawrence Abele
    Dr. Robert Bradley
    Mr. John Carnaghi
    Dr. Mary Coburn
    Ms. Lee Hinkle
    Dr. Kirby Kemper
    Ms. Betty Steffens
Thursday, September 18, 2008

3:00-5:00 PM Committee Meetings, Student Services Building

5:30-8:30 PM Reception & Dinner, University Center Club

Friday, September 19, 2008

The agenda will be followed in the subsequent order and items may be heard earlier than the scheduled time below.

9:00 – 10:00 Continental Breakfast and Student Affairs Panel

10:00 – 10:05 I. Call to Order and Welcome
   Mr. Jim Smith, Chair

10:05 – 10:10 II. Approval of Minutes
   • June 13, 2008 Meeting
   TAB 1

10:10 – 10:15 III. Comments, Faculty Senate
   Dr. Eric Walker

10:15 – 10:20 IV. Comments, Student Government Association
   Mr. Ryan Powers

10:20 – 10:30 V. Legal Update
   Ms. Betty Steffens, University General Counsel
   TAB 2

10:30 - 10:50 VI. Strategic Plan Update and Funding
   Dr. Lawrence G. Abele, Executive Vice President for
   Academic Affairs and Provost
   Mr. Charles Rasberry, President of the FSU Foundation

10:50 – 10:55 VII. Consent Items—One Motion
   1. Ratify SGA Bills
      Services
   3. Status Report on Purchase Orders over $1 million and 5 year+
      Service Contracts for Fiscal Year 2007-2008
   TAB 3
5. Adoption of 6C2R-2.0151, Supplier Diversity Program
6. Amendment of Regulation 6C2R-1.015 Purchasing and Procurement
7. Request for Final Approval after Notice of FY 2008-2009 Tuition Policy and Administrative Action
8. ACC Certification Form

10:55 – 11:15  VIII. University Relations Update
                Ms. Lee Hinkle, Vice President for University Relations

                ACTION ITEM:
                1. Political Campaign Policy  TAB 4

11:15 – 12:00  IX. Committee Reports:

                Academic Affairs (Dr. Lawrence G. Abele, Executive Vice President for Academic Affairs and Provost)

                Agenda Items (ACTION):

                1. COB Articles of Incorporation and Bylaws for DSO – Dr. Caryn Beck-Dudley  TAB 5
                2. College of Medicine Waivers – Dr. John Fogarty  TAB 6
                3. Out-of-state Waivers – Dr. Lawrence Abele  TAB 7

                Information Items:

                1. Strategic Plan Update – Dr. Robert Bradley  TAB 8
                2. University Compacts – Dr. Robert Bradley  TAB 9
                5. Research and Pathways Update – Dr. Kirby Kemper  TAB 14
                6. BOG regulation on BOT Powers and Duties  TAB 15

                Student Affairs (Dr. Mary Coburn, Vice President for Student Affairs)

                Information Items:

                1. Athletics Update – Mr. Randy Spetman  TAB 16
                2. Report on New Students Entering FSU
                3. Faculty/Staff Emergency Guide folder
                4. Summary Report re: Opening of Fall Semester
                5. Construction Updates
Finance and Business (Mr. John Carnaghi, Senior Vice President for Finance and Administration)

Agenda Items (ACTION):

1. Finalization of the following Budgets (tentatively approved 5/11/07)
   a. 2008-2009 Operating Budget TAB 17
   b. 2008-2009 Direct Support Operating Budget TAB 18
   c. 2009-2010 Fixed Capital Outlay Budget Request TAB 19

12:00 – 12:05 X. Open Forum for Board Members Discussion

12:05 – 12:15 XI. President’s Report
Dr. T.K. Wetherell, President

12:15 PM XII. Adjournment – BOT Members Travel to Lunch at Chili’s.
Members Present: Trustees Derrick Brooks, June Duda, David Ford, Manny Garcia, Andrew Haggard, James Kinsey, Harold Knowles, Richard McFarlain, Laymon Hicks, Leslie Pantín, Jim Smith, Jayne Standley, Susie Busch-Transou were present. The following members participated by phone: Trustees Derrick Brooks, Susie Busch-Transou, David Ford, Manny Garcia, and Jim Smith.

1. Call to Order and Welcome
   Mr. Harold Knowles, Vice Chair
   - Laura Brock performed the Roll Call
   - Vice Chair Knowles welcomed everyone to the Board of Trustees' Conference Call

2. Approval of Minutes
   - Trustee Pantín made a motion to approve the minutes of the January 18, 2008 meeting and the April 3, 2008 conference call. The motion was seconded by Trustee Duda and passed unanimously.

3. Comments, Faculty Senate
   - Dr. Eric Walker presented comments on behalf of the Faculty Senate. He expressed confidence that the budget storm that FSU is in the midst of will soon be weathered. The primary reason for the faculty's confidence is the openness of the administration and the budget planning. Dr. Walker said that the faculty feels empowered by the president and the provost and the other budget planners (Bob Bradley, Ralph Alvarez) and their staff. He said the faculty has been consulted every step of the way and they can see the results of the good planning and foresight in order to get to the other side of what the entire faculty hope to be a temporary crisis.
4. Comments, Student Government Association

- Mr. Ryan Powers first thanked the Board of Trustees for their commitment to the University. Mr. Powers made comments concerning some of the initiatives for the following year that the Student Government Association will be pursuing. He introduced the We Hear You Campaign, which will focus on the Student Government Leaders reaching out to students of the University. Mr. Powers also provided an update regarding the True Seminole campaign, and their plans to work with the Seminole Student Boosters.

5. Legal Update

- Ms. Betty Steffens, University General Counsel, presented the legal update to the board. First, she introduced the lawsuit, Graham v. Pruitt, that is still pending between the Board of Governors and Florida Senate and House of Representatives in Circuit Court. The main issue is who has authority on tuition and fees. Motions were heard several weeks ago in front of the judge and there is no date for a decision. Second, Ms. Steffens provided an update regarding a proposed regulation for all universities from the Board of Governors. She said Chairman Jim Smith has written to the Chairman of the Board of Governors (Carolyn Roberts). All the universities have joined together to research the regulation and its potential impacts.

6. University Relations Update

- Ms. Lee Hinkle, Vice President for University Relations, provided an update on several activities. First, the Blackbaud Raiser’s Edge system is now up and running allowing Seminole Boosters, the Alumni Association, the FSU Foundation, University Relations, Ringling Campus, and the FSU Panama City Campus to all communicate on one database with alumni and friends. Ms. Hinkle also gave a brief fundraising overview, where University Wide they have raised approx. 86Million dollars. Last, Ms. Hinkle introduced the new Alumni Association President Scott Atwell.

7. Consent Items

- Trustee Pantin made a motion to approve the consent items. Trustee Duda seconded the motion and the following items were approved unanimously:
1. Request for Approval- Florida Equity Report
2. Request for Final Approval of Amendment of Regulation 6C2R-009 Parking and Traffic Regulation Approved by the Board April 3, 2008.
3. Request for Approval of Repeal of Regulation 6C2R-6.004 Computing Center
4. Request for Approval of Student Government Bills for Spring 2008
5. Request for Implementation of Proposed MS in Materials
6. Request for Implementation of Proposed Doctor of Nursing Practice in College of Nursing
7. Request for Approval of Revision of Marine Lab Regulation 6C2R-6.007 University Marine Lab
8. Request for Approval of Repeal of Regulation 6C2R-6.008 University Library
9. Request for Approval of Repeal of Regulation 6C2R-4.0485 Criteria and Procedures for Promotion for In-Unit General Faculty librarians
10. Request for Approval of Repeal of Regulation 6C2R-3.007 Administrative Suspension Not Within the Judicial System
11. Request for Approval Repeal of Regulation 6C2R-3.012 Student Housing
12. Request for Authorization of Research Building

8. Committee Reports:

Academic Affairs

BOG Enrollment Plan

- Dr. Lawrence G. Abele, Executive Vice President for Academic Affairs and Provost, provided an update on the universities new enrollment plan process. Trustee McFarlain made a motion to approve the enrollment plan process and definition changes. Trustee Haggard seconded the motion, which passed unanimously.

- Dr. Abele reported that there is a program name change from Hospitality Administration to Hospitality Management. Dr. Rowe provided a report on tenure. In which tenure was granted to 49 faculty members effective Fall, 2008. Finally, Dr. Robert Bradley provided a Strategic Plan Update.

Student Affairs
Posting, Promotions, Chalking, Advertising and Active Distribution of Materials on FSU Campuses

- Dr. Mary Coburn, Vice President for Student Affairs, provided an update on Student Affairs activities and concerning the revision of the campus posting policy. Trustee Duda made a motion to approve the rule revision to 6C2R-2.0131. Trustee Hicks seconded the motion, which passed unanimously.

Finance and Business

- President TK Wetherell set the stage for a discussion of the budget and fiscal matters. He explained the history of the administration’s approach to fiscal planning at FSU. Two years ago the administration began planning for coming austere economic times. Rather than spending all funds, the University urged the Deans and Department chairs to retain funds where they could do so in order to prepare for lean times. Consequently, FSU will begin school in the Fall about $36 million less, 250 positions less, and 2,000 students less than usual in anticipation of the harsh economic times. This means having larger classes for students, having fewer faculty, limiting travel, reducing utility bills, and adding more adjunct faculty. The Athletic Department has also been asked to reduce their budget by five percent (5%). In addition to the 2008-2009 budget, a 2009-2010 budget will be presented, which is very unusual. The reason is that the “brain drain” has created a huge loss of faculty and it is important to send a message that the University is committed to finding ways to keep faculty at FSU. President Wetherell said that the University put a budget together this year that can send a strong message to faulty and we are going to try to find dollars to assist faculty with their budget. He said that yesterday the University received notice that one percent (1%) of appropriated funds is being held back. The University’s plan is prepared for that holdback. He said there is concern about lottery funds and the University will not spend those funds until they are in the bank. The Seigel and Gale plan, the Strategic plan and academic reorganization contribute to a process that will enhance this two-year budget to provide a clear vision for where the University intends to go even in the midst of fiscally austere times. He said that the administration would like to provide some non-recurring funds for the lowest paid staff to help with gasoline and grocery expenses. A contract with the City has been negotiated to provide free bus service from anywhere in the City to campus. President Wetherell said that the staff has done an excellent job of fiscal planning because he does not think the next Legislative Session will be any better. He said there has to be a two-year cycle for planning wisely.
Fixed Capital Outlay Budget

- Mr. John Carnaghi, Senior Vice President for Finance and Administration, presented the Fiscal-Year 2009-2010 Fixed Capital Outlay Budget. Trustee Pantin made a motion to approve the 2009-2010 Fixed Capital Outlay Budget. Trustee McFarlain seconded the motion, which passed unanimously.

Tuition Policy and Rule Authorization

- Mr. Ralph Alvarez, Associate Vice President for Financial Services, Budget Planning, and Institutional Research discussed the tuition increases effective Fall 2008. There are various tuition increases for Fall 2008, subject to board’s approval:

  1. Undergraduate tuition increases. Last year, the state passed a special law for undergraduate tuition, which stated if nothing happened during the legislative session, it would default to a consumer-price index type of increase (this did not happen). The state passed a 6% tuition increase for undergrad students for the Fall, along with implementing an undergraduate tuition differential fee. This will be 9%. Both of these increases, by law, cannot exceed 15%. The majority of students will not pay this fee due to Florida pre-paid contract or attending school by July 1, 2007. There will be a 10% increase for all out-of-state students

  2. Graduate tuition increases (Law, Medicine, etc.): There will be a 10% increase for graduate tuition. College of Law has a plan to increase tuition 15%.

- Trustee Haggard made a motion to approve 2008-2009 tuition policy and rule authorization. Trustee Kinsey seconded the motion, which passed unanimously.

2008-2009 Operating Budget

- The tentative 2008-2009 operating budget was discussed. Mr. Alvarez indicated that FSU is in the middle of the budget process right now, and will complete this in the next month. The official budget will be presented in September. Trustee Duda made a motion to approve the 2008-2009 operating budget (this includes the DSO budgets and the delegated authority to the President to make necessary changes to this budget
based on available resources). Trustee Pantin seconded the motion, which passed unanimously.

- Dr. Bob Bradley discussed the budget situation based on Florida’s current economic condition. He said the following issues are pertinent to Florida’s economy:

1. Florida has the 4th largest economy in the country. The gross state product is approaching close to a trillion dollars. Florida does not have as much GDP as most big states (Florida’s product per capita ranks 33rd in the country).

2. The relative portions of the economy that the state relies on. Compared to the country, Florida relies heavily on construction, real estate, food services, etc. When looking at the numbers, one can see how prominent these are. Florida has many economic connections overseas. Florida exports have increased, which is a good thing.

3. Florida has a peculiar economy. It is shown that under 50% of our personal income comes from wages and salaries. Transfer payments (social security) and dividend payments make up the rest of each person’s income. This has positive ramifications during low economic times, like now.

4. Florida has produced thousands and thousands of jobs. In 1990, there were 5 million jobs. Now there are over 8 million. Like most places, Florida is not immune from the business cycle, and is now experiencing a period of unemployment. Florida has been a “job machine” due partly to smaller wages than other states. Florida is one of the most mal-distributed states in the country – this means a fair number of people are wealthy and a very large number of residents are poor. Florida Consumer Index is at its lowest in 20 years.

5. The current oil situation was mentioned. A barrel of oil in 2002 was $20. The current oil situation exploded after the budget was passed.

Two-Year Financial Plan

- Mr. Alvarez spoke about the two-year financial plan for 2008-2009 and 2009-2010. The actual reductions for 2007-2008 and beginning 2008-2009 year are exactly $31,567,660, compared to the $31 million planned amount. The lottery is being used to balance the books on the state level; the University has been given $5.4 million dollars in recurring lottery funds. To begin 2008-2009, the University has been reduced by $26 million dollars. He said the University was planning for an additional $10 million for the upcoming fiscal year.
• Mr. Alvarez stated that 2007-2008 was an unusual year. The annual budget felt more like a monthly budget. The appropriated amount for the next fiscal year will be reduced by 1% (which is 4% on an annual basis). Internally, academic departments have lost $21.2 million in operating funds. Further reductions to these departments are trying to be avoided as much as possible. Internal planning for next year shows reductions in the following: 163 faculty positions lost and reduced enrollment by 1500-2000 regarding freshman and transfers. **Trustee Haggard made a motion to to approve the development of the two-year financial plan encouraging the administration to make every effort to follow the staff reclassification plan and trying to find ways to slow the loss of faculty.** Trustee Haggard lamented that the University has lost faculty and students have not been admitted for lack of resources. He said this is a sad state of affairs but that the staff at Florida State University has done a great job of establishing a multi-year approach to financial planning. Trustee Haggard said that the Board also recognizes the University’s ability to addressing needs and priorities during these years of declining state revenues. He said that he spoke for the Board and encouraged President Wetherell and the administration, that if it is at all possible to find additional funds in the coming year to recognize and retain the great faculty and staff, to make every effort to do so. **Trustee Duda seconded the motion, which passed unanimously.**

**Campus Master Plan Update**

• Mr. Mark Bertolami presented the Final Campus Master Plan. In January 2005, the Board adopted the University’s Campus Master Plan. Since then, the plan has been updated, including preparation of the first long-range development plan for the Southwest Campus. This update also includes minor revisions to the existing development plans for the Main Campus and the Panama City Campus. The University is currently renegotiating the existing Campus Development Agreements with the City of Tallahassee and the City of Panama City. These agreements will be brought back to the Board for consideration when the negotiations are completed. **Trustee Pantín made a motion to approve the Campus Master Plan with authority for President Wetherell or his designee to make changes as necessary.** The motion was seconded by Trustee Haggard and passed unanimously.

**Fees Increase for Professional Programs**

• Mr. Carnaghi said that the 2008 Legislature amended section 1009.24(4)(c) allowing the Board of Governor’s or its designee to adjust tuition for professional programs up to 15 percent in any year. The Board
of Governor's at its meeting on January 7, 2003 delegated to each university board of trustees the authority to establish fees pursuant to sections 1009.24 and 1009.26, Florida Statutes. There is no national or statewide definition of professional programs. The salary costs for faculty in business, law, medicine and engineering are substantially higher than most other disciplines and justify the need for higher fees. Mr. Carnaghi requested Board approval to increase fees for the graduate professional programs in business and engineering 15 percent effective the first semester following a complete analysis of the program costs. Trustee Hicks made a motion to approve the Fee Increase for the Professional Programs. Trustee Kinsey seconded the motion that passed unanimously.

**FY 2009-2010 Legislative Budget Request**

- Dr. Abele asked the Board to approve a motion that approves the 2009-2010 Legislative Budget request and the cost to continue. Trustee Pantín made the motion for approval of the budget request and Trustee Duda seconded the motion, which passed unanimously.

**Weapons Policy**

- Mr. Carnaghi addressed the campus policy on weapons. The 2008 legislature approved a statute, which makes it legal to possess a weapon in a car, on private or public land. He stated that FSU managed property was exempt from this law, resulting in authorizing only certified law enforcement officers to have guns on campus. Mr. Carnaghi explained that there are 22 ways (two in development) to warn students, faculty, and visitors about potential campus emergencies. Some of these warnings include: outdoor sirens, emails, text messaging (found to be not as successful due to cell phone companies), and a computer network pop-up window accessible in 234 general classrooms (in which 212 of these have high-tech capabilities). He said that with these measures that he believes that the campus is prepared and ready in the event of an emergency.

9. **Open Forum for Board Members Discussion**

- Trustee Smith asked to bring a matter to the Board attention. First, he said that last fall, President Wetherell qualified for two bonuses under his employment contract. Chairman Smith said that the President declined to accept those bonuses since there were no salary increases for state employees that year. He said that we have since learned from tax lawyers that due to the fact the money was owed the President under the terms of the employment contract, the IRS will require him to pay taxes on the bonuses as if he had received the money. Trustee Smith stated that under these circumstances, in all fairness, he would like to direct that the
bonuses and any interest in fact be paid and the money be transferred to the President as called for under his contract. Trustee Smith made the motion to authorize this action. Trustee Standley spoke in favor of the motion since President Wetherell had been so supportive of getting raises for faculty. Trustee Hicks also supported the motion. Trustee Hicks seconded the motion, which passed unanimously. Second, Trustee Smith said that in order to avoid this situation in the future and to provide a better method for future bonuses due the President under his employment contract, we should add some language to the contract which will set up a non-qualified deferred compensation fund at the Foundation on his behalf. There will be no changes in the money owed the President. Trustee Smith said we have asked a tax lawyer to draft the specific language, which we will need to add to the President’s contract before the end of the current fiscal year (June 30, 2008). Trustee Smith concluded by asking the Board to approve adding a the non-qualified deferred compensation account mechanism to the President’s employment contract and authorizing him as Chairman of the Board to sign an amendment to the contract with the specific language which will effectuate that concept. Trustee Smith made the motion, which was seconded by Trustee Garcia and passed unanimously.

10. President’s Report

- President Wetherell provided a report on the admissions process for next year and Departmental re-organization plans. He also said that Dr. Abele would be taking a one-month sabbatical in July. In his absence, Dr. Bradley will serve as an acting provost. President Wetherell said that the University planned to move forward with the new Foundation Capital Campaign. He said that already the Foundation is $25 million dollars ahead (compared to last year) in fundraising. Finally, FSU is the best in the nation at graduation rates.

11. Adjournment

- The meeting was adjourned at 11:37 AM.
MEMORANDUM

TO:       Board of Trustees
FROM:     T.K. Wetherell
DATE:     September 10, 2008
SUBJECT:  Legal Update

Ms. Betty Steffens will provide the Legal Update.

Approved

T.K. Wetherell
MEMORANDUM

TO: The 60th Student Senate
FROM: Mattie Durham
Senate Program Assistant
RE: Bills considered Summer Semester 2008

Bill Description

38 A revision to the Student Body Statutes Chapter 803.3 B to clarify this statute regarding the transfer of funds to the OCO category for Recognized Student Organizations.

39 A revision of $11,583 within Student Publications from Expense to OCO, to allow the office to purchase 3 (three) Apple computers with special monitors and parallel desks for the MACS.

40 A transfer of $700 from Senate Projects to Senate Expense, to cover expenses and purchase Robert's Rules of Order books for the Senate.

41 A transfer of $2,000 from Senate Projects to Executive Food ($1,650) and Expense ($350), to pay for food for Past PSA meetings and pay for expenses incurred.

42 A revision of $1,500 within WVFS V-89 Radio Station from Expense to Contractual Services to help pay for Summer Soulstice on June 21, 2008.

43 A revision of $2,400 within WVFS V-89 Radio Station from Expense to OPS Wages, to cover a deficit caused through Medicare and Social Security taxes.

44 A revision of $1,197 within Elections from OCO to OPS Wages ($1,000) and Expense ($197), to cover a deficit due to extra hours paid in OPS Wages.

45 A revision of $4,000 within Student Legal Services from Contractual Service to Expense, to purchase much needed furniture for the Student Resource Center.

46 A revision to the Student Body Statutes Chapter 604.5, to define the duties and responsibilities of the Senior Class Council.

47 A revision to the Student Body Statutes Chapters 100.5 through 100.10, to revise and clarify major offices in SGA.

Action Taken

PASSED 5-21-08.
SIGNED SBP 5-21-08.
SIGNED VPSA 5-30-08.

PASSED 5-21-08.
SIGNED SBP 5-23-08.
SIGNED VPSA 5-30-08.

PASSED 5-21-08.
SIGNED SBP 5-23-08.
SIGNED VPSA 5-30-08.

PASSED 5-21-08.
SIGNED SBP 5-23-08.
SIGNED VPSA 5-30-08.

PASSED 5-21-08.
SIGNED SBP 5-23-08.
SIGNED VPSA 5-30-08.

PASSED 5-21-08.
SIGNED SBP 5-23-08.
SIGNED VPSA 5-30-08.

PASSED 5-28-08.
SIGNED SBP 5-30-08.
SIGNED VPSA 6-2-08.

PASSED 5-28-08.
SIGNED SBP 5-30-08.
SIGNED VPSA 6-2-08.

PASSED 5-28-08.
SIGNED SBP 5-30-08.
SIGNED VPSA 6-2-08.

PASSED 5-28-08.
SIGNED SBP 6-5-08.
SIGNED VPSA 6-9-08.
**Bill** | **Description** | **Action Taken**
--- | --- | ---
48 | A revision of $1,558 within the Hispanic Latino Student Union from Expense to Clothing/Awards, to purchase t-shirts for the HLSU. | PASSED 5-28-08.  SIGNED SBP 5-30-08.  SIGNED VPSA 6-2-08.  
49 | An addition to the Student Body Statutes adding Chapter 417, to add the Legislative History Act of 2008. | PASSED 6-4-08.  SIGNED SBP 6-10-08.  SIGNED VPSA 6-13-08.  
50 | An addition to the Student Body Statutes adding Chapter 801.5, in the Finance Code to add the "Statement of Understanding" to the Statutes. | PASSED 6-11-08.  SIGNED SBP 6-20-08.  SIGNED VPSA 6-26-08.  
51 | An addition to the Student Body Statutes adding Chapter 802.3, the SGA Non-Discrimination Policy. | TABLED IN FINANCE 6-9-08.  
52 | A revision to the Student Body Statutes Chapter 400.6, to raise the GPA from 2.0 to 2.5 for Senators. | FAILED IN JUDICIARY COMMITTEE.  
53 | A revision to the Student Body Statutes Chapter 614, to revise the statutes pertaining to the Student Academic Programs. | PASSED 6-11-08.  SIGNED SBP 6-20-08.  SIGNED VPSA 6-24-08.  
54 | A deletion to the Student Body Statutes deleting Chapter 1011, the Institute for Liberal Studies. | FAILED IN JUDICIARY COMMITTEE.  
55 | A revision to the Student Body Statutes Chapter 300, to revise the Executive Cabinet statues. | PASSED 6-18-08.  SIGNED SBP 7-14-08.  SIGNED VPSA 7-15-08.  
56 | A revision to the Student Body Statutes Chapters 800.5 and 803, to put the Congress of Graduate Students in line with the Finance Code and to specify that RSOs financial officers must also sign off on transfers. | PASSED 6-18-08.  SIGNED SBP 7-9-08.  SIGNED VPSA 7-10-08.  
57 | A revision to the Student Body Statutes Chapters 400.2 and 405.2, to update the responsibility of the Senate Page and change the title from Page to Clerk. | PASSED 7-23-08.  SIGNED SBP 7-31-08.  SIGNED VPSA 8-4-08.  
58 | An addition to the Student Body Statutes adding Chapter 906, creating the Student Financial Services office. | WITHDRAWN BY SPONSOR.  
59 | A revision to the Student Body Statutes Chapters 703, 711, 712, and 714, to revise the Elections Code. | PASSED 7-23-08.  SIGNED SBP 7-31-08.  SIGNED VPSA 8-6-08.  
60 | A revision to the Student Body Statutes Chapter 200, to revise and clarify this chapter concerning membership, power and purposes of the student body. | STILL IN JUDICIARY COMMITTEE.  
61 | A revision to the Student Body Statutes Chapter 416, to revise the annual budget procedures. |
Memorandum  
Page three  
August 20, 2008

<table>
<thead>
<tr>
<th>Res.</th>
<th>Description</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>62</td>
<td>An allocation of $3,846 from Senate Projects to Biomedical Engineering Society, to allow students to attend the BMES National Conference in St. Louis, Missouri.</td>
<td>WITHDRAWN BY SPONSOR DURING DEBATE 7-30-08</td>
</tr>
<tr>
<td>63</td>
<td>A revision to the Student Body Statutes Chapters 413.1 and 413.2, to revise these statutes pertaining to Senate Awards.</td>
<td>PASSED 8-6-08. SIGNED SBP 8-8-08. SIGNED VPSA 8-15-08.</td>
</tr>
<tr>
<td>64</td>
<td>A revision to the Student Body Statutes Chapter 318.6, to give autonomy to agencies so that the Director can be able to appoint chairs and co-chairs without needing confirmation of the Student Body President or the Senate.</td>
<td>REFERRED TO JUDICIARY COMMITTEE 8-6-08.</td>
</tr>
<tr>
<td>65</td>
<td>A revision to the Student Body Statutes Chapter 806.6 E (5), to make the majority the vote for proposing amendments.</td>
<td>REFERRED TO JUDICIARY COMMITTEE 8-6-08.</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: The 50th Student Senate
FROM: Mattie Durham
Senate Program Assistant
RE: Resolutions considered Summer Semester 2008

Res. Description Action Taken
41 Using the SGA Website instead of the FSView to advertise SGA business. WITHDRAWN BY SPONSOR.
42 Prohibiting A&S Fee recipients from purchasing laptop computers. PASSED 5-28-08.
43 Having the DNC to count every vote in the Democratic Presidential Primary. FAILED 6-4-08.
44 Asking Parking and Transportation Services to inform students of parking lots closures on the website no less than 72 hours before a closure. FAILED 6-11-08.
45 Amending the Rules of Procedure, Rule 5.02, revising the Student Affairs committee procedures. PASSED 6-11-08.
46 Amending the Rules of Procedure, Rule 5.04, changing the name of Senate Page to Senate Clerk. WITHDRAWN 6-11-08.
49 Amending the Rules of Procedure, Rule 11.12, revising the section on measures and motions. FAILED IN RULES AND CALENDAR 6-18-08.
50 Asking the Office of Legislative Affairs to set as a goal to attain the right to host a presidential debate at FSU. PASSED 6-11-08.
51 To increase the bi-weekly work hours for the Senate President from 15 to 50 hours, for Summer Session C, and Senate Pro Tempore from 15 to 40 hours. PASSED 6-11-08.
52 Approved the proposed allocations for the College of Music Allocations Committee. PASSED 6-11-08.
53 Providing the Student Academic Programs Funding Committee with funding until such time as they are again funded from other university resources. PASSED 6-11-08.
<table>
<thead>
<tr>
<th>Res.</th>
<th>Description</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>54</td>
<td>Amending the Rules of Procedure, Rule 5.03 and 5.04, to give specific duties to the Senate Clerk.</td>
<td>STILL IN RULES AND CALENDAR COMMITTEE.</td>
</tr>
<tr>
<td>55</td>
<td>Recommending to the university that consideration be given to the allocation of other comparable space on FSU campus to organizations of NPHC and MGC.</td>
<td>PASSED 6-18-08.</td>
</tr>
<tr>
<td>56</td>
<td>Recognizing the accomplishments of the Men’s Track and Field Team and congratulating them on their third Track and Field National Title.</td>
<td>PASSED 7-2-08.</td>
</tr>
<tr>
<td>57</td>
<td>Having the SGA Accounting Office to allocate the full balance of Bill 2008 budgets to all SGA entities, with the explicit understanding that the shortfall will be covered through the sweepings process.</td>
<td>PASSED 6-18-08.</td>
</tr>
<tr>
<td>58</td>
<td>Urging the City of Tallahassee City Commission to leave towing rates unchanged for the 2009 Calendar year.</td>
<td>PASSED 7-2-08.</td>
</tr>
<tr>
<td>59</td>
<td>Amending the Rules of Procedure, Rule 7.02 G, revising the rules for the Finance Committee.</td>
<td>FAILED 7-9-08.</td>
</tr>
<tr>
<td>60</td>
<td>Approving the allocations to the Engineering School Allocation Committee.</td>
<td>PASSED 7-9-08.</td>
</tr>
<tr>
<td>61</td>
<td>FSU student body wholeheartedly supporting the establishment of the United States Public Service Academy to help inspire increased involvement in the field of public service to our country.</td>
<td>PASSED 7-23-08.</td>
</tr>
<tr>
<td>62</td>
<td>Allowing Off Campus Housing to use their self-generated monies to make up a $199 deficit.</td>
<td>PASSED 7-30-08.</td>
</tr>
<tr>
<td>63</td>
<td>Endorsing Danny B’s Towing and Recovery to be the official towing company for the 69th Student Senate and the Student Government Association.</td>
<td>PASSED 8-6-08.</td>
</tr>
<tr>
<td>64</td>
<td>Adding the Assistant University Defender and Assistant General Counsel to the Student Supreme Court for Bill 2008, making these positions eligible to receive OPS Wages.</td>
<td>PASSED 7-30-08.</td>
</tr>
<tr>
<td>65</td>
<td>Not having student political parties participation in SGA events.</td>
<td>WITHDRAWN BY SPONSOR 8-6-08.</td>
</tr>
<tr>
<td>66</td>
<td>Approving the allocations of the Career Advancement Allocation Committee.</td>
<td>PASSED 7-30-08.</td>
</tr>
<tr>
<td>67</td>
<td>Supporting House Resolutions 5842 and 5843, which have objectives to eliminate most Federal penalties for possession of cannabis for personal use as well as to provide for the medical use of cannabis in accordance with the laws of various states.</td>
<td>PASSED 8-6-08.</td>
</tr>
<tr>
<td>Res.</td>
<td>Description</td>
<td>Action Taken</td>
</tr>
<tr>
<td>------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>68</td>
<td>Not allowing political parties and organizations to openly promote their organizational support to run candidates at SGA organized and/or hosted events, excluding the Presidential Debate, which takes place in the Spring.</td>
<td>PASSED 8-6-08.</td>
</tr>
<tr>
<td>69</td>
<td>Approving the proposed allocations of the Service Oriented Allocations Committee and the Special Interest Allocations Committee.</td>
<td>PASSED 8-6-08.</td>
</tr>
<tr>
<td>70</td>
<td>Approving the proposed allocations for the Fall 2008 Greek Funding Board.</td>
<td>PASSED 8-6-08.</td>
</tr>
</tbody>
</table>
Motion 1-27.A SOD Travel Funding
MOTION: Representative Erb
SECOND: Representative Bleichner

Motion to approve an amount not to exceed $725 from SGC Unallocated to fund the Society of Democrats trip to the Young Democrats of America Spring National Conference. Motion passed unanimously.

Motion 1-27.B PBL Funding
MOTION: Representative Erb
SECOND: Representative Anderson

Motion to approve an amount not to exceed $1500 from Sweepings Unallocated to fund one PBL off campus food social and one on campus food social. Motion passed unanimously.

Motion 1-27.E Food for Resale Line Item
MOTION: Representative Jonathan Hall
SECOND: Representative Erb

Motion to transfer $870.00 from line item SGC Retreat to line item Food for Resale. Motion passed unanimously.

Motion 2-27.A Summer Picnic
MOTION: Representative Evans
SECOND: Representative Anderson

Motion to approve an amount not to exceed $425.00 from Sweepings Unallocated to fund Summer Picnic. Motion passed unanimously.

Motion 2-27.B SGC Apparel
MOTION: President Miller
SECOND: Representative Anderson

Motion to approve an amount not to exceed $325.00 from SGC Unallocated to fund SGC apparel. Motion passed unanimously.

Motion 2-27.C SPEAR Travel
MOTION: Representative Bleichner
SECOND: Representative
Motion to approve an amount not exceed $930.00 from Sweepings Unallocated to fund SPEAR Travel to the Florida Conference on Recent Advances in Robotics. Motion was made by Representative Evans seconded by Representative Bleichner to amend motion 2-27.C to state motion to approve of an amount not to exceed $1370.00 to fund SPEAR Travel. Motion passed unanimously.

Motion 3-27.A 2008-2009 Budget
MOTION: Representative Hall
SECOND: Senator Kelly

Motion to approve the 2008-2009 Budget. Motion passed unanimously.

Motion 3-27.B-RSO Funding
MOTION: Representative Hall
SECOND: Representative Erb

Motion to approve $13,500.00 from Sweepings Unallocated to fund Registered Student Organizations for the fiscal year 2008-2009. Motion passed unanimously.

Motion 3-27.F – SGC Staff Pay
MOTION: Senator Kelly
SECOND: Representative Erb

Motion to approve a 3% bonus and merit increase for Natasha Mashburn and Marcy Greene, respectfully, from line item USPS salaries regular pay increase.

The total amount as follows:
Natasha Mashburn 753.00 once
Marcy Greene 591.00 annually

Motion passed unanimously

Motion 5-27.A Summer Picnic Funding
MOTION: Representative Evans
SECOND: Representative Erb

Motion to approve an amount not to exceed $2000.00 from line item Food and Events to sponsor a summer picnic and concert for students. Motion passed unanimously.

Motion 6-27.A PBL Funding
MOTION: Representative Erb
SECOND: Representative Evans
Motion to approve an amount not to exceed $1400 to fund Phi Beta Lambda Business Fraternity for the fall semester. **Motion passed unanimously.**

**Motion 6-27.B PBL SAC Funding Recovery**
MOTION: Representative Jonathan Hall
SECOND: Representative Erb

Motion to approve the transfer of an amount not to exceed $600 from Sweepings Unallocated fiscal year 2008-2009 to fund the Student Activities Council. **Motion passed unanimously.**

**Motion 3-27.E SGC Travel**
MOTION: Representative Anderson
SECOND: Representative Erb

Motion to approve an amount not to exceed $10800.00 from Sweepings Unallocated fiscal year 2008-2009 to fund the Student Government Council’s trip to the ASGA’s National Student Government Summit in Washington D.C. **Motion passed.**

**Motion 7-27.B Stipend Review**
Motion: President Miller
Second: Representative Bleichner

Motion to approve 6,725.00 from line item SGC (OPS) to fund full stipends for all SGC representatives and the SGC President. **Motion Passed unanimously.**
MEMORANDUM

TO: Dr. T.K. Wetherell
    President

FROM: David P. Coury
      Chief Audit Officer

SUBJECT: 2008-2009 Work Plan
          Request for Approval

         The 2008-2009 Work Plan that you recently approved for the Office of Audit Services is attached.

         The work Plan consists of two documents. The first is a pie chart intended to quickly show our proposed allocation of effort. The second document provides a detailed breakdown of our proposed audit and consulting projects. Our Work Plan was based upon a risk assessment, which included interviews with you, the vice presidents, and other key administrators.

         The Work Plan will be presented to the Finance and Business Committee for their review and approval and it will be on the Board’s Consent Agenda. Thank you

Attachment

Approved

Phone (850) 644-6031 • FAX (850) 644-2576 • www.auditservices.fsu.edu
July 14, 2008

Dr. T.K. Wetherell
President
Florida State University
211 Westcott Building
Tallahassee, FL 32306-1470

Dear President Wetherell:

It is with a great deal of enthusiasm that I present, for your approval, the 2008-09 Work Plan for the Office of Audit Services.

The attached Work Plan consists of two documents. The first is a pie chart intended to quickly show you our proposed allocation of effort. The second document provides a detailed breakdown of our proposed audit and consulting projects.

Our Work Plan was established based upon a risk assessment, which included interviews with you, the provost, the vice presidents, and other key administrators. Our risk assessment included identifying auditable units/issues. To help us identify areas of highest risk, we applied nine different weighted risk criterions against those units/issues. We then assigned estimated hours to each of those high-risk areas and to those areas management asked us to review. Using this priority listing, we then determined what could be accomplished during the year, based upon available personnel resources in the Office.

We all are looking forward to the new fiscal year and the many challenges it will likely bring. We also continue to appreciate your support and that of your executive leadership team, as this support is critical to any successes we may enjoy. Thank you.

Respectfully submitted,

David P. Coury
Chief Audit Officer

Approved:

T. K. Wetherell
President

Date:

Phone: (850) 644-6031 • FAX: (850) 644-2576 • www.auditservices.fsu.edu
Office of Audit Services
2008-2009 Work Plan
Allocation of Effort

Audits 30%
Consulting Services 14%
Investigations 17%
Contingency 9%
Administration 10%
Training 3%
Holidays/Leave 17%
### A. DIRECT SERVICES

<table>
<thead>
<tr>
<th>Service</th>
<th>Hours Allocated</th>
<th>Percentage of Effort</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Audits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disaster Recovery &amp; Backup - Atlanta Site</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Alumni Affairs</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>National High Magnetic Laboratory</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Center for Intensive English Studies</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>Campus Recreation</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>Bank Reconciliations</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Server Security</td>
<td>800</td>
<td></td>
</tr>
<tr>
<td>Auxiliary Rates</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>Contract &amp; Grant Expenditures</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Student Counseling Center</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>Learning Systems Institute</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>OMNI Roles*</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Effort Reporting*</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Purchasing Card*</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>EH&amp;S - Lab Safety*</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>OMNI Contracts &amp; Grants*</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Family Medical Leave Act*</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Dean of Students Orientation Auxiliary*</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Audit Follow-up</td>
<td>450</td>
<td></td>
</tr>
<tr>
<td><strong>Total Audit Hours</strong></td>
<td>8310</td>
<td>30%</td>
</tr>
</tbody>
</table>

| Consulting Services                          |                 |                      |
| Thaggard Pharmacy Auxiliary - Follow-up Review | 200       |                      |
| Office of Telecommunication - Follow-up Review | 160       |                      |
| OMNI Customer Satisfaction Survey           | 160             |                      |
| Student and Employee Emergency Notification Process | 160     |                      |
| Controls over OMNI Time and Leave           | 100             |                      |
| Teacher Improvement and Support Group        | 360             |                      |
| I-9s                                         | 300             |                      |
| Continuous Monitoring - Scripts / Queries and Follow-up | 220 |                      |
| Committee Activities/Research & Assistance  | 300             |                      |
| Training - Auxiliary                         | 300             |                      |
| Training - Other                             | 300             |                      |
| Academic Business Operations                 | 300             |                      |
| College of Social Sciences*                  | 300             |                      |
| College of Information*                      | 300             |                      |
| Animal Care*                                 | 40              |                      |
| **Total Consulting Services**                | 2090            | 14%                  |

| Investigations                               |                 |                      |
| General                                      | 2000            |                      |
| Sexual Harassment                            | 1600            |                      |
| **Total Investigations**                     | 3600            | 17%                  |

| Contingency                                  | 1050            | 5%                    |

| **Total Direct Service Hours**               | 14,340          | 70%                   |

### B. INDIRECT SUPPORT

| Administration                               |                 |                      |
| **Total Indirect Support Hours**             | 2116            | 10%                   |

### C. OTHER

| Staff Development Training                   |                 |                      |
| Holidays and Leave                           |                 |                      |
| **Total Other**                              | 4264            | 20%                   |

| **Total Hours Allocated**                    | 21,320          | 100%                  |
| **Total Anticipated Available Hours**        | 21,320          |                      |
| **Difference**                               | 0               |                      |

* Prior-year Carryover
MEMORANDUM

TO: President T. K. Wetherell
FROM: John Carnaghi
DATE: September 4, 2008

SUBJECT: Status Report on Purchase Orders over $1 Million and Five Years + Service Contracts Request for Approval

In accordance with the January 24, 2003 FSU Board of Trustee Meeting, I am providing a listing of all purchases and service contracts made from July 2007 through June 2008 in excess of $1 million as well as contracts or agreements that exceed five years in length.

Please see the attached list.

JRC/ps
Attachment

Approved
### Purchasing and Receiving

List of Vendors with orders over $1,000,000.00
And service contracts over five years
July, 2007 through June, 2008

<table>
<thead>
<tr>
<th>Purchase Orders</th>
<th>Amount</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cardinal Health</td>
<td>$1,250,000.00</td>
<td>July 1, 2007</td>
<td>Blanket purchase order for drug/supplies for Thagard Student Health Center for pharmaceutical supplies.</td>
</tr>
<tr>
<td>Dell Marketing</td>
<td>$4,000,000.00</td>
<td>July 2, 2007</td>
<td>Computers for Computer Store – hardware/software for resale in FSU Computer Store</td>
</tr>
<tr>
<td>Apple Computer</td>
<td>$3,000,000.00</td>
<td>July 2, 2007</td>
<td>Computers for Computer Store – hardware/software for resale in FSU Computer Store</td>
</tr>
<tr>
<td>IBM</td>
<td>$1,376,097.60</td>
<td>July 30, 2007</td>
<td>Software Maintenance for North West Regional Data Center</td>
</tr>
<tr>
<td>HP Public Sector</td>
<td>$1,000,000.00</td>
<td>July 2, 2007</td>
<td>Computers for Computer Store – Hardware/software for resale in FSU Computer Store</td>
</tr>
<tr>
<td>Gov Connection</td>
<td>$1,000,000.00</td>
<td>July 2, 2007</td>
<td>Computers for Computer Store – Hardware/software for resale in FSU Computer Store</td>
</tr>
<tr>
<td>Ingram Micro</td>
<td>$1,000,000.00</td>
<td>July 2, 2007</td>
<td>Computers for Computer Store – Hardware/software for resale in FSU Computer Store</td>
</tr>
<tr>
<td>CDW-G</td>
<td>$1,000,000.00</td>
<td>July 13, 2007</td>
<td>Computers for Computer Store – Hardware/software for resale in FSU Computer Store</td>
</tr>
<tr>
<td>Matheson Tri-gas</td>
<td>$1,000,000.00</td>
<td>July 3, 2007</td>
<td>Liquid and Gaseous Helium for the National High Magnetic Field Laboratory</td>
</tr>
<tr>
<td>City of Tallahassee</td>
<td>$1,500,000.00</td>
<td>July 20, 2007</td>
<td>Seminole Express Bus Services</td>
</tr>
</tbody>
</table>
### Five Year + Service Contracts

**Embarq**
- $1,500,000.00 per year; Contract began in 1988 and has been extended to the present; current contract expires July 2010; provides land lines to all of campus

**Sprint/Nextel PCS**
- $42,000.00 per year; 2000-2013; use of FSU property for cell tower (McCollum Hall)

**Verizon**
- $24,000.00 per year; 2001-2011; use of FSU property for cell tower (University Center/Bldg A)

**ATT/Cingular**
- $42,000.00 per year; 2002-2010 (amended in 2006); use of FSU property (Bellamy Building) for cell tower

**Nextel**
- $36,000.00 per year; 2007-2012 (University Center/Bldg A)

**T-Mobile**
- $28,800.00 per year; 2008-2013; use of FSU property for cell tower (De Viney Hall)

**ARAMARK**
- $1,840,000.00 per year; 2003-2013; (5 year renewal option upon mutual agreement); operation of FSU campus dining and catering services

**Follett Higher Education**
- $1,280,000.00 per year; 2003-2013; (5 year renewal option upon mutual agreement); operation of FSU campus bookstore and Seminole Shop (includes Panama City campus bookstore)

**Johnson Controls, Incorporated**
- Energy conservation performance contract – provides a facilities audit, professional design services, funding, purchasing, construction of energy savings improvements, monitoring, training, and reporting; 1997-2011; the original project (1997-2007) was paid off and a change order was issued for a new project (2006-2011); under the new project, FSU paid Johnson Controls $1,726,909.00 in FY 2007-2008; this was for design services, funding, purchasing, and construction of additional energy savings improvements; the remaining payments from July 1, 2008 until the end of the contract in January 2011 are $5,395,768.00; net savings from the beginning of the contract through June 2008 was $8,239,711.00.

A change order to BR261 was issued to Johnson Controls, Incorporated BR261 energy conservation performance contract in May 2008 to provide a facilities audit, professional design services, funding, purchasing, construction of energy savings improvements, monitoring, training, and reporting for the FSU Ringling Campus located in Sarasota. Construction is underway and the project is expected to be completed by early January of
2009. The project will run from 2009-207. The estimated cost of the project $1,367,904.00 with an annual savings of $243,205.00.

A change order was issued to Johnson Controls, Incorporated BR261 energy conservation performance contract in November 2006 to provide a facilities audit, professional design services, funding, purchasing, construction of energy savings improvements, monitoring, training, and reporting for fourteen residence halls located on the main campus. Under the new project, FSU paid Johnson Controls $251,608.00 in FY 2007-2008: this was for design services, funding, purchasing, and construction of additional energy savings improvements; the remaining payment from July 1, 2008 until the end of the contract in September 2011 is $761,342.00. By the end of the contract the total projected savings will be $171,700.00 and the residence halls will have updated a significant portion of their utility equipment.

Outsourced operation of the University's maintenance, repair and operating materials and supplies stockroom, as a branch storefront dedicated to the University. The contract commenced in January 2001, and was renewed in November 2005 for five years. Purchases made by the University from this location beginning July 2007 through June 2008 were approximately $1,539,000.00. The estimated total savings has exceeded $600,000.00 in each year of the contract.
MEMORANDUM

TO: President T. K. Wetherell

FROM: John Carnaghi

DATE: September 4, 2008

Request for Approval

Attached are documents that summarize the current status of our major construction projects with project budgets over $1,000,000.

This report includes a major project summary report, an overall one-line status summary, an executive summary report, and a change order summary report. Collectively, these documents fulfill our annual reporting obligations to our Board of Trustees.

Please advise if you have any questions. We will have members of our Facilities staff at the Finance Committee Meeting and the Board meeting in case any of the Board members requests any additional information.

JRC/ps

Attachments
A: Major Project Summary
   (budget/schedule)
B: Overall Status
C: Executive Summary
D: Change Order Summary

Approved
<table>
<thead>
<tr>
<th>Line No.</th>
<th>Project Number</th>
<th>Description</th>
<th>FSU PM</th>
<th>Architect / Engineer</th>
<th>Const. Manager / Contractor</th>
<th>SCHEDULE</th>
<th>BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Projects Underway</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>FS-236</td>
<td>Chemistry Building</td>
<td>DE</td>
<td>OBA &amp; JRA Sulli/Async</td>
<td>Suitt/Aja</td>
<td>11/15/07</td>
<td>6/22/05</td>
</tr>
<tr>
<td>2</td>
<td>FS-257</td>
<td>Life Sciences</td>
<td>DE</td>
<td>EMI LTL</td>
<td></td>
<td>8/26/04</td>
<td>2/14/06</td>
</tr>
<tr>
<td>3</td>
<td>FS-248</td>
<td>Johnston Building Renovation</td>
<td>JR</td>
<td>GLA Peter Brown</td>
<td></td>
<td>3/10/08</td>
<td>7/17/09</td>
</tr>
<tr>
<td>4</td>
<td>FS-261</td>
<td>Student Wellness Center</td>
<td>DE</td>
<td>TBD TBD</td>
<td></td>
<td>8/26/07</td>
<td>4/15/08</td>
</tr>
<tr>
<td>5</td>
<td>FS-264</td>
<td>Ruby Diamond Auditorium Renovation</td>
<td>LD</td>
<td>GRCA LTL</td>
<td></td>
<td>8/26/07</td>
<td>7/24/08</td>
</tr>
<tr>
<td>6</td>
<td>FS-267</td>
<td>Psychology Building - Phase II</td>
<td>DE</td>
<td>Fidell/EMI</td>
<td>Calpepper</td>
<td>8/15/07</td>
<td>10/26/06</td>
</tr>
<tr>
<td>7</td>
<td>FS-268</td>
<td>Panama City Campus Academic Center</td>
<td>JR</td>
<td>RSH Peter Brown</td>
<td></td>
<td>8/15/07</td>
<td>12/20/08</td>
</tr>
<tr>
<td>8</td>
<td>FS-269</td>
<td>Conference Center</td>
<td>GF</td>
<td>Design Build - Cook Bros./BFBA</td>
<td>2/26/07</td>
<td>7/15/07</td>
<td>10/27/07</td>
</tr>
<tr>
<td>9</td>
<td>FS-274</td>
<td>Material Research Building</td>
<td>KB</td>
<td>Pointway/Calpepper</td>
<td></td>
<td>7/1/05</td>
<td>6/26/07</td>
</tr>
<tr>
<td>10</td>
<td>FS-277</td>
<td>Parking Garage No. 5</td>
<td>GF</td>
<td>Design Build - Cook Bros./BFBA</td>
<td>1/19/07</td>
<td>5/22/17</td>
<td>8/5/17</td>
</tr>
<tr>
<td>11</td>
<td>FS-228</td>
<td>College of Education Building Expansion</td>
<td>DE</td>
<td>EMI Childers</td>
<td></td>
<td>1/19/07</td>
<td>6/20/07</td>
</tr>
<tr>
<td>12</td>
<td>FS-284</td>
<td>Student Success Building, Phase I</td>
<td>LD</td>
<td>ALW Calpepper</td>
<td></td>
<td>8/28/06</td>
<td>3/20/07</td>
</tr>
<tr>
<td>13</td>
<td>FS-284A</td>
<td>Student Success Building, Phase II</td>
<td>LD</td>
<td>ALW Calpepper</td>
<td></td>
<td>5/1/08</td>
<td>10/15/08</td>
</tr>
<tr>
<td>14</td>
<td>FS-245</td>
<td>Marine Science Research and Training Ctr.</td>
<td>KB</td>
<td>EMO LTL</td>
<td></td>
<td>1/17/05</td>
<td>2/6/06</td>
</tr>
<tr>
<td>16</td>
<td>FS-233</td>
<td>OCC/FSU School Renovations</td>
<td>DE</td>
<td>BFBA TBD</td>
<td></td>
<td>8/24/16</td>
<td>5/14/01</td>
</tr>
<tr>
<td>17</td>
<td>FS-211</td>
<td>Educational Multipurpose</td>
<td>KB</td>
<td>TBD</td>
<td></td>
<td>8/9/03</td>
<td>5/15/08</td>
</tr>
<tr>
<td>18</td>
<td>FS-206</td>
<td>FSU School Classroom Additions</td>
<td>WMH</td>
<td>HN LTL</td>
<td></td>
<td>9/15/08</td>
<td>11/15/08</td>
</tr>
</tbody>
</table>

**Key**

- A/E = Architect/Engineer
- NTP = Notice To Proceed
- GMP = Guaranteed Maximum Price

**Funding Source Abbreviations**

- Aux = Auxiliary
- FCO = Fixed Capital Outlay
- PECO = Public Education Capital Outlay
- FSURF = FSU Research Foundation
- Pnd = Private/Donated Funds
- SRAD = Sponsored Research And Development

**Note:** An "X" in the column labelled "GCO" indicates that Challenge Grant funds are a component of the funding package.

**Projects Underway Total**

$456,844,797
<table>
<thead>
<tr>
<th>Project #</th>
<th>Project Title</th>
<th>Manager</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>FS-236</td>
<td>Chemistry Building</td>
<td>Daryl Ellison</td>
<td>Chemistry occupied May 2008. Punch list and warranty work will be completed by 8-31-08.</td>
</tr>
<tr>
<td>FS-257</td>
<td>Life Sciences Teaching &amp; Research Center</td>
<td>Daryl Ellison</td>
<td>The project was substantially complete 2-15-08 and occupied 3-10-08. Additional Labs are being finished out.</td>
</tr>
<tr>
<td>FS-261</td>
<td>Student Wellness Center</td>
<td>Daryl Ellison</td>
<td>Programming and site analysis/selection continues</td>
</tr>
<tr>
<td>FS-264</td>
<td>Ruby Diamond Auditorium Renovation &amp; Expansion</td>
<td>Lisa Durham</td>
<td>Utility relocation, interior demolition and foundation installations are underway; 100% CD's are due August 18.</td>
</tr>
<tr>
<td>FS-207/2</td>
<td>Psychology Center Phase II</td>
<td>Daryl Ellison</td>
<td>The substantial completion inspections started 7-23-08. Occupancy started July 28. Commissioning continues.</td>
</tr>
<tr>
<td>FS-296</td>
<td>Academic Center, Panama City</td>
<td>Jim Reynolds</td>
<td>Construction continues at this time. Construction is expected to be complete October 11, 2008.</td>
</tr>
<tr>
<td>FS-297A</td>
<td>New FSU Conference Center</td>
<td>Daryl Ellison</td>
<td>The GMP was submitted 5-14-08 and sitework started June 2. Construction continues.</td>
</tr>
<tr>
<td>FS-274</td>
<td>Material Research Building</td>
<td>Kim Ball</td>
<td>Construction is approximately 85% complete and on schedule for completion in 10/08.</td>
</tr>
<tr>
<td>FS-297</td>
<td>Parking Garage #5</td>
<td>Gary Feldman</td>
<td>Parking garage to be turned over to Parking Servies</td>
</tr>
<tr>
<td>FS-228</td>
<td>College of Education Bldg Expansion</td>
<td>Daryl Ellison</td>
<td>COE occupied the new wing and construction/renovation will continue in the existing wing through Dec. 2008.</td>
</tr>
<tr>
<td>FS-284</td>
<td>Student Success Center</td>
<td>Lisa Durham</td>
<td>The project achieved substantial completion on 7/7/08, and the facility is occupied.</td>
</tr>
<tr>
<td>FS-284A</td>
<td>Student Success Center - Phase 2</td>
<td>Lisa Durham</td>
<td>Advanced foundation and site work will begin in September. The 50% CD's are due 9/15/08.</td>
</tr>
<tr>
<td>FS-245</td>
<td>Marine Science Research and Training Center</td>
<td>Kim Ball</td>
<td>Construction is complete and the facility is occupied.</td>
</tr>
<tr>
<td>FS-233</td>
<td>Renovation of 1st DCA Building for FSU College of Law</td>
<td>Daryl Ellison</td>
<td>The DCA facility is currently being documented and programmed to work with existing facilities.</td>
</tr>
<tr>
<td>FS-263</td>
<td>Human Performance Lab and Track Building Remodeling/Expansion</td>
<td>Gary Feldman</td>
<td>The facility is now occupied by athletics. Commissioning continues as does construction of Legends Plaza.</td>
</tr>
<tr>
<td>FS-211</td>
<td>College of Education Multipurpose/Tennis Court</td>
<td>Kim Ball</td>
<td>A/E selection is in process.</td>
</tr>
<tr>
<td>FS-206</td>
<td>FSU Developmental (Lab) Research School</td>
<td>Marvin Beard</td>
<td>Design continues and will be completed this Fall, construction will be substantially complete by July 2009.</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY REPORT
August 14, 2008

Chemistry Building (FS-236) Daryl Ellison

The project was substantial on April 4, 2008 and occupied in May. Additional work in the labs has been completed and punch list/warranty work will be completed by August 31st. Final and closeout documents are being prepared.

Life Sciences (FS-257) Daryl Ellison

The project was substantially complete February 15th and occupancy started March 10th. Faculty and research occupied May 5th. Late change order to labs have extended work to August 30th.

Johnston Building (FS-248) Jim Reynolds

Design continues at this time; advanced schematic documents were received on August 5; plan review is in progress. The project as presented in May exceeded the budget for cost and size as estimated by the CM and A/E. Consequently, 10,000 sf of floor area was reduced to bring it in line with the project cost/sf. 100% CD’s are scheduled to be completed by March of 2009. Early demolition and utility packages will be bid in the Fall of this year and expectations are that construction for this scope to begin by January 2009. The project is due to be completed in late Spring or early Summer of 2011.

Student Wellness Center (FS-261) Daryl Ellison

Project programming continues and includes a site selection/analysis of potential sites. Programming should conclude this Fall and design is expected to commence in January 2009.

Ruby Diamond (FS-264) Lisa Durham

Demolition of the auditorium and building support areas continues on all floors. Asbestos abatement is substantially complete, and all areas have tested clear. Site excavation and demolition of existing infrastructure is taking place. The new HVAC chilled water and steam pipe is being installed at the west site area. New electrical and telecom duct banks are under construction at the south and west site areas. The auger cast concrete test piles were successfully tested, and piles are underway. The project is on schedule for a completion of the north expansion in August 2009 and a June 2010 completion of the performance hall.

Psychology Phase 2 (FS-207/2) Daryl Ellison

The substantial completion inspections started June 23rd. Occupancy is scheduled for July 28th. Expect commission to continue through September.
Florida State University
Facilities Planning and Construction

EXECUTIVE SUMMARY REPORT
August 14, 2008

Academic Center (FS-296)  Jim Reynolds
The building envelope is 95% complete; interior construction continues with drywall finishing, MEP trim-pouts, painting and flooring all in progress. The Novum structure (a three story football shaped glass enclosure within the atrium) is now complete; glass panel installation has begun and is expected to be completed by August 15th. Overall the building is progressing nicely. Bids for F&E were received in March 2008 and purchasing has posted the awards. Delays in steel erection and add alternates have pushed the substantial completion deadline back to October 11, 2008. The Owner expects to fully equip and open the facility in the Fall of this year.

Conference Center (FS-297A)  Daryl Ellison
The GMP was submitted May 14, 2008 and sitework started June 2nd. Relocation of the ductbank has caused a 3 week delay, but CBI can make up this time by overlapping activities. Piles started June 19. Revised 100% CD's received May 23rd for sub-bids in July. Expect occupancy October 2009.

Material Research Building (FS-274)  Kim Ball
Building envelope is virtually complete. Installation of electrical/mechanical systems continues. Electrical and telecommunications conduits are in place. Fire suppression piping is in place. Interior partitions are framed and drywall installation is just about complete. Upgrades to current landscape plan are being reviewed for permit approvals. Concrete curbing is installed in parking areas and drives. LEED documentation is being coordinated. Installation of User equipment, i.e. magnet and microscopes, is being coordinated.

Parking Garage 5 (FS-297)  Gary Feldman
Substantial completion is expected 8/15/2008 and Parking Services will open the facility for the Fall Semester. The contractor is working on punch list items and assembling close-out documents.

Stone Building Expansion (FS-228)  Daryl Ellison
The sitework started 9-4-07. Construction on the addition started 9-27-07. The addition will be complete August 2008. Expect occupancy August 11. The project is 85% complete on 6-30-08. The renovation work will continue through December 2008.

Student Success Center – (FS-284)  Lisa Durham
The project achieved substantial completion on 7/7/08. Punch list items are being completed. The users (Career Center and Center for Leadership and Civic Education) have moved into the building.
Student Success Center – Phase 2 (FS-284A)  Lisa Durham

Design Development documents were approved on 8/11/08, and 100% site/foundation Construction Documents are due August 15. The 50% Construction Documents for the building are due September 15. Preparations are underway to relocate the large oak tree in the courtyard the week of August 25. Foundation and site work should begin in September. Phase 2 is targeted for completion in December 2009.

Marine Science (FS-245)  Kim Ball

Construction was inspected and found to be Substantially Complete on May 13, 2008. The users have occupied the buildings and pools. Inspections for operating permits by the Florida Department of Health were held and temporary operating permits have been issued. Punchlist items are complete and close-out documents are being prepared.

1st DCA Renovation (FS-233)  Daryl Ellison

The A/E has prepared as-built documents and a facilities assessment study on the existing DCA building. Preliminary program information is being prepared. When the occupants move out in 2010, FSU Law School will renovate and modify the facility for their use.

Mike Long Track Building (FS-263)  Gary Feldman

Contractor has completed all punch list items. Commissioning Agent will be complete with their tasks by the end of August. Final Inspection has been accomplished. Contractor is currently assembling the close out documents. Legends Plaza construction continues.

Tennis Courts (FS-211)  Kim Ball

Architect selection is underway. Design is expected to conclude in May 2009 and construction should be substantially complete March 2010.

Fla. High Classrooms (FS-206)  Marvin Beard

The A/E delivered 50% construction documents and they are being reviewed. Construction is expected to commence November 15, 2008 and be substantially complete by July 2009 and be ready for the Fall 2009 semester.
# Change Order Summary

The amounts shown in this report are actual contract amounts. They do not include unexpended contingency, in-house costs (OTC, assists to maintenance), or purchase orders for direct purchase materials, and other items included in the overall construction budget.

## Main Campus

### FS-207 Psychology Center, Phase 2

<table>
<thead>
<tr>
<th>Item Description</th>
<th>GMP/G</th>
<th>Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included in prior year report</td>
<td>25,314,786.00</td>
<td>Orig *</td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>(1,284,855.57)</td>
<td>CO#1-5 *</td>
</tr>
<tr>
<td></td>
<td>(495,486.00)</td>
<td>6 X</td>
</tr>
<tr>
<td></td>
<td>28,376.13</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>(873,735.00)</td>
<td>8 X</td>
</tr>
<tr>
<td></td>
<td>(1,116,398.75)</td>
<td>9 X</td>
</tr>
<tr>
<td>Increase to repair sinkhole</td>
<td>42,970.62</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>110,891.47</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>21,726,548.90</td>
<td></td>
</tr>
</tbody>
</table>

### FS-215 DeGraff Hall - Project Complete

<table>
<thead>
<tr>
<th>Item Description</th>
<th>GMP/G</th>
<th>Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included in prior year reports</td>
<td>$31,787,828.00</td>
<td>Orig</td>
</tr>
<tr>
<td>Deducts savings for funds not utilized &amp; adds contingency balance</td>
<td>($5,953,845.70)</td>
<td>CO#1-6 *</td>
</tr>
<tr>
<td></td>
<td>($167,207.51)</td>
<td>CO#7</td>
</tr>
<tr>
<td>Total</td>
<td>$25,666,774.79</td>
<td></td>
</tr>
</tbody>
</table>

### FS-228 College of Education Remodeling & Expansion

<table>
<thead>
<tr>
<th>Item Description</th>
<th>GMP/G</th>
<th>Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase for corridor &amp; elevator upgrades, hardscape improvements</td>
<td>9,307,612.00</td>
<td>Orig</td>
</tr>
<tr>
<td></td>
<td>341,198.00</td>
<td>1 X</td>
</tr>
<tr>
<td></td>
<td>(413,045.00)</td>
<td>2 X</td>
</tr>
<tr>
<td></td>
<td>12,517.00</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>83,871.00</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>(406,528.00)</td>
<td>5 X</td>
</tr>
<tr>
<td>Increase to upgrade HVAC controls &amp; replace electrical switchgear</td>
<td>600,048.00</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>(387,327.00)</td>
<td>5 X</td>
</tr>
<tr>
<td></td>
<td>54,218.00</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>(448,455.00)</td>
<td>8 X</td>
</tr>
<tr>
<td>Increase for brick walls &amp; planter on terrace</td>
<td>35,527.00</td>
<td>8</td>
</tr>
<tr>
<td>Increase for upgrades to IT/telecomm infrastructure, Atrium flooring, loading dock entry</td>
<td>266,438.00</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>117,191.00</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>9,163,283.00</td>
<td>Total</td>
</tr>
</tbody>
</table>

* * included in prior year report
<table>
<thead>
<tr>
<th>FS-236 Chemistry Building</th>
<th>GMP/CO#</th>
<th>Dir. Own. purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>included in prior year report</td>
<td>42,513,403.00</td>
<td>Org *</td>
</tr>
<tr>
<td>included in prior year report</td>
<td>10,968,879.45</td>
<td>CO 1:43 X</td>
</tr>
<tr>
<td>increase for changes to plumbing system</td>
<td>217,080.77</td>
<td>44</td>
</tr>
<tr>
<td>increase to add audio visual package</td>
<td>39,384.85</td>
<td>46</td>
</tr>
<tr>
<td>increase for Chilled Water equip mods &amp; Cold Rm equip</td>
<td>182,766.25</td>
<td>47</td>
</tr>
<tr>
<td>increase to add laboratory support equipment</td>
<td>284,903.45</td>
<td>49</td>
</tr>
<tr>
<td>increase to General Conditions for Add'l contract Time</td>
<td>85,257.00</td>
<td>50</td>
</tr>
<tr>
<td>increase for add'l site work for CHWS&amp;R piping</td>
<td>158,584.39</td>
<td>51</td>
</tr>
<tr>
<td>increase to add laboratory support and safety equipment, SFM Fire Alarm mods</td>
<td>(104,147.35)</td>
<td>52 X</td>
</tr>
<tr>
<td>increase for add'l electrical, fire alarm, emergency lighting, lab support systems</td>
<td>635,000.00</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>41,006.97</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>137,288.29</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>36,402.38</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>132,935.70</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>7,878.73</td>
<td>58</td>
</tr>
<tr>
<td></td>
<td>92,334.51</td>
<td>59</td>
</tr>
<tr>
<td></td>
<td>111,277.86</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>89,189.65</td>
<td>61</td>
</tr>
<tr>
<td></td>
<td>89,614.35</td>
<td>62</td>
</tr>
<tr>
<td></td>
<td>55,557,799.73</td>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FS-241 Satellite Chilled Water Plant II - Project Complete</th>
<th>GMP/CO#</th>
<th>Dir. Own. purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>included in prior year reports</td>
<td>$1,348,540.00</td>
<td>Amend #1</td>
</tr>
<tr>
<td>included in prior year reports</td>
<td>($1,221,026.00)</td>
<td>CO#1-2 X</td>
</tr>
<tr>
<td>included in prior year reports</td>
<td>$4,577,032.00</td>
<td>Amend #2</td>
</tr>
<tr>
<td>revise sidewalk by band field; add compressed air stations; additional dredging of supply wells</td>
<td>$697,343.10</td>
<td>CO#3-7 X</td>
</tr>
<tr>
<td>return unused funds back to owner</td>
<td>$210,527.00</td>
<td>CO#8</td>
</tr>
<tr>
<td></td>
<td>$425.00</td>
<td>CO#9</td>
</tr>
<tr>
<td></td>
<td>$5,715,391.10</td>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FS-245 Marine Science Research and Training Facility</th>
<th>GMP/CO#</th>
<th>Dir. Own. purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>bulkhead; lane lines and end wall targets in dive pool; provide and install gutters, downspouts</td>
<td>$8,995,291.00</td>
<td>Orig</td>
</tr>
<tr>
<td>installation of stainless steel Myrtha profile material and concrete work</td>
<td>$244,581.00</td>
<td>CO#1</td>
</tr>
<tr>
<td></td>
<td>$747,638.03</td>
<td>CO#2 X</td>
</tr>
<tr>
<td></td>
<td>$305,581.43</td>
<td>CO#3 X</td>
</tr>
<tr>
<td>additional concrete &amp; rebar; changes to dive well step out area &amp; additional handrails; flooring</td>
<td>$19,462.00</td>
<td>CO#4</td>
</tr>
<tr>
<td></td>
<td>$312,204.34</td>
<td>CO#5 X</td>
</tr>
<tr>
<td></td>
<td>$190,193.70</td>
<td>CO#6 X</td>
</tr>
<tr>
<td>incorporate tap &amp; systems charges for the 4&quot; irrigation service, 2&quot; domestic service and sewer</td>
<td>$174,993.00</td>
<td>CO#7</td>
</tr>
<tr>
<td></td>
<td>$57,028.00</td>
<td>CO#8</td>
</tr>
<tr>
<td></td>
<td>$14,212.80</td>
<td>CO#9 X</td>
</tr>
<tr>
<td></td>
<td>$23,628.85</td>
<td>CO#10 X</td>
</tr>
<tr>
<td>incorporate second bulkhead</td>
<td>$211,092.00</td>
<td>CO#11</td>
</tr>
<tr>
<td></td>
<td>$149,856.90</td>
<td>CO#12 X</td>
</tr>
<tr>
<td></td>
<td>$35,000.00</td>
<td>CO#13 X</td>
</tr>
<tr>
<td>return unused construction money; construction of dry land training area</td>
<td>$10,317.00</td>
<td>CO#14</td>
</tr>
<tr>
<td>aluminum letter on dive tower; COT inspection fees for water &amp; sewer piping; warming spa</td>
<td>$131,219.00</td>
<td>CO#15</td>
</tr>
<tr>
<td>shower at the exterior wall of Equip. Bldg.; de-chlorinator basket</td>
<td>$39,421.90</td>
<td>CO#16</td>
</tr>
<tr>
<td>incorporate cost of const. materials which were not purchased by DPG</td>
<td>$52,777.82</td>
<td>CO#17</td>
</tr>
<tr>
<td></td>
<td>$8,156,456.47</td>
<td>Total</td>
</tr>
</tbody>
</table>

* included in prior year report
<table>
<thead>
<tr>
<th>Project</th>
<th>GMP/ Dir. Own. purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FS-257, Life Sciences Building</strong></td>
<td></td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>50,107,737.00 Orig *</td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>(7,027,252.25) CO# 1-23</td>
</tr>
<tr>
<td>Increase for BSL3 lab &amp; 4th floor lab revisions</td>
<td>141,933.00 24</td>
</tr>
<tr>
<td></td>
<td>(243,728.24) 25 X</td>
</tr>
<tr>
<td>Increase for Pedestrian Bridges, Circular Site Benches</td>
<td>200,543.85 26</td>
</tr>
<tr>
<td>Increase for department requested revisions to multiple labs, roofing upgrades</td>
<td>404,375.45 27</td>
</tr>
<tr>
<td>Increase for Garden Roof Trellis and improvements</td>
<td>184,438.87 28</td>
</tr>
<tr>
<td>Sales tax savings reconciliation</td>
<td>80,359.79 29</td>
</tr>
<tr>
<td></td>
<td>211,918.45 30 X</td>
</tr>
<tr>
<td></td>
<td>79,961.93 30</td>
</tr>
<tr>
<td></td>
<td>Total 44,138,946.85</td>
</tr>
<tr>
<td><strong>FS-263, Human Performance Lab &amp; Track Facility</strong></td>
<td></td>
</tr>
<tr>
<td>Increase for HVAC upgrades, LEED compliance</td>
<td>4,624,718.00 Orig</td>
</tr>
<tr>
<td>Increase to brick existing bldg, add new dumpster &amp; chiller screen walls</td>
<td>116,034.00 1</td>
</tr>
<tr>
<td></td>
<td>132,491.00 2</td>
</tr>
<tr>
<td></td>
<td>62,661.00 3</td>
</tr>
<tr>
<td></td>
<td>44,343.00 4</td>
</tr>
<tr>
<td></td>
<td>80,800.00 5</td>
</tr>
<tr>
<td></td>
<td>Total 5,061,047.00</td>
</tr>
<tr>
<td><strong>FS-264 Ruby Diamond Auditorium Renovation &amp; Expansion</strong></td>
<td></td>
</tr>
<tr>
<td>Electrical changes, removal of pine tree in Mina Jo Powell Green, rental of flatbed truck</td>
<td>$2,969,133.00 Amend #1</td>
</tr>
<tr>
<td>DPO grout</td>
<td>$4,504,844.00 Amend #2</td>
</tr>
<tr>
<td></td>
<td>$38,141.74 CO #1</td>
</tr>
<tr>
<td></td>
<td>$91,520.00 CO #2 X</td>
</tr>
<tr>
<td></td>
<td>Total $4,451,465.74</td>
</tr>
<tr>
<td><strong>FS-265 Wildwood Halls - Project Complete</strong></td>
<td></td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>$32,388,100.00 Orig</td>
</tr>
<tr>
<td>Seacoast PO that was not completely utilized</td>
<td>($4,680,611.47) CO #1-13 *</td>
</tr>
<tr>
<td>Added gates, pressure reducers, basement ducting, shelves &amp; rods in HC rooms, light fixtures</td>
<td>$134,187.00 CO #14</td>
</tr>
<tr>
<td></td>
<td>$20,122.00 CO #15</td>
</tr>
<tr>
<td></td>
<td>Total $27,861,797.53</td>
</tr>
<tr>
<td><strong>FS-274 Material Research Building</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$14,730,821.88 Amend #1</td>
</tr>
<tr>
<td></td>
<td>$3,134,422.48 CO #1 X</td>
</tr>
<tr>
<td></td>
<td>-$1,052,950.15 CO #2 X</td>
</tr>
<tr>
<td></td>
<td>-$229,439.49 CO #3</td>
</tr>
<tr>
<td></td>
<td>$44,000.00 CO #4</td>
</tr>
<tr>
<td></td>
<td>$77,952.00 CO #5 X</td>
</tr>
<tr>
<td></td>
<td>Total $10,182,057.76</td>
</tr>
<tr>
<td><strong>FS-277, Intramural Field Complex, Phase I - Project Complete</strong></td>
<td></td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>8,902,269.00 Orig *</td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>24,331.99 CO #1-6 *</td>
</tr>
<tr>
<td></td>
<td>(8,128.37) 7</td>
</tr>
<tr>
<td></td>
<td>Total 8,318,472.62</td>
</tr>
</tbody>
</table>

* Included in prior year report
<table>
<thead>
<tr>
<th>Description</th>
<th>GMP/Purchase</th>
<th>Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>FS-284 Student Success Center</td>
<td>$10,653,515.00</td>
<td>Orig</td>
</tr>
<tr>
<td></td>
<td>-$689,800.04</td>
<td>CO#1</td>
</tr>
<tr>
<td></td>
<td>-$1,110,427.63</td>
<td>CO#2</td>
</tr>
<tr>
<td>ASI 1 &amp; 2; fuel tank removal; added sidewalks; incorporation of 100% docs &amp; bid savings</td>
<td>$32,194.00</td>
<td>CO#3</td>
</tr>
<tr>
<td>Add alternates for wood paneling, chair rail, base, cabinet upgrade and accent paint</td>
<td>$120,678.00</td>
<td>CO#4</td>
</tr>
<tr>
<td>Sidewalk improvements for Learning Way</td>
<td>$62,191.00</td>
<td>CO#5</td>
</tr>
<tr>
<td>Add parking lot, blinds, and carpet tile alternates</td>
<td>$60,431.00</td>
<td>CO#6</td>
</tr>
<tr>
<td>Incorporate fire alarm changes, room displays</td>
<td>$59,653.00</td>
<td>CO#7</td>
</tr>
<tr>
<td>(incorporate ceramic and glass tile alter, upgraded acoustical ceilings, wood flooring, wainscoat</td>
<td>$111,856.00</td>
<td>CO#8</td>
</tr>
<tr>
<td>Letters on seal, cast stone sign, light fixtures, replace installed duct and insulation</td>
<td>$31,369.00</td>
<td>CO#9</td>
</tr>
<tr>
<td>(incorporate ASI. 11; upgrade blinds, delete epoxy wall grout)</td>
<td>$27,199.00</td>
<td>CO#10</td>
</tr>
<tr>
<td>Return Contingency from CM contingency to owner</td>
<td>-$180,000.00</td>
<td>CO#11</td>
</tr>
<tr>
<td>Reallocate large live oak tree to new courtyard area</td>
<td>$55,176.00</td>
<td>CO#12</td>
</tr>
<tr>
<td></td>
<td>$9,234,776.33</td>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FS-297 Parking Garage No. 5</th>
<th>GMP/Purchase</th>
<th>Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included in prior year report</td>
<td>14,698,518.00</td>
<td>Orig</td>
</tr>
<tr>
<td>included in prior year report</td>
<td>18,395.31</td>
<td>CO#1</td>
</tr>
<tr>
<td></td>
<td>28,387.90</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>(8,538.15)</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>189,789.61</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>74,347.83</td>
<td>5</td>
</tr>
<tr>
<td>increase for additional precast concrete, brick, and rails</td>
<td>14,980,900.50</td>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FS-297A, Center for Professional Development</th>
<th>GMP/Purchase</th>
<th>Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction of Site and Underground Foundation</td>
<td>728,137.00</td>
<td>Orig</td>
</tr>
<tr>
<td>Construction of Building</td>
<td>14,085,877.00</td>
<td>Amd 3</td>
</tr>
<tr>
<td></td>
<td>99,349.52</td>
<td>CO#1</td>
</tr>
<tr>
<td></td>
<td>14,913,363.52</td>
<td>Total</td>
</tr>
</tbody>
</table>

* included in prior year report
### Panama City Campus

**FS-288 Administrative Services Center, P.C. - Project Complete**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>GMP/Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included in prior year reports</td>
<td>$3,990,735.00 Orig</td>
</tr>
<tr>
<td>Additional flood insurance &amp; addition of alternate #9 - classroom dimming</td>
<td>$1,154,817.00 CO#1-11 *</td>
</tr>
<tr>
<td>Changes in PR's 1,2,3,5,6,7,8 and Addum 108R1.2, RSH price request and line item subcontracts or DPO for glazed materials</td>
<td>- $11,335.24 CO#12</td>
</tr>
<tr>
<td>Total</td>
<td>$5,134,216.76 Total</td>
</tr>
</tbody>
</table>

**FS-296 Academic Center, P.C.**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>GMP/Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included in prior year report</td>
<td>$23,815,183.00 GMP</td>
</tr>
<tr>
<td>Additional flood insurance &amp; addition of alternate #9 - classroom dimming</td>
<td>($4,188,260.06) CO#1-3 *</td>
</tr>
<tr>
<td>Changes in PR's 1,2,3,5,6,7,8 and Addum 108R1.2, RSH price request and line item subcontracts or DPO for glazed materials</td>
<td>- $21,032.00 CO#5</td>
</tr>
<tr>
<td>DPO for glazed materials</td>
<td>- $732,895.70 CO#6 X</td>
</tr>
<tr>
<td>Add card readers, provide two 90/3 circuit breakers instead of two 60/3 in panel H1EQEM; interior m</td>
<td>- $148,891.00 CO#7 X</td>
</tr>
<tr>
<td>Spiral Staircase upgrade &amp; clear coat for spiral stair treads</td>
<td>$432,724.57 CO#8</td>
</tr>
<tr>
<td>Extension of chiller lines for future connections</td>
<td>$164,250.54 CO#9</td>
</tr>
<tr>
<td>Additional insurance &amp; DPO for Thermocor and Hanson Pipe</td>
<td>$265,626.60 CO#10</td>
</tr>
<tr>
<td>Add +/- .71 if of soffit from 14&quot; to 18&quot; AFF per SK-A401B.1, add floor drain to room A-0301</td>
<td>- $43,786.19 CO#11 X</td>
</tr>
<tr>
<td>Total</td>
<td>$20,219,886.69 Total</td>
</tr>
</tbody>
</table>

### Sarasota Campus

**FS-283 Conservation, Curatorial, Collections Facility - Project Complete**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>GMP/Dir. Own. Purchase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Included in prior year report</td>
<td>10,001,000.00 Orig</td>
</tr>
<tr>
<td>Included in prior year report</td>
<td>781,863.00 CO#1-12 *</td>
</tr>
<tr>
<td>Total</td>
<td>10,782,863.00 Total</td>
</tr>
</tbody>
</table>

* Included in prior year report
MEMORANDUM

TO: President T. K. Wetherell
FROM: John R. Carnaghi
DATE: September 4, 2008
SUBJECT: Adoption of 6C2R-2.0151, Supplier Diversity Program Request for Approval

After One Florida and the Association of General Contractors Consent Agreement eliminating use of set-asides, the former Minority Business Enterprise (MBE) programs were eliminated.

This proposed regulation creates a Supplier Diversity Program. This Program’s goal is to make any business opportunities with FSU available to the entire community. The program will work with relevant FSU personnel and the community at large to achieve this goal.

This will create no legal mandates but only demonstrates FSU’s commitment to promote the broadest participation in any economic opportunities the university may provide.

JRC/ps
Attachment
Approved
6C2R-2.151 Supplier Diversity Program

(1) There is hereby created the Florida State University Supplier Diversity Program ["Program"]. Its purpose shall be to provide opportunities for small, minority and women owned business enterprises in the procurement of commodities, goods and services, and construction or related contracting within Florida State University.

(2) The Program shall be located within the Office of Human Resources. The President has designated the Assistant Vice President for Human Resources or a designee to serve as the Program head responsible for establishing all Program policies and the staffing and strategies needed to achieve Program objectives.

(3) Program Statement of Intent. It is the intent of Florida State University to provide opportunities for businesses, including small, minority and women owned business enterprises, in the procurement for goods and services, and construction or related contracting. Also, this includes Florida businesses that are not minority or women-owned. In pursuing this intent, the Program shall establish policies and procedures within the University which will actively encourage unrestricted access to the procurement processes and business opportunities made available by the university to all such diverse members of the community.

(4) University Responsibility. Every employee who is delegated the responsibility to either directly or indirectly commit the expenditure of funds for the purchase of goods and services or otherwise providing business opportunities shall provide full assistance to the Program, consistent with the established policies and all applicable regulations, rules and laws.

MEMORANDUM

TO: President T. K. Wetherell
FROM: John R. Carnaghi
DATE: September 4, 2008

SUBJECT: Amendment of Regulation 6C2R-2.015 Purchasing and Procurement Request for Approval

This amendment transfers responsibility for Minority Business Enterprise Program to the Human Resources Department; increases the competitive solicitation threshold to the maximum allowed by the Board of Government (BOG) (currently $75,000); clarifies responsibilities of departments with delegated authority by the president; clarifies conflict of interest provisions and aligns it with BOG regulation; includes purchase of printing under the definition of commodity and clarifies that printing is not subject to Ch. 283. It also revises the bonding requirements to match BOG regulation and revises the definition of Artistic Services.

[Note as to the elimination of the Minority Business Enterprise Program from the Purchasing Regulation, as required under current law, we are at the same time creating a Supplier Diversity Program in a separate item.]

I recommend approval of this item.

JRC/ps

Attachment

Approved

214 Westcott Building, Florida State University, P.O.Box 3061320, Tallahassee, FL 32306-1320
Telephone 850.644.4444, Fax 850.644.4447
SUMMARY OF PROPOSED AMENDMENT TO UNIVERSITY REGULATION 6C2R-2.015, PURCHASING AND PROCUREMENT REGULATIONS

Transfer responsibility for minority business enterprise program to the Human Resources department; increase competitive solicitation threshold to maximum allowed by BOG (currently $75,000); clarify responsibilities of departments with delegated authority by the president to operate a full function purchasing department; clarify conflict of interest provisions and align with BOG regulation; include purchase of printing under the definition of commodity and clarify printing is not subject to Ch. 283; revise bonding requirements to match BOG regulation; revise definition of Artistic Service.

AUTHORITY FOR THE PROPOSED UNIVERSITY REGULATION
The authority for the proposed regulation is as follows: Board of Governors Resolution January 7, 2003; BOG Regulation Procedure July 21, 2005, and Sections 1001.74(2)(a), (6)(a). Florida Statutes.

UNIVERSITY OFFICIAL INITIATING THE REGULATION
Proposed Amendment Regulation 6C2R-2.015 has been initiated by Marcie Corley Doolittle, Director of Purchasing Services and Chief Procurement Officer, Finance and Administration.

PROCEDURE FOR PROVIDING COMMENTS ON THE PROPOSED UNIVERSITY REGULATION
Any person may submit written comments concerning the proposed regulation within 14 days of the date of this notice to:
Arthur R. Wiedinger, Jr.
Office of General Counsel.
424 Westcott Building
Florida State University
Tallahassee, FL 32306-1400
Electronic address: awiedinger@admin.fsu.edu
850-644-8973 (fax)
850-644-4440 (phone)
REGULATION

FLORIDA BOARD OF GOVERNORS

FLORIDA STATE UNIVERSITY

6CR-2.015 Purchasing and Procurement

(1) Statement of Intent. It is the intent of the University to acquire quality goods and services in a cost effective manner, as economically as possible, within reasonable or required time frames, while promoting and maintaining fair and open competition in the public procurement process. This regulation rule establishes effective management oversight of the University’s procurement process in order to comply with federal and state laws and rules, to reduce the appearance and opportunity for favoritism, and to preserve the integrity and reputation of the University with regard to purchasing and contracting.

(2) Purpose. These regulations rules implement the University’s delegated authority from the University Board of Trustee with respect to the powers, duties and functions of the institutions purchasing jurisdiction as provided in Florida Board of Governor’s Regulation 18.001 Sections 1001.74(5) and 1001.75(5), F.S.

(3) Application. These regulations rules shall apply to all expenditures of University funds on deposit with Florida State University involving a purchase, irrespective of their source, including federal assistance monies, except as otherwise specified herein, and may be applied to transactions that do not involve a purchase such as food service, bookstore, or vending contract, when it is in the best interests of the University.

(4) Procurement Organization
(a) The University Board of Trustees. By this regulation rule, the Board of Trustees exercises their statutory authority to establish a system process to coordinate procurement policies, procedures, and practices to be used in acquiring commodities and contractual services required by the University.

(b) The University President. As chief administrative officer of the University, the President has the responsibility to implement the University’s procurement authority as consistent with the regulations rules of the Florida Board of Governors Regents State Board of Education and University Board of Trustees. The President has delegated statutory authority to approve, execute and administer contracts for and on behalf of the University Board of Trustees for licenses; the acquisition or provision of commodities, goods, equipment and services; leases of real estate and personal property and planning and construction to be rendered to or by the University provided such contracts are within the law and the regulations, rules and policies of the Florida Board of Governors State Board of Education and the University Board of Trustees. The President may delegate all or any portion of such authority, which is not required by law or rule to be exercised personally, to any employee of the University in the interest of the efficient and effective operation of the University.

(c) Delegation of Purchasing Authority

1. Duties and Powers. The Director of Purchasing Services is delegated authority to serve as the Chief Procurement Officer, chief central procurement officer for the University, and shall exercise the powers, duties and functions pertaining to the procurement of commodities and contractual services.
(a) The purchasing director may delegate to the purchasing department staff such portions of those powers, duties and functions as deemed appropriate.

2. Small and Disadvantaged Business Enterprise Assistance Officer. The Director of Purchasing, or a designee, shall serve as the Small and Disadvantaged Business Enterprise Assistance Officer for the University, responsible for overseeing the small and disadvantaged-utilization activities in the procurement of commodities and services. The University is an equal opportunity institution and encourages procurement contracting with small and disadvantaged business which includes minority business enterprises.

3. Additional Purchasing Delegation. Departments’ delegated authority to make purchases of commodities and services for their respective area is limited to the following: Purchasing Department: Food purchased for the cafeteria at the Florida State University Schools: books and periodicals purchased by University libraries, and purchases by the Facilities Operations and Maintenance Department. Any such purchases shall be processed by the appropriate University department in full compliance accordance with this regulation. References in this regulation to the purchasing department shall include all offices delegated purchasing authority under this regulation. References in this regulation to the duties and responsibilities of the purchasing director shall apply to the director or department head of all areas with delegated purchasing authority, regardless of title.

4. Purchase of Private Attorney Services. Written approval from the Attorney General is not required for private attorney services acquired by the University.

5. Purchase of Insurance. The University has the authority to purchase insurance as deemed necessary and appropriate for the operation and educational mission of the University. Examples of insurance coverage that may be acquired by the University include:
a. Physical damage on vehicles and boats;
b. Inland marine on property owned, leased, or loaned to or by the University;
c. Building and property damage;
d. Equipment losses due to theft;
e. Equipment subject to transportation;
f. Loss of rental income;
g. Commercial general liability insurance for scientific equipment;
h. Excess general liability coverage;

6. Purchase of Printing. Printing shall be purchased in accordance with Chapter 283, F.S.

(6) Duties of the Chief Procurement Officer: Purchasing Department.

(a) Canvass sources of supply, and contracting for the purchase or lease of all commodities and contractual services for the University, in any manner, including, reverse auctions and purchase by installment- or lease-purchase contracts. Installment- or lease-purchase contracts may provide for the payment of interest on unpaid portions of the purchase-price.

(b) Remove any contractor from the University’s competitive solicitation or vendor list that fails to respond to one (1) or more competitive solicitations or to fulfill any of its duties specified in a contract with the University and to reinstate any such contractor when satisfied that further instances of default will not occur. A “No Bid” or similar response is considered a response under this section.
(c) Plan and coordinating purchases, including in volume purchases; and negotiating and executing agreements and contracts for commodities and contractual services for use by all under which the University departments may make purchases.

(d) Develop an Annual Certification List to serve as a waiver of the competitive solicitation requirement for commodities/services that are frequently purchased and are available from a single source.

(e) Evaluate and approve contracts established by the Federal Government, other states, political subdivisions, or any independent college or university or educational cooperative or educational consortium for the procurement of commodities and contractual services. when it is determined to be cost-effective and in the best interest of the University to make purchases under contracts established by such other entities. Contracts so approved are not subject to additional competitive solicitation requirements.

(f) Award contracts for commodities and contractual services to multiple suppliers, if it is determined to be in the best interest of the University. Such awards may be on a university, regional or multiple state university-wide basis and the contracts may be for multiple years.

(7) Source Selection and Contract Formation for Commodities and Contractual Services.

(a) Competitive Solicitation Required. The purchasing director shall be responsible for ensuring that all contracts for the purchase of commodities or contractual services exceeding the maximum competitive solicitation limit established in Board of Governors Regulation 18.001, (currently $75,000), $50,000 shall be awarded pursuant to a competitive solicitation, unless otherwise authorized herein. The purchase of commodities
and contractual services shall not be divided to avoid the requirement of competitive solicitation.

(b) Public Notice. The purchasing director Director of Purchasing, or a designee, shall determine the method of public notice to be used in each case of a competitive solicitation based on the nature and quantity of the commodities, contractual services, or construction sought and the availability and extent of competitive solicitation lists. Posting of competitive solicitations on a Purchasing Department website constitutes public advertising.

(c) Receipt of Responses. Competitive solicitation responses shall be delivered, including electronically, as directed in the competitive solicitation to the appropriate Purchasing Department, or as otherwise directed in the competitive solicitation document, at or prior to the date and time specified in the competitive solicitation. Responses that are not delivered to that location and only that location, no matter what the reason, shall not be considered. It is the responder’s responsibility to assure that their response is delivered at the proper time and place. The clock in the Reception area of the Purchasing Services Department is designated as the official timepiece for purposes of determining whether a response is received in Purchasing Services by the appointed date and hour. Purchasing departments with delegated purchasing authority may designate an alternate timepiece.

1. Prior to the time a competitive solicitation is opened, the purchasing director Director of Purchasing, or a designee, may change or correct the terms, conditions or specifications by issuing an addendum to all known recipients of the competitive solicitation.
2. A responder to a competitive solicitation may withdraw or correct a response prior to the time that the competitive solicitation is opened. Any alteration or correction to a response must be in writing and signed by the authorized representative who signed the original response.

3. The purchasing director, Director of Purchasing, or a designee, will permit the withdrawal of a competitive solicitation response for good cause if requested in writing within seventy-two (72) hours of the competitive solicitation opening and prior to final award of the purchase order being issued. Good cause shall include illegality, impossibility of performance, or a clear and inadvertent error in the response preparation, but shall not include a responder's lack of profitability or financial loss resulting from the competitive solicitation. Neither modification nor withdrawal will be permitted at any time if the result of such action is prejudicial to the fairness of the competitive procurement process or a monetary or educational interest of the University.

(d) Competitive Solicitation Evaluation. Responses to a competitive solicitation shall be evaluated based on the requirements set forth in the competitive solicitation. The requirements of the competitive solicitation include criteria such as price, inspection, samples, quality, testing, workmanship, convenience, experience, delivery and suitability for a particular purpose. Those criteria that affect the price shall be objectively measured to the extent practicable, such as all or none, discount, transportation cost or total or life cycle cost base. In cases where more than one commodity or contractual service is listed on a response to a competitive solicitation, the University is not required to consider all alternates or options, nor do they have to be considered in sequence.
(e) Right to Reject Competitive Solicitation Responses and Waive Minor
Irregularities. The University reserves the right to reject any and all responses to a
competitive solicitation. The University also reserves the right to waive minor irregularities
in an otherwise valid response. A minor irregularity is a variation from the competitive
solicitation terms and conditions, which does not affect the price offered, or give the
responder an advantage or benefit not enjoyed by other responders or does not adversely
impact the business or educational interests of the University. The University shall correct
mistakes clearly evident on the face of a response, such as an error in arithmetic or extension
of pricing. In the case of extension errors, the unit price shall prevail.

(f) Receipt of Only One or No Responses to a Competitive Solicitation. When
only one responsive offer or no response is received to a competitive solicitation exceeding
the competitive solicitation limit $50,000, the purchasing director Director of Purchasing, or
a designee, shall review the circumstances surrounding the solicitation to determine if a
second call for a competitive solicitation is in the best interest of the University. If it is
determined that a second competitive solicitation would not serve a useful purpose, the
University may proceed with the acquisition based on the one response received or proceed
to negotiate with any other possible source including the responder who submitted the only
responsive offer.

(g) When multiple responses to a competitive solicitation are received that are
equal in all respects, the University shall give preference to responses that include
commodities manufactured in the state, Florida businesses, businesses with a drug-free
workplace program, or foreign manufacturers located in the state to determine the contract
award. If none of these conditions exist and two or more responses are equal in every respect, the University will use a toss of a coin to select the successful response.

(h) Purchases from Contractors Convicted of Public Entity Crimes. The University shall not accept a competitive solicitation from, or purchase commodities or contractual services from, a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida’s convicted vendor list for a period of 36 months from the date of being added to the convicted vendor list.

(i) Competitive Solicitation Notice of Award. After evaluating the responses to a competitive solicitation, the purchasing director Director of Purchasing, or a designee, shall make a determination as to the successful response based on the method of award contained in the competitive solicitation. A notice of award shall be posted electronically by posting a Competitive Solicitation Tabulation Sheet, or other appropriate document, on the purchasing department Purchasing Department Web Site on the date and time listed in the competitive solicitation or as soon as reasonably possible after the responses are evaluated. The Competitive Solicitation Tabulation Sheet shall contain the competitive solicitation name, the name of each responder including those whose responses were rejected, the dollar amount(s) of each response or the number of points awarded, the date and hour that it was posted and the date and hour that the posting period ends. The Notice of Award Web Site shall be maintained by the purchasing department Purchasing Department and shall be available for public inspection at all times during regular University business hours. Any person who is adversely effected by the University’s decision or intended decision regarding a competitive solicitation shall file in writing a protest which shall be received in the appropriate purchasing department Purchasing Department before the end of the 72 hour posting period.
or within 72 hours after the protestant received actual notice by other delivery of the
decision, whichever occurs first. The 72 hour period excludes the hours involved in
weekends and University holidays. Weekends are deemed to begin at 5 PM on Friday and
end at 8 AM on Monday. Holidays are deemed to begin at 5 PM at the end of a regular
workday or 8 AM after a Sunday and end at 8 AM on the next regular University workday. A
Request for Quotation secured from contractors listed as suppliers on state contracts in order
to achieve economies of scale, regardless of their total price, are not a decision subject to
BOG Regulation 18.002, s. 120.57(3)(a), F.S. Posting of the proposed Notice of Award
does not establish a contract between the University and the proposed supplier.

(j) In accordance with s. 119.07(3)(m), F.S., public review of responses to a
competitive solicitation may be denied until the notice of a decision is posted or within 10
days after the competitive solicitation is opened, whichever occurs first.

(k) In accordance with 119.071(1)(b)1.a.b, F.S. if the University rejects all bids or
proposals submitted in response to an invitation to bid or request for proposals and the
University concurrently provides notice of its intent to reissue the invitation to bid or request
for proposals, the rejected bids or proposals remain exempt from s. 119.07(1) and s. 24(a).
Art. 1 of the State Constitution until such time as the University provides notice of a decision
or intended decision pursuant to s. BOG Regulation 18.002 concerning the reissued invitation
to bid or request for proposals or until the University withdraws the reissued invitation to bid
or request for proposals.

(l) In accordance with 119.071(1)2.a., F.S., a competitive sealed reply in response to
an invitation to negotiate, as defined in 6CR-2.015 is exempt from s. 119.07(1) and s. 24(a).
Art. 1 of the State Constitution until such time as the University provides notice of a decision
or intended decision pursuant to BOR Regulation 18.002 or until 20 days after the final competitive sealed replies are all opened, whichever occurs earlier.

(m) In accordance with 119.071(1)2.b., if the University rejects all competitive sealed replies in response to an invitation to negotiate and concurrently provides notice of its intent to reissue the invitation to negotiate and reissues the invitation to negotiate within 90 days after the notice of intent to reissue the invitation to negotiate, the rejected replies remain exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the University provides notice of a decision or intended decision pursuant BOR Regulation 18.002 concerning the reissued invitation to negotiate or until the University withdraws the reissued invitation to negotiate. A competitive sealed reply is not exempt for longer than 12 months after the initial University notice rejecting all replies.

(n) Each solicitation for the procurement of commodities or contractual services shall include the following provision: "Respondents to this solicitation or persons acting on their behalf shall not contact any employee or officer of the Florida State University Board of Trustees, a University Direct Support Organization, or The Florida State University concerning any aspect of this solicitation, except in writing to the Chief Procurement Officer or as provided in this solicitation document, from the date of release of this solicitation through the end of the 72-hour period following the University’s posting of the notice of intended award, in accordance with BOG Regulation 18.002. Violation of this provision may be grounds for rejecting a response."

(8) Registration of Business. It is not necessary for a person or business to be registered with the University to receive competitive solicitations, a contract or a purchase order. The University does not guarantee that a business will receive notice of a competitive
solicitation for a particular commodity or contractual service for which they have registered as a supplier. The opportunity to participate in a competitive solicitation is a privilege not a right.

(9) Purchasing actions that are not subject to the competitive solicitation process include:

(a) Emergency Purchases. When the President, or a designee, determines in writing that a condition exists that threatens the health or safety of person(s) or animal(s) or the preservation or protection of property or the continuance of a vital University function, the University will proceed with an emergency purchase without a competitive solicitation. Due to the critical nature of the procurement, emergency purchases do not require that the action be posted in the Notice of Award Web Site for 72 hours. An emergency purchase shall be limited to the purchase of only the type of items and quantities that are required for a time period sufficient to relieve the immediate threat and shall not be used to meet long-term requirements.

(b) Sole Source Purchases. Commodities or contractual services available from a single source shall be exempted from the competitive solicitation process. A sole source document shall be publicly posted in the Notice of Award Web Site for 72 hours.

(c) Purchases from competitively secured Contracts and Negotiated Annual Price Agreements established by the State, other governmental entities, other public or private educational institutions, and educational cooperatives and educational consortiums are not subject to further competitive solicitation.

(c) Construction Direct Purchase Program. Commodities to be incorporated into any public work (as that term is defined in Fla. Admin. Code R. 12A-1.094) which are
procured by the University in accordance with the requirements of the University’s direct purchase program are not subject to any further competitive solicitation.

(d) (e) Commodities and contractual services that are exempt from the competitive solicitation process include:

1. Artistic services;
2. Academic reviews;
3. Lectures;
4. Auditing services;
5. Legal services, including attorney, paralegal, expert witness, appraisal, arbitrator or mediator services;
6. Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration. Prescriptive assertive devices for medical, developmental or vocational rehabilitation including, but not limited to prosthetics, esthetics, and wheelchairs, provided the devices are purchased on the basis of an established fee schedule or by a method that ensures the best price, taking into consideration the needs of the client;
7. Training and education services for University employees;
8. Advertising, except media placement services;
9. Services or commodities provided by any governmental agencies entity, other another University in the State University System, direct support organizations of the university, political subdivisions universities or independent colleges and universities;
10. Programs, conferences, workshops, or continuing education events or other university programs that are offered to the general public for which fees have been collected from individual participants to pay all expenses associated with the program or event;

11. Purchases from firms or individuals that are prescribed by state or federal law or specified by a granting agency;

12. Regulated utilities and government-franchised services;

13. Regulated public communications, except long distance telecommunication services or facilities;

14. Long distance telecommunications

14. 45. Extension of an existing contract;

15. 46. Renewal of an existing contract if the terms of the contract specify renewal option(s);

16. 47. Purchases from the Annual Certification List developed by the Chief Procurement Officer, University Purchasing Department.

17. 48. Purchases for resale to the public.

18. 49. Accountant Services

19. 29. Implementation/programming/training services available only from the owner of copyrighted software or its contracted vendor; and

20. 24. Purchases of materials, supplies, equipment, or services for research purposes when the Vice President for research, or a designee, certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project.
(10) Contracts or services provided by not-for-profit support and affiliate organizations of the University, direct support organizations, health support organizations, and faculty practice plans.

(11) Vendors Excluded from Competition: In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for bids and/or requests or proposals or invitations to negotiate shall be excluded from competing for such procurements.

(12) Standard of Conduct:

(a) It shall be a breach of ethical standards for any employee of the University or member of the University Board of Trustees to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for commodities or services. It shall also be a breach of ethical standards for any potential contractor to offer an employee of the University a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or services.

(b) It shall be a breach of ethical standards for any employee to participate in the selection, award, or administration of a contract if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his immediate family, his or her partner, or an organization with employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award.

(f) Individuals or Vendors who Take Part in the Development and Drafting of a feasibility study, Competitive Solicitations or future program.
1. No person or firm who receives a contract to perform a feasibility study for potential implementation of a subsequent contract, participates in the drafting of a competitive solicitation, or develops a program for future implementation shall be eligible to contract with the University dealing with the specific subject matter. All persons taking part in the development or selection of criteria for evaluation, the evaluation process, and the contract award process in any purchase shall follow all relevant portions of the State of Florida Code of Ethics for Public Employees, Chapter 112, Part 3, Florida Statutes.

(13) (19) Bonding Requirements

(a) Solicitation Security. A certified, cashier's or treasurer's check, bank draft, bank official check or bid bond may be required as a condition for participating in a competitive solicitation.

(b) (a) Payment and Performance Bonds.

1. The University is authorized to require any contractor contracting with the University to provide commodities, services or construction or commodities which include installation to furnish a payment and performance bond, with good and sufficient securities, to the University prior to the issuance of the contract, when the total contract amount is greater than $200,000.

2. (b) Competitive Solicitation Protest Bond. Any contractor that files an action pursuant to BOG Regulation 18.002 s.120.57(3)(b), F.S., protesting a decision or intended decision pertaining to a solicitation, shall at the time of filing of the formal protest, post with the University, a bond payable to the University in an amount equal to: 10% of the estimated value of the protestor's competitive solicitation response; 10% of the estimated expenditure
during the contract term; $10,000; or whichever is less. The bond shall be conditioned upon
the payment of all costs which may be adjudged against the contractor filing the protest
action. In lieu of a bond, the University will accept a cashier's check or money order in the
amount of the bond. Failure of the protesting contractor to file the required bond, cashier's
check or money order at the time of filing the formal protest shall result in the denial of the
protest.

(14) (++) Contract Formation.

(a) Contracts for the purchase of commodities or contractual services or licenses
shall consist of a purchase order or a purchase order and bilateral agreement signed by the
President of the University, or a designee who has been granted power of attorney through
the University President, prior to the goods or services being ordered, contracted for, or
rendered by the contractor.

(b) Any contract for the purchase of services or tangible personal property for a
period in excess of one fiscal year shall include the following statement: “The State of
Florida’s and University’s performance and obligation to pay under this contract is
contingent upon an annual appropriation by the Legislature.”

(c) The extension of a contract granted to extend the time to complete the contract
shall be in writing signed by the purchasing director. Contract extension shall not cause the
University to incur additional costs. The contract extension shall be signed by both parties if
a bilateral agreement and a purchase order were issued, and shall be subject to the same
terms and conditions set forth in the initial contract. There shall be only one extension of a
contract.
(d) A contract may contain provisions for renewal. If the commodity or contractual service is purchased as a result of a competitive solicitation, all contemplated renewal periods must be included in the competitive solicitation, and evaluated as part of the award evaluation process, including a cost algorithm to determine the cost to the university during renewal periods. All contract renewals are subject to sufficient annual appropriations.

(e) The President, or a designee, shall have the authority to enter into deferred payment agreements, in accordance with Board of Governors debt policies. The University may utilize the State of Florida Department of Financial Services Controller's Consolidated Equipment Financing Program if it is deemed advantageous. When the Consolidated Equipment Financing Program is used, the University will submit the contract to the Department of Financial Services State of Florida Controller for the purpose of pre-audit review and approval prior to acceptance. No agreement shall establish a debt of the State or shall be applied to the faith and credit of the State; nor shall any agreement be a liability or obligation of the State except from appropriated funds.

(f) In order to promote cost-effective procurement of commodities and contractual services, the University may enter into contracts that limit the liability of a vendor consistent with Section 672.719, F.S.

(g) The total value of the contract shall be the purchase price for the initial term plus all renewal costs.

(12) Standard of Conduct. It shall be a breach of ethical standards for any employee of the University or a member of the Board of Trustees to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for
commodities or services. It shall also be a breach of ethical standards for any potential contractor to offer an employee of the University or member of the Board of Trustees a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or services.

(15) Authority to Suspend or Debar a Business. The Chief Procurement Officer shall Director of Purchasing will remove a business's name from the University's authorized vendor or competitive solicitation list and reject all responses offered by that business in the event the business's performance through acts of omission or commission results in any of the following grounds, when it is determined to be in the best interest of the University:

(a) Failure to respond to a competitive solicitation without giving a justifiable reason for such failure.

(b) Failure to If a vendor fails to make timely delivery or fully comply with the pricing, terms, conditions, or specifications, drawings or terms of an agreement with the University on any one contract or purchase order;

(c) Any unlawful attempt to influence a purchase, or competitive solicitation specification, award, or other pertinent factor, in violation of this Regulation and BOG Regulation 18.001.

(d) Being charged or convicted before a court of competent jurisdiction with committing a fraud, misdemeanor or felony in connection with the business’s commercial enterprise. If charges are dismissed, the owner of the business is found not guilty, or the guilty verdict is reversed through the appellate process, the business is found not guilty, or
the guilty verdict is reversed through the appellate process, the suspension shall be lifted immediately upon notification by the business.

(e) Bankruptcy.

(f) Failure to participate by submitting a competitive response to three consecutive competitive solicitations.

(g) Continuing to supply Supplies commodities or contractual services before without receiving a purchase order or after receiving a notice not to supply commodities or contractual services without first receiving an official Florida State University purchase order signed by the purchasing director.

(16)-(14) Default

(a) Vendors who fail to make delivery or perform in accordance with the conditions, specifications, drawings or terms and conditions of a purchase order or contract shall be notified in writing, stating the nature of their failure to perform and provide a time certain for correcting the failure. Reasonable time for correcting the failure should not be generally less than ten (10) calendar days after receipt of such notice by the vendor, except in case of a documented emergency. The notification shall also provide that should the vendor fail to perform within the time provided, that: It will be in default; it will be removed from the University's vendor and competitive solicitation lists; and the University will re-procure the commodity or service from another source, which will obligate the vendor to pay all reprocurement costs and costs for cover.

(b) Unless the vendor corrects its failure to perform within the time provided, or unless the University determines based on its own investigation that the vendor’s failure is legally excusable, the vendor shall be found in default and issued a second notice stating the
reasons the vendor is considered in default and stating that the University has repurchased the commodity or service and the amount of the procurement and the cover cost. The University shall also advise the defaulting vendor that the firm has been removed from the vendor and competitive procurement lists pursuant to this rule and will not be eligible to submit a competitive solicitation or be awarded for award of a contract until such time as the University is reimbursed for all re-procurement costs and for costs of cover. The defaulting vendor also shall be advised of the right to petition the University President for an administrative hearing on the intended decision to remove the vendor from the University’s vendor and competitive procurement lists pursuant to 120.57 Florida Statutes or applicable Board of Governors Regulations, and shall be given time within which to submit the petition.

(c) The purchasing director shall determine the method for re-procurement of commodities or contractual services as the best interests of the University require. May be accomplished by first attempting to contract with the second responsive responder on a competitive solicitation, if available. If the University is not able to contract with the second responsive responder, it may attempt to contract with any other vendor willing to perform at acceptable pricing under the terms and conditions of the competitive solicitation.

(d) The University may issue a second competitive solicitation or purchase on the open market if a substantially similar procurement is not accomplished under c @ above. Until such time as the vendor reimburses the University for all re-procurement and cover costs, the defaulting vendor shall not be reinstated on the University’s competitive solicitation list and shall not be eligible for any type of purchase order or contract by the University. All correspondence to vendors respecting failure to perform shall be sent by
certified mail, return receipt requested or documented courier delivery service. The
foregoing provisions do not limit or exclude the University’s remedies at law.

(17)(H) Protested Solicitations and Awards.

(a) Petitions. Any person who is aggrieved by a University decision or intended
decision in connection with a University decision, shall file a written notice
of intent to protest with the purchasing director. Director of Purchasing. The notice
embodying such protest shall be received in the purchasing department Purchasing
Department of the department issuing the competitive solicitation before the end of the 72
hour posting period or within 72 hours after the protestant received actual notice by other
delivery of the decision, whichever occurs first. A notice of protest is not considered filed
until it is actually received in the Purchasing Department which issued the solicitation.

Within ten (10) consecutive calendar days after the notice of protest is filed, the protestant
shall file a formal written protest in both the Office of the University President and the
department to which the notice of intent to protest was filed, which shall state with
particularity the facts, and law upon which the notice of protest is based. A solicitation
protest bond pursuant to this rule, payable to the University in an amount equal to the ten
(10) percent of the University’s estimate of the total volume of the contract or $10,000,
whichever is less, shall be filed with the with the formal written protest. In the case of a
competitive solicitation, the University’s statement of the quantity on the competitive
solicitation shall serve as the University’s estimate of the volume of the volume of the
contract. No time service will be added to the above to time limits for mail service. Failure
to timely file the notice of protest, the formal notice of protest or a solicitation protest bond
shall constitute a waiver of right to protest under this regulation and BOG Regulation 18.002.

(b) Informal Procedures: Unless superseded by a subsequent Board of
Governor's Regulation, the following shall apply:

1. Upon receipt of the petition, the presiding officer shall issue to the protestant a
notice of the informal proceeding in accordance with s. 120.57(2), Florida Statutes. Petitions
to intervene will be considered on their merits as received.

2. At or prior to the informal proceeding, or as directed by the presiding officer,
the protestant may submit any written or physical materials, objects, statements, affidavits
and arguments that the protestant deems relevant to the issues raised.

3. In the proceeding the protestant, his representative or counsel, may also
present written or oral evidence and arguments in opposition to the action if the university or
its refusal to act. However, neither direct nor cross examination of witnesses will be
permitted, although the presiding officer may make whatever inquires deemed pertinent to a
determination of the process.

4. The judicial rules of evidence shall not apply and the presiding officer shall
issue a decision on such information adduced in the course of the proceeding upon which
reasonably prudent persons may rely on in the conduct of their affairs.

5. The proceedings shall not be mechanically recorded unless the purchasing
director Director of Purchasing receives a request for such recording at least three (3)
working days prior to the date of the proceedings. If such request is for mechanical
recording, the University will provide the appropriate equipment and operation personnel at
its expense. If such request is for stenographic recording, the requesting party shall arrange for the appearance of a certified court reporter and shall bear the expense of such appearance.

6. At any time in the course of the proceedings, the presiding officer may seek to resolve the protest by informal disposition, agreed settlement or consent order.

7. If the protestant's objections are overruled, the presiding officer shall render a written decision within seven (7) days after the conclusion of the proceedings, which conforms, to the requirements of s. 120.57, Florida Statutes. In the event the presiding officer finds that a dispute exists with respect to a fact deemed material to determine the protest, as to which there has been no stipulation, the decision shall also give notice to the protestant of his right to petition for a formal proceeding pursuant to s. 120.57(3), Florida Statutes, within ten (10) working days of the date upon which the decision is issued to him.

8. The President, or a designee, shall issue the final order. Provided, however, that if the decision contains notice of a right to petition for a formal proceeding the decision shall not constitute a final order until the expiration of the time for filing such petition or the conclusion of proceeding pursuant thereto.

(18) (16) Purchase of Motor Vehicles.

(a) The University has authority to:

1. Establish standard classes of motor vehicles to be leased, purchased or used by University personnel;

2. Obtain the most effective and efficient use of motor vehicles for state purposes;

3. Establish and operate facilities for the acquisition, disposal, operation, maintenance, repair, storage, control and regulation of University-owned motor vehicles.
Acquisition may be by purchase, lease, installment-purchase, loan or by any other legal means and may include a trade-in. All motor vehicles purchased or leased shall be of a class that will safely transport University personnel and adequately meet the requirements of the University;

4. Contract for specialized maintenance services.

(b) Motor vehicles owned, leased or operated by the University shall be available for official University business only.

(19) (17)-Definitions.

(a) Artistic Services. Services provided by an individual or group of individuals who profess and practice a skill in the area of music, dance, drama, folk art, creative writing, painting, sculpture, bronze, photography, antique or period furniture reproduction or restoration, graphic arts, website design, craft arts, industrial design, costume design, fashion design, motion pictures, television, radio or tape and sound recording or in any other related field, as determined by the chief procurement officer. Web design shall not include website hosting, maintenance, or and computer-related services; only the portion of the design meeting the definition of an artist shall be exempt. If artistic web design cannot be separated from the non-artistic portion of the purchase, the artistic exemption shall not apply.

(b) Business. Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

(c) Commodity -- Any of the various Supplies, materials, goods, merchandise, food, equipment or other personal property, including a mobile home, trailer or other portable structure, which are purchased, leased, lease-purchased or otherwise contracted for by the University. “Commodity” also includes interest on deferred-payment contracts entered into
by the University for the purchase of other commodities. Printing of publications and photocopying shall be considered a “commodity.” when let upon contract in accordance with Section 283.33, Florida Statutes. Software to be used pursuant to license agreements shall be considered a “commodity.”

(d) Competitive Negotiation -- The establishment of a contract through deliberation, discussion or conference on the specifications, terms and conditions of a proposed agreement.

(e) Competitive Solicitation -- An Invitation to Bid, Request for Proposal or Invitation to Negotiate issued by a purchasing department with delegated authority as specified in this regulation to competitively select a contractor.

(f) Contract -- Document issued by the purchasing department Purchasing Department, including purchase orders and bi-lateral agreements, regardless of their designation.

(g) Contractual Service -- The rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. “Contractual service” does not include labor or materials or selection of professional services for the construction, renovation, repair, maintenance or demolition of facilities or grounds.

(h) Cover. The difference between the cost to procure substitute commodities or services and the contract price for such commodities or services.

(i) Department. Any college, school, department, principle investigator, club, organization or other budget entity, which has been assigned a departmental account by the University.
(j) Extension. An increase in the time allowed for the contract period.

(k) Independent Contractor -- A person or firm who provides a service to the University, but does not have any employment or other relationship or connection with the University as provided in s. 112.313, F.S.

(l) Invitation to Bid. A solicitation for competitive bids issued by the purchasing department, including reverse auctions, with the title, date, and hour of the public bid opening designated and the commodity, group of commodities or services defined, for which bids are sought.

(m) Invitation to Negotiate -- An invitation extended to prospective vendors or contractors by the University, whether by advertisement, written solicitation, electronic media or any other form of communication, to define the specifications, terms and conditions of a contract for commodities or contractual services. An Invitation to Negotiate shall be awarded as the best interests of the University indicate and does not require numeric scoring. Cost may or may not be a consideration in the initial stages of negotiating.

(n) Minority Business Enterprise – A business concern as defined in s. 288.703(2), F.S.

(o) Mutuality of Management. That circumstance wherein two or more businesses are owned or managed by the same person or persons. Mutually managed businesses shall submit only one response to a competitive solicitation. The purchasing director may reject all responses from mutually managed businesses submitting more than one response to a competitive solicitation. If more than one response is submitted and subsequently evaluated, only one response with the lowest cost or score lowest response
submitted by businesses that are mutually owned or managed shall may be considered in determining an award.

(p) Person. Shall have the meaning provided in s.1.01(3), Florida Statutes.

(q) President. The chief executive officer of the University, responsible for its operation and administration.

(r) Public Entity Crime -- A violation of any state or federal law by a person in the transaction of business with any public entity of any state or with the United States government involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.

(s) Purchase -- an acquisition of commodities or services obtained by purchase order or contract whether by rent, lease, installment- or lease-purchase, outright purchase, or license.

(t) Purchases for Resale -- the purchase of commodities or contractual services acquired for the purpose of selling them to the general public for the benefit of the University. Purchases of commodities or contractual services acquired for resale or transfer of ownership to other University departments are not purchases for resale.

(u) Renewal -- Contracting with the same contractor for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.

(v) Request for Proposal. A written solicitation issued by the purchasing department for competitive proposals for commodities or contractual services with the title, date, and hour of the public opening designated. A request for proposals may be used when the scope of work is not clearly defined or cost is not the primary consideration.
(w)  Responder. A person or business that has submitted a bid, proposal response or an offer to negotiate, as the result of a competitive solicitation.

(x)  Response. A bid, proposal or offer to negotiate submitted as a result of a competitive solicitation that designates the title, date and time of the public opening. The response shall include and be submitted in accordance with instructions provided in the competitive solicitation prescribing all general and special conditions.

(y)  Responsible vendor or responder. Individuals or businesses who possess the potential ability to perform successfully under the terms and conditions of the proposed purchase.

(z)  (aa)  Responsive offer. A response from a responsible vendor or responder that complies in every respect with the terms, conditions and specifications of a competitive solicitation.

(aa)  (bb)  Request for Quotation. A written or oral request issued by the purchasing department to one or more vendors to provide pricing on specified commodities or contractual services when the total costs, including all renewal options, is less than the minimum amount required for a competitive solicitation threshold. Requests for Quotations are not subject to the electronic posting requirements of BOG 18.002: s.120.57(3), F.S.

(bb)  (ee)  Specifications.

1. A clear and accurate description of the technical requirements, including the range of acceptable characteristics or minimum acceptable standards, for the material, product, or service to be purchased. In competitive solicitations, such specification shall not contain features which unduly restrict competition.
2. The specific features of “brand name or equal” descriptions that responders are required to meet when such items are included in a competitive solicitation.

3. A clear and accurate description of the physical, performance or functional characteristics of a commodity or contractual services. It may include plans, drawings, samples or a description of any requirement for inspection, testing or preparing a commodity or contractual service for delivery.

(ce) (dd) Term Contract -- An indefinite quantity contract for the purchase of commodities or contractual services during a prescribed period of time.

(dd) (ee) Vehicle -- This term includes any automobile, airplane, truck, mobile construction equipment, golf cart, tractor, watercraft or other vehicle.

(ee) (ff) Vendor. A person or business that has received a duly executed purchase order or purchase order and contract from the University.

Specifc Authority 1001.74(4) FS. Law Implemented 112.313, 120.57(3), 283.33, 672.719 1001.74(5), 1001.75(5), 1004.22(7) FS. History--New 1-5-81, Formally 6C2-2.15, 6C2-2.015. Amended 11-4-87, 6-11-91, 12-21-93, 10-20-99, 3-17-03, _______________
MEMORANDUM

TO: President T. K. Wetherell
FROM: John Carnaghi
DATE: September 4, 2008
SUBJECT: FY 2008-09 Tuition Policy and Administrative Action Request for Final Approval after Notice

At the Board of Trustees meeting on June 13, 2008, the Board approved the notice of emergency and “regular” regulations to set tuition and other student fees for the 2008-09 Academic Year. That has been properly noticed and sent to the Board of Governors for approval, as required by BOG policy.

The BOG approved the Board of Trustee’s proposed regulations, and there was no comment from the public or university community.

The Board needs to be made aware of these events and to formally reaffirm their approval.

JRC/ps
Attachment

Approved
MEMORANDUM

TO: President T. K. Wetherell
FROM: John Carnaggi
DATE: May 28, 2008
SUBJECT: FY 2008-09 Tuition Policy and Administrative Action Request for Approval

The 2008 Legislature has approved a 6% undergraduate tuition increase. For all other categories (listed below), there is BOT flexibility provided in statute to increase fees up to 10%. Within BOT authority, a new change in the law allows Law and other Professional programs to increase fees up to 15% from the current 10%. The following increases are requested for your approval.

<table>
<thead>
<tr>
<th>Level</th>
<th>Tuition (per 2008 Legislation)</th>
<th>Tuition and Out-of-State Fee Increase</th>
<th>New Tuition /Out-of-State Per Credit Hour Fee compared to previous year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate</td>
<td></td>
<td>6%</td>
<td>$77.39 to $82.03</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>Tuition Differential</td>
<td>9%</td>
<td>$0.00 to $6.96</td>
</tr>
<tr>
<td>Undergraduate</td>
<td>Out-of-State Fee</td>
<td>10%</td>
<td>$416.88 to $458.56</td>
</tr>
<tr>
<td>Graduate</td>
<td>Tuition</td>
<td>10%</td>
<td>$209.76 to $230.73</td>
</tr>
<tr>
<td>Graduate</td>
<td>Out-of-State Fee</td>
<td>0%</td>
<td>$301.34 – no increase</td>
</tr>
<tr>
<td>Medicine</td>
<td>Tuition</td>
<td>0%</td>
<td>$15,831.53 – no increase</td>
</tr>
<tr>
<td>Medicine</td>
<td>Out-of-State Fee</td>
<td>0%</td>
<td>$32,906.90 – no increase</td>
</tr>
<tr>
<td>Law</td>
<td>Tuition</td>
<td>15%</td>
<td>$295.05 to $339.30</td>
</tr>
<tr>
<td></td>
<td>Third year students</td>
<td>15%</td>
<td>$309.10 to $355.46</td>
</tr>
<tr>
<td></td>
<td>Second year students</td>
<td>15%</td>
<td>$309.10 to $355.46</td>
</tr>
<tr>
<td></td>
<td>First year students</td>
<td>15%</td>
<td></td>
</tr>
<tr>
<td>Law</td>
<td>Out-Of-State Fee</td>
<td>0%</td>
<td>$635.32 – no increase</td>
</tr>
<tr>
<td></td>
<td>Third year students</td>
<td>0%</td>
<td>$635.32 – no increase</td>
</tr>
<tr>
<td></td>
<td>Second year students</td>
<td>0%</td>
<td>$635.32 – no increase</td>
</tr>
<tr>
<td></td>
<td>First year students</td>
<td>0%</td>
<td>$635.32 – no increase</td>
</tr>
</tbody>
</table>
Financial Aid Fees

Financial aid fees, which tied to the tuition and out-of-state fees by statute, are requested for approval to 5% of those fees as authorized by statute.

I recommend that staff be authorized to take appropriate administrative action, including adoption of rules and/or regulations, both regular and emergency, as necessary, to implement all the fee increases listed below. An emergency regulation/rule is necessary since the tuition and fees would then be effective immediately so as to be effective for the Fall Semester. The board must find that such action is necessary to protect the public interest. A schedule of the 2007-08 tuition levels and the proposed 2008-09 tuition levels is attached.

Section 1009.24.(7), Florida Statutes authorizes universities to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. The university board of trustees has authorized the full 5 percent tuition authority.

Implementation of this increase will require updates to the existing administrative procedures. Staff will proceed with an emergency rule in order to meet the Fall implementation deadline.

RC/ra/ps

Attachment

Approved
### Agenda Item: 2008-09 Tuition Policy and Rule Authorization

#### FY 2008-09 Tuition Policies and Rule Authorization

**Fall 2008 Tuition and Fees**
(Differential Tuition implemented 2008-09)

<table>
<thead>
<tr>
<th>Category</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2008-09 Increase</th>
<th>2008-09 % Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Undergraduate (30 hours)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident (with differential tuition)</td>
<td>$3,470.70</td>
<td>$3,987.40</td>
<td>$516.70</td>
<td>14.89%</td>
</tr>
<tr>
<td>Resident (without differential tuition)</td>
<td>$3,470.70</td>
<td>$3,778.60</td>
<td>$307.90</td>
<td>8.87%</td>
</tr>
<tr>
<td>Non-Resident (with differential tuition)</td>
<td>$16,602.30</td>
<td>$18,431.80</td>
<td>$1,829.50</td>
<td>11.02%</td>
</tr>
<tr>
<td>Non-Resident (without differential tuition)</td>
<td>$16,602.30</td>
<td>$18,223.00</td>
<td>$1,620.70</td>
<td>9.76%</td>
</tr>
<tr>
<td><strong>Graduate (24 hours)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$6,112.32</td>
<td>$6,778.00</td>
<td>$665.68</td>
<td>10.89%</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>$21,265.92</td>
<td>$21,931.60</td>
<td>$665.68</td>
<td>3.13%</td>
</tr>
<tr>
<td><strong>First Year Law Students (30 hours)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$10,769.70</td>
<td>$12,391.60</td>
<td>$1,621.90</td>
<td>15.08%</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>$30,782.10</td>
<td>$32,404.00</td>
<td>$1,621.90</td>
<td>5.27%</td>
</tr>
<tr>
<td><strong>Second Year Law Students (30 hours)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$10,327.20</td>
<td>$12,391.60</td>
<td>$2,064.40</td>
<td>19.99%</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>$30,339.60</td>
<td>$32,404.00</td>
<td>$2,064.40</td>
<td>6.80%</td>
</tr>
<tr>
<td><strong>Third Year Law Students (30 hours)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$9,735.60</td>
<td>$11,862.50</td>
<td>$2,126.90</td>
<td>22.05%</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>$29,748.00</td>
<td>$31,694.90</td>
<td>$2,146.90</td>
<td>7.22%</td>
</tr>
<tr>
<td><strong>Medical (2 semesters)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resident</td>
<td>$17,881.98</td>
<td>$18,067.78</td>
<td>$185.80</td>
<td>1.04%</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>$52,433.17</td>
<td>$52,618.97</td>
<td>$185.80</td>
<td>0.35%</td>
</tr>
</tbody>
</table>
## Agenda Item: 2008-09 Tuition Policy and Rule Authorization

### Florida State University

#### Tuition & Fees

**Undergraduate - Resident**

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>73.71</td>
<td>77.39</td>
<td>83.05</td>
</tr>
<tr>
<td>Building Fee</td>
<td>2.32</td>
<td>2.32</td>
<td>2.32</td>
</tr>
<tr>
<td>Student Financial Aid Fee</td>
<td>3.68</td>
<td>3.95</td>
<td>4.10</td>
</tr>
<tr>
<td>Capital Improvement, Trust Fund Fee</td>
<td>2.44</td>
<td>2.44</td>
<td>2.44</td>
</tr>
<tr>
<td></td>
<td>93.15</td>
<td>95.04</td>
<td>99.89</td>
</tr>
</tbody>
</table>

**Fees**

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Fee</td>
<td>6.18</td>
<td>6.18</td>
<td>6.47</td>
</tr>
<tr>
<td>Activity and Service Fee</td>
<td>9.82</td>
<td>9.82</td>
<td>9.98</td>
</tr>
<tr>
<td>Health Fee</td>
<td>7.98</td>
<td>7.98</td>
<td>8.13</td>
</tr>
<tr>
<td>Transportation Fee</td>
<td>6.50</td>
<td>6.50</td>
<td>7.40</td>
</tr>
<tr>
<td>Tuition Differential Fee</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Student Affairs Facility Use Fee</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Total</td>
<td>29.58</td>
<td>29.68</td>
<td>30.69</td>
</tr>
</tbody>
</table>

**Total per Credit Hour**

<table>
<thead>
<tr>
<th>Academic Year (10 Hours)</th>
<th>$3,354.00</th>
<th>$3,470.70</th>
<th>$3,597.40</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>w/ diff</td>
</tr>
<tr>
<td></td>
<td>$1,907.00</td>
<td></td>
<td>w/ diff</td>
</tr>
</tbody>
</table>

**Percent Increase**

- Tuition: 0.09%
- Academic Year: 1.43%

**Undergraduate - Non-Resident**

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>73.71</td>
<td>77.39</td>
<td>83.05</td>
</tr>
<tr>
<td>Building Fee</td>
<td>2.32</td>
<td>2.32</td>
<td>2.32</td>
</tr>
<tr>
<td>Student Financial Aid Fee</td>
<td>3.04</td>
<td>3.16</td>
<td>3.10</td>
</tr>
<tr>
<td>Capital Improvement, Trust Fund Fee</td>
<td>2.44</td>
<td>2.44</td>
<td>2.44</td>
</tr>
<tr>
<td>Out-of-State Fee</td>
<td>410.88</td>
<td>416.88</td>
<td>425.56</td>
</tr>
<tr>
<td>Student Financial Aid</td>
<td>20.84</td>
<td>20.84</td>
<td>22.92</td>
</tr>
<tr>
<td></td>
<td>319.37</td>
<td>323.73</td>
<td>337.37</td>
</tr>
</tbody>
</table>

**Fees**

<table>
<thead>
<tr>
<th></th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Athletic Fee</td>
<td>6.18</td>
<td>6.18</td>
<td>6.47</td>
</tr>
<tr>
<td>Activity and Service Fee</td>
<td>9.82</td>
<td>9.82</td>
<td>9.98</td>
</tr>
<tr>
<td>Health Fee</td>
<td>7.98</td>
<td>7.98</td>
<td>8.13</td>
</tr>
<tr>
<td>Transportation Fee</td>
<td>6.50</td>
<td>6.50</td>
<td>7.40</td>
</tr>
<tr>
<td>Tuition Differential Fee</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Student Affairs Facility Use Fee</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Total</td>
<td>29.58</td>
<td>29.68</td>
<td>30.69</td>
</tr>
</tbody>
</table>

**Total per Credit Hour**

<table>
<thead>
<tr>
<th>Academic Year (10 Hours)</th>
<th>$16,486.00</th>
<th>$16,602.20</th>
<th>$18,431.80</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$10,536.55</td>
<td>$10,536.41</td>
<td>$11,363.06</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>w/ diff</td>
</tr>
<tr>
<td></td>
<td>$18,431.80</td>
<td></td>
<td>w/ diff</td>
</tr>
</tbody>
</table>

**Percent Increase**

- Tuition: 0.07%
- Out-of-State Fee: 0.00%
- Academic Year: 1.05%
## Florida State University
### Tuition & Fees

<table>
<thead>
<tr>
<th>Graduate Resident</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>209.76</td>
<td>209.76</td>
<td>230.73</td>
</tr>
<tr>
<td>Building Fee</td>
<td>2.32</td>
<td>2.32</td>
<td>2.32</td>
</tr>
<tr>
<td>Student Financial Aid Fee</td>
<td>10.48</td>
<td>10.48</td>
<td>11.55</td>
</tr>
<tr>
<td>Capital Improve, Trust Fund Fee</td>
<td>2.44</td>
<td>2.44</td>
<td>2.44</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>225.00</td>
<td>225.00</td>
<td>247.02</td>
</tr>
<tr>
<td>Fees</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Athletic Fee</td>
<td>6.18</td>
<td>6.18</td>
<td>6.47</td>
</tr>
<tr>
<td>Activity and Service Fee</td>
<td>9.02</td>
<td>9.02</td>
<td>9.48</td>
</tr>
<tr>
<td>Health Fee</td>
<td>7.38</td>
<td>7.38</td>
<td>8.36</td>
</tr>
<tr>
<td>Transportation Fee</td>
<td>6.30</td>
<td>6.30</td>
<td>7.40</td>
</tr>
<tr>
<td>Student Affairs Facility Use Fee</td>
<td></td>
<td></td>
<td>2.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>29.48</td>
<td>29.48</td>
<td>33.73</td>
</tr>
<tr>
<td><strong>Total per Credit Hour</strong></td>
<td>$254.68</td>
<td>$254.68</td>
<td>$280.75</td>
</tr>
<tr>
<td>Student Affairs Facility Use Fee per student</td>
<td></td>
<td></td>
<td>22.00</td>
</tr>
</tbody>
</table>

| Academic Year (24 Hours)                        | $6,112.32| $6,112.32| $6,778.00|

### Percent Increase

| Tuition                                       | 5.00%   | 0.00%   | 10.00%  |
| Academic Year                                 | 4.98%   | 0.00%   | 10.00%  |

## Graduate - Non Resident

| Tuition                                        | 209.76  | 209.76  | 230.73  |
| Building Fee                                   | 2.32    | 2.32    | 2.32    |
| Student Financial Aid Fee                      | 10.48   | 10.48   | 11.55   |
| Capital Improve, Trust Fund Fee                 | 2.44    | 2.44    | 2.44    |
| Out-of-State Fee                               | 601.34  | 601.34  | 601.34  |
| Student Financial Aid Fee                      | 30.56   | 30.56   | 30.56   |
| **Subtotal**                                    | $556.40 | $556.40 | $718.42 |
| Fees                                           |         |         |         |
| Athletic Fee                                   | 6.18    | 6.18    | 6.47    |
| Activity and Service Fee                       | 9.02    | 9.02    | 9.48    |
| Health Fee                                     | 7.38    | 7.38    | 8.36    |
| Transportation Fee                             | 6.30    | 6.30    | 7.40    |
| Student Affairs Facility Use Fee               |         |         | 2.00    |
| **Subtotal**                                    | 29.48   | 29.48   | 33.73   |
| **Total per Credit Hour**                      | $886.08 | $886.08 | $912.13 |
| Student Affairs Facility Use Fee per student   |         |         | 22.00   |

| Academic Year (24 Hours)                        | $21,565.92| $21,265.92| $21,951.60|

### Percent Increase

| Tuition                                       | 5.00%   | 0.00%   | 10.00%  |
| Out-of-State Fee                               | 0.02%   | 0.00%   | 0.02%   |
| Academic Year                                 | 1.58%   | 0.00%   | 3.12%   |
Florida State University
Tuition & Fees

<table>
<thead>
<tr>
<th>Medical - Resident</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tuition</strong> Block Fee</td>
<td>$190.40</td>
<td>$190.40</td>
<td>$190.40</td>
</tr>
<tr>
<td><strong>Building Fee/Capital Improvement Fee</strong></td>
<td>$791.57</td>
<td>$791.57</td>
<td>$791.57</td>
</tr>
<tr>
<td><strong>Student Financial Aid Fee</strong></td>
<td>$15,831.33</td>
<td>$15,831.33</td>
<td>$15,831.33</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$16,813.90</td>
<td>$16,813.90</td>
<td>$16,813.90</td>
</tr>
<tr>
<td><strong>Local Block Fee</strong></td>
<td>$1,068.48</td>
<td>$1,068.48</td>
<td>$1,214.28</td>
</tr>
<tr>
<td><strong>Student Affairs Facility Use Fee per student</strong></td>
<td>$20.00</td>
<td>$20.00</td>
<td>$20.00</td>
</tr>
<tr>
<td><strong>Academic Year (2 Semesters)</strong></td>
<td>$18,951.38</td>
<td>$18,951.38</td>
<td>$20,258.18</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Percent Increase</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tuition Block Fee</strong></td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Local Block Fee</strong></td>
<td>5.70%</td>
<td>0.00%</td>
<td>13.63%</td>
</tr>
<tr>
<td><strong>Academic Year</strong></td>
<td>0.22%</td>
<td>0.00%</td>
<td>1.04%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Medical - Non Resident</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tuition</strong> Block Fee</td>
<td>$15,831.33</td>
<td>$15,831.33</td>
<td>$15,831.33</td>
</tr>
<tr>
<td><strong>Building Fee/Capital Improvement Fee</strong></td>
<td>$190.40</td>
<td>$190.40</td>
<td>$190.40</td>
</tr>
<tr>
<td><strong>Student Financial Aid Fee</strong></td>
<td>$791.57</td>
<td>$791.57</td>
<td>$791.57</td>
</tr>
<tr>
<td><strong>Out-of-State Fee</strong></td>
<td>$32,935.90</td>
<td>$32,935.90</td>
<td>$32,935.90</td>
</tr>
<tr>
<td><strong>Student Financial Aid</strong></td>
<td>$1,065.20</td>
<td>$1,065.20</td>
<td>$1,065.20</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$41,264.69</td>
<td>$41,264.69</td>
<td>$41,264.69</td>
</tr>
<tr>
<td><strong>Local Block Fee</strong></td>
<td>$1,068.48</td>
<td>$1,068.48</td>
<td>$1,214.28</td>
</tr>
<tr>
<td><strong>Student Affairs Facility Use Fee per student</strong></td>
<td>$20.00</td>
<td>$20.00</td>
<td>$20.00</td>
</tr>
<tr>
<td><strong>Academic Year (2 Semesters)</strong></td>
<td>$43,401.17</td>
<td>$43,401.17</td>
<td>$43,401.17</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Percent Increase</th>
<th>2007-08</th>
<th>2008-09</th>
<th>2009-10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tuition Block Fee</strong></td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Local Block Fee</strong></td>
<td>5.70%</td>
<td>0.00%</td>
<td>13.63%</td>
</tr>
<tr>
<td><strong>Academic Year</strong></td>
<td>0.11%</td>
<td>0.00%</td>
<td>0.33%</td>
</tr>
</tbody>
</table>
# Florida State University

## Tuition & Fees

### Law - Resident

<table>
<thead>
<tr>
<th></th>
<th>2006-07</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year 3</td>
<td>Year 2</td>
<td>Year 3</td>
</tr>
<tr>
<td></td>
<td>Continuing Students</td>
<td>Continuing Students</td>
<td>Continuing Students</td>
</tr>
<tr>
<td>Tuition</td>
<td>276.27</td>
<td>290.01</td>
<td>300.10</td>
</tr>
<tr>
<td>Tuition</td>
<td>276.27</td>
<td>290.01</td>
<td>300.10</td>
</tr>
<tr>
<td>Building Fee</td>
<td>2.32</td>
<td>2.32</td>
<td>2.32</td>
</tr>
<tr>
<td>Student Financial Aid Fee</td>
<td>14.05</td>
<td>14.75</td>
<td>15.43</td>
</tr>
<tr>
<td>Capital Improve, Trust Fund</td>
<td>2.44</td>
<td>2.44</td>
<td>2.44</td>
</tr>
</tbody>
</table>

**Subtotal**: $299.81

**Fees**:
- Athletic Fee: 5.98
- Activity and Service Fee: 0.35
- Health Fee: 7.53
- Transportation Fee: 6.00
- Student Affairs Facility Use 1

**Subtotal**: $29.08

**Total per Credit Hour**: $327.89

**Student Affairs Facility Use Fee per student**: $20.00

**Academic Year (20 Hours)**: $6,830.70

### Percent Increase

- **Tuition**: 10.00%, 5.00%, 10.00%
- **Academic Year**: 0.00%, 0.00%, 0.00%

### Law - Non-Resident

<table>
<thead>
<tr>
<th></th>
<th>2006-07</th>
<th>2007-08</th>
<th>2008-09</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year 3</td>
<td>Year 2</td>
<td>Year 3</td>
</tr>
<tr>
<td></td>
<td>Continuing Students</td>
<td>Continuing Students</td>
<td>Continuing Students</td>
</tr>
<tr>
<td>Tuition</td>
<td>276.27</td>
<td>290.01</td>
<td>300.10</td>
</tr>
<tr>
<td>Tuition</td>
<td>276.27</td>
<td>290.01</td>
<td>300.10</td>
</tr>
<tr>
<td>Building Fee</td>
<td>2.32</td>
<td>2.32</td>
<td>2.32</td>
</tr>
<tr>
<td>Student Financial Aid Fee</td>
<td>14.05</td>
<td>14.75</td>
<td>15.43</td>
</tr>
<tr>
<td>Capital Improve, Trust Fund</td>
<td>2.44</td>
<td>2.44</td>
<td>2.44</td>
</tr>
</tbody>
</table>

**Subtotal**: $304.80

**Fees**:
- Athletic Fee: 5.98
- Activity and Service Fee: 0.35
- Health Fee: 7.53
- Transportation Fee: 6.00
- Student Affairs Facility Use 1

**Subtotal**: $30.08

**Total per Credit Hour**: $334.88

**Student Affairs Facility Use Fee per student**: $20.00

**Academic Year (20 Hours)**: $6,830.70

### Percent Increase

- **Tuition**: 10.00%, 5.00%, 10.00%
- **Out-of-State Fee**: 7.1%, 0.00%, 0.00%
- **Academic Year**: 0.0%, 0.0%, 0.0%
MEMORANDUM

August 1, 2008

TO: Chief Executive Officers of Atlantic Coast Conference Member Institutions

FROM: John D. Swofford Commissioner

SUBJECT: 2008-09 ACC Governing Board Certification Form

Please find attached a copy of 2008-09 Atlantic Coast Conference Governing Board Certification Form. The form is to be completed annually by the Chair of the Governing Board in order for a member institution to enter a team or individual competitors in an ACC Championship as indicated in Article XIII-2 of the ACC Bylaws.

Please review this policy with your Governing Board by October 17, 2008 and return the signed form to me at the Conference office.

Thank you and best regards.

Enclosure

JDS/SL:th

cc: Faculty Athletics Representatives (memo only sent via email)
Athletics Directors (memo only sent via email)
Compliance Directors (memo only sent via email)
Atlantic Coast Conference

Governing Board Certification Form
Academic Year 2008-09

As Chairman of the Governing Board at Florida State University, I attest that:

1) Responsibility for the administration of the athletics program has been delegated to the Chief Executive Officer of the Institution.

2) The Chief Executive Officer has the mandate and support of the board to operate a program of integrity in full compliance with NCAA, ACC and all other relevant rules and regulations.

3) The Chief Executive Officer, in consultation with the Faculty Athletics Representative and the Director of Athletics, determines how the institutional vote shall be cast on issues of athletic policy presented to the NCAA and the ACC.

Date Presented to the Governing Board: __________________________

Signed: ____________________________________
(Chairman of the Governing Board)

Signed: ____________________________________
(CEO of Member Institution)

Please return completed form before October 17, 2008 to:
Commissioner John D. Swofford
Atlantic Coast Conference
P.O. Drawer ACC
Greensboro, NC 27417-6724
MEMORANDUM

TO: Board of Trustees

FROM: T.K. Wetherell

DATE: September 10, 2008

SUBJECT: Policy on Political and Campaign Activities

Ms. Lee Hinkle will provide explanation of the draft policy.

Approved

211 Westcott Building, Florida State University, P.O. Box 3061470, Tallahassee, FL 32306-1470
Telephone 850.644.1085 • Fax 850.644.9936 • http://president.fsu.edu/
Florida State University
Policy on Political and Campaign Activities

APPLICABILITY/ACCOUNTABILITY:

This policy applies to all employees and, in limited situations as noted, students of the University. All federal and state laws, as well as Board of Governors regulations and Florida State University (FSU) regulations and policies shall apply, including, but not limited to, those pertaining to political and campaign activities, student freedom of expression rights and responsibilities, academic freedom and responsibility, use of campus facilities, electronic communications, posting, promotions and advertising on campus.

BACKGROUND INFORMATION:

As a state university, it is imperative that FSU maintain its integrity and credibility in the public forum. This is particularly true of the political process and the manner in which University employees affect or are affected by activities such as campaigning, lobbying, holding public office, or engaging in other political activities.

DEFINITIONS:

Government Entity: Any state, federal, or local governing or advisory body composed of elected or governmentally appointed officials, or any quasi-public body that holds recognized authority.

University: The Florida State University, its Board of Trustees; all employees, including faculty, staff, agents, and contractors while engaged in work for the University; students; all campuses, facilities, and instructional centers, wherever located.

POLICY STATEMENT:

General

Every member of the University community has a right to participate or not, as he or she sees fit, while off duty and in his or her individual capacity, in the political process. However, current state laws and regulations prohibit state employees from using state resources, including, but not limited to, using state property, information technology (e.g., email, websites, listserv, etc.), materials, supplies or equipment in connection with political campaigns or activities, including lobbying and political solicitation of any kind. As individuals, Florida State University employees are encouraged to support candidates or issues of their choice and participate in the democratic process as a privilege of citizenship. As an institution, Florida State University may not participate or intervene in any political campaign for public office.

No member of the Florida State University community shall speak or act in the name of the University in a political campaign or legislative activity. Those who, in their official capacity, are authorized to speak for the University must make it clear when expressing individual views that they do not in any way associate these activities as formal representation or endorsement by
the University. The use of any institutional mark, insignia, seals and stationary is prohibited as well. However, wearing of political lapel buttons is acceptable, but not advised when performing official University functions, i.e. teaching class, presiding over a meeting, representing the University at conferences, etc. Bumper stickers on personal vehicles are fine, but prohibited on University owned or leased vehicles. Employees may reasonably display partisan political signs, photos, and posters in their individual workspace or office, provided they do not create a hostile work environment, or otherwise impair or disrupt University operations. Employees are cautioned, however, that such displays must not violate Section 104.31, Florida Statutes (Political Activities of State, County, and Municipal Officers and Employees) or Section 110.233 (Political Activities and Unlawful Acts Prohibited), or both. Such displays should not be made in a manner that would lead a reasonable person to conclude that the display reflects an official position of the University.

Students
Recognized student organizations on campus may sponsor candidate, political and/or voter activities in specified areas at the university by following all applicable rules, regulations, policies and laws pertaining to facilities, postings and organization registration requirements as outlined. However, student organizations or activity groups associated with various academic programs cannot participate in campaign activities even if participation is in-kind or reimbursed for actual expenses. For example, it is not appropriate for an FSU music group to display the FSU name or otherwise advertise or state its affiliation with the University while performing at a campaign rally.

Elected Officials on Campus
Florida State University welcomes visits by elected officials and their staffs, whether they visit as private citizens or in their capacities as government officials. Invitations to elected officials to visit any campus of Florida State University in their official capacity are to be coordinated and approved in advance with the Office of Governmental Relations.

FSU will neither host nor sponsor a political rally or fundraiser and under no circumstances is the University responsible for generating press coverage or soliciting attendance at such events.

Academic Freedom

There is no restriction on discussion of political issues or teaching of political techniques. Academic endeavors which address public policy issues are in no way affected by this policy.

PROCEDURES:

The President of the University is designated as its principal spokesperson and representative on all government relations matters with all levels of government. The President may delegate this authority as appropriate. In no case shall an employee of the University formally represent the President or Board of Trustees without prior approval and delegation by the President. If an individual employee of the University who is not the President’s designee is invited by any government entity to address an issue before it, the employee shall publically clarify that his or her response and participation is not necessarily the formal position of the President or the Board.
of Trustees. No state resources may be used to support these activities unless approved by the President or his/her designee in advance of the event.

University employees may run for public office or participate in appointed public service, but it is incumbent upon the individual to demonstrate to his/her University supervisor that no conflict of interest or conflict of commitment exists. The employee must conduct all campaign-related activities on his/her own time and without the use of institutional resources and technology. If the elected or appointed public position adversely affects the duties and responsibilities of the individual relative to the University, appropriate adjustments in compensations, length of contract, or prescribed duties shall be agreed to in writing and approved by the President or his/her designee. The individual's immediate supervisor shall be responsible for any required written forms or approvals.

RELATED DOCUMENTS:
Amendment 1, United States Constitution
Florida Statutes: Section 11.062, F.S.; Section 104.31, F.S.; Section 106.15. F.S.; Section 110.233
FSU Regulation 6C2-2.007, Use of Campus Facilities
FSU Regulation 6C2-3.003, Students Freedom of Expression, Rights and Responsibilities
FSU Faculty Handbook 7.42, Political Activity
FSU IT Policy, Electronic Mail and Electronic Communications
Board of Governors, Regulation 5.945, Employee Ethical Obligations and Conflicts of Interest
IRS Rule 115, Public Institutions
General News

- Florida State University has jumped 10 points among all universities and ranks as one of the top 50 public universities in the United States as listed by U.S. News and World Report’s “America’s Best Colleges 2009”
- The incoming Class of 2012 is the best ever, with a high school GPA of 4.0, an SAT score of 1261 or an ACT of 28
- The Pathways of Excellence initiative—the University’s plan to become one of the nation’s top research and graduate education universities—-is well under way. Under its innovative interdisciplinary faculty cluster approach, as of fall 2008, a total of 23 new faculty members have arrived on campus and additional hiring is ongoing
- With the purchase of a massive, 25,000-volume collection of books and other materials related to religion and culture in Asia, Florida State University has vaulted into the front ranks of universities that offer Asian studies in the southeastern U.S.
- Scott Atwell has been named President of the Alumni Association
- FSU has been ranked #1 in the nation among top research universities in graduation rates for African-Americans. A recent report says no other large public universities have been able to match FSU’s success
- FSU and the Mayo Clinic have signed a historic agreement to work as research partners in the question to improve health care for Floridians and all Americans
- FSU has been ranked #58 of the top 4000 universities worldwide in the 2008 Webometrics Ranking of World Universities
- FSU’s colleges of law and medicine are among the best in the nation for Hispanics, according to Hispanic Business magazine, another indication that FSU is becoming known as a national beacon for Hispanic students. Not only is the population of Hispanic students climbing, but FSU is also developing innovative ways to educate all students about the emerging Spanish culture

Students

- Elizabeth Barre, a doctoral candidate in religion, has received the renowned $23,000 Charlotte W. Newcombe Doctoral Dissertation Fellowship
- Offering a four-point energy plan, political science major Amanda Woods is one of three winners of a national essay contest sponsored by the Presidential Forum on Renewable Energy
- FSU student Rebecca Stone has been selected for the prestigious Goldwater Scholarship, the nation’s premier award for math, science and engineering majors. Her sister, FSU student Amanda Stone, is attending Oxford University in 2008 as the recipient of a $23,000 Rotary International Ambassadorial Scholarship
- FSU is generating unprecedented numbers of applicants for prestigious awards, thanks to the Office of National Fellowships
College of Education
- The College of Education's higher-education program is ranked 18th among all higher-education administration programs nationally in U.S. News & World Report's 2009 listing of "America's Best Graduate Schools".
- In the same publication, education policy was 19th; student counseling and personnel services was 19th; education administration and supervision was 19th; and education psychology was 24th.
- The Program in Higher Education has been rated exemplary in a survey of faculty in the field at more than 100 universities.

College of Engineering
- Florida State University has been selected as the lead university for the new Florida Center for Advanced Aero-Propulsion, a collaboration of the state's premier researchers in aerospace and aviation.

College of Information
- The college ranks in the nation's top 10 graduate programs, according to U.S. News & World Report.

College of Law
- Nine months after graduation, 99.6 per cent of the Class of 2007 was employed, pursuing a graduate degree or not seeking work.
- The College of Law continues to rise in U.S. News & World Report rankings. The environmental law program in ranked 10th in the nation in the 2009 rankings. For the first time ever, in the 2008 U.S. News rankings, the tax law program has been specially ranked, at 21st. FSU's academic reputation is in the top tier of American law schools, and the overall law school ranking has risen 14 slots in the past three years.
- FSU College of Law graduates have once again earned the state's top passing rate on the Florida Bar Exam.
- The College of Law has again been named one of the Top 10 law schools in the nation for Hispanics.

College of Medicine
- In an important milestone in its development, the College of Medicine has graduated its first Ph.D. student, Dillon Fritz, who received a doctorate in biomedical sciences.
- Dr. John P. Fogarty, formerly senior associate dean for operations and associate dean for primary care at the University of Vermont, joined the university as dean of the College of Medicine.
- The College of Medicine has been recognized as one of the top medical schools in the nation for the percentage of its graduating doctors who choose to specialize in family medicine, according to the American Academy of Family Physicians.

College of Motion Picture, Television and Recording Arts
- Film School graduate Z. Eric Yang has won a Student Academy Award for his film, "The State of Sunshine." The award marked the fifth time in four years that a Student Academy Award has gone to a Film School student.
- Film School students Soo Yun Sim and Michael Lloyd Green have won first prize for their film, "The Wall," in the 29th annual College Television Awards. Atiya Wheelings and Iman Zawahrty took third place for "Tough Crowd." These prizes bring the total number of Film School wins to 24 in 17 years.
- Film School alumnus Z. Eric Yang and undergraduate Catherine Rehwinkel have won Directors' Guild awards for top minority and women filmmakers.

College of Music
- A recent study from the Journal of Research in Music Education calls FSU's College of Music the single most influential institution since 1990.
University Relations & Advancement
Report to Board of Trustees

Vice President's Office:
Florida State University Branding/Identity Project: Continued to lead the initiative to develop and promote Florida State University’s unique identity. Supporting this effort, and based on their research, the firm of Siegel+Gale will unveil an identity campaign this fall, based on the Strength, Skill, Character core-values theme, to include key messages and visual system and graphic identity standards that will apply to all university print, audio, visual and online communications and promotional efforts.

Special Events: Managed numerous special events through the summer, including Girls’ and Boys’ State on campus, Summer Commencement hospitality activities, the Lawton Luncheon honoring Professor Stan Gontarski, and dedication of the Jim King Life Sciences Building. Engaged in extensive planning for university outreach and hospitality through the President’s Box at home football games, President’s House hospitality, as well as activities surrounding dedication of the Dunlap Student Success Center.

Heritage Protocol: Work is proceeding on establishment of the Mary Lou Norwood Reading Room in Strozier Library to provide a space where researchers and students can focus on preserving Florida State’s history and tradition. With the archivist’s office housed in this area, the project is expected to draw more attention to the university’s preservation efforts.

Museum Space: An initiative is under way to convert the Werkmeister Humanities Reading Room into a centralized museum space offering exhibits and displays on Florida State history. A group of internal and external representatives has been assembled to plan and raise funds for the project.

Legacy Walk: Work continues on unveiling new sections of the Legacy Walk. The focus is on projects that can be done in conjunction with campus construction efforts.

Seminole Tribe of Florida: Recent magna cum laude graduate and football player Myron Rolle, who plans to be a physician, developed a health and living program—Our Way 2 Health—for a charter school run by the Seminole Tribe of Florida. He taught young students from a Seminole reservation enjoyable ways to live healthier lives, with the goal of preventing obesity and juvenile diabetes.

Seven Days of Opening Nights: The schedule for the festival’s 11th season is set and will be announced September 24. This season and the following are facing new challenges as Ruby Diamond Auditorium is off-line for renovation. For this reason, events will be staged throughout the community in 10 different venues, including Seven Days’ first collaboration with Florida A&M University. In keeping with the educational mission of the festival, seven artists will conduct a total of 18 master-classes, clinics and school performances.

Personnel: Carol O’Domski has succeeded Scott Atwell as Chief of Staff. Mr. Atwell has taken the position as President and CEO of the FSU Alumni Association.
New Institutional Message: Based on the Strength, Skill, Character theme recommended by Siegel+Gale, University Communications created a well-received 30-second video promotional message that is being shown during televised football games and in other venues, along with a "Making Of" video that highlights the three students featured in the spot: Rhodes Scholars Garrett Johnson and Joe O'Shea and Goldwater Scholar Rebecca Stone.

Building Tourism, Ties with Local Government: In cooperation with the Leon County Tourist Development Council, University Communications developed a 16-month promotional strategy to attract visitors—including but not limited to football fans—to the Tallahassee area in the face of high fuel costs and other price increases. On Sept. 2, 2008, the Leon County Board of County Commissioners approved a $225,000 grant for FSU to supplement funding for this partnership with the Tallahassee Area Convention and Visitors Bureau.

We're Continuously Telling the FSU Story: In addition to distributing dozens of news releases each month, University Communications continues to provide news about the university through a wide variety of media, including the Florida State Times, FSU Radio Headlines -- which airs across northern Florida three times each weekday -- monthly FSU TV Headlines -- which is broadcast statewide -- the fsu.edu and fsu.com home pages and the weekly fsu.com e-newsletter. The fsu.com home page has added video and photographic enhancements to attract more users. In addition, FSU’s cable Channel 4 continues to televise more than 2,000 hours a year of original programs about activities at FSU.

FSU Foundation
Most Successful Fundraising Year Ever: As FY08 ended June 30, 2008, for FY08 across the University FSU collectively (Foundation, Boosters, and Office of Research) surpassed $140 M in gifts and pledges. The total is $140,551,843, making this FSU's most successful fundraising year ever. The fundraising breakdown is as follows: Foundation, $96,647,654; Seminole Boosters $32,622,935; and the Office of Research, $11,280,954.

Foundation Board of Trustees: Foundation Board of Trustees Chair-elect Ash Williams was named Executive Director/CIO of the Florida State Board of Administration. The next meeting of the Foundation Board of Trustees is scheduled for October 24, 2008, in Tallahassee.

Blackbaud Net Community/oneFSU Update: Along with the progress FSU has made with converting its database, the university and the Direct Service Organizations (DSOs) are building a "net community," which is integrated with Raiser's Edge. The new community is called "oneFSU" and, once constructed, will be a central location where people can manage and view all of their relationships with the FSU community. The goal is to allow people to get important information, communicate with the university and the DSOs, renew memberships, pay dues and view their giving history online. In addition to being useful for the end-user, oneFSU will allow cross promotion of the university and each of the DSOs. The online community is intended to provide alumni and friends with ease and flexibility when trying to stay connected with Florida State. It is a work in progress and will continue to grow and improve.
MEMORANDUM

TO: Board of Trustees Academic Affairs Committee Members
FROM: Lawrence G. Abele
DATE: September 18, 2008
SUBJECT: Academic Affairs Agenda

The Board of Trustees Academic Affairs Committee is scheduled to meet on September 18th at 3:00 in room 208 in the Student Services Building. Items to be discussed at the meeting include:

1. College of Business Articles of Incorporation and Bylaws for DSO
2. College of Medicine Waivers
3. Out-of-State Waivers
4. Strategic Plan Update
5. University Compact
6. Academic Organization Study Update
7. Update on U.S. News & World Report Rankings
8. Special Education Administrative Realignment of Degree Inventory
MEMORANDUM

TO: President T. K. Wetherell

FROM: Lawrence P. Abele

DATE: September 19, 2008

SUBJECT: Approval of Articles of Incorporation of the Florida State University College of Business Student Investment Fund, Incorporated

Request for Approval

The request to fully develop the direct support organization for the College of Business Student Investment Fund, Incorporated was approved at the April 3, 2008 BOT conference call. The purpose of this memorandum is to request approval of the Articles of Incorporation which will establish the direct support organization to support a student managed investment fund and other FSU College of Business programs. Upon approval of the Board of Trustees, this request will be forwarded to the Board of Governors for final approval pursuant to BOG regulation 9.011 University Direct Support Organizations.

The creation of the direct support organization pursuant to Florida Statute 1004.28 will support the COB undergraduate and graduate student education through active participation in financial markets. The DSO may also assist other facets of the COB mission. The COB wishes to join the ranks of other top-rated colleges of business by establishing a student managed investment fund. Students, under the guidance and supervision of FSU faculty and a new DSO Board with oversight of the organization, would assist in stock selection and management of a real portfolio, thus gaining hands-on management experience. The process helps students to develop their intuition and provide a practical application for investment strategy and decisions. Funding of the student managed investment fund would come from donor gifts. The university assumes no financial liability for this DSO.

Supporting Documentation Included: Articles of Incorporation

Other Support Documents Available: By-Laws and Management Plan

Contact: Dean Caryn Beck-Dudley, COB Phone: (850) 644-3090

212 Westcott Building, Florida State University, Tallahassee, Florida 32306-1310
Telephone 850.644.1816, Fax 850.644.0172 • http://provost.fsu.edu/
ARTICLES OF INCORPORATION OF
THE FLORIDA STATE UNIVERSITY COLLEGE OF BUSINESS STUDENT
INVESTMENT FUND, INCORPORATED

ARTICLE I

Name

The name of this corporation is The Florida State University College of Business Student Investment Fund, Incorporated and its principal place of business and mailing address shall be located at 0314A Rovetta Business Building, Tallahassee, FL 32306-1110.

ARTICLE II

Enabling Law

This corporation is organized pursuant to the Florida Not for Profit Corporation Act.

ARTICLE III

Purposes

Section 1. This Corporation is organized and shall be operated exclusively for charitable and educational purposes and not for pecuniary profit. The Corporation shall be operated exclusively for the benefit of The Florida State University. The Corporation is a university direct-support organization within the definition of Section 1004.28, Florida Statutes, and as such is organized and operated exclusively to receive, hold, invest, and administer property for the benefit of The Florida State University.

Section 2. The Florida State University College of Business Student Investment Fund, Incorporated shall exist:

1. To provide a direct support organization that:
   a. Establishes and obtains funding through donor gifts to support a student managed investment fund and other FSU College of Business programs.
   b. Supports the Florida State University College of Business undergraduate and graduate student education through active participation in financial markets.
c. Permits students to manage an investment fund, under the guidance, assistance and supervision of Florida State University faculty and Board oversight of the organization, including stock selection and management of a real portfolio, thus gaining hands-on management experience.

d. Helps students to develop their intuition and provide a practical application for investment strategy and decisions.

e. Assists other facets of the Florida State University College of Business mission.

2. To enhance the lawful purposes, interests, and objectives of the educational community within the overall development of the State of Florida.

3. To perform any of the foregoing activities directly or through the medium of donations, grants, loans, membership dues and assessments or other expenditures made to or for the benefit of individuals or organizations developing or performing services of a nature related to the purposes described hereinabove, either by expenditure of the Corporation's income or principal assets, subject to the restrictions contained in Section 3 of this Article set forth below.

4. To do all other acts and things and carry on and conduct all other activities necessary, suitable, convenient, useful or expedient in connection with or incidental to the accomplishment of any of the purposes set forth herein to the fullest extent permitted by Chapter 617, Florida Statutes, and the laws of the State of Florida, subject to the restrictions contained in Section 3 of this Article set forth below.

Section 3. Restrictions:

1. Notwithstanding any other provisions of these articles, this Corporation will not conduct any activity not permitted to be carried on by the charter granted by The Florida State University, by Section 1004.28, Florida Statutes, and by a corporation organized and existing under Chapter 617, Florida Statutes.

2. The Corporation shall accept gifts, grants, bequests or devises (hereinafter called gifts) to be held for the uses and purposes and upon the conditions herein set forth. Any gift to the Corporation for the purposes herein provided may be made by effectively identifying the gift as made to or for the purposes of The Florida State University College of Business Student Investment Fund, Incorporated, or by effectually identifying this Corporation by reference in the manner permitted by law in any will, deed or written instrument legally operative to transfer title to the Corporation, and in this respect, the donor or testator shall adopt all the provisions of these Articles of Incorporation and such By-Laws as may be in effect from time-to-time, and the gift shall be devoted to the purposes set forth herein.
3. All the assets and earnings of the Corporation shall be used exclusively for the exempt purposes set forth herein.

ARTICLE IV

Powers and Limitations on Powers

Section 1. This Corporation shall have all the powers and authority as are now or may hereafter be granted to corporations not for profit under Chapter 617, Florida Statutes or any other laws of the State of Florida. In addition to powers provided by Chapter 617, Florida Statutes, the Corporation shall have the following powers:

A. To hold, own, improve, use and otherwise deal in and with real property, or any interest therein and to make contracts and incur liabilities, borrow money, issue its notes, bonds, and other obligations and to secure any of its obligations by mortgage, deed to secure debt, creation of a security interest in, or other encumbrances on or all or any part of its property, franchise and income;

B. To use the proceeds from contracts, borrowed funds, notes, bonds or other evidences of indebtedness to provide financing (including the refinancing of outstanding bonds) for the acquisition, construction, expansion, improvement, and renovation of any of the physical facilities of or for the University;

C. To engage in any lawful act or activity for which corporations may be organized under Chapter 617, Florida Statutes, providing such activity is consistent with Section 501(c)(3) of the Internal Revenue Code of 1954.

Section 2. No part of the net earnings shall inure to the benefit of any individual, and no substantial part of its activities shall be for the carrying out of a program of propaganda or otherwise attempting to influence legislation. The Corporation shall not carry on any activities not permitted to be carried on by an organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provisions of any subsequent revenue laws) or by any organization contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or corresponding provisions of any subsequent revenue laws). The Corporation shall have no capital stock, pay no dividends, distribute no part of the income to its members, directors, or officers, and the private property of the subscribers, members, directors, and officers shall not be liable for the debts of the corporation. The Corporation shall not have the power to convey, lease, pledge, or otherwise encumber assets of the State of Florida.

Section 3. The Florida State University Board of Trustees and The Florida State University assume no financial liability for the Corporation.

ARTICLE V

Membership
The qualifications, manner of admission to membership, and other membership regulations, including, but not limited to, voting and other rights and privileges of members, and the provisions for termination of membership, shall be stated in the Bylaws.

ARTICLE VI

Incorporators

The name and residence of each incorporator is as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
</table>

ARTICLE VII

Board of Directors and Management

Section 1. The affairs of the Corporation shall be managed by a Board of Directors who shall serve without compensation. The Board of Directors shall consist of seven (7) directors. The Board of Directors shall include the incumbent holder of the following named officers and persons from the following named classes:

A. The Florida State University Board of Trustees Chair or designee;
B. President, The Florida State University or designee;
C. Vice President for Finance and Administration, The Florida State University or designee;
E. Dean of the College of Business, The Florida State University
F. Two Florida State University College of Business faculty members elected in accordance with the Bylaws;
G. One member selected by the President, The Florida State University, who is a financial expert with significant and substantial investment experience and expertise.

Directors shall be removed in accordance with the procedure provided in the Bylaws.

Section 2. The names and street address of the initial directors are:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
</table>
Chair, The Florida State University Board of Trustees
President, The Florida State University

Vice President for Finance & Administration,
The Florida State University

Dean, College of Business
The Florida State University

Faculty Member #1 elected by Board

Faculty Member #2 elected by Board

Financial Expert appointed by the President of The Florida State University

Section 3. The President of The Florida State University shall have authority and responsibility to monitor and control the use of the University's resources and name.

ARTICLE VIII

Officers

Section 1. The officers of this corporation shall be a Chair, Vice Chair, Secretary, Treasurer, and such other officers as may be provided for in the Bylaws.

Section 2. The qualifications of officers, the time and manner of electing or appointing them, the duties of and the term of office, and the manner of removing officers shall be as set forth in the bylaws.

Section 3. The names of the persons who are to serve as officers of the corporation until their successors are elected and qualified are:

Chair
Vice Chair
Secretary
Treasurer

ARTICLE IX

Location of Registered Office and Registered Agent

The address of the initial registered office of this corporation is the Office of the General Counsel, The Florida State University, Suite 424 - Westcott Building, 222 S. Copeland Avenue, Tallahassee, Florida 32306-1400, and the name of this corporation's initial registered agent at such address is Betty Steffens, General Counsel. Copies of all papers
should also be sent to President T. K. Wetherell, The Florida State University, Suite 211 - Westcott, 222 S. Copeland Avenue, Tallahassee, FL 32306-1470

ARTICLE X

Amendments to Bylaws and Articles of Incorporation

The Bylaws of the corporation shall be adopted at the first meeting of the Board of Directors and may be adopted, altered, amended, or repealed by a majority vote of the Board of Directors at any regular or special meeting of the Board, or by all directors signing a written statement manifesting their intention that the Bylaws be adopted, altered, amended, or repealed, and in all instances, with the written concurrence of the President of The Florida State University and the approval of The Florida State University Board of Trustees; provided, however, in the event of any meeting, notice thereof, which shall include the text of the proposed change to the Bylaws, shall be furnished in writing to each director of the corporation, at least ten (10) days prior to the meeting at which such Bylaws alteration shall be voted upon.

The Articles of Incorporation of the corporation may be amended by two-thirds (2/3) vote of the Board of Directors at any regular or special meeting of the Board or by all directors signing a written statement manifesting their intention that an amendment to the Articles of Incorporation be adopted, and in all instances, with the written concurrence of the President of The Florida State University and the approval of The Florida State University Board of Trustees; provided, however, with respect to any meetings, notice thereof, which shall include the text of the proposed change to the Articles of Incorporation, shall be furnished in writing to each member of the corporation at least ten (10) days prior to the meeting at which such Amendment of the Articles of Incorporation is to be voted upon.

ARTICLE XI

Term of Existence

This corporation shall commence corporate existence upon the date of signing these articles of incorporation by the incorporators and shall have perpetual existence unless it shall be dissolved pursuant to the laws of the State of Florida and these Articles of Incorporation.

ARTICLE XII

Dissolution

Upon dissolution or winding up of this corporation, all of its assets remaining after payment of all costs and expenses of such dissolution shall be disbursed to The Florida State University Foundation, Incorporated, provided that it is exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provisions of any subsequent revenue laws), or in the event that such organization is not in existence or The Florida State
University Foundation, Incorporated, is not exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provisions of any subsequent revenue laws), the remaining assets of the corporation shall be distributed to such scientific, educational and charitable organizations ruled exempt by the Internal Revenue Service under Section 501(c)(3) and Section 170(c)(2) of the Internal Revenue of 1954 (or corresponding provisions of any subsequent revenue laws), as may be selected by the University President based on a recommended plan of disposition made by the last Board of Directors and included in the decertification request to The Florida State University Board of Trustees. None of the assets will be distributed to any members, directors, or officers of this corporation.

The articles were adopted by vote of the Board of Directors on.

(SEAL)

Secretary/Treasurer
BYLAWS

The Florida State University College of Business Student Investment Fund - Tallahassee, Inc. (A Not-For-Profit Corporation)

ARTICLE I

Board of Directors

Section 1. Membership. The Board of Directors shall consist of seven (7) voting members. The members of the Board of Directors are:

a. The Chair of The Florida State University Board of Trustees or designee;

b. The President of The Florida State University or designee;

c. The Vice President for Finance and Administration of The Florida State University or designee;

d. The Dean of the Florida State University College of Business or designee;

e. Two Florida State University College of Business faculty members selected by the Dean of the Florida State University College of Business and approved by the President of the Florida State University, and ratified by the Board;

f. One member selected by the President of the Florida State University, who is a financial expert with significant and substantial investment experience and expertise.

Section 2. Term of Office.

a. The Chair of The Florida State University Board of Trustees or designee, the President of the University or designee, the Vice President for Finance and Administration or designee, and the Dean of the Florida State University College of Business or designee shall serve as Directors for such time as each respective official continues to serve in that position.

b. The two Florida State University College of Business members shall be nominated by the Dean of the Florida State University College of Business, and approved by the President of the Florida State University, and ratified by the Board. Each member shall serve a four-year term and be eligible for re-appointment by the Dean of The Florida State University College of Business, subject to the approval of the President of The Florida State University and ratification of the Board, for one additional four-year term for a total maximum term of eight years.

c. The one member selected by the President of The Florida State University, who is a financial expert with significant and substantial investment experience and expertise shall serve a four-year term and be eligible for reappointment for one additional four-year term for a maximum term of eight years.
Section 3. Powers and Duties of the Board of Directors.

a. The Florida State University College of Business Student Investment Fund, Incorporated shall exist to promote and facilitate accomplishing the Florida State University’s mission to support the Florida State University College of Business undergraduate and graduate student education. This may include active student participation in financial markets through management of an investment fund, under the guidance, assistance and supervision of Florida State University faculty and Board oversight of the organization, including stock selection and management of a real portfolio, thus gaining hands-on management experience. It may also include promoting and facilitating other programs aimed at improving the student educational experience.

b. The property, affairs, activities, and concerns of the corporation shall be vested in the Board of Directors. All management functions shall be exercised by the Board of Directors, subject to delegation by the Board to the officers and the Executive Committee. The Board of Directors shall approve budgets, if necessary, on an annual basis. These budgets shall be approved by the University President and recommended by the Chair to the Board of Trustees for review. The President of The Florida State University shall have authority and responsibility to monitor and control the use of the University’s resources and name. The University President shall review and approve expenditure plans.

c. The Corporation shall not give, directly or indirectly, any gift to a political committee or committee of continuous existence as defined in Section 106.011, F.S., for any purpose other than those certified by a majority roll call vote of the corporation’s governing board at a regularly scheduled meeting as being directly related to the educational mission of the University.

d. The Corporation shall comply with all regulations adopted by the Florida Board of Governors and The Florida State University Board of Trustees with regard to the operation of direct-support organizations in accordance with Section 1004.28, Florida Statutes.

Section 4. Meetings.

a. A regular annual meeting of the Board of Directors shall be held at a date, time, and place set by the Board of Directors. Notice of the meeting, signed by the Secretary, shall be mailed to the last recorded address of each Director at least ten days before the time appointed for the meeting.

b. Special meetings of the Board may be called by the Chair of this corporation or the President of the University. Notice of any special meeting of the Board of Directors shall be given at least ten days prior thereto by personal delivery or sent by U.S. Mail to each Director at the address as shown by the records of the corporation.

c. Emergency meetings may be called by the Chair of this Corporation, and the Board may exercise all emergency powers permitted in accordance with Chapter 617, Florida Statutes. Whenever an emergency exists, a
majority of the voting Board members present at an emergency meeting shall determine any emergency actions to be taken.

d. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Business to be transacted at the meeting need not be specified in the notice or waiver, unless specifically required by law or by these Bylaws.

Section 5. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. If a quorum is not present, a majority of those present may adjourn the meeting from time-to-time without further notice.

Section 6. Manner of Acting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

Section 7. Vacancies. Whenever any vacancy occurs on the Board of Directors by death, resignation or otherwise, it shall be filled without undue delay. In the case of a vacancy in the positions held by the Chair of The Florida State University Board of Trustees or designee, the President of The Florida State University or designee, the Vice President for Finance and Administration or designee, and the Dean of the Florida State University College of Business or designee, their successor shall assume that position as Director upon taking the underlying position. In the case of a vacancy in the positions held by the Florida State University College of Business members or the financial expert member appointed by the President of The Florida State University, the vacancy shall be filled as prescribed in Section 2 of these Bylaws for the respective positions.

Section 8. Order of Business. The order of business shall be as follows at all meetings of the Board of Directors and Executive Committee:

(a) Calling of the roll.
(b) Proof of notice of meeting or waiver of notice.
(c) Reading of the minutes.
(d) Receiving communications.
(e) Election of the Chair of the Corporation, if necessary.
(f) Reports of officers.
(g) Reports of committees.
(h) Unfinished business.
(i) New business.

Any question as to the priority of business shall be decided by the Chair without debate. This order of business may be altered or suspended at any meeting by a majority vote of the members present.

ARTICLE II

Members

Section 1. Qualifications. The Board of Directors shall have full discretionary power to set qualifications for members in addition to those
set out in the Articles of Incorporation, and establish the voting and other rights and privileges of members.

Section 2. Removal. With the exception of the Chair of The Florida State University Board of Trustees or designee, the President of The Florida State University or designee, the Vice President for Finance and Administration or designee, and the Dean of the Florida State University College of Business or designee, a Director may be removed from the Board of Directors if he/she fails to attend at least 50% of the regular and special meetings during any two year period unless the absence is waived by the Chair. Upon the recommendation of the Board of Directors with the concurrence of the President of The Florida State University and Chair of The Florida State University Board of Trustees, any member may be removed by a vote of two-thirds of the Board of Directors when it is determined that the best interest of the corporation will be served thereby. Such member shall be replaced as soon as practicable in the same manner as initially appointed.

ARTICLE III

Officers

Section 1. Number. The officers of this Corporation shall be a Chair, a Vice Chair, a Secretary, Treasurer, and Fund Director.

Section 2. Appointment. The officers shall be elected by the Board of Directors at its first meeting and, thereafter at its annual meeting, shall serve for a term of one (1) year, and may be reappointed. However, the Chair of the Corporation and the Fund Director shall be selected by the Board of Directors upon the recommendation and approval of the President of The Florida State University.

Section 3. Duties of Officers. The duties and powers of the officers of the corporation shall be as follows:

a. Chair. The Chair of this Corporation (who shall be a Director) shall be the presiding officer of the Corporation and shall exercise general supervision and oversight of the business of the Corporation. The Chair appoints members of committees, and sees that orders and resolutions of the Board of Directors are executed. The Chair is a member ex officio, with the right to vote, on all committees. The Chair of this Corporation shall discharge such other duties as may be assigned to him by the Board of Directors.

b. Vice Chair. The Vice Chair (who shall be a Director) shall assist the Chair in carrying out the programs of the Corporation. In the event of the death, prolonged absence or disability of the Chair of the Corporation, the Board shall appoint the Vice Chair as Acting Chair, and, as such, the Acting Chair shall have all the authority and duties vested in the Chair.

c. Secretary. The Secretary shall keep full and accurate minutes of all meetings of the Board of Directors and Executive Committee in a book provided for that purpose and shall transmit all notices required by the Bylaws of this corporation. The Secretary shall have custody of the corporate seal of this corporation. The Secretary may sign documents with the Chair in the name of this corporation and, when
required, shall affix thereto the seal of the corporation. The Secretary shall have charge of all official records of this corporation which shall be at all reasonable times open to the inspection of any Director, and shall in general perform all duties incident to the management of the Office of Secretary for the Board of Directors. In the absence or unavailability of the Secretary to attest to the execution of the documents referenced above, the Treasurer of the Corporation is designated to attest to the authority of the officer/director and, when required, to affix thereto the seal of the Corporation.

d. Treasurer. The Treasurer shall render to the Board of Directors an account and statement of all financial transactions, if any, at the annual meeting of the Board and at other times as the Board may determine. The Treasurer in coordination with the Fund Director of the Corporation will prepare an annual budget, if necessary, for the corporation for approval by the Board of Directors. The Treasurer shall work closely with the Fund Director of the Corporation and the Assistant Vice President of Business and Finance, The Florida State University, or designee to ensure solvency and financial strength of the corporation. The Treasurer shall cause an annual audit to be made as required by statute and regulation.

e. Fund Director. The Fund Director shall be the chief operating officer of the corporation. The Fund Director of the Corporation shall be selected by the Board of Directors upon the recommendation and approval of the President of The Florida State University. The Fund Director of the Corporation shall report to the President of the University or his/her designee, who shall be a Vice President of the University or other senior officer reporting directly to the President of the University. The Fund Director is a member ex officio, with the right to vote, on the Board of Directors.

Section 4. Bond. The officers of this corporation shall, if required by the Board of Directors, give to the corporation such security for the faithful discharge of their duties as the Board may direct.

Section 5. Checks. Checks or drafts on the funds of this corporation, if any, shall be signed by any two of the officers or Directors authorized to do so by the Board of Directors. However, checks for $5,000 or less may be signed by the Treasurer, Fund Director, or any one of the officers or Directors authorized to do so by the Board of Directors. The payee shall not, in any instance, be a signatory on his/her check.

Section 6. Audit. The Chair of this corporation shall arrange for the auditing, at least annually, of the books, records, and accounts of this corporation by an independent certified public accountant. The annual audit and management letter shall be forwarded by the President, The Florida State University to The Florida State University Board of Trustees for review and oversight no later than the end of the fourth month following the close of the corporation's fiscal year. The annual audit shall be conducted in accordance with The Florida State University Board of Trustee's Regulation 6C2-2.025.

Section 7. Vacancies. Vacancies in any office shall be filled by the President, The Florida State University based on the recommendation of the Board of Directors, made at its regular annual meeting or at a meeting specifically called for that purpose. However, in the case of a vacancy in
the Office of Chair of the Corporation or the Fund Director of the Corporation, that officer shall be selected by the Board of Directors based upon the recommendation and approval of the President of The Florida State University.

Section 8. Compensation of Officers. The officers shall receive no special salary or compensation for being officers of this Corporation other than their usual salaries as employees of The Florida State University, if so employed.

Section 9. Employees. Employees of the Corporation shall not be considered to be employees of The Florida State University Board of Trustees or the State of Florida by virtue of their employment by the Corporation.

Section 10. Code of Ethics. The Board shall adopt a Code of Ethics. Members of the Board who are employed by The Florida State University or any other state agency are also subject to the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

Article IV

Committees

Section 1. Committees. The Chair of the Board shall have the power to establish committees and appoint members, subject to the approval of the Board. Standing committees are charged specifically with the immediate care and supervision of the subject matters assigned to them. The Chair of the Board of Trustees, or in the Chair’s absence the Vice Chair of the Board, shall be ex officio members of all standing committees and subcommittees.

Section 2. Notice and Records. The Secretary of the Board shall notice meetings of standing, special, and ad hoc Committees in the same manner as for meetings of the Board of Trustees. The Secretary shall not maintain minutes of these meetings, but will ensure that the meeting is audi-taped and kept publicly available.

ARTICLE V

Fiscal Year

The fiscal year of this Corporation shall commence on July 1 of each year and end on June 30 of the following year.

ARTICLE VI

Indemnification, Insurance and Bonds

Section 1. Indemnification. Pursuant to Sections 607.0850 and 617.0831, Florida Statutes, any person who was or is a party, or is threatened to be made a party, to any threatened, pending, or completed action, suit, or proceeding whether civil, criminal, administrative, or investiga-tive (other than an action by, or in the right of, the corporation), by reason of the fact that he is or was a Director or Officer of the corporation shall be indemnified against expenses (including attorneys’ fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by him in
connection with such action, suit, or proceeding, including any appeal thereof, but only if he acted in good faith and in a manner he reasonably believed to be in, or not opposed to, the best interest of the corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his conduct was unlawful.

Section 2. Authorization of Indemnification. Any indemnification hereunder shall be made by the corporation only upon a determination that indemnification of the Director or Officer is proper in a specific case because he has met the standard of conduct set forth in Section 1 above. Such determination shall be made by the Board of Directors by a majority vote of a quorum consisting of Directors who were not parties to such action, suit or proceeding or, if such quorum is not obtainable, by a majority vote of a committee duly designated by the Board of Directors (in which Directors who are parties may participate) consisting solely of two or more Directors not at the time parties to the action, suit, or proceeding or by a committee comprised of individuals who were not parties to such action, suit, or proceeding where such committee is selected by a majority vote of the full Board of Directors (in which Directors who are parties may participate).

Section 3. Insurance.

a. The Corporation shall obtain and maintain throughout it existence reasonable commercially available directors and officers liability insurance in the amount of $1,000,000, which shall provide coverage to all officers, Board members, and employees of the Corporation.

b. The Corporation shall obtain and maintain throughout its existence reasonable commercially available general liability insurance for the Corporation and its officers, Board members, and employees.

Section 4. Bonding. The Corporation shall obtain and maintain throughout its existence reasonable commercially available bonding for all appropriate officers, Board members, and employees of the Corporation. The Board of Directors shall decide by majority vote which officers, Board members, and employees should be bonded.

ARTICLE VII

Amendments

The Bylaws of this Corporation may be altered, amended, or repealed by a two-thirds vote of the current Directors of this Corporation at any duly organized meeting, subject to final approval by the President of The Florida State University and The Florida State University Board of Trustees. Upon statutory enactments, amendments to existing laws or promulgation of rules affecting University direct support organizations by The Florida State University Board of Trustees or the University, the Board of Directors shall meet and alter, amend, or repeal any of the Bylaws to remain in conformity with such changes. A special meeting may be held for such purposes.
CERTIFICATION OF ADOPTION

I hereby certify that at a regular meeting of the Board of Directors of The Florida State University College of Business Student Investment Fund, Inc., that the foregoing Bylaws were duly adopted pursuant to Section 617.0206, Florida Statutes, as approved by the required majority of the members of the Board of Directors of the Corporation on this ____ day of ___________ 2008, (if necessary - retroactive to ______________.)

_____________________, Chair

_____________________
Date
Plan To Establish a Student Managed Investment Fund

Prepared by:

Faculty Advisor
Dr. James S. Doran

Graduate Students
Sean Albee
Chad Canfield
John Davis
John Frady
Shawn Hoke
Sheila Muniz

Undergraduate Students
Angelo Antolino
Hadley Berryhill
Barbara Bliss
Joe Pokorney
Evie Sakellis
Dominique St. Fleur
Table of Contents

Proposal ..........................................................3
Timeline ..........................................................6
SMF Policy Guidelines .........................................8
Internal Fund Controls .......................................11
Fund Asset Allocation .......................................14
Value Equity Strategy Policy ..............................15
Growth Equity Strategy Policy .........................17
Market Neutral Strategy Policy .........................19
Appendix A: Peer School Information .............21
Proposal

FSU and Student Managed Funds

The objective of a student managed fund (SMF) is to enrich student education through active participation in financial markets. Students assist in stock selection and management of a real portfolio, thus gaining hands-on money management experience. They learn to deal with the uncertainty inherent in the process of estimating stock value and contrasting it to stock price. The process helps students to develop their intuition and provide a practical application for investment decisions.

Regardless of the source and size of initial funding, several differences exist in fund operating structures. For example, there may be more than one SMF at an individual university. Funds may be structured as a part of a class, or not, and the students may be undergraduates, MBAs, or a combination of both. Most schools offer only one fund, but many offer multiple funds with different objectives. For example at NYU the SMF fund has four sub-funds, a growth style, value style, small cap, and fixed income. This approach allows students to choose according to their investing style preferences.

Some SMFs are highly structured organizations wherein students have specific job descriptions (analyst, economist, portfolio manager, etc.) In other SMFs, job titles are not used and students conduct business without a formal organizational structure. The SMF at FSU will be highly structured, but will rotate the assignment of responsibilities so students can gain exposure to the multitude of tasks required of a portfolio manager.

SMFs have grown in number, diversity, and size over the last decade. Their popularity stems largely from the benefits of experiential learning. Students gain real-world, hands-on experience in the management of relatively large sums of money. Students develop an in-depth understanding of securities markets and the analysis of securities. In many cases, they interact with members of the financial community and become more attractive prospective employees. Another reason for the popularity of SMFs is their use in public relations with the local business community. In addition, they have become a useful tool in many admissions offices. The highest percentage of funding comes from individual contributions.
I. Purpose and Introduction

The SMF will be housed in the College of Business at Florida State University. The College of Business has used market simulations as a tool for applying academic investment theory. Students have shown exceptional skill and ability to produce risk adjusted returns that outperform the market. Due to the proliferation of SMF programs at competing academic institutions, the College of Business’ adoption of a SMF program allows it to deliver superior education in finance.

II. Objective

a. To provide students with real world experience in portfolio management
   A SMF enriches student education through active participation in financial markets. Students assist in stock selection and management of a real portfolio, thus gaining real world money management experience. Students learn to deal with the uncertainty inherent in the process of security analysis. This process helps students develop their intuition while providing strong fundamental analysis as applied to investment decisions.

b. To increase the marketability of the College of Business and its students
   A SMF helps distinguish the College of Business as a preeminent choice for students seeking a career in finance.

III. Nature of the Fund

a. Amount of the fund
   The initial capital investment of the SMF is $1,000,000. This amount may be accumulated at intervals according to donor(s) discretion.

b. Re-investment of returns
   The SMF is allowed to grow without constraint by way of investment gains realized. Returns are reinvested according to strategies outlined in the investment policy.

III. Selection and Qualifications of Fund Managers

a. Students apply for a portfolio manager position
   The SMF is open to all upper-level undergraduate students and graduate students.

b. Qualifications
   The SMF selects the best student candidates and limits enrollment by using an application process. Students must have maintained a 3.50 G.P.A. in their upper-level finance course work. In addition, students will go through an extensive interview process. Final selection of students will be made by a consortium.
IV. Investment Objectives

a. To allow students to gain exposure to investment theories and principles
   The SMF portfolio is one fund consisting of a Value Equity, a Growth Equity, and a Market Neutral Investment strategy component. The fund will be managed by four divisions:
   - Research Division
   - Market Strategist Division
   - Trading Division
   - Risk Management Division

   Assignments are rotational so each student gains experience in each of the above divisions. A leader is assigned for each division by Dr. Doran. This leader rotates with a cohort and maintains their leadership position in each division.

b. Return on Investment
   The SMF portfolio seeks to achieve long-term capital appreciation through the implementation of our investment strategies. The goal of the fund is to outperform the market on a risk-adjusted basis.

V. Ensuring Sustainability

The SMF is structured as a two-semester course offered to undergraduate and graduate students in the spring and fall semester. Undergraduate students enter during the spring semester and graduate students enter during the fall semester. The portfolio will be managed in the summer by a skeleton crew consisting of student managers still working for the fund and/or potential student manager candidates. Over the summer there will be limited trading and basic maintenance of the portfolio to ensure limited loss in value.
Timeline

EXTERNAL POLICY (January 2008-April 2008)


(Approval from Faculty Advisor, Advisory Board, and Donor(s))

- Type of Policy
  - Unique Investment Policy
  - Distinct from FSU Foundation’s policy statement
- Asset Allocation
- Investment Constraints
  - Equities (US/Foreign), Bonds (Credit Rating), Options, Futures, ETF/Mutual Funds, Trade on Margin
- Internal Controls
  - Execution of Trading, Check for restrictions on investments
- Meeting Times
- Portfolio Rebalance
  - Weekly, Monthly, Semester, Systematic (Sell winners or Losers)
- Establish Custodial Responsibility

II. Establish Investment Strategy (January 2008-April 2008)

(Approval from Faculty Advisor, Advisory Board, and Donor(s))

- Market Neutral Fund- (Long/Short)
- Growth Fund (Mid to Small Cap; Emerging Markets)
- Value Fund (Large Cap)
- Hybrid Fund (Combination)
- Top-down Analysis: (Economy, Industry, Company)
- Bottom-up Analysis: (Focus on Specific Company)
- Number of funds

III. Secure funding from donor(s) (December 2007- ongoing)

IV. Establish Advisory Board (March 2008- August 2008)
INTERNAL POLICY (March 2008-August 2008)

- Establish Student Executive Board (leaders of the four fund divisions)
- Delegation of specific job descriptions (analyst, economist, portfolio manager, etc.)
- Duration of course
  - One-semester, two-semester, option for two semesters
  - What policies can we put in place to mitigate the problem of discontinuity that may exist from semester to semester in regards to investment strategy (including specific open security positions).
  - An issue regarding our “four month time horizon” and the investment strategy’s time horizon.
- Student Selection
  - Course Prerequisite, interview by professor, other (GPA)
- How many strategies to implement
  - One fund with a single strategy or multiple strategies (depending on monetary contributions)
- Web site:
  - Pictures of students, profiles written by students, resumes polished and posted

FUTURE GOALS (August 2008-.....)

- Continue solicitation for additional donations
- Visit the exchanges
- RISE Forum at University of Dayton (Competition to enter after 12 months of trading)
- Trading Room
Student Managed Fund Policy Guidelines

I. Mission Statement

Florida State University’s Student Managed Fund (SMF) aims to become a preeminent fund on the basis of performance and assets under management.

II. Goals

a. Goals of the class

1. To give students real-world, hands-on experience in asset management.
2. For students to develop an in-depth understanding of the securities markets and the analysis of securities.
3. To improve the visibility of FSU student managers.

b. Overall goals of the fund

1. To enhance the marketability of Florida State University’s College of Business and its graduates.
2. To outperform relative benchmark(s) and peer universities.
3. To have the opportunity to compete in national competitions.
4. To establish a trading room.

III. Membership Information

The Student Investment Fund (SMF) is open to all upper-level undergraduate (juniors and/or seniors) and graduate students that meet stated prerequisites. Eligible students undergo an extensive application and interview process. Final selection of students is made by a consortium.

IV. Class Organization

Incoming undergraduate students begin class in the spring semester and continue through the following fall. Graduate students begin class in the fall semester and continue through the spring semester. All students are enrolled in the class for a total of two semesters. Students are subject to maintain a high standard of performance, and are evaluated at the end of each semester. Failure to maintain a high standard may result in removal from the portfolio team.

All students experience various portfolio management roles and tasks associated with the fund. Each week, a student assumes the role of secretary and is responsible for taking the meeting’s minutes, tracking attendance for voting purposes, and distributing this information to the class. This position rotates on a weekly basis.
All students are expected to maintain a high ethical standard, with the foremost integrity. Any violation of stated policy will result in disciplinary and/or legal action.

V. Fund Divisions

a. Research Division
   1. Analyze various companies and industries.
   2. Provide recommendation for equity and fixed income investments.
   3. Maintain database of research.

b. Market Strategist Division
   1. Provide analysis on economic variables and value added information to fund team.
   2. Analyzes macroeconomic conditions and trends in order to recommend market strategies and asset allocation.
   3. Provide weekly macroeconomic updates to the Trading Division.

c. Trading Division
   1. Approve recommendations from the Research Division.
   2. Executes all trades.

d. Risk Management Division
   1. Will oversee the Trading Division’s activities.
   2. Monitor and control risk levels.

VI. Division Leaders

Dr. James Doran acts as faculty advisor for the class. Dr. Doran and the advisory board (TBD) have the option to amend or change any votes made when necessary. One leader is selected by Dr. Doran from each division. These positions follow the same rotating schedule as the class. They act as a liaison between the divisions and the faculty advisor.

VII. Advisory Board

The advisory board will consist of outside members and donor(s) of the student managed fund. The board size and number are to be determined.

VIII. Voting Procedures

Any member of the investment team can bring forth a motion to vote on. Only members present at meetings can vote on motions. A 2/3 majority is required for any motion to pass. However, Dr. Doran and/or the advisory board can override any motion voted upon.

IX. Meetings of the Division Leaders
The division leaders hold meetings on a weekly basis. In general, meetings are open to all members and guest(s) of student managers.

X. Reporting

The Risk Management Division publishes an annual report, including:

1. A review of the year’s activities.
2. An explanation of the approach(es) used in investing.
3. A performance review for the year.

Information to assist in preparing this report is gathered on a monthly basis in the Risk Management Division.

XI. Amendments of the Bylaws

Any student wishing to amend the bylaws makes a motion to the class. The policy may be amended by a ¾ (rounded up) vote of the entire class. Dr. James Doran and the advisory board may amend the bylaws at any time when they deem necessary.

XII. Portfolio Construction

The student leaders manage one fund composed of three different strategic components:

1. Equity
2. Growth
3. Market Neutral

The above portfolio construction gives student managers exposure to different investment strategies and allows the SMF to accomplish the goals outlined in the SMF Policy Guidelines. For specific strategies inherent to Value, Growth and Market Neutral, please see the attached statements.

XIII. Fixed Income

Initially, the fund will not hold positions in fixed income but withholds the right to purchase high grade investment bonds and U.S. securities in the future.

XIV. Benchmarks

The benchmark for the overall fund is the Wilshire 5000.

XV. Reinvestments

Reinvestments are distributed back within the fund after the assessment of stated management fees and profit taking.
Internal Fund Controls

I. Summary

Our system of internal accounting controls will provide reasonable assurance that: (1) only approved and relevant transactions are authorized, initiated, executed, and recorded; (2) the transactions are initiated, executed, valued, and recorded properly and on a timely basis; and (3) errors in execution and recording are detected as early as possible.

II. Control Objectives

An important aspect of our internal controls is to segregate the duties of operational and accounting tasks to help prevent misappropriation, fraud, or error. The records maintained by the Risk Management/Accounting Department are independent of the actual trading functions and should contain all necessary information to: (1) verify positions with custodian; (2) provide a record of all journal entries to the FSU Foundation and general ledgers on variation margin, realized and unrealized gains and losses, etc.; and (3) monitor futures positions during the life of the contract. The student leaders will create a set of records that mirror those of the custodian, just as the custodian records mirror those of the exchange clearinghouse.

The following sections detail individual control objectives and indicate which functions should be performed to ensure these objectives are met. These control objectives and procedures should be monitored by the SMF’s Risk Management/Accounting Department.

Control Objectives
- The internal trade ticket documents the purpose and all other relevant details of the equity, option, or futures trade.
- The stock, option, and futures order are executed in a timely fashion by the fund traders.
- The execution price is consistent with the price limit authorized by funds managers and advisor.
- The transaction, once executed, is properly recorded.
- The trading strategy is within approved guidelines set in investment policies.
- Changes in value of the futures contract are recorded weekly on the SMF's books and then reconciled with the custodian.
- Financial accounting for the change in value and cash flow between the custodian and the SMF is properly reflected in the internal financial statements in accordance with generally accepted accounting principles.
- Liquidate future positions before delivery date (days)

These control objectives may be achieved by implementing the procedures described below.

III. Control Procedures – Pre-Execution

- The Investment Advisory Board will oversee the SMF and will address potential disputes among student managers and advisors.
- Investment strategies are properly documented.
- Access to the brokerage account is protected by a password that is to be kept confidential among select personnel. The password to access the account will be reset on a weekly basis.
The faculty advisor and an authorized member of the trading division will have authority to use the password. No member of the Trading Division will have the authority to use password for more than two weeks.

The password is not to be shared among any other persons of the fund.

Traders are specifically authorized through email to execute trades.

Once a trade proposal is accepted by the student management team, the proposal is forwarded to the faculty advisor, who then has the authority to veto the trade proposal.

The traders are authorized to execute trade proposals only if authorization is granted by faculty advisor.

Pre-established trading limits are documented.

Appropriate controls and a monitoring system is in place and operational.

Appoint a second faculty advisor to approve trades, in the absence of the primary advisor, and oversight. If the primary advisor is not present, the secondary advisor will assume the role and duties of the primary advisor.

SMF’s internal accounting books will be reconciled with the FSU Foundation’s accounting books for the SMF.

IV. Execution and Post-Execution Procedures

The Risk Management/Accounting Department will receive broker confirmations for verifications to the internal trade ticket provided by the Trading Division.

The Risk Management/Accounting Department logs differences between broker confirmations and the internal trade ticket, and provides copies to the trader for resolution with the broker.

The Risk Management Department prepares weekly buy and sell activity ledgers, updates cumulative open position reports and contract settlement prices, and reconciles month-end open positions and money balances to the monthly statement from the custodian.

Reports are furnished periodically to the academic dean and the board summarizing activity, open positions, and performance.

Internal audit reviews are performed to help ensure compliance with the policies and procedures.

If these procedures are followed on a timely and accurate basis, it is possible to identify errors early and optimize the effectiveness of our investment strategies.

V. Unauthorized Trading

One method to detect unauthorized trading is for the student leaders to set up a system of multiple contacts with the trader who executes the order. Key procedures include authorization of all trading activity by the student leaders’ faculty advisor; approval of all new accounts; original margin deposits; and approval of all cash movements by faculty advisor. Additionally, original confirmations of transactions, monthly statements, and any other correspondence from the custodian will be sent to the Risk Management Department and the faculty advisor, with copies sent to the trader to check against his personal records and logs.

Documenting the Trade

Once a trade has been executed, the source document for posting to the books of original entry and related records is typically the multipart internal trade ticket prepared by the trader. Copies of the trade ticket should be sent to the Risk Management/Accounting
Department. A copy would also be sent to the faculty advisor who approves the trader's transactions. The trader should also retain a copy of the internal ticket, which would become the source for a manually prepared log indicating all the information on the trade ticket and providing space to record the actual execution price and time of execution.

**Monitoring Open Futures Contract Values**

A further analysis is necessary to verify the daily change in value of futures contracts. Each day's settlement prices are entered into a copy of the open position report and a calculation of the difference between the original transaction price and the settlement price is made. The difference between transaction price and settlement price is multiplied by the number of contracts and the unrealized gain or loss computed. The change in value from the preceding day is determined and appropriate action is taken on margin deposit requirements or increased equity available for investment or withdrawal. This is generally referred to as the marked-to-market gain or loss. In addition, this ledger-type report could have additional columns for margin deposit requirements.

**Monitoring Trader Position Limits and Variation Margin**

An open contract position report will also be maintained by the Risk Management Department. The open position report by the Risk Management Department is used to ensure that the traders comply with pre-established position or contract limits. The broker report serves as the basis for verifying daily margin calculations. It should be prepared by a department independent of the trading function. A copy of this report should also be furnished to the faculty advisor. The faculty advisor should authorize transfer of additional margin deposits only after reviewing this report.

**Hedge Performance Ledger**

A so-called perfect hedge occurs if basis remains the same after the hedge is placed; in other words, the loss in the cash position is equal to the gain in the futures position or vice versa. However, for a variety of reasons, basis between spot and future prices will vary over the life of a hedge and change in basis should be carefully monitored. A hedge performance ledger can be introduced to track changes in the value of both the hedge and the item being hedged. Hedge performance should be measured weekly and reviewed by the student managers.

A hedge performance tracking system focuses attention on the economic results of open hedges at a point in time. It assists all relevant levels of management to determine whether the hedge is performing as expected. The tracking ledger results are only a valid decision-making tool if the information input into the system (or manually retrieved and entered on a worksheet) is accurate, complete, and timely. Therefore, the data should be checked from supporting books and records (for example, open position report) and source documents (such as a trade ticket).
Fund Asset Allocation

Fund Asset Allocation

Our managers aim to equally weight each of the fund’s three strategies with an absolute upper limit of 50% of capital devoted to any one strategy.

Long term vs. Short term

Positions are generally held to fulfill either short or long term goals. These goals are congruent with the strategies under which they are held (i.e. the Growth Strategy is more inclined to hold short term positions than our Value Strategy). The time and price target associated with long and short term positions are independent of each other and decided by the fund’s market research team.

Growth and Value Equity Strategy Asset Allocation

Position Limit

- Initial allocation per position will represent no more than 10% of strategy
- No position will represent more than 5% of the overall fund
- A substantial amount of any given strategy may be held in cash

Sector Limit

- No one sector may represent more than 25% of the strategy (at least 4 sectors)

Market Neutral

Position Limit

- Initial allocation per position will represent no more than 10% of strategy
- No position will represent more than 5% of the overall fund
- A substantial amount of any given strategy may be held in cash

Sector Limit

- No one sector may represent more than 25% of the strategy (at least 4 sectors)

Asset Allocations Unique to Market Neutral

- Long/Short Equity target 60% (40-80)
- Net exposure of derivatives can represent no more than 10% of strategy and are used solely for hedging purposes
- Cash will represent 5-20% of Market Neutral Strategy and there will be full cash coverage for all short positions
- Futures contracts will represent no more than 5% of Market Neutral Strategy
Value Equity Strategy Policy

Objective

The Value Strategy seeks to obtain maximum long-term capital appreciation while protecting the principal. The value strategy invests primarily in the common stock of companies, which the fund's management considers undervalued compared to their true worth. The Student Managed Fund (SMF) searches for companies whose stocks are attractively priced and poised for a positive change.

Value Philosophy

The Value Strategy believes above average returns are earned through active management of equity securities. We believe that market inefficiencies can be exploited by identifying undervalued securities across industries. We place our emphasis on the valuation of the company in relation to its prospects for financial success.

Asset Allocation:

Asset Category
U.S. Equity: 100%

Equity Security Selection:

Buy Discipline
We will purchase securities based on analysis of the following factors:

- Selling at a significant discount to peers or the market on:
  - Price/Earnings
  - Price/Book
  - Price/FCF
  - Enterprise Value/EBITDA
  - P/E/Growth
- Strong cash flows from operations.
- Stable or improving profitability measures.
- Identifiable catalyst to drive improved valuation.

Sell Discipline
While any single event may not warrant the sale of a security, we use the following criteria to evaluate sell candidates within the portfolio:

- Change in company fundamentals.
- Change in industry fundamentals.
- Change in market conditions.
- More attractive opportunities identified.
- Price appreciation causes stock value to meet our expectations.
Investment Characteristics

Capitalization Range – The Value Strategy targets companies with equity market capitalizations greater than $1 billion at the time of purchase, but may also invest in smaller companies where opportunities for uncovering value arise.

Analytical Process- Bottom up security selection process

Diversification

- **Portfolio Holdings** – Approximately 15-20 securities.

- **Sector Concentration** – Individual industry sectors may be weighted at 0% of the Value Strategy assets, but no one industry sector can exceed 25% of the Value Strategy assets. The portfolio will be reviewed quarterly for the purpose of maintaining acceptable concentration levels.

- **Security Concentration** – Initial investments in a single security cannot exceed 15% of the Value Strategy assets at the time of purchase. No security may represent more than 25% of the Value Strategy holdings.

Equity Benchmark

Dow Jones Wilshire 5000 Total Market Index is made up of more than 6,700 publicly traded companies. The Wilshire over-weights companies with a higher firm value and under-weights those with a lower firm value. This is one of the broadest indexes and is designed to track the overall performance of the American stock market.
Growth Equity Strategy Policy

Objective

The Growth Equity Fund seeks to achieve long-term capital appreciation through investing in common stock of U.S. and foreign companies with attractive growth opportunities. The goal of the fund is to outperform the market on a risk-adjusted basis.

Growth Philosophy

The Growth Equity Strategy believes an investor seeks out stocks with what they deem good growth potential. We believe that market inefficiencies can be exploited by identifying companies whose earnings are expected to grow at a rate above that of its industry competitors and/or the overall market.

Asset Allocation

Asset Category: Neutral (Target Range)
U.S. Equity: 85% (75%-100%)
Foreign Equity: 15% (0%-25%)

Equity Security Selection

Buy Discipline

- Forecasted with potential growth in
  - EPS
  - Sales in industry
  - P/E Ratio
  - P/S Ratio
  - PEG Ratio
- Stocks exceeding $100 million in market capitalization
- All stocks must exceed a $5 price limit

Sell Discipline

While any single event may not warrant the sale of a security, we use the following criteria to evaluate sell candidates within the portfolio:

- Change in company fundamentals.
- More attractive opportunities identified.
- Price appreciation causes security to exceed portfolio constraints (i.e. no security can represent more than 15% of the fund’s net asset value).
**Investment Characteristics**

**Capitalization Range** – Long-term growth oriented style with a $100 million market capitalization constraint. The investment team focuses on identifying companies with above-average growth in revenues or earnings in their respective industry.

**Analytical Process** – Top down asset allocation process. Bottom-up security selection process.

**Diversification**

- **Portfolio Holdings** – Approximately 15-20 securities.

- **Sector Concentration** – Individual industry sectors may be weighted at 0% of the Growth Equity Strategy’s assets, but no one industry sector can exceed 25% of the fund’s assets. The portfolio will be reviewed quarterly for the purpose of maintaining acceptable concentration levels.

- **Security Concentration** – Initial investments in a single security cannot exceed 15% of the Growth Equity Strategy total assets at the time of purchase. No security may represent more than 25% of the growth equity strategy holdings.

**Equity Benchmark** – Russell 3000 Growth Index

The Russell 3000 Growth Index measures the performance of Russell 3000 Index companies with higher price-to-book and higher forecasted growth values.
Market Neutral Fund Policy

Objective

The market neutral portfolio seeks to maximize return by maintaining both long and short positions. The goal of the portfolio is to have returns that are independent upon the market.

Market Neutral Philosophy

The Market Neutral Strategy attempts to find risk premiums that are independent of market returns. We believe that market inefficiencies can be exploited by identifying arbitrage opportunities that can be taken advantage of with limited and minimal risk.

Asset Allocation

Asset Category:

- Long and Short Equity and ETFs- 65% (55%-75%)
- Long and Short Equity Options- 15% (5%-20%)
- Long and Short Index Options- 10% (5%-15%)
- Long and Short Futures Contracts- 10% (5%-16%)

Trading Rules

- Trading occurs every 2 weeks.
- A current position may be liquidated prior to the pre-specified liquidation date.
- In combination positions, the long or short position may be sold on an individual basis.

Trading Stops

- Equity and ETF
  - -25% is a hard sell (unless part of a combination position).
  - +25% is a soft sell. Soft sell requires vote of members to keep.
- Options
  - There are limits to the amount of naked option positions allowed. This will be set forth by the faculty advisor and advisory board.
- Futures
  - Must liquidate position prior to expiration.
  - Can be used as a hedging instrument to control for market risk.

Investment Characteristics

Capitalization Range – Long or short equities with at least $100 million market capitalization constraint. The investment team focuses on identifying companies with potential arbitrage opportunities.
**Analytical Process** – Top down asset allocation process. Bottom-up security selection process.

**Diversification**

- **Portfolio Holdings** – Approximately 30-40 securities (long and short offsetting).

- **Sector Concentration** – Individual industry sectors may be weighted at 0% of the Market Neutral Strategy’s assets, but no one industry sector can exceed 25% of the fund’s assets. The portfolio will be reviewed quarterly for the purpose of maintaining acceptable concentration levels.

- **Security Concentration** – Initial investments in a single security cannot exceed 15% of the Market Neutral Strategy total assets at the time of purchase. No security may represent more than 25% of the Market Neutral Strategy holdings.

**Benchmark** – 3-Month Treasury Yield

Positions set up in the Market Neutral are considered neutral so if there is a net long position in Value/Growth it can’t be counted against the Market Neutral segment. The target Beta of the portfolio is 0.
Appendix A – Peer School Information
## Summary of SMF through 2003
### Colleges and Universities with Student Managed Funds

<table>
<thead>
<tr>
<th>Date</th>
<th>Institution Established</th>
<th>Date</th>
<th>Institution Established</th>
<th>Date</th>
<th>Institution Established</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950</td>
<td>Lafayette College</td>
<td>1998</td>
<td>Trinity University</td>
<td>1996</td>
<td>U. of Oklahoma</td>
</tr>
<tr>
<td>1998</td>
<td>MS U for Women</td>
<td>1987</td>
<td>U. of CA @ L.A.</td>
<td>2002</td>
<td>U. of S. California</td>
</tr>
<tr>
<td>1997</td>
<td>Morehouse College</td>
<td>1999</td>
<td>U. of Dayton</td>
<td>1998</td>
<td>U. of TN @ Chattanooga</td>
</tr>
<tr>
<td></td>
<td>Murray State U.</td>
<td></td>
<td>U. of Denver</td>
<td>1998</td>
<td>U. of TN @ Martin</td>
</tr>
<tr>
<td></td>
<td>Northern Arizona U.</td>
<td></td>
<td>U. of Florida</td>
<td>1999</td>
<td>U. of TN, Knoxville</td>
</tr>
<tr>
<td></td>
<td>Ohio State U.</td>
<td></td>
<td>U. of Georgia</td>
<td>1996</td>
<td>U. of Texas @ Austin</td>
</tr>
<tr>
<td>1982</td>
<td>Pacific Lutheran U.</td>
<td></td>
<td>U. of IL @ Urbana-Champ.</td>
<td></td>
<td>U. of Utah</td>
</tr>
<tr>
<td></td>
<td>Portland State U.</td>
<td></td>
<td>U. of Iowa</td>
<td>1994</td>
<td>U. of Virginia</td>
</tr>
<tr>
<td>1999</td>
<td>Rollins College</td>
<td></td>
<td>U. of Memphis</td>
<td>1998</td>
<td>Va Military Institute</td>
</tr>
<tr>
<td></td>
<td>Shippenburg U.</td>
<td></td>
<td>U. of Mississippi</td>
<td>1998</td>
<td>Washington U</td>
</tr>
<tr>
<td>2000</td>
<td>S. IL U., Carbondale</td>
<td></td>
<td>U. of MO-St. Louis</td>
<td>1988</td>
<td>Western Carolina</td>
</tr>
<tr>
<td>1983</td>
<td>SMU 1983</td>
<td></td>
<td>U. of Montana</td>
<td>1985</td>
<td>Western Kentucky</td>
</tr>
<tr>
<td>1999</td>
<td>Southwestern U.</td>
<td></td>
<td>U. of Nebraska</td>
<td>1981</td>
<td>Winthrop U.</td>
</tr>
</tbody>
</table>
## Peer School Information

<table>
<thead>
<tr>
<th>School Name</th>
<th>Value of Fund</th>
<th>Investment Strategy</th>
<th>Other Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Maryland</td>
<td>$1.2 M</td>
<td>Long-Term Capital Appreciation</td>
<td>Primarily invest in common stocks. Derivatives only used for hedging purposes (no more than 5% of the portfolio).</td>
</tr>
<tr>
<td>Washington State University</td>
<td>$1.5 M</td>
<td>Long-Term Capital Appreciation</td>
<td>Very extensive for stock selection. CFO has veto power.</td>
</tr>
<tr>
<td>LSU</td>
<td>$1 M</td>
<td>Long-Term Capital Appreciation</td>
<td>S&amp;P market replication.</td>
</tr>
<tr>
<td>Cornell</td>
<td>$13.5 M</td>
<td>Long-short, market neutral equity hedge fund.</td>
<td>Dynamic Allocation depending on macro-economic conditions</td>
</tr>
<tr>
<td>NYU</td>
<td>$1.9 M</td>
<td>Four funds set up (growth, small cap, value fund, fixed income).</td>
<td>Very limited and stock pitches similar to WSU.</td>
</tr>
<tr>
<td>Syracuse</td>
<td>$1.1 M</td>
<td>Value based investment strategy.</td>
<td>Part of the MBA program and includes an internship. Offers Bloomberg Product Certification.</td>
</tr>
<tr>
<td>Ohio State University</td>
<td>$24.7 M</td>
<td>Long-Term Capital Appreciation</td>
<td>Follows same guidelines as OSU endowment.</td>
</tr>
<tr>
<td>University of Utah</td>
<td>$5 M</td>
<td>Long-Term Capital Appreciation</td>
<td>Equity fund - no derivatives, margin, etc.</td>
</tr>
<tr>
<td>University of Southern CA</td>
<td>$2 M</td>
<td>Long-Term Capital Appreciation</td>
<td>Run by 16 second year MBAs.</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: President T. K. Wetherell
FROM: Lawrence G. Abele
DATE: September 8, 2008
SUBJECT: College of Medicine Out-of-State Waiver

Approval Requested

Due to increased competition for the number of qualified medical students who are residents of Florida, the College of Medicine is requesting authority to waive a portion of the out-of-state tuition for a limited number of medical students. The two new medical schools in Florida began recruiting their first class in Summer 2009 for matriculation in Fall 2009. These additional schools will result in greater competition for the most qualified Florida resident applicants. Our current out-of-state tuition is currently $55,044 per year, compared to $19,384 for Florida residents, which takes us out of competition for any out-of-state students with competitive academic credentials.

Your approval is requested to allow the College of Medicine to waive up to 50% of the out-of-state tuition differential (approximately $17,830.00) for up to 20 students of the entering class each year. The waivers will be allowed to follow these students for each year the students are enrolled in the College of Medicine. This policy will be effective May 2009.

Approved

212 Westcott Building, Florida State University, Tallahassee, Florida 32306-1310
Telephone 850.644.1816, Fax 850.644.0172 • http://provost.fsu.edu/
MEMORANDUM

TO: President T. K. Wetherell
FROM: Lawrence G. Abele
DATE: September 8, 2008
SUBJECT: Undergraduate Out-of-State Waiver Approval Requested

The Legislature made a change in 2008 proviso that may indicate a change in policy for the future. In the past, the legislature mandated enrollment by level for each institution. If a university does not meet the enrollment target by more than 5% for two consecutive years, funds are taken away. This past session, the enrollment mandates were changed to include targets for resident lower, resident upper, resident graduate and non-resident all levels. In the past few years, universities have been penalized for exceeding their enrollment targets since no funds have been provided for over-enrollment.

We are assuming for now that in the future the Legislature may not provide additional funding for additional non-resident students. This change provides an opportunity to add a new component to our existing out-of-state waiver policy to recruit additional high achieving undergraduate out-of-state students targeted by the Office of Admissions. We propose waiving up to 50% of the out-of-state fee for high achieving students. Based on 30 student credit hours per year, these select out-of-state students will pay approximately $12,000*, still considerably more than the $4,500 paid by Florida resident students.

The tuition waiver will allow FSU to be competitive for out of state students. This policy will allow the university to be within the resident enrollment policy, recruit high achieving out-of-state students, add additional diversity to campus, and will have no negative impact on the university’s budget. The $12,000 is approximately 40 percent more than the university spends for lower level students as reported in the latest expenditure analysis report.

The proposed policy will be effective fall 2009 for incoming freshmen. The university’s goal will be to enroll approximately 45% of our undergraduates as out-of-state by 2013.

Approved

*$12,000 includes tuition, building, student financial aid, capital improvement, tuition differential, athletic, A&S, student health fee, transportation access, and out-of-state fees. It does not include the $20 student facilities use fee per semester.
<table>
<thead>
<tr>
<th>State</th>
<th>Resident Tuition &amp; Fees</th>
<th>Non-Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>$15,560</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>$13,014</td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>$12,140</td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>$11,562</td>
<td></td>
</tr>
<tr>
<td>Michigan</td>
<td>$11,037</td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>$10,232</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>$9,490</td>
<td></td>
</tr>
<tr>
<td>New Hampshire</td>
<td>$9,420</td>
<td></td>
</tr>
<tr>
<td>Texas</td>
<td>$9,354</td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>$9,318</td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>$9,242</td>
<td></td>
</tr>
<tr>
<td>Maine</td>
<td>$9,152</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>$8,679</td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>$8,438</td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>$8,005</td>
<td></td>
</tr>
<tr>
<td>California</td>
<td>$7,554</td>
<td></td>
</tr>
<tr>
<td>Rhode Island</td>
<td>$6,522</td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>$6,250</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>$6,162</td>
<td></td>
</tr>
<tr>
<td>Indiana</td>
<td>$6,095</td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>$6,030</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>$6,000</td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>$5,396</td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>$5,082</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>$4,488</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>$4,547</td>
<td>$18,992</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: President T. K. Wetherell
FROM: Lawrence G. Abele
DATE: September 4, 2008
SUBJECT: Strategic Plan Update

Information Item

Dr. Robert Bradley will provide an update on the Strategic Plan.

Approved
University Strategic Planning Update

FSU Board of Trustees

September 19, 2008
Strategic Planning Committee

Includes 21 students, faculty, staff, administrators, alumni appointed by President Wetherell

Charged with involving the university community and key external individuals in the development of an update to the university's strategic plan

Began its work in September 2007

- Strategic Planning Committee Website
  - http://fsuspc.fsu.edu/
Overall Format of Plan

- Strategic Priority
  - Goal
  - Critical Success Factors
  - Key Performance Indicators
- Initiatives
- Resources
- Actions and Schedule
Activities Since the June Meeting

- Costs of all proposed initiatives identified
- Two scenarios for all sources of university revenue over the next five years developed
- Ranking of proposed initiatives by the Steering committee
- Ranked initiatives were “sized” to available resources and categorized
- Mission & vision statements were refined along with wording of all strategic priorities and initiatives
- Full committee reviewed steering committee recommendations
- Review by campus and external committee planned
Timing

- Costing the initiatives and developing the five year forecast took longer than anticipated.

- Difficulties in getting campus reaction during the summer when most faculty are not on campus.
Sources
✓ State appropriations, special appropriations, tuition, fees, Foundations, Contracts and Grants, Auxiliaries

Assumptions Needed:
✓ enrollment
✓ Technique assumes current law, current administration practices for new recurring and non-recurring levels and rates of growth applied to operating & capital expenditures