



THE FLORIDA STATE UNIVERSITY

Office of the Vice President for Research
3012 Westcott North
Tallahassee, Florida 32306-1330
Telephone: (850) 644-9694, FAX: (850) 645-0108

MEMORANDUM

TO: President Eric Barron

FROM: Vice President Kirby W. Kemper

DATE: August 8, 2011

SUBJECT: Transfer of the Fine Arts Research (FAR) Building from the FSU Research Foundation, Inc. (FSURF) to the Florida State University

On September 30, 2010, the Florida State University Research Foundation, Inc., purchased the land and building located at 3216 Sessions Road, Tallahassee, Florida, in support of the educational mission of Florida State University. The purchase and the purpose was approved by the FSURF Board on June 9, 2010 and the transfer to FSU was approved by the FSURF Board on June 15, 2011. The facility has been approved for PO&M funding by the Legislature. Renovations are currently being made so that the space will be suitable to accommodate the faculty and students of the Visual Arts Program.

Attachments: Warranty Deed and Floor Plan

This instrument prepared by or under the supervision of (and after recording should be returned to):

Name: Robert R. McDonald, Esq.
Address: Greenberg Traurig, P.A.
101 E. College Ave.
P.O. Drawer 1838
Tallahassee, FL 32302
(850)222-6891

20100066435
THIS DOCUMENT HAS BEEN
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LEON COUNTY FL
BK: 4168 PG:1810, Page1 of 1
09/30/2010 at 04:10 PM,
D DOCUMENTARY TAX PD \$14700.00
BOB INZER, CLERK OF COURTS

(Space reserved for Clerk of Court)

STATUTORY WARRANTY DEED

THIS INDENTURE, made this 30th day of September, 2010, between Sessions Road Partnership II, a Florida general partnership, the address of which is c/o Lawrence R. Hartung, 3303 Thomasville Road, Tallahassee, FL 32308, Grantor, and The Florida State University Research Foundation, Incorporated, the address of which is 874 Traditions Way, Suite 300, Tallahassee, FL 32306-4166, Grantee;

WITNESSETH

That the said Grantor, for and in consideration of the sum of ten dollars and other good and valuable consideration, to his/her in hand paid by the said Grantee, the receipt and adequacy of which is hereby acknowledged, has granted, bargained and sold to the said Grantee, the following described land, to wit:

Lot 507 in Section 15, Township 1 North, Range 1 West, as per supplementary map or plat of the Plantation of the Florida Pecan Endowment Company filed in the office of the Clerk of the Circuit Court of Leon County, Florida, and recorded in Plat Book 1, Pages 4 and 5.

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, except for reservations, restrictions, and easements of record and for taxes accruing subsequent to December 31, 2009.

Witness my hand and seal the date first above written.

Signed, sealed and delivered in the presence of:

Sessions Road Partnership II, a Florida general partnership

[Signature]
Print Witness Name: E. Edward Murphy-L

By: *[Signature]*
Lawrence Hartung
Its Managing General Partner

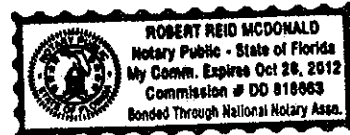
[Signature]
Print Witness Name: Robert McDonald

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 30 day of September, 2010 by Lawrence Hartung, as Managing General Partner of Sessions Road Partnership II, a Florida general partnership, who is personally known to me or who has produced _____ as identification.

NOTARY PUBLIC

[Signature]
Name: _____
State of _____
My Commission Expires: _____
(Seal)





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MEMORANDUM

TO: President Eric Barron

FROM: Vice President Kirby W. Kemper

DATE: August 8, 2011

SUBJECT: Adoption of Revised Exclusion Resolution to Implement Policy on
Classified Research and Security Clearances

At its regularly scheduled meeting in January 2007, the Board of Trustees adopted a resolution appointing an Executive Committee for Classified Research consisting of three members: the University President, the Provost and Executive Vice President for Academic Affairs and the Vice President for Research. In addition, the Board adopted a resolution excluding other Board members from access to or oversight of classified programs. As a result, members of the Board of Trustees do not have to comply with the background screening process required by the Defense Security Services. Subsequent changes to the membership of the Board require the adoption of an updated Exclusion Resolution to exclude new Trustees not included in the prior Exclusion Resolution.

Attachments: Proposed Exclusion Resolution
Excerpt from Board of Trustee Minutes from 1/26/2007

RESOLUTION FOR EXCLUSION OF CERTAIN OFFICERS/DIRECTORS

I, William A. Haggard, of Florida State hereby
Chairman of Board of Trustees University
certify that the following is a true and exact extract of a resolution adopted at a meeting
of the Board of Trustees of said University, held on _____

WHEREAS, current Department of Defense (DoD) policy requires that the Chairman of the Board and principal officers (such as President, Senior Vice-President, Secretary, Treasurer, and those occupying similar positions meet the personnel security clearance requirements established for the level of the contractor's facility security clearance; and

WHEREAS, said DoD policy permits the exclusion from the personnel clearance requirements of certain members of the Board and other officers, provided that this action is recorded in the Board of Trustees minutes or similar type official organization records.

NOW THEREFORE BE IT DECLARED that the Chairman of the Board of Trustees has designated an Executive Committee that will provide oversight of all classified programs at this University. The membership for this Executive Committee shall be of personnel who at the present time do possess, or shall be processed for, the required security clearance; and

BE IT RESOLVED FURTHER that the members of this Executive Committee, appointed by the Chairman of the Board of Trustees shall be charged with the oversight of all classified operations performed by Florida State University. That in the future, when any individual enters upon any duties as a member of this Executive Committee, as a replacement for one of the principal management officers of this University, such individual shall immediately make application for the required security clearance; and

BE IT RESOLVED FURTHER that the following members of the Board of Trustees and other officers, shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of the University, and do not occupy positions that would enable them to affect adversely University policies or practices in the performance of classified contracts for the DoD or other User Agencies of the National Industrial Security Program.

Avi Assidon
Allan Bense
Edward Burr
Joseph L. Camps
Emily Fleming Duda
William Andrew Haggard
Mark Hillis

Joseph Gruters
James Kinsey
Sandra Lewis
Margaret A. Rolando
Brent Sembler
Susie Busch Transou

William Andrew Haggard
Chairman

Date

**The Florida State University Board of Trustees
FSU Alumni Center
Tallahassee, Florida
January 26, 2007
8:30 AM – 11:30 AM**

SUMMARY MEETING MINUTES

Members Present: Trustees Susie Busch-Transou, Jim Cobbe, June Duda, Christopher Evans, Manny Garcia, Andrew Haggard, Harold Knowles, Richard McFarlain, Ann McGee, Leslie Pantin and Jim Smith were present. Trustee Brooks participated by phone.

Members Absent: Trustee Garcia had an excused absence.

1. Call to Order and Welcome

Chairman Jim Smith called the meeting to order. He welcomed Andy Haggard and announced that Susie Busch-Transou has also been reappointed. Chairman Smith indicated that there had been some significant academic accomplishments in the past months. First, FSU alumni Charlie Crist and Jeff Kottcamp have taken office as Florida's governor and lieutenant governor. Second, the FSU doctoral faculty in five academic areas have been ranked among the top in the nation according to the Faculty Scholarly Productivity Index:

Social Work — #4
Spanish — #4
Marketing — #5
Oceanography — #8
Atmospheric Sciences — #10

He thanked the faculty for their hard work on behalf of the University.

2. Approval of Minutes

Trustee Pantin made a motion to approve the minutes of the September 15, 2006 meeting. The motion was seconded by Trustee McGee and passed unanimously.

3. Comments, Faculty Senate

Dr. Eric Walker provided remarks on behalf of the Faculty Senate. He indicated that the Faculty Senate Steering Committee was happy to meet with Dr. Hasselmo during his campus visit and they expressed a variety of faculty viewpoints concerning the AAU and Pathway initiatives. Dr. Walker said that Dr. Hasselmo provided a very frank and honest assessment. The University's origins and history are very different from the typical AAU member and in order to fit the AAU model the size of the S.T.E.M. (Science, Technology, Engineering and Medicine) disciplines would have to be increased relative to other areas on campus. Dr. Walker said that this prospect is not uncontroversial. He indicated that, rather than dwelling on areas of potential

disagreement, the Faculty Senate Steering Committee would like to spotlight another important sentence in Dr. Hasselmo's report as follows:

Throughout my visit, I sensed a commitment to what one of the persons with whom I spoke termed "a culture of achievement." It is my impression that this "culture of achievement" characterizes both the university as a whole and its central leadership and its colleges, departments, and various interdisciplinary programs and their administrative and faculty leadership.

Dr. Walker said that the Faculty Senate believes that this "culture of achievement" is the joint product of all our labors together. Of the many achievements, he emphasized two that are considered marks of special strength. First, Florida State University is well known for offering a remarkably nurturing environment for the spectacular diversity of talents assembled on campus, such as magnet scientists, novelists, trapeze artists, percussionists, three point shooters, and Rhodes scholars. A second special mark of the strength of the faculty is the "culture of achievement" prominent every year in the promotion and tenure materials which relate outstanding accomplishments in research, teaching and service. He thanked the Board and said that the Faculty Senate looks forward to continued cooperation and sustaining that culture of achievement, which is the hallmark of the University.

Chairman Smith asked what areas need to be enhanced to achieve AAU status and why they would be controversial. Dr. Walker indicated that Provost Abele would be able to address the question in detail during his presentation later on the agenda. According to the quantitative markers that the AAU uses in its evaluation of universities, the S.T.E.M. areas are central and require resources to meet those markers. He said that as a consequence, there is some anxiety on campus in other areas of traditional strength, such as performing arts and liberal arts. Dr. Walker said that it would be good if the University can maintain those levels of achievement at the same time that additional resources are devoted to those S.T.E.M. areas.

4. Comments, Student Government Association

Mr. Kourtney Hahn made a presentation on behalf of the Student Government Association (SGA). He said that the Night Nole bus service has been a huge success. Mr. Hahn also indicated that they would be focusing on the upcoming Legislative Session because they are concerned about additional student fees.

5. Legal Update

Ms. Betty Steffens, University General Counsel, presented three items in a legal update to the Board. First, she provided an update on the MDS lawsuit. Ms. Steffens said that the plaintiffs filed a motion for final judgment on one part of their case, which was the MDS Foundation. Professor Holton still has the right to bring back his personal claims, but the case has been dismissed and the University is currently out of court. So that lawsuit does not exist but it could come back. Second, Ms Steffens said that the Darling Claims Bill was scheduled to be heard by an administrative law judge on behalf of the Florida Senate January 2, 2007. She said that the plaintiffs canceled the hearing. So that's still an outstanding issue but the University has fulfilled obligations to date in that matter. Third, Ms. Steffens said that several months ago, the FSU Board of Trustees authorized the Chair and General Counsel to work towards obtaining permission from the Governor and Cabinet sitting as the Florida Board of Trustees of the Internal Improvement Fund, to sublease part of the University property for the construction and operation of a biomass facility. That was accomplished on October 17, 2006. At about the same time, the City of Tallahassee entered into an agreement with a biomass company to construct

and operate the biomass plant, with the FSU property as the primary site. The sublease had not been executed pending the development of an agreement between FSU and the City of Tallahassee, the University's utility supplier. On January 24, 2007, the City Commission voted to accept a partnership agreement between the City and FSU which provides each party mutual benefits. Given the partnership agreement with the City, the sublease of the University's property to the biomass company is appropriate.

Chairman Smith thanked Ms. Steffens and the staff who worked on the agreement. He instructed staff to deliver the signed partnership to the City with the University's appreciation and pledge to work together with them in the alternative energy project and the research that will be undertaken. He also indicated that he would immediately execute the sublease to the biomass company so that the project can begin.

6. Consent Items

Trustee Pantín made a motion to approve the consent items. Trustee Haggard seconded the motion, which passed unanimously. The following items were approved:

1. 2007 Equal Opportunity and Non-Discrimination Statement
2. Affirmative Action Plan - 2007
3. Supplier Diversity Plan
4. Building Naming - Panama City Campus - Alfred and Mamie Holley
5. Student Government Bills for Fall 2006

7. University Relations Update

Ms. Lee Hinkle, Vice President for University Relations, updated the Board on University legislative priorities. She also announced that the News and Public Affairs office won three (of five) Council for Advancement and Support of Education (CASE) awards. Ms. Hinkle indicated that University Communications is continuing to work on the branding and strategic communication plan. Additionally, Barry Adams and the Alumni Association are exploring the creation of an Alumni magazine. Further, Charles Rasberry, the new FSU Foundation President, is preparing for the next Capital Campaign. Finally, she said that the Seminole Boosters, are working closely with the Alumni Association to avoid duplication of fundraising efforts. They will be converting to a new software system that will assist in this effort.

8. Committee Reports:

Academic Affairs

Dr. Lawrence G. Abele, Executive Vice President for Academic Affairs and Provost, presented the Academic Affairs action items.

Request for Implementation of an Athletic Training Degree

Dr. Abele said that new accreditation rules require the University to have it as a stand alone Athletic Training degree rather than an Athletic Training major. Trustee Cobbe made a motion to approve the switch to an Athletic Training degree. The motion was seconded by Trustee Duda and passed unanimously.

Approval of change to FSU's Policy Governing Classified Research, appoint an Executive Committee for Classified Research and adopt a Resolution to Implement the Policy Change

Dr. Abele asked Dr. Kirby Kemper, Vice President for Research, to explain the Classified Research agenda item. Dr. Kemper provided background on the issue. He said that there is a campus committee called the Council on Research and Creativity. It is composed of about forty faculty members and they provide advice on research policies and also oversee internal grant programs. In 1979 they adopted what is called a "red book," which contains the policies that govern the Office of Research. They passed a rule prohibiting Florida State University from conducting classified research. In 2000 the Office of Research formed the Center for Advanced Power Systems (CAPS), a center located at Innovation Park that is funded by the Office of Naval Research. The Center for Advanced Power Systems works very closely with an industrial advisory board composed of twenty very large companies. The industrial advisory board asked the Office of Research if FSU would consider conducting classified research at the CAPS facility as part of the research efforts there because they would like to make use of its unique facilities. This past fall the Council on Research and Creativity unanimously passed a change to the old policy by allowing classified research. Dr. Kemper asked the Board to do three things; first, to change the policy at Florida State University to allow the conduct of classified research, second, to adopt a resolution that delegates the oversight of the classified facility from the Board of Trustees to an Executive Committee that is composed of the President, Provost and Vice President for Research, and third, to appoint the Board of Oversight to be the President, Provost and Vice President for Research.

Chairman Smith asked that the question of whether certain research is exempt from the public records laws be explored. Trustee Haggard made a motion to change the policy, adopt the resolution and appoint the Board of Oversight. Trustee Duda seconded the motion, which passed unanimously.

Amendment of Regulation 6C2R-4.071, Faculty Practice Plan

Dr. Abele explained the modification of the College of Medicine's Pensacola campus Sacred Heart Hospital faculty practice plan. It allows the establishment of a reimbursement program so that when faculty and students are working with a patient, the other hospitals can also be reimbursed. Trustee Knowles made a motion to approve the Amendment of Regulation 6C2R-4.071, Faculty Practice Plan. Trustee Ford seconded the motion, which passed unanimously.

Collective Bargaining Update

Ms. Joyce Ingram, Assistant Vice President for Human Resources, presented a Collective Bargaining update to the Board. She discussed the status of various union activities on campus. She said that on United Faculty of Florida (UFF) negotiations there has been a change of leadership on the University management team. In an effort to restrain costs, the chief negotiator role was brought in-house. Previously Mike Mattimore, an outside attorney, served as the chief negotiator for negotiating the first three-year collective bargaining agreement. Ms. Ingram indicated that she now serves as the chief negotiator for 2006-2007 re-opener negotiations, and Susannah Miller, Associate Director of Human Resources for the Office of the Dean of the Faculties, serves as the chief negotiator on behalf of the University. Robert Henley, in addition to serving as chief negotiator for the USPS units, will also serve as chief negotiator for the new agreements with AFSCME for the other professional and administrative clerical units.

The Nils Hasselmo Report

Dr. Abele provided a summary of the report from Dr. Nils Hasselmo. He thanked Professor Eric Walker for doing a great job of summarizing the report