

6C2R-1.004 University Constitution.

(1) Article I, Administrative Officers.

(a) Section A – The President.

The President, appointed by the Board of Regents, shall be the Chief Administrative Officer of the University and shall exercise general supervision over all its activities.

(b) Section B – Other Administrative Officers.

There shall be such other administrative officers as the President may designate. They shall have such duties as the President may assign to them. In the case of the absence, incapacitating illness, or death of the President, the Vice President for Academic Affairs shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Regents. In the absence of both the President and the Vice President for Academic Affairs, the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ shall have all the authority and responsibility until formal provisions are made by the Board of Regents.

(2) Article II, Councils and Committees.

The President shall establish such councils and committees as deemed necessary and shall specify their duties and responsibilities.

(3) Article III, The General Faculty.

(a) Section A – Membership.

The General Faculty shall consist of those persons holding the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor in one of the colleges, schools, or other academic units of the University, and of those members of the Professional Staff to whom the President assigns an academic rank.

(b) Section B – Jurisdiction. The General Faculty shall:

1. Receive reports and announcements from officers of the University and from the Faculty Senate, and
2. Formulate its opinion upon any subject of interest to the University and make recommendations thereon to the appropriate body or officer for final consideration.

(c) Section C – Meetings. The General Faculty shall meet:

1. In regular session in the fall of each academic year to receive the annual report of the President, and
2. In special session called by the President either on his or her own initiative or on resolution of the Faculty Senate, or on written request of at least ten percent of the members of the General Faculty.

(4) Article IV, Faculty Senate.

(a) Section A – Membership.

1. Elected faculty members.
 - a. Each college or school shall be entitled to representation in the Faculty Senate according to the following formula:

$$\text{number of representatives} = \frac{\text{number of eligible faculty members in college or school}}{\text{number of eligible faculty members in college or school}}$$

total number of
eligible faculty
members in the
University

Each College or School shall be entitled to at least one representative.

b. The library staff shall be entitled to one elected representative.

c. Only full-time Instructors, Assistant Professors, Associate Professors, and Professors shall be eligible for representation in and election to the Faculty Senate, except that University Service Professors, University Service Associate Professors, and University Service Assistant Professors are also eligible for representation in and election to the Faculty Senate. If an eligible faculty member has duties in more than one college or school, he or she shall be counted in that college or school in which the major portion of his or her salary is budgeted or time is assigned. Developmental Research School faculty shall be entitled to one elected representative; members of the Developmental Research School faculty shall not be counted as College of Education faculty in determining the number of that College's representatives or be eligible to vote in the College of Education elections of Faculty Senators.

d.(I) Each unit shall elect its representatives for two-year terms, which shall begin with the regular April meeting of the Senate of the election year, according to a procedure which its eligible faculty members shall determine. Prior to February 1 of each year, the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ shall submit to the Secretary of the Senate a list of the eligible faculty members in each college or school.

(II) Each unit may elect, according to a procedure which its eligible faculty members shall determine, an alternate representative or representatives to serve whenever illness, professional travel, or other obligations make it impossible for the designated Senator or Senators to be present. A faculty member thus representing a unit shall have the full privileges of Senate membership.

e. The Secretary of the Senate shall on February 15 of each year determine the total number of representatives apportioned to each college or school and the number to be elected that year and shall notify the appropriate dean.

2. The Faculty Senate shall elect its presiding officer from its membership to serve for a one-year term. He or she shall be designated President of the Senate and shall serve as the chairperson of the Steering Committee. In case the person elected President of the Senate is already a member of the Steering Committee, the Senate shall elect a Senator to fill his or her unexpired term on that committee. The following shall be ex-officio members of the Senate: the President of the University, the Vice Presidents, the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~, the Dean of Graduate Studies, the Dean of Undergraduate Studies, the dean of each college or school, the University Registrar, the Director of Libraries, and the President of the Student Body. Ex-officio members shall have the privilege of the floor but may not vote.

(b) Section B – Jurisdiction. The Faculty Senate shall be the basic legislative body of the University.

1. It shall formulate measures for the maintenance of a comprehensive educational policy and for the maximum utilization of the intellectual resources of the University.

2. It shall determine and define University-wide policies on academic matters, including Liberal Studies policy, admission, grading standards, and the requirements within which the several degrees may be granted.

3. As the elected body of the General Faculty, the Senate may also formulate its opinion upon any subject of interest to the University and adopt resolutions thereon. Resolutions treating those areas of authority legally reserved to the President of the University and the Board of Regents will be advisory.

4. The President of the University shall have the power to veto any action of the Senate. The veto shall be communicated in writing to the Secretary of the Senate and Chairperson of the Steering Committee with reasons therefor within sixty days. By a two-thirds vote the Senate may appeal to the Board of Regents any action so vetoed.

5. Upon the resignation, retirement, or death of the President and upon a request by the Board of Regents, the Faculty Senate will designate individuals to be available for membership on any committee requested by the Board of Regents for the purpose of consultation in the selection of a nominee for President.

(c) Section C – Standing and Special Committees.

1. A Steering Committee shall consist of seven persons elected for staggered two-year terms from the voting membership of the Faculty Senate. In consultation with the President of the University, it shall determine the agenda for each meeting. It shall provide for the reporting to the Faculty Senate by administrative officers, by chairpersons of standing and special committees, and by individuals.

2. The Faculty Senate may establish standing and special committees necessary for its work.

(d) Section D – Meetings.

1. The Faculty Senate shall meet in regular session each month during the academic year and may meet in special session during the summer.

2. Special meetings may be held at any time in accordance with rules specified in the Bylaws.

3. All meetings of the Senate shall be open to members of the General Faculty.

4. The right to address the Faculty Senate shall be granted to any member of the General Faculty in accordance with rules specified in the Bylaws.

(e) Section E – Procedure.

The Faculty Senate shall develop its own rules of procedure. Minutes shall be kept by the Secretary of the Senate and shall be distributed to all members of the General Faculty, to all administrative officers, and to all members of the Professional Staff.

(5) Article V, The Colleges and Schools.

(a) Subject to the University-wide regulations of the Faculty Senate and the authority of the President of the University, the faculty of each college or school shall determine its internal policies such as specific admission requirements, requirements for majors, requirements for graduation, and the nature, content, and scheduling of its courses.

(b) The faculty of each college or school shall keep on file with the Secretary of the Senate a current set of bylaws governing its internal operations, including procedures for the election of its representatives to the Faculty Senate and for the approval of its candidates for degrees.

(6) Article VI, The Faculty Members of Colleges or Schools.

(a) Section A – Appointment.

1. Vice Presidents, the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~, the deans of the colleges and schools, and other such administrative personnel shall be appointed by the President of the University. An advisory committee appointed by the President shall consult with the President in the process of selection of nominees for such positions.

2. Associate and Assistant Deans of colleges and schools shall be recommended by the appropriate dean to the Vice President for Academic Affairs. The President of the University or a designee shall make these appointments.

3. Professors, Associate Professors, Assistant Professors, and Instructors in the colleges and schools shall be nominated by the department chairperson, or equivalent, approved and recommended by the dean and the Vice President for Academic Affairs, and appointed by the President of the University.

4. Each original appointment shall be confirmed by the President of the University, or his or her designee, in a contract letter.

5. Supplementary appointments to the Graduate Faculty may be given members of the General Faculty on nomination of the department chairperson, or equivalent, and approval of the appropriate dean and the Dean of Graduate Studies with the advice and consent of the Graduate Policy Committee.

6. Appointments to the faculty for limited periods of time, clearly stated in writing at the time of appointment, shall be designated as specified in the State University System Classification System. These appointments shall not count toward eligibility for tenure unless otherwise stipulated.

(b) Section B – Tenure, Nonreappointment, Termination, and Suspension.

1. The Tenure Process. The procedure to be followed when a faculty member becomes eligible for consideration for the status of permanent member shall be as follows:

a. Nomination for tenure shall originate with the appropriate department or unit which shall have an elected faculty committee, of whom a majority of the members shall be tenured faculty, which shall initiate the nomination by a favorable vote on the candidate; the department chairperson, or equivalent, shall inform the candidate in writing of the committee decision to recommend or not to recommend, together with his or her recommendation.

b. The department chairperson or unit officer shall transmit the committee recommendation together with his or her recommendation to the appropriate committee of the college or school and to the dean, and shall transmit the opinion of the tenured members of the department or unit which has been obtained in a secret ballot after a meeting of the tenured faculty for that purpose.

c. A college or school committee of elected tenured faculty shall consider the candidate for recommendation to a University committee of elected tenured faculty and vote to recommend or not to recommend the candidate; the candidate shall be informed in writing of the committee's decision by the chairperson of the committee.

d. A University committee on tenure, comprised of elected tenured faculty and with at least one representative from each college or school, shall receive the recommendation from the college or school committee and shall consider it for the recommendation to the Vice President for Academic Affairs and the President of the University; the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ shall serve as ex-officio chairperson, without voting privileges, of the University committee and shall transmit to the Vice President and the

President the committee's decision to recommend or not to recommend the candidate and shall also inform the candidate in writing of the decision.

e. The Vice President for Academic Affairs and the President of the University shall decide to recommend or not to recommend the candidate to the Board of Regents for tenure, and the President shall notify the faculty member immediately in writing of the final decision to recommend or not to recommend.

f. In step "d" above, the dean of the appropriate college or school in each case shall present to the University committee his or her decision to recommend or not to recommend the candidate; in step "d," the dean of the appropriate college or school shall also report this decision to the Vice President for Academic Affairs and the President of the University.

g. In steps "a," "b," and "c" above, the faculty candidate who is not recommended by a committee at any stage of the deliberations may appeal that negative decision to the next committee by so requesting in writing within a period of ten (10) working days after receiving notification of the decision; in "d," the candidate may appeal a negative decision to the Vice President for Academic Affairs and the President by so requesting in writing within a period of ten (10) working days after receiving notification of the decision. Unless a faculty candidate makes an appeal of a negative decision by a committee, the candidate's folder will not be forwarded to the next committee; in stating an appeal, the candidate may address in writing the rationale for the committee's decision.

h. In steps "b" and "c" above, a college or school may use an additional committee between the department or equivalent committee and the college or school committee if the faculty of said college or school has voted for such usage in its bylaws.

2. Annual Reappointment of Tenured Faculty Members. Tenured members of the faculties of colleges, schools, and other academic units shall enjoy the assurance of annual recommendations for reappointment.

3. Termination, Nonreappointment, and Suspension.

a. Termination and Nonreappointment of Tenured Faculty Members for Cause. Annual recommendation for reappointment of permanent members of the faculty shall be withheld only for serious cause (incompetence or misconduct) and on the basis of written and specific charges made by the dean of the college or school, the Vice President for Academic Affairs, or by the President of the University. A copy of such charges shall be furnished to the faculty member concerned. In answer to such charges the faculty member shall have, at his or her request, a hearing before an appropriate faculty committee. At this hearing, the faculty member shall be allowed at his or her own expense the benefit of counsel of his or her choice.

b. Nonreappointment of Nontenured Faculty. Upon the advice of a department chairperson, a departmental/college/ school advisory committee, the dean of the respective college or school, and the Vice President for Academic Affairs, the President of the University may give written notice of nonreappointment of a nontenured faculty member. Notice of nonreappointment, or of intention not to reappoint, shall be given in writing in accordance with the following standards: (a) for employees in their first two years of employment, one full semester prior to the date of termination; (b) for employees with two or more years of continuous service, one full year prior to date of termination.

c. Immediate Suspension of Tenured or Nontenured Faculty.

(I) In flagrant offenses the President of the University may suspend a member of the faculty with pay from performance of his or her duties. Within two days, excluding weekends and official holidays, following such suspension, the President or his or her representative shall cause a written notice, including a statement of reasons, to be served upon the employee.

(II) If immediate dismissal is thereby sought, a copy of written and specific charges shall be furnished to the faculty member concerned. In answer to such charges, the faculty member shall have, at his or her request, a hearing before an appropriate faculty committee. At this hearing the faculty member shall be allowed at his or her own expense the benefit of counsel of his or her choice. After provision of notice and an opportunity for the accused faculty member to have a hearing before an appropriate faculty committee, the President may initiate immediate dismissal.

(III) If immediate dismissal is not sought, the faculty member shall have, at his or her request, a hearing on the suspension before an appropriate faculty committee.

(IV) The hearing committee, after deliberation, shall report its findings to the President. If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, the President may either accept or reject that finding. If the President rejects the report, he or she will state his or her reasons for doing so in writing to the hearing committee and to the faculty member and provide an opportunity for response before taking any further action. If the hearing committee concludes that adequate cause for a dismissal has been established but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons. If dismissal or other severe sanction is recommended, the President may take such action as he or she deems fit.

4. Crediting of Time Toward Tenure.

a. Any member of the faculties of colleges and schools holding the rank of Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of his or her sixth year as a faculty member. A Professor may be given tenure at the beginning of his or her second year as a faculty member provided he or she has had four years of service credited, at time of appointment, from another tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Regents.

b. Any member of the faculties of colleges and schools holding the rank of Associate Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member. An Associate Professor may be given tenure at the beginning of his or her third year as a faculty member provided he or she received credit, at time of appointment, for three years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Regents.

c. A faculty member appointed to the rank of Assistant Professor may receive credit at the time of appointment for up to two, but no more than two, years spent in a tenure-earning position elsewhere.

5. A decision whether to nominate a faculty member for tenure shall normally be made during the fifth year of continuous service in a tenure-earning position, or, at the option of the employee and with the concurrence of the

appropriate administrative officials, during the sixth such year in a tenure-earning position.

6. Definition of Continuous Employment. Employment during any two semesters or trimesters or during three quarters of any twelve-month period shall be considered a year of continuous employment. Continuous employment for the purpose of tenure eligibility consideration for part-time service shall normally mean employment during at least one semester of any twelve-month period. Part-time service of an employee employed at least one full semester in any twelve-month period shall be accumulated. However, not more than one year of tenure eligibility may be earned in a twelve-month period. (Time spent by a faculty member undergoing appointment or exchange within the State University System or on a special assignment for the benefit of the parent institution or for the University System shall be counted toward the fulfillment of eligibility for tenure. Time spent away from the institution for other purposes shall not be counted toward the fulfillment of eligibility for tenure, except by mutual agreement of the employee and the University.)

7. Restrictions on Employment of Nontenured Faculty.

a.(I) No person employed after 1965 may remain in the service of the University as a nonpermanent member of the faculty of any college, school, or other academic unit in any rank or combination of ranks for a total of more than seven years, except that faculty whose service began before September 1972, may count four additional years in the Instructor or Acting Assistant Professor ranks as probationary. Persons holding an administrative or service role will normally hold a courtesy rank in an academic unit and shall not be subject to the rule during such service unless the academic unit grants a regular tenure-earning appointment. When the administrative or service function is ended, the person shall receive, upon request, a tenure-earning appointment in an academic unit.

(II) Not later than the end of the sixth year of service (or the tenth in the case of the above exceptions), the Departmental Chairperson, or equivalent, in consultation with the dean of his or her college or school, shall either nominate the faculty member for tenure or arrange to terminate his or her service at the end of the seventh year (or the eleventh, in the case of the above exceptions). In every case, the faculty member shall be notified in writing of this recommendation by the dean.

(III) Only time spent in the rank of Assistant Professor and above shall be construed as tenure-earning time.

b. Assistant Professors and Instructors shall be considered ineligible for tenure or for reappointment beyond a seven-year maximum.

8. Early Tenure.

a. The Board of Regents may approve tenure at an earlier time if it is recommended with sufficient justification by the President of the University with the concurrence of the Chancellor.

b. A member of the faculty must satisfy the five-year requirement to be eligible for consideration by a tenure committee at any level.

(c) Section C – Academic Freedom.

1. It is the policy of the University to maintain and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication, and to protect any member of the academic staff against influences, from within or without the University, which would restrict him or her in the exercise of this freedom in his or her area of scholarly interest. The right to the protection of the University shall not, necessarily, include any right to the

service of the University's legal counsel in any proceedings in which the academic freedom of the faculty member may be an issue.

2. In his or her role as citizen, the faculty member has the same freedoms and responsibilities as other citizens, including political rights and privileges, without institutional censorship or discipline. As a scholar, he or she should be mindful that accuracy, forthrightness, and dignity befit his or her association with the University.

3. Furthermore, the faculty member must consider his or her academic duties as primary responsibility. In no case should he or she accept or seek appointment to civic or political office which would reduce significantly the time available for his or her primary responsibility without first securing written approval of the President of the University.

4. A faculty member who believes that he or she does not enjoy the academic freedom which it is the policy of the University to maintain and encourage shall be entitled on his or her written request to a hearing before the Committee on Grievances.

(d) Section D – Resignation.

If a member of the faculty of the University desires to obtain release from his or her faculty position, he or she is expected to offer his or her resignation to the President of the University, or a designee, through appropriate administrative channels at least ninety days before the resignation takes effect.

(7) Article VII, The Professional Staff.

(a) Those persons holding academic appointments within the Florida State University, but not within a college or school, and those persons within a college or school holding academic appointments whose responsibilities do not include teaching, shall be considered members of the Professional Staff. Members of the Professional Staff having appropriate qualifications and responsibilities shall be assigned faculty rank by the President of the University on recommendation of their administrative officers for the purpose of membership in the General Faculty.

(b) Members of the Professional Staff shall enjoy the assurance of annual recommendation for reappointment in accordance with the provisions of the Florida Statutes and the regulations of the Board of Regents.

(8) Article VIII, Amendments.

(a) Amendments to this Constitution shall become effective when 1. approved by a two-thirds vote of the Faculty Senate, and 2. ratified by a majority vote of the members of the General Faculty who are eligible for election to the Faculty Senate and who vote on the proposal.

(b) An amendment to be considered by the Faculty Senate must be submitted at a regular meeting at least one month prior to a vote on the proposal. The faculty vote on ratification shall be taken during the regular academic year not earlier than thirty days after circulation of the Senate minutes in which the amendment approved by the Senate is recorded.

(9) A faculty-adopted amendment shall be presented by the Faculty Senate to the University President and will be noticed by the President for rule change as provided by Section 120.54(5), Florida Statutes

Specific Authority BOG Regulation 1.001(3)(j) FS. History–New 9-30-75, Amended 7-21-76, 8-23-76, Formerly 6C2R-1.04, Amended 2-13-90. Cf. Board of Governors and University rules relating to employment found in 6C-5 and 6C2R-4.

6C2R-2.009. Parking and Traffic Regulations.

(1) General Information.

(a) Applicability of Traffic Rule. This rule shall be applicable to all vehicles operated or parked on the Florida State University (FSU) campus at any time, including examination periods, semester breaks, and registration periods. The fines, penalties and other sanctions provided herein may be imposed against any person who shall cause, allow, permit or suffer any vehicle registered either at the Florida Department of Highway Safety and Motor Vehicles or at the University Office of Parking and Transportation Services in the name of, or operated by such person to be parked or operated in violation of any provision of this rule. It is the policy of FSU to enforce the provisions of this rule and seek to impose the fines, penalties or other sanctions provided herein:

1. In the case of a vehicle registered with the Office of Parking and Transportation Services, against the person in whose name such vehicle is so registered.

2. In the case of a vehicle not so registered, if it is determined that the operator at the time of the violation is affiliated with FSU and, in fact, should have registered the vehicle with the Office of Parking and Transportation Services, against the person affiliated with FSU.

3. In the case of a vehicle not so registered and whose operator at the time of the violation cannot be identified, against the title holder of said vehicle.

(b) Applicability of Florida Statutes and Ordinances of the City of Tallahassee. All ordinances of the City of Tallahassee relating to traffic which are not in conflict or inconsistent with this rule shall extend and be applicable to the grounds of the University. A copy of said ordinances shall be available for inspection at the Office of the Director of Parking and Transportation Services. In addition, the provisions of Chapter 316, Florida Statutes, shall extend and be applicable to the grounds of the University.

(c) Responsibility for Implementation. Unless otherwise noted, the Director of Parking and Transportation Services shall be responsible for the supervision and implementation of this rule. All requests for individual consideration with regard to the parking and traffic regulations contained in this rule must be directed to that person at the Office of Parking and Transportation Services.

(d) Definitions. The following words and phrases, when used in this rule, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

1. Access Lane. Any area that is not designated as a parking space, and that provides an avenue for traffic flow and emergency vehicles.
2. Automobile. Any motor vehicle having 4 or more wheels.
3. Permit Registration Year. The period from September 1 of one year to August 31 of the succeeding year
4. Designated Parking Space. Areas governed by FSU parking rules and regulations with parking spaces delineated by red, white, or blue striping, a parking meter, or other physical barriers to include, but not be limited to railroad ties and bumper blocks intended to delineate parking parameters.
5. Director of Parking and Transportation Services. An FSU employee who has been assigned the specific duties of supervising and managing the Office of Parking and Transportation Services.
6. Employee. Any employee of FSU including faculty, administrative and professional personnel, university support personnel system staff, and OPS staff, employed/contracted for 40 or more hours per week.
7. Employees of recognized FSU organizations or Contracted Services. Personnel who work full-time on campus, but who are not University employees, e.g., bookstore employees, beauticians, barbers, food service personnel, credit union employees, staff of religious houses, and employees of the Greek houses.
8. Financial Aid Disbursement. That period of time defined each semester by the Controller's office for the disbursement of financial aid checks.
9. Fire Lanes. Those areas of campus that must be kept clear of all obstructions so as not to interfere with the movement of fire-fighting equipment and which are marked as fire lanes by signs and red painted curbing or fluorescent red and white painted areas, or both.
10. Loading Zones. Areas specifically designated for the sole purpose of loading or unloading materials or equipment. Properly identified service vehicles, commercial vehicles, vehicles bearing valid FSU decals or vehicles properly displaying loading zone permits issued by the Office of Parking and Transportation Services are authorized to use loading zones. Loading zones are delineated by signs or pavement marking. Use of these areas is limited to 20 minute periods. Vehicles exceeding the 20 minute maximum period may be issued additional citations every hour after the original citation and/or towed.
11. Loading Dock. Areas specifically designated for the sole purpose of loading or unloading materials or equipment at the delivery entrance or designated location to a building. Properly identified service vehicles, commercial vehicles, or vehicles properly displaying loading dock permits issued by the Office of Parking and

Transportation Services are authorized to use loading docks. Loading docks are delineated by signs or pavement marking. Vehicles without proper authorization will be issued a citation for permit not authorized for space and/or towed at owner's expense. (fine code -- 01).

12. Motorcycle, Moped, or Motor Scooter. Any motor vehicle having less than 4 wheels.

13. Parking. The standing of a vehicle, whether occupied or not, for the purpose of and while actually engaged in loading or unloading merchandise or passengers, as may be permitted by law under the State Uniform Traffic Control Law, Chapter 316, Florida Statutes, or this rule pursuant to Section 1006.66

14. Parking Violations Appeals Board. The University traffic authority established pursuant to Section 1006.66, Florida Statutes, to review disputes regarding citations and to render decisions regarding the appropriate penalty to be imposed, including the restriction, removal, or restoration of driving or parking privileges on campus. The Parking Violations Appeals Board will consist of 2 or more divisions of equal authority. Each shall be composed of 4 members appointed for a period of 1 year. There shall also be appointed a pool of alternate members who shall be eligible to serve when called upon by the Appeals Coordinator, when a regular member is unavailable. All appointments shall be made by the Vice President for Finance and Administration from a list of persons nominated from the University Committee on Appointments. The positions on each division of the Board shall be occupied by faculty, staff (A&P or USPS) and student members. The Chairperson shall be elected annually from among the members of the Board and shall have full voting rights. This Board shall function on a year-round basis. A quorum shall consist of at least 2 members of the Board. When a quorum is not available, and the appellant has arrived on time for their scheduled hearing, the citation(s) will be dismissed.

15. Part-Time Non-Student Employee. Any person employed/contracted by FSU for less than 40 hours per week who is also not enrolled as a student at Florida State University.

16. Permit. Vehicle registration document which allows the registered vehicle to be parked on the grounds of the University, as set out in this rule. The words permit and decal are used interchangeably in this rule. Only one FSU decal may be displayed per vehicle.

17. Persons Affiliated with FSU. Employees or students of FSU or employees of recognized FSU on-campus organizations.

18. Restricted Hours. Between 7:30 a.m. and 4:30 p.m., Monday through Friday on all class days, examination periods, semester breaks, and registration periods.

19. Service Vehicle Area. Areas reserved for properly identified service or emergency vehicles performing maintenance or repair of University owned or leased equipment or facilities, commercial vehicles, or vehicles bearing proper authorization from the Office of Parking and Transportation Services. Non-Service State vehicles are prohibited from parking in service vehicle spaces. Service vehicle areas are reserved during restricted hours and are delineated by signs or pavement marking. Vehicles without proper authorization will be issued a citation and/or towed at owner's expense for parking in a reserved space without authorization (fine code – 01).

20. Short Term Parking -- Those spaces designated by signage with a two-hour maximum stay. Appropriate permits must be obtained from the Office of Parking and Transportation Services.

21. Student. Any person not classified as faculty, administrative and professional personnel or university support personnel system staff who is enrolled and carrying 1 or more credit hours of undergraduate or graduate work at FSU.

22. Vehicle. Any automobile, motorcycle, moped or motor scooter as defined.

23. Visitors. Persons who are not employees or students of FSU and who do not work on campus for other organizations.

24. Working Day. Any day that the University is officially open. This does not include official holidays.

25. Commuter Lot. Designated lot(s) that prohibit the parking of vehicles between the hours of midnight and 6:30 a.m., except on Friday and Saturday evenings or as posted on the entrance of the lot.

(2) Permits.

(a) All vehicles parked by FSU affiliates on the campus must display the appropriate permit as instructed. The following, however, are excepted:

1. Board of Trustees. Vehicles bearing a valid "Board of Trustees" permit may be parked in any designated, unreserved parking space on campus.

2. "State" Tag Vehicles. Vehicles bearing a duly issued "State" license tag need not be registered or pay parking meter fees. Such vehicles may be parked in any designated, unreserved parking space, short-term space (2 hour maximum) or loading zone (20 minute maximum) on campus.

3. News Media Vehicles. Press Representatives, Reporters, Correspondents, and other representatives of the news media not otherwise affiliated with FSU, who are on campus on official news or press business, may park in any designated, unreserved space, Short Term space (2 hour maximum) and loading zone (20 minute maximum), and need not be registered, if a valid Press identification is prominently displayed on their vehicles. Students, faculty and staff are not eligible for this exemption.

4. Commercial Representatives in Commercial Vehicles. Marked delivery trucks, telephone and power service vehicles, limousine service automobiles, taxis, and buses making brief stops at 1 or more points on campus are not required to buy a decal or display a permit. Vehicles used by persons required to perform emergency service or maintenance on University owned or leased equipment or facilities should have appropriate FSU parking permit displayed. These vehicles may be parked in any designated, unreserved parking space. Parking meters must be paid.

5. Contractors. Contractors and contractor personnel engaged in FSU construction projects may park within the fenced enclosure of the construction site. Other parking must be off campus, or other on-campus locations specifically designated by the Office of Parking and Transportation. Construction permits must be displayed in the windshield.

6. Vehicles Transporting Handicapped Individuals; Disabled Veterans.

a. In accordance with the Florida Statutes, a vehicle bearing a parking permit issued pursuant to Sections 320.0848, 320.0842, 320.0843, and 320.0845, Florida Statutes, or a license plate issued pursuant to Section 320.084 or Section 320.0848, Florida Statutes (disabled veterans and veterans confined to wheel chairs), may park in designated handicapped spaces if such vehicle is transporting a person eligible for such parking permit or license plate. Any person who is chauffeuring a disabled person shall be allowed momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking. Such vehicles shall not, however, be parked in a bus loading zone, fire zone, handicapped access aisle, service vehicle space, permit designated parking area or any other area posted as a "No Parking" zone. Employee and student affiliates are required to purchase the appropriate parking permit in order to park on campus. Vehicles bearing a valid FSU parking permit and the disabled permit issued by the state may park in metered, loading zone, short-term, and other unreserved permit designated spaces as long as time restrictions are observed. Visitors

displaying a disabled permit issued by the state may park in designated handicapped accessible spaces and/or hourly toll lot spaces provided the regular rate/fee is paid.

b. Any person who fraudulently obtains or unlawfully displays a disabled permit that belongs to another person while occupying a disabled parking space or an access aisle as defined in s.553.5041 while the owner of the permit is not being transported in the vehicle or who uses an unauthorized replica of such a disabled parking permit with the intent to deceive is guilty of a misdemeanor of the second degree, punishable as provided in s.775.082 or s. 775.083.

c. Parking and Transportation services will boot any fraudulent vehicle and issue the handicap violation citation.

7. Visitors may park in toll spaces on campus provided time is kept on the meter or other mechanical ticket dispensers. All vehicles must be parked with the flow of traffic.

(b) The permit year begins on September 1 and ends the following August 31. All permits expire the last day of August each year.

(c) Permit Information: All faculty, staff and student affiliates parking on university property are required to purchase a parking permit or pay appropriate transportation fees.

(d) The Office of Parking and Transportation Services reserves the right to deny, restrict or revoke parking privileges to any individual who is in violation of the provisions of this rule. The fraudulent acquisition of a permit by giving incorrect information, falsified proof of status, or by other means shall result in the issuance of violation(s), false registration -- fine code 05, to the individual(s) involved.

(e) Replacement Permits and Gate Access Cards; Refunds. A Replacement permit and gate access card, if applicable, will be issued when a permit or gate card is no longer serviceable or a vehicle bearing a permit is replaced. The original "RP" permit or gate card must be returned to the Office of Parking and Transportation Services to qualify the holder for a replacement permit or gate card due to defect. If a permit cannot be produced, a replacement shall be issued upon execution of an explanatory Permit Replacement Statement, FSU Form #DAF1000 (Eff. 9/94) incorporated herein with documentation of replacement need filed with the Office of Parking and Transportation Services. Upon return of an original decal, refunds will be given on a pro-rated basis as contained in (3) Parking Fees and Penalties. No refunds will be issued for returned temporary permits or gate cards. Refunds for student permits issued from the assessment of the transportation fee shall be consistent with the University refund policy for local fees.

(f) Parking Permits.

1. Faculty, Administrative and Professional personnel, University Support Personnel System staff, and Non-Student OPS employees of recognized FSU affiliated organizations or contracted services employees are eligible to purchase an "R" or "RP" decal taglet, authorizing parking only in designated "R" parking areas or in areas specified for "all FSU permits." Persons utilizing an "R" or "RP" permit must display their permit/taglet on the rear license plate (secured by bolt) or on the plastic holder with the suction cup secured on the front windshield on the driver's side in order to validate their "R" or "RP" permit.

2. Visitors are eligible to purchase a "V" permit, authorizing parking only in designated "W" and "R" non-gated parking areas. Faculty, staff and student affiliates are not eligible to purchase a "V" permit. Non-student OPS employees are not eligible for an "RP" permit.

3. Vehicles bearing a "W" permit are authorized to park in designated "W" parking areas between the hours of 7:30 a.m. and 4:30 p.m. on all class days. An individual may purchase and maintain only 1 automobile and 1 motorcycle permit at a time during each permit year. This excludes replacement permits.

4. On the day preceding a home football game or as designated on the signage, all vehicles must be removed by 6:00 p.m. in designated football lots.

5. Commercial vendors and sales and service representatives are eligible to purchase commercial ("C") permits. Vehicles bearing "C" permits may park in any designated, non-gated unreserved parking space on campus. Commercial decal holders may also utilize designated loading areas for 20-minute periods only, short term parking spaces (2 hour maximum), service vehicle spaces and parking meters, provided time is kept on the meters.

6. Individuals operating motorcycles, mopeds or motor scooters may purchase an "MC" permit authorizing parking in motorcycle parking spaces only. Students and non-payroll deducted faculty and staff will be issued an "MC" adhesive style decal. Faculty and staff selecting payroll deduction will be issued an "MP" taglet style permit.

7. A temporary permit must be obtained when a substitute vehicle is parked on campus in lieu of a permitted vehicle. Temporary parking permits have the same parking and driving restrictions as do vehicles bearing the identically lettered permanent permits. Except as otherwise stated, temporary permits are issued for a maximum of 10 working days per academic year. Anyone requesting a temporary permit for more than 10 working days must file a written statement certifying the extraordinary circumstances for the extension, including the reason the registered permit is not available for use and certifying that the substitute permit and the registered permit will not be used on

campus simultaneously during the period. There is no charge for a temporary permit issued to the holder of a registered permit for use on a substitute vehicle for a maximum of 10 working days per year.

8. Loading Zone Permits may be purchased on an individual basis to afford access to designated loading zones for loading or unloading of materials or equipment.

9. Service vehicle permits may be purchased by eligible service and technical support representatives. Vehicles bearing a valid "SV" permit are eligible to park in designated service vehicle spaces with no time restriction and loading zones for a maximum of twenty (20) minutes.

10. Persons with FSU retired status who are no longer receiving any form of financial compensation for active employment may purchase an "E" permit. The "E" permit authorizes parking in any designated faculty-staff parking area.

11. Temporary handicapped parking permits will be issued by the Office of Parking and Transportation Services, upon determining eligibility, for a period not to exceed 21 calendar days. To be eligible for applying for a temporary handicapped parking permit the individual must have purchased a valid decal and have it properly displayed.

Extension of the eligibility of a temporary permit for more than 21 calendar days will only occur upon receipt of a duly executed Florida Department of Highway Safety and Motor Vehicles Form 83002 or Form 83039 (8/90) S, which are incorporated herein by reference which contain "Disabled Person's Parking Permit a Physician's Statement of Certification", for issuing disabled person's parking permits at which time a permit will be issued for an additional period not to exceed 35 calendar days. This temporary handicapped parking permit is non-renewable.

(g) The permit shall be displayed as directed by the Office of Parking and Transportation Services at point of distribution.

(h) Motor scooter, mopeds and motorcycle decals designed and intended to be visibly affixed to a motor scooter or motorcycle shall be visibly affixed to the license plate on the registered vehicle. Motor scooters, mopeds and motorcycles may only park in a designated motorcycle space.

(i) Vehicle permits and decals are issued to specific individuals and are not transferable between individuals. The owner of the taglet and/or hangtag style decal accepts responsibility of all fines when the permit is displayed on any vehicle.

(3) Parking Fees and Penalties.

(a) "W" Student Transportation Access Fee. To be assessed each semester to all registered students. At the beginning of each academic year or upon the first registered semester for the academic year an annual parking permit can be obtained by each student who has registered for classes. Each student who requests a permit shall be issued a "W" permit for their automobile. Students owning only a motorcycle must request a "MC" permit at the time of issuance. If a student owns both an automobile and a motorcycle, they shall be issued the "W" permit and are authorized to purchase a "MC" permit as their secondary permit for the motorcycle. It is the responsibility of the student to retrieve the parking permit from the designated point of distribution. All annual permits shall expire on August 31st of each year.

(b) Fees for Parking. The fees assessed for each type of parking permit described, with the exception of the Student Transportation Fee and departmental charges, are subject to a sales tax mandated by the State Legislature, and shall be as follows , beginning with the Fall 2011 Academic Year:

Student Transportation Access Fee: \$ 8.90 per credit hour

Fee Table: excludes tax, which will be assessed at purchase

MC Permit (annual) \$ 55.00

R/RP Permit (annual) \$232.56

C Permit (annual) \$290.19

E Permit (annual) \$ 9.35

SV Permit (annual) \$ 50.94

LZ Permit (annual) \$ 12.38

V Permit (per semester) \$ 48.37

1-day Temporary (daily) \$ 2.81

Law School Gate Card (annual) \$ 14.02

Replacement Costs:

All Gate Cards \$ 4.67

All Permit Types \$ 4.67

(c) Reserved Spaces. The fee for a reserved space as approved by the President shall be \$330.00 if purchased during the fall semester, \$220.00 if purchased during the spring semester, \$110.00 if purchased during the summer semester, in addition to the R permit charge.

(d) Parking Meters. Fees for a metered space are: 50 cents per hour.

(e) Attended Lots. Fees for attended toll lots shall be determined by the Director of Parking and Transportation Services and fee rates posted at the entrance of the lot.

(f) Refund of Fees.

1. The Student Transportation Access Fee refund policy will be in accordance with University refund guidelines for local fees.

2. Permits purchased on an annual or semester basis will be prorated on a monthly scale and must be turned in for a refund at the Office of Parking and Transportation Services by the last day of the month to receive credit for future months.

3. No refunds will be issued for temporary permits or payroll deducted permits.

(g) Towing and Related Charges. If a vehicle is towed from University property, the standard towing fees will be paid by the owner or user of the vehicle directly to the commercial towing companies providing services authorized at the request of the University.

(4) Operation of Vehicles. Persons who drive vehicles on campus location are subject at all times to the motor vehicle laws of the State of Florida, the rules and regulations of Florida State University and to the ordinances of the City of Tallahassee, where applicable.

(5) Parking of Vehicles.

(a) FSU reserves the right to regulate the use of any or all parking facilities, including the right to deny or revoke vehicle parking privileges to an individual or groups of individuals and to reserve parking facilities for the exclusive use of selected and designated individuals.

(b) The responsibility of locating a legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse or reason for violating any parking regulation.

(c) Wrecker Services. Due to the nature of the University's on and off street parking control activities the University utilizes local wrecker services acceptable to the City of Tallahassee on a rotation basis pursuant to City Commission Resolution 93-R-0019, approved June 23, 1993, and the Tallahassee Code Article VI, Rotation System Towing, copies of which are on file at the Office of Transportation and Parking.

(d) Vehicles parked in violation of the provisions of this rule, abandoned on campus, deemed as a safety hazard by FSU Public Safety or Environmental Health and Safety, or failing to display a current and valid permit or decal shall

be towed away and placed in commercial or University storage. Towing and storage charges, and any appropriate University fines, will be borne by the vehicle owner and must be paid before the vehicle will be released.

(e) All parking and traffic regulations apply 24 hours a day, 7 days a week except as follows:

1. "R" parking areas are reserved for the use of the vehicles bearing parking permit "R", "RP", "C", and "E", between the hours of 7:30 a.m. and 4:30 p.m. on all class days, examination periods, semester breaks and registration periods. "V" permits may utilize ungated lots only. These areas are delineated by signs and/or red parking lines. After 4:30 p.m., Monday through Thursday, all valid FSU permits are honored unless otherwise noted by signage.

2. "W" parking areas are reserved for the use of vehicles bearing parking permit "W", "V" and "C" between the hours of 7:30 a.m. and 4:30 p.m. These parking areas are delineated by signs and/or white painted parking lines.

3. Between 4:30 p.m. and 6:00 p.m. all parked vehicles must bear any valid FSU parking permit or decal and may park in any unreserved parking area without regard to permit designation and may park in general metered spaces without charge.

(f) General handicapped spaces are restricted 24 hours a day, 7 days a week to vehicles bearing valid State handicapped parking permits as provided in section (2)(a)6. of this rule, or temporary handicapped parking permit as provided in section (2)(f)11.

(g) General handicapped spaces may be designated as time limited. The time limitation will be posted on the sign. Vehicles parked in the time limited handicapped space for longer than the maximum time are subject to the issuance of a fine code (01) citation. Handicapped spaces in gated lots shall be designated for faculty, staff or student affiliates whose vehicle bears a valid FSU parking permit and valid Department of Motor Vehicle Disabled Parking permit. Vehicles without a valid FSU parking permit are not authorized to park in the restricted handicapped spaces.

(h) Spaces reserved for individuals, University/State vehicles or specific University facilities are restricted 24 hours per day, 7 days a week, unless otherwise posted.

(i) Motorcycle, moped, or motor scooter spaces are restricted to motorcycles, mopeds or motor scooters 24 hours per day, 7 days a week. Motorcycles, mopeds, or motor scooters may park in metered spaces as long as time is kept on the meter.

(6) Fine Structure.

(a) The following practices are specifically prohibited. The fine for each infraction shall be as follows:

1. Parking illegally on University property to include but not limited to: no permit in restricted lots, parking in an access lane, blocking access, parking in a reserved space without authorization, permit not authorized for space, parking in a restricted or reserved lot, improper parking in a loading zone, parking on lawns, landscape or sidewalks, parking in a "No Parking" or non-designated parking area, overtime parking in a metered space or time limited space -- fine code 01. The fee assessed for this violation: \$30.00.

2. Boot Fee. Administrative charge for vehicle that is immobilized for unpaid parking citations. Citation is placed on identified vehicle and the payment must be paid with other outstanding citations before the boot is removed from the vehicle. Fine code 02 violation. The fee assessed for this violation: \$50.00.

3. Parking in a fire lane or any area designated and marked as a Firelane. -- fine code 03. The fee assessed for this violation: \$100.00.

4. Parking in a handicapped space without authorization or blocking handicapped access or with an "HC" permit being used fraudulently -- fine code 04. The fee assessed for this violation: \$250.00.

5. False registration. Falsification of proof of status to obtain an FSU parking decal or purchase of a decal by an authorized individual for use by or resale to an unauthorized individual. Failure to provide correct vehicle information within seven working days. Misuse and fraudulent use of a permit or unauthorized use or possession of a gate opening device. -- fine code 05. The fee assessed for this violation: \$100.00.

6. Parking in a designated reserved space or bagged meter.—fine code 06. The fee assessed for this violation: \$100.00.

7. Parking in designated bus loading zone during operating hours. – fine code 07. The fee assessed for this violation: \$100.00

(b) Late Fee. A \$10.00 late fee is assessed on all parking citations that are unpaid or uncontested after ten (10) calendar days from issuance.

(7) Disposition of University Parking Citations.

(a) Uncontested. Persons wishing to pay the fine for any University Parking Citation shall do so at Student Financial Services or designated point of payment, in accordance with the schedule of fines.

(b) Contested. Any person wishing to contest a University Parking Citation shall proceed as follows:

1. Notice. Such person shall, within 10 calendar days from the date on which the citation was issued, file a written notice of election to contest the citation with the Office of Parking and Transportation Services.

2. The Florida State University Parking Violations Appeal form, identified as FSU Form No. MP-03, Eff. 8-89, and the instructions contained therein are adopted by reference. Copies of the form may be obtained from the Florida State University, Office of Parking and Transportation Services, Tallahassee, Florida.

3. Disposition by Director. The Director or designee shall review timely received written appeals or completed Form MP-03, and as soon thereafter as practicable, issue a written finding that the person charged is either in violation or not in violation of the University parking rule designated on the citation. Any person found to be in violation shall within 14 calendar days of issuance of the Director's written findings, either pay the applicable fine or give notice of his or her intent to seek review by the Parking Violations Appeals Board. Such notice shall be given by completing a Parking Violations Appeals Board Form MP-01 and filing it with the Coordinator of the Parking Violations Appeals Board. At the time of filing Form MP-01, if applicant wishes to have the issuing officer present at the Appeal Board hearing they must specifically indicate this request on Form MP-01. This is the only time the request can be made.

4. The Florida State University Parking Violations Appeal Board form, identified as FSU Form No. MP-01, Eff. 8-89, and the instructions contained therein are adopted by reference. Copies of the form may be obtained from the Florida State University, Office of Parking and Transportation Services, Tallahassee, Florida.

5. Parking Violations Appeals Board. Any person for whom an appearance before the Board has been scheduled may appear personally, or submit a written presentation, or both. Any person making a written submission only, must submit it to the Board Coordinator at least 1 working day prior to the date on which the appearance is scheduled. A person appearing in person before the Board desiring to have the presence of the issuing officer at the hearing must request the presence of the officer at the time of scheduling the date and time of hearing. This request will be indicated on the filed Form MP-01. If an individual indicates a desire to appear personally, the Coordinator will schedule an appearance and give the person written notice of the date, time, and place thereof. A person appearing in person before the Board may also introduce witnesses, but shall be responsible for securing the presence of such witnesses. In any appearance before the Board, whether in person or in writing, a person may raise any matter relevant to the Board's decision. Any person who is unable to appear personally at the time scheduled, but wishes to do so, can reschedule an appearance by contacting the Coordinator at least 3 working days prior to the originally scheduled appearance and showing good cause why the appearance should be rescheduled. The Board shall have the authority to continue any person's appearance to a subsequent date, time, and place, whenever the

Board Chairperson determines that such a continuance is necessary to dispose of the matter. The Appellant may only cancel and have rescheduled one Board hearing. After one such cancellation the board will proceed with the rescheduled hearing and in the absence of the Appellant, will consider the Appellant's completed Parking Violations Appeal Form MP-03 as the Appellant's appeal presentation. After the conclusion of a proceeding before the Board, the Board shall issue in writing its decision to either affirm the Director's findings, affirm the Director's decision and reduce the fine, or reverse the Director's decision and dismiss the citation. The decision of the Board shall be final. The proper initiation of a proceeding to contest a citation shall serve to toll the 7 working day deadline for timely payment of fines for the period that the proceeding is pending.

(c) Automatic Adjudication. All persons are subject to an automatic adjudication of guilt for failure to respond to a citation within 10 calendar days following the violation. In such case, the appropriate fine, plus an additional penalty, shall be imposed. Any person who is automatically adjudicated guilty may appeal in writing to the Parking Violations Appeals Board for waiver of the automatic adjudication of guilt and the additional penalty. This appeal must be made within 180 calendar days from the date of the issuance of the citation. If the Board determines that there are extenuating circumstances justifying waiver, the individual shall be given the prerogative of appealing the citation itself to the Board.

(d) Confidentiality. In any case in which a student is the alleged violator, the records of proceedings before the Director and the Board shall be disclosed only in accord with Sections 1002.22 and 1006.52, Florida Statutes.

(e) Non-Compliance, Sanctions. In addition to the obligation to pay the appropriate fine and penalty, the following additional actions shall be taken

and sanctions imposed in the following circumstances:

1. In the case of a person who fails to either pay the applicable fine or give notice of his or her election to contest a University Parking Citation, within 10 calendar days of the date of issuance of such citation; or who fails to pay the applicable fine within 10 calendar days of the date of issuance of written decision of the Parking Violations Appeals Board, affirming the individual's adjudication of violation, the Director of Parking and Transportation Services is authorized to revoke, suspend, or restrict the on-campus driving and parking privileges of such individual and take such further action as necessary to enforce the revocation or restriction of privileges and shall cause the matter to be referred as appropriate to the University Controller or University Personnel Relations Department, or both, for further action.

2. All matters so referred to the University Controller shall be deemed to be accounts receivable and the Controller shall take the necessary action to collect such debts. In the case of students such necessary action shall include: refusal of permission for such students to register, and withholding of transcripts and diplomas from such students until the debt has been paid. In the case of employees such necessary action shall include: involuntary payroll deductions, pursuant to Rule 6C2R-2.022, F.A.C., until the debt has been paid.

3. All matters involving faculty employees shall be referred to the Office of the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ for appropriate action taken in accordance with applicable provisions of the Florida Statutes, University Rules governing faculty employment, and any applicable faculty collective bargaining agreement. All matters involving non-faculty employees shall be referred to Assistant Vice-President and Chief Human Resources Officer or designee for appropriate action taken in accordance with applicable provisions of Florida Statutes, Rule 6C2R-4.070, and any applicable collective bargaining agreement.

4. Following revocation, suspension or restriction of on-campus driving and parking privileges, the Director shall lift said revocation, suspension or restriction once the applicable fines, charges, and penalties have been paid and all other requirements for registration have been met.

5. Either the Director of Parking and Transportation Services or the Parking Violations Appeals Board, shall, for good cause shown, provide for a longer period of time in which to pay the applicable fine. Good cause shall include, but not be limited to: (1) compelling personal or family financial obligations or inability to pay; or (2) percent of fine in relation to an individual's available income exceeds 25%. In such cases, no further sanction or penalty as described herein shall be imposed on account of the outstanding fine, until such time period has elapsed without full payment being made.

6. Immobilization; "Booting". A motor vehicle parked upon the University campus may, at any time, by or under the direction of an officer or staff member of the Department of Public Safety or an employee of the Office of Parking and Transportation Services, be immobilized in such a manner as to prevent its operation. A vehicle will be considered "bootable" in accordance with due process and based on a citation history, when 3 or more parking citations are outstanding against a responsible individual or if pending parking citations total \$50.00 or more.

a. Upon immobilization of such motor vehicle, the officer or employee shall cause to be placed on such vehicle, in a conspicuous manner, sufficient notice to warn any individual that such vehicle has been immobilized and that any

attempt to move such vehicle might result in damage to the vehicle and is grounds for criminal charges for grand theft.

b. The individual responsible for the vehicle shall have the right to a probable cause hearing before the chairperson of the Parking Violations Appeals Board or his or her designee, provided such a hearing is requested within 15 calendar days from the date the notice of immobilization is received. The purpose of the hearing is to determine if there is probable cause for continued detention of the vehicle. No hearing will be held unless requested in writing by the individual responsible for the vehicle or his or her agent at the Office of Parking and Transportation Services. The hearing shall be held within 72 hours from receipt of said written request, and the decision shall be issued in writing within 24 hours from the close of the hearing. In lieu of the probable cause hearing, or pending such hearing, where probable cause is found at such hearing, the individual responsible for the vehicle or his or her agent may obtain release of the vehicle by depositing security in the amount of immobilization charges and all delinquent fines and penalties to the Director of Parking and Transportation Services, or his/her designee.

c. If the chairperson or his or her designee finds probable cause to immobilize a vehicle, upon request of the individual responsible for the motor vehicle a date shall be set for full evidentiary hearing before the Parking Violations Appeals Board. Pending this hearing, the vehicle may be released as provided in (6)(b) above.

d. If no probable cause is found to impound a motor vehicle, it shall be released without requiring the individual responsible for the vehicle to pay the administrative charge for immobilization. If the motor vehicle was previously released upon payment of security, such payment shall be refunded.

e. Failure to request a probable cause hearing within 15 calendar days from the date of the notice of impoundment is received, constitutes a waiver of said hearing and the vehicle shall be released only upon payment of the impoundment charges and delinquent fines or penalties.

f. The immobilization device or mechanism shall remain in place for 48 hours, unless the individual responsible for the vehicle has complied with subsection (b) above. If such compliance has not occurred within 48 hours, the vehicle shall be towed and impounded. This subsection does not preclude the towing in the first instance of the vehicle which, because of the number of outstanding parking citations against it, is subject to towing and impoundment pursuant to the other provisions of this rule.

(8) Parking Garage.

(a) The parking garage on Stadium Drive and Connector Road will be closed during posted night time hours; all vehicles must be removed before the garage is closed. The vehicle will be deemed abandoned after 48 hours if unremoved, and can be towed. All associated costs will be paid before the vehicle will be released.

(b) Vehicles must be parked "nose in" in the spaces in all parking garages. Backing into a space is prohibited and will be assessed the fee listed under fine code 01.

(c) After the garage is officially closed, all remaining vehicles will be cited as parking in a reserved space (fine code 01).

(d) During the time the garage is closed, a vehicle may be retrieved by notifying the University police, or the designated on-call person.

Specific Authority Specific Authority: Art. IX, Sec 7, Florida Constitution, , Florida Board of Governors Regulations 1.001(3)(j), (7)(k), 7.003(9), (10), Florida Board of Governors Regulation Procedure, 7-21-07, Law Implemented 1006.66, 1009.24(14)(r), FS History--New 9-30-75, Amended 3-2-77, 8-28-79, 8-12-85, 4-16-86, Formerly 6C2-2.09, Amended 7-14-87, 8-1-88, 8-1-89, 4-24-90, 11-4-91, 8-17-92, 9-27-93, 12-14-93, 10-28-94, 9-17-95, 8-25-98, 7-20-99, 8-17-00, 8-3-05, 6-9-06, 2-11-2007, 6-13-2008, 6-25-2010, 9-9-2011

6C2R-4.027 The Florida State University Procedures Relating to Faculty Appointments.

(1) The initial responsibility for seeking candidates for authorized faculty positions lies at the departmental level. The field should be thoroughly surveyed to locate those candidates of proven moral character who demonstrate the best academic qualifications compatible with the level of the position. A recommendation for appointment should be made by the department head only after appropriate consideration of the proposed appointment by department members, after consultation with the appropriate representatives of other departments, schools, colleges, or teaching programs to which the work proposed for the particular appointment is substantially related, and after consultation with the principal administrative officer concerned.

(2) When an agreement has been reached regarding the best applicant for the position, the recommendation for appointment is submitted to the Vice President for Faculty Development and Advancement ~~Dean~~ of the Faculties on the prescribed form and with the required supporting information by the principal administrative officer concerned. All understandings, limitations, promises, and the like pertaining to the proposed employment are to be recorded in writing on the standard form or attached to it. Acceptance of such appointment in writing constitutes a legal contract.

(3) The authorization of any position is subject to reconsideration whenever it becomes vacant. When a vacancy

occurs or is anticipated the department chairman is expected to report the fact promptly to the principal administrative officer concerned who will ascertain from the Executive Vice President whether the vacancy may be filled, and if it is to be filled, to initiate search for the most highly qualified available candidate for the approved position. No commitment is to be made until the proposed appointment has been approved by the Executive Vice President.

(4) Forms and supporting materials for new academic appointments must be in the office of the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ at least two weeks preceding the date the appointment is to become effective.

(5) When the faculty member first reports at the University, his department will request him to complete the necessary payroll form, if the completion has not been accomplished by mail. The forms include the authorization for withholding tax deductions, retirement information, group insurance authorizations, and the loyalty oath required by the State of Florida. State law requires that each new employee of the State be fingerprinted at the time payroll forms are completed.

Specific Authority BOG Regulation 1.001(3)(j) . Law Implemented 1001.74(5), 1012.94 FS., 6C-4.001(5), (8)(a), 6C-5.004(2)(b), (3)(a), 6C-5.001, F.A.C. History–New 9-30-75, Formerly 6C2-4.27.

6C2R-4.033 Faculty Evaluations.

(1) Purpose, Scope and Sources of Evaluation.

(a) Each faculty member, tenured and non-tenured, shall be evaluated at least once annually on the basis of his or her individual total performance in fulfilling responsibilities to the University. The basic purpose of the evaluation is faculty improvement in the functions of teaching, research, service, and any other duties that may be assigned, with the resulting enhancement of learning, cultural advancement and the production of new knowledge. This evaluation shall precede and be considered in recommendations and final decisions on tenure, promotions, salary increments, and retention or termination.

(b) When first employed, each faculty member shall be apprised, through his or her contract, of what is expected of him or her, generally, in terms of teaching, research and other creative activities, and service, and specifically if there are specific requirements and/or duties involved. If and when these expectations change during the period of service of the faculty member, that faculty member shall be apprised of the change in written form.

(c) The performance of each faculty member shall be evaluated in accordance with the policy of the Board of Regents expressed in Board of Regents Rule 6C-5.005, F.A.C., Florida State University procedures for implementation of Board of Regents policy, school and departmental criteria and procedures on annual evaluation of faculty.

(d) The evaluation of each faculty member with respect to teaching, research or creative activity and service shall be the responsibility of each departmental chairman (or equivalent) in accordance with SUS Rules. The following minimum procedures shall be employed by the departmental chairman (or equivalent) in arriving at the faculty evaluation:

Evidence of Performance – Implementing SUS policy, the departmental chairman (or equivalent) shall request each

member of the faculty to submit to him annually, evidence of his performance in teaching, research or creative activities, and service (and other University duties where appropriate), together with any interpretive comments or supporting data which the faculty member deems appropriate in evaluating his or her performance.

When appropriate, each faculty member shall submit annually to the departmental chairman (or equivalent) the results of the administration of SIRS student evaluation instrument or any equivalent tool subsequently adopted by the University. In conjunction with this submission, the faculty member may also present such other evidence of teaching effectiveness as deemed to be appropriate in the circumstances. Such evidence may include alternative evaluations by students, faculty or administrators. The departmental chairman (or equivalent) may also devise alternative means of assessing teaching effectiveness.

(e) If a faculty member is on leave of absence for all or part of one or more academic years, the last evaluation preceding the commencement of the leave of absence shall suffice in meeting the annual evaluation requirement. For purposes of salary determination, promotion or tenure, and at the option of the faculty member, the departmental chairman (or equivalent) may review such relevant information as the faculty member wishes to present concerning teaching, research or service during the period of his leave. Such performance shall be evaluated in the manner prescribed above.

(2) Reporting Procedures.

(a) A written summary of the evaluation of the faculty member will be prepared annually and discussed with the faculty member concerned. A Faculty Evaluation Summary Form based upon the Board of Regents Rules shall be used. This Faculty Evaluation Summary shall be prepared annually as of June 15 of each year on each member of the faculty. The faculty shall be those defined by the Florida State University Constitution.

(b) The evaluator will normally be the departmental chairman (or equivalent). In those schools and colleges designated by the Executive Vice President, the evaluator will be the Dean. Each evaluator shall be familiar with Rule 6C-5.005, F.A.C., of the Board of Regents Rules for a definition of procedure and data to be used in the annual evaluation of the faculty. The Faculty Evaluation Summary will be reviewed by the appropriate administrative officer which will normally be the Dean of the College or School in which the faculty member holds his faculty position. When the Dean of a School or College is designated the evaluator, the Faculty Evaluation Summary will be reviewed by the Division Provost.

(c) Personnel holding joint appointments in other areas, departments or divisions shall be evaluated using the same form but such summary shall be marked concurrent. Each departmental chairman (or equivalent) shall evaluate the faculty member only with respect to his principal duties within that unit. Such concurrent summaries shall be forwarded to the Dean of the School or College in which the faculty member holds a faculty position. This procedure is to insure that each person holding a faculty position is evaluated annually and that all factors are considered in such an evaluation.

(d) Departmental chairman (or equivalent) shall be evaluated by their respective Deans and such Faculty Evaluation Summary reviewed by the Division Provost.

(e) A special report may be required in cases where the Dean disagrees with his departmental chairman (or equivalent) as outlined below. In the event of the termination of a faculty member, whether it be voluntary or

involuntary, at a date other than May or June, a special report will be prepared. A special report may also be required when directed by the President, Executive Vice President, or the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~.

(f) After completion of the Faculty Evaluation Summary by the departmental chairman (or equivalent) such summary will be discussed with the faculty member concerned by the evaluator. The faculty member may attach to the summary any statement he desires. In addition, in the case of an unsatisfactory evaluation, the departmental chairman (or equivalent) shall fully document the unsatisfactory performance prior to discussion with the faculty member. The departmental chairman (or equivalent) will propose in written form to the faculty member specific recommendations to assist the faculty member in achieving at least a satisfactory rating. The recommendation should be implemented within an academic year. Examples of recommendations could include: study at another university or even study on the campus of FSU (course titles and particular professors should be specified); provision to work with or to observe the work of an outstanding professor; participation in departmental staff development programs, etc. After discussion is completed and attachments made (if any), the faculty member will indicate that the evaluation has been reviewed by signing the Summary and indicating the number of pages attached to it.

(g) Upon the completion of the discussion with the faculty member, the Faculty Evaluation Summary will be forwarded to the Dean. If the Dean agrees with it, he shall so indicate by affixing his signature. In the event he disagrees, the Dean may discuss his area of disagreement with the preparer of the summary at which time two courses of action are available to the Dean:

1. The Dean may submit his own Evaluation Summary, or

2. The Chairman (or equivalent) may revise the original summary. Departmental chairmen (or equivalent) are encouraged to discuss the Faculty Evaluation Summary with their respective deans prior to discussion with the faculty member being evaluated. When a Special Faculty Evaluation Summary is prepared, the original Faculty Evaluation Summary must be attached to the special summary.

(3) Disposition of Summary.

(a) When the overall performance of a faculty member is satisfactory or better and the Summary has been reviewed by the Dean (or Division Provost where the Dean is the evaluator), the Faculty Evaluation Summary will be filed in the faculty member's departmental personnel file together with any attachments. The contents of the faculty evaluation file shall be confidential and shall not be disclosed except to the faculty member evaluated and those whose duties require access.

(b) When the overall performance is less than satisfactory, the Faculty Evaluation Summary shall be forwarded to the President of the University via the Division Provost and the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ with appropriate recommendation as to action to be taken as outlined in the Board of Regents Rules.

(4) Provision for Appeal.

(a) In the event that a faculty member is dissatisfied with the Faculty Evaluation Summary, this procedure allows the faculty member to register his or her disagreement in writing. In addition, review may be sought through

normal administrative channels.

(b) If the faculty member is not satisfied with the summary prepared by the departmental chairman or equivalent, he may present his or her request for review in writing to the Dean within ten (10) days after being informed of the chairman's evaluation. Unless a request for review is in writing, the faculty member will have no right to insist on time limits, but nothing should preclude a Dean from acting on all complaints. The Dean, like the departmental chairman (or equivalent), should have complete freedom of action in seeking to settle or resolve differences concerning evaluation summaries and presumably his efforts will be largely conciliatory. The Dean shall within ten (10) days of receipt of the written request for review meet with the faculty member to discuss the request, and the Dean shall within fifteen (15) days of receipt of the written request reach his decision.

(c) If the faculty member is not satisfied with the Dean's decision, he may request in writing a review from the Division Provost within ten (10) days after the Dean's decision. The Division Provost shall within ten (10) days of receipt of the written grievance meet with the member to discuss his request. The Division Provost shall within twenty (20) days of the receipt of the written request reach his decision.

(d) The appeal of the decision of a Division Provost may be made to the chief academic officer via the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~. Such a report for review should be made in writing within ten (10) days after the Provost's decision. The chief academic officer shall within ten (10) days of the receipt of the written grievance meet with the faculty member to discuss his request. The chief academic officer shall within twenty (20) days of the receipt of the written request reach his decision.

Specific Authority BOG Regulation 1.001(3)(j) . FS. History–New 9-30-75, Formerly 6C2-4.33.

6C2R-5.098 Textbook Adoption and Affordability

(1) The Board of Trustees of The Florida State University establishes the following procedures for minimizing the cost of textbooks to students while maintaining the quality of their educational experience and continuing to ensure academic freedom.

(a) The Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ shall notify each college and department of the requirements of the university's Policy on Textbook Affordability at least 25 days prior to the beginning of the fall and spring semesters and the summer sessions.

(b) Not later than the beginning of course registration for each term, instructors or their designees shall identify in the university's Course Textbook Adoption web application the textbooks and other materials both required and recommended for use in their course(s). This information will be immediately available online to students at the Course Textbook Adoption website.

(c) Upon accessing the website to enter this information, the instructor shall declare that

1. When making a choice between a new edition of a textbook and a previous edition, he or she has determined the extent to which the new edition differs substantively and whether the significance thereof warrants the adoption of the new edition; and

2. When requiring the purchase of a bundled package rather than one or more of its discrete parts, he or she requires use by the students of all of the items that the package contains.

(d) The textbook listings shall include the following information: the international standard book number (ISBN), the name(s) or the author(s) or editor(s), the title, the publisher, the edition, the copyright and publication dates, and other information that may be relevant to the student seeking to minimize cost. Other items than books shall be as appropriately described to make clear to the student exactly what he or she is required to purchase.

(e) Department chairs and college deans will monitor the use of the Course Textbook Adoption web application, ensuring that each instructor complies with the requirements for timely submission of the information required by students and the university bookstore.

(f) Students who cannot afford the cost of their required textbooks can apply for financial aid for that amount at the university's Office of Financial Aid with the expectation that their application will be processed within one week.

(g) Students who, prior to the receipt of the financial aid distributions for which they are qualified, must purchase their required textbooks shall be accommodated by the university's Office of Financial Services which has a purchase authorization arrangement with the university bookstore.

(2) No employee of The Florida State University may demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to make specific purchases. However, subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and both the outside activity requirements and conflict of interest restrictions set forth in the university's regulations and in collective bargaining agreements, an employee may receive:

(a) Sample or instructor copies of textbooks or other instructional resources that cannot be sold if they are identified as samples and not for sale;

(b) Royalties or other compensation from the sales of textbooks and other instructional resources of which he or she is the author or creator;

(c) Honoraria for academic peer review of course materials;

(d) Fees resulting from activities such as reviewing, critiquing, or preparing support materials for textbooks; and

(e) Training in the use of course materials and learning technologies.

Authority: Board of Governors Resolution January 7, 2003; BOG Regulation Procedure July 21, 2005, BOG Regulations 1.001(3)(j), 8.003; Sections 1001.74(1), (2), Florida Statutes.

History New 6-17-2009, Amended 2-19-2010

6C2R-6.006 Florida State University Imprimature.

(1) Academic Press and Publications Board.

To monitor publications and promote high standards for all publications which are to bear an FSU imprint, an Academic Press and Publications Board (APPB) is established. This Board supersedes and replaces the former FSU Press Committee and the Publications Committee. Its organization shall be as follows:

(a) Appointments of members of the Board shall be made by the President for staggered 3-year terms.

(b) The membership of the Board will represent the various academic units of the university.

(c) The Provost for Graduate Studies and Research, the Vice President for Faculty Development and Advancement ~~Dean of Faculties~~, and the Director of APPB, or their representatives, shall be ex-officio members of the Board.

(d) The APPB shall be organized with 15 regular members plus the Director of APPB, who shall serve as Chairman of the Board. Further, 4 committees of the APPB shall represent the four (4) areas of publication namely, books, journals, monographs, and artistic works of the creative imagination. These committees shall be responsible for analyses of proposed publications in their respective areas and for making recommendations to the APPB. The President may designate the committee assignment of each member of the Board.

(e) Press publications shall bear the imprint, "The University Presses of Florida," and the series designation "A Florida State University Book," during the university's participation in the State University System Press (The University Presses of Florida). Monographs and Journals will normally carry the imprint, "Florida State University," or the name of any constituent department or other unit of the university, or both of those names.

(f) The affairs of the APPB shall be administered by its chairman, the Director of the APPB, who shall be responsible for the implementation of all recommendations made by the Board and approved by the appropriate University officers.

(2) Committees of the Academic Press and Publications Board.

The responsibilities and evaluation procedures of the three committees shall be as follows:

(a) The Florida State University Press.

1. The Director of the Academic Press and Publications Board shall serve as Director of the FSU Press. All manuscripts are submitted to the Director, who eliminates those which are obviously unsuitable. If a manuscript meets Press standards for consideration, the Director shall assign it to a scholar on campus competent in the field of the manuscript who will give it a second reading. The Director then sends a copy of the reader's recommendation plus a prospectus describing the book to each member of the committee for books (the FSU Press Committee). If the Committee agrees that the book shows promise, it instructs the Director to submit the manuscript to a nationally recognized, off-campus authority for a written evaluation. The Director then will send copies of the outside evaluation to the members of the Committee for books for approval to publish, not to publish, or to publish providing certain changes are made.

2. If the manuscript is accepted, the Director will be responsible for editorial work necessary prior to copy editing. The FSU Press assumes the cost of publication. Manufacturing is ordinarily supervised by the Publishing Unit of the State University System Press.

3. The Publishing Unit of the State University System Press takes over completely the manufacture, promotion, and distribution of the book.

4. The Academic Press and Publications Board shall be responsible for broad policies governing the Florida State University Press as well as monographs and journals. However, the APPB ordinarily will not review individual manuscripts offered for publication by the FSU Press.

(b) Florida State University Journal Publications.

1. Proposals for the establishment of journals to bear the FSU imprint should include detailed analysis of the economic prospects of the journal, the size of the group to which it is addressed, the nature and expected number of subscribers, as well as its impact on the University. Moreover, it must specify editorial board members who have agreed to participate in evaluating manuscripts, the majority of whom ordinarily must be from off campus. Moreover, the proposal must include budget and expected growth pattern to assure a minimum return of 50% of its cost by the end of the third year and be self-sufficient by the end of the fifth year.

2. The proposals must be submitted to and approved by the appropriate departmental, area, and college committees. If the initial screening for the proposed journal indicates that the foregoing requirements can be met, the complete proposal, evaluation, and recommendations will be sent by the School or College Dean to the Chairman of the APPB, who will refer it to the Committee on Journals.

3. Once the proposal for the creation of a new journal has been received by the Committee on Journals of the APPB, it will normally be forwarded to appropriate outside consultants for review. In particular, the consultants shall comment on the need for the journal and likelihood that it will make a significant long-term contribution to the given area of study. Moreover, the particular contribution it is expected to make must be noted along with the stature and objectivity of the editor, the editorial board, and a prognosis of its likely success. When the consultants' reports are received they will be reviewed along with the other substantiating material by the Committee for Journals of the APPB. The Committee for Journals shall make recommendations to the entire APPB through the Board Director. The Board, through its Director, shall forward its recommendations to the Provost for Graduate Studies and Research for appropriate action.

4. The APPB shall review the progress, quality, and economic status of the given journal after three (3) years. It shall determine whether the journal has a balanced point of view, assuring that it has not become a house organ for FSU faculty. It shall then recommend either continuance, perhaps with modifications, or termination.

(c) Florida State University Monographs.

Monographs of the various FSU Institutes and Departments, not to include technical reports, pre-prints, working papers, etc., shall be considered under the procedure followed by the FSU Press with review and recommendations being the responsibility of the Committee on Monographs. In addition, the FSU Press may publish approved monographs prepared by FSU Departments and Institutes. In either case, the Department or Institute is expected to supply full funding.

(d) Works of music, art, choreographic scripts, and theater scripts in graphic or recorded form shall be considered for FSU Press with review and recommendations being the responsibility of the committee on artistic works.

Specific Authority BOG Resolution January 7, 2003, Reg. Procedure July 21, 2005 . Law Implemented 240.227(14), 240.229 FS. History--New 9-30-75, Amended 5-11-77, Formerly 6C2-6.06.

6C2R-6.011 Eminent Scholars Program.

(1) SCOPE. This rule shall govern the administration and general management of the Eminent Scholars Program at the Florida State University. The purpose of the Eminent Scholars Program is to attract private financial support to state universities. The financial support will be used to enhance scholarly work through the attraction of eminent scholars to the University. This rule sets out the guidelines for the solicitation of funds, the establishment and allocation of the Chairs within the University, the selection of scholars to occupy the Chairs, and the assessment of the effectiveness of the program.

(2) MAINTENANCE AND ADMINISTRATION. The Florida State University Foundation shall have the responsibility for furthering, administering and maintaining the Eminent Scholars Program at Florida State University. The Foundation shall conduct fund raising activities as authorized by the Trust Fund for Major Gifts, Section 240.2605, F.S., and invest and manage Eminent Scholar Chair Funds under procedures recommended by the Foundation Investment Committee and approved by the Foundation Board of Trustees.

(3) ESTABLISHMENT OF CHAIRS. An Eminent Scholar Chair shall be established when the Foundation has raised contributions from private sources and the Board of Regents has released matching funds from the Trust Fund for Major Gifts for the Eminent Scholars Chair in amounts specified in Section 240.2605(3)(b), F.S. The Eminent Scholar Chair shall be established pursuant to the provisions of Rule 6C-9.019, F.A.C.

(4) ALLOCATION OF CHAIRS. Donor intent shall determine the allocation of gifts received in support of the Eminent Scholars Program. All Funds will remain in the designated School, College, or Department regardless of whether full funding of a Chair is attained. When full funding of a Chair is not attained, the final determination of the use of the funds which has been raised for the Chair will be made by the Dean of the School, College, or Department in consultation with the donor and the Florida State University Foundation.

(5) SELECTION OF SCHOLARS. After each Chair has been established, the President of Florida State University shall appoint a Selection Committee to implement the process for selecting the holder of the Chair. The composition of the Committee and its duties are as follows:

(a) Composition of the Selection Committee. A majority of the Committee shall be faculty members.

(b) Criteria for selection of Chair Holder. The first duty of the Selection Committee for each Chair shall be to recommend to the President of Florida State University those criteria to be used in the selection of the holder of the Chair. After the President has approved the criteria, the Committee shall apply them in the selection process.

(c) Search for Candidates.

1. The Selection Committee shall conduct a search for candidates to fill the Chair under the rules governing faculty selection as set out in paragraph 6C2R-1.004(6)(a) and Rule 6C2R-4.027, F.A.C., which are incorporated herein by reference.

2. The Selection Committee shall recommend to the President of Florida State University for his approval one or more eligible candidates, as directed by the President, to fill the Chair. The Committee shall provide to the President written documentation on the extent to which the individual chosen to occupy the Chair meets the selection criteria established for the Chair.

3. The President shall select the candidate to be offered the Chair and shall make the written offer to the candidate.

4. If a candidate is not selected by the President or if the approved candidate does not accept the Chair, the selection process shall be repeated.

(6) EVALUATION PROCEDURE. After a Chair has been filled, the Selection Committee shall provide the President with a set of measures to be used in evaluating the success of the Chair in achieving the goals implied in

the selection criteria for that Chair and the purpose of the Eminent Scholars Program.

(7) CHAIR OPERATION.

(a) There are restrictions within the Board of Regents Rule 6C-9.019, F.A.C., related to budget items which are either acceptable or unacceptable in the operation of an Eminent Scholar Chair. The resources generated by the endowment fund may be used for salaries of the Chair holder, secretarial staff and research assistants; fixed capital outlay, and other expenses associated with the Chair holder's scholarly work such as computer time and supplies.

(b) Invasion of principal is strictly prohibited and Eminent Scholar Chair budgets are developed based upon annual projected investment income. Budget preparation and budget monitoring are cooperative functions of the Dean of the School or College in which the Chair is located, the Chair holder and the Foundation. Additionally, the University President has appointed a standing committee comprised of the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~, the Director of Budget and Analysis and the President of the Florida State University Foundation, Chaired by the President of the Foundation, to review expenditures from Eminent Scholar Chair investment income periodically.

(c) Investment income is maintained in a separate Foundation fund designated for Eminent Scholar Chair operations. Expenditures in support of an established Eminent Scholar Chair are made directly by the Foundation, except in those instances where the interests of the Chair can be better served by placing investment income in a University Contracts and Grants account. Signature authority for expenditures from the Investment Income Funds rests with the Dean of the School or College or designee.

(d) In accordance with the State University System of Florida Standard Practice 00-0000-5-03-1, effective 4/20/95, which is incorporated herein by reference, the Foundation shall include information concerning collection and investment of Eminent Scholars Funds in its annual audited financial statements which are presented to the Board of Regents. The Eminent Scholar Chair funds shall be audited individually, and separate financial statements shall be prepared for each as part of the Foundation's annual financial audit.

Specific Authority BOG Resolution January 7, 2003, Reg. Procedure July 21, 2005 . Law Implemented 240.227(1), 240.2605 FS., Section 35, Chapter 94-230, Laws of Florida. History--New 12-6-87, Amended 3-21-96.

6C2R-6.012 Alcohol Policy.

The University alcohol policy shall be as follows:

FLORIDA STATE UNIVERSITY ALCOHOL POLICY

Introduction

The Florida State University affirms the guiding ethical principle of responsible freedom. Students, staff and faculty are expected to show respect for order, ethical conduct, and the rights of others, and to model in daily living a high sense of personal honor and integrity. Florida State University neither encourages nor condemns the legal consumption of alcoholic beverages. The university recognizes, however, that the majority of undergraduate students are below the legal drinking age and that there are serious health risks and behavior problems associated with the use of alcohol in the collegiate environment. Consequently, alcohol will be permitted at Florida State University or programs sponsored by Florida State University or its direct support organizations only in those settings which:

1. Comply with federal or state laws, local ordinances, University regulations, foreign country laws (in the case of study abroad programs conducted by Florida State University International Programs, Inc.), Student Conduct Code, and this policy;
2. Present minimal health and safety risks; and
3. In no way inhibit the full participation of those who choose not to drink alcohol.

Events and activities that encourage excessive drinking and/or lead to the endangerment of individuals will not be permitted. Any person or group in violation of federal or state laws, local ordinances, or of this policy will be reported to the proper federal, state, local or university authorities for appropriate action.

I. Policy Pertaining to All Members, Groups, Events, and Organizations in the University Community and Non-University Members, Groups, Events, and Organizations.

- (a) No individual under the legal drinking age (minimum of 21 years of age permitted by the State of Florida or the minimum age prescribed by the laws of foreign countries, but in no case below the age of 18 years of age) may serve, sell, consume or possess alcohol on university properties, except to the extent allowed by law within licensed premises or designated areas of the university.
- (b) Alcohol must be served by a licensed and insured third party vendor. No individual may serve or otherwise provide alcohol to persons under the legal drinking age.
- (c) The Consumption of Alcohol: The consumption of alcohol on university properties will be restricted to the following areas:
 1. Florida State University Law School Rotunda;
 2. Licensed areas of the university (e.g., Center for Professional Development, Club Downunder, Crenshaw Lanes, Renegade Grill);
 3. Academic food service facilities;
 4. University Center areas include:
 - i. Skyboxes
 - ii. Miller Hall (C3300, UC)
 - iii. President's Box (Level 7, UC)
 - iv. Booster/Alumni Board Rooms (C5300, C5301 UC)
 - v. University Club (Building B, Floor 3, UC)
 - vi. Meeting Rooms (Building B, Floors 5 & 6, UC)
 5. Lounges in Beth Moor at Longmire Building;
 6. WFSU-TV and Radio Broadcast Center;
 7. Premises in and around President's house, Pearl Tyner Alumni Center, and surrounding grounds;
 8. University property not located on the main campus, which has been leased by the university to private entities or persons, referred to in this rule as "private premises," such as Heritage Grove;
 9. Private university living quarters, including Alumni Village, where those present are of legal drinking age (see the Guide to Residence Living, Community Expectations, for further restrictions that may apply in residence halls; or in the case of living quarters provided for study abroad programs, see policies promulgated by Florida State University International Programs Association, Inc.);
 10. Premises in Doak Campbell Stadium area used or licensed for use on football game days;
 11. At the following sites, when provided in conjunction with an artistic or municipal event:
 - i. The Fine Arts Gallery;
 - ii. The reception/hospitality room in the Opperman Music Hall;
 - iii. The Fine Arts Building; and the
 - iv. FSU Lab Theater.
 12. Werkmeister Reading Room (201 Dodd Hall)
 13. In common areas for special events approved by the University President or his/her designee. For faculty, the designee is the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~, for student groups, the designee is the Vice President for Student Affairs, and for all other groups the designee is the Vice President for University Relations.
- (d) The Sale of Alcohol: The sale of alcohol on campus must be approved by the President or designee. Although the President or designee may approve the sale of alcohol on campus, only the Division of Alcoholic Beverages and Tobacco can issue the permit required to sell alcohol in the State of Florida.
- (e) Promotional Guidelines: The promotion of activities or events shall not advertise alcohol or sponsorship by alcohol marketers without prior written approval of the Vice President for University Relations. Events that seek advertising approval must meet the following requirements:
 1. Alcohol shall not be used as an inducement to participate in a university event and may not be offered as a prize or gift in any form of contest, drawing or competition. Social events which encourage drinking, drinking contests, or drunkenness, and the advertisement of such events, are prohibited.

2. Alcohol advertising on campus or in campus media, including that which promotes events as well as product advertising, shall not portray drinking as a solution to personal or academic problems of students or as an enhancement to social, sexual, or academic status.
 3. Advertising for any university event where alcoholic beverages are served shall mention the availability of non-alcoholic beverages as prominently as alcoholic beverages.
 4. Promotional materials, including advertising for any university event, shall not make reference to the amount of alcoholic beverages available. This includes references to kegs or open bars.
 5. Must adhere to University posting policy guidelines.
- (f) Florida State University Police shall be notified of all on campus events that are not regularly scheduled that plan to serve alcohol.
- (g) Laws and Regulations: All members of the campus community (students, faculty, staff, alumni, and guests) must adhere to all applicable federal or state laws, local ordinances, and University regulations related to the sale and use of alcohol. They include, but are not limited to the following:
1. It is unlawful for any person to aid or abet an underage person, as defined by Section 1 (a), in the purchase or attempt to obtain alcoholic beverages.
 2. It is unlawful for any underage person to falsify a driver's license or other identification document in order to obtain or attempt to obtain alcoholic beverages.
 3. It is unlawful for any person to permit use of his/her driver's license or any other identification document by an underage person to purchase or attempt to purchase alcoholic beverages.
 4. No person may bring any type of alcoholic beverage into a licensed facility or area, nor may any person take alcoholic beverages out of the licensed facility or area, except that a bottle of wine purchased, but not fully consumed, at the University Center Club or similar restaurant establishment on campus may be removed by the person after it has been recorked as allowed by law.
 5. Transportation of all alcoholic beverages on campus shall be in unopened and unobservable containers.
 6. Damage to or destruction of property, or injury to person(s), which is caused by or can be shown to be related to the consumption of alcohol will be subject to disciplinary action, as will any other violation of this rule.

II. Guidelines for University Sponsored Events.

Definition: Large public and formal events where the University acts in symbolic ways to honor, celebrate, and reward achievements central to its mission (e.g., graduation, convocation, dedications, awards, ceremonies). These events convey important values about what is central to the University. Florida State University is concerned with the image conveyed when alcohol service is included as part of these events.

All University Sponsored Events are subject to the guidelines outlined in Section I of the alcohol policy. In addition, the following restrictions apply;

- (a) Alcohol will not be served at any reception or other function, as defined above, sponsored by the University or taking place on the University campus where attendance is essentially open to the public and is not controlled by such means as individual invitation, registration, reservation and/or a fee payment process.
- (b) At those functions where attendance will be predominately alumni and friends of the university, and controlled by individual invitation, registration, reservation, or a fee payment process, alcoholic beverages may be served with the following restrictions:
 1. All persons will be required to show identification, including birth date, to ensure that they are a minimum of 21 years of age in the State of Florida;
 2. The right to refuse to serve anyone who seems to be in danger of over consumption will be reserved and used; and
 3. An ample supply and variety of food and non-alcoholic beverages will be available.
- (c) At university sponsored functions where attendance will be predominately students, no alcoholic beverages will be served, regardless of the degree of control exercised over attendance

III. Guidelines for University Related Events.

Definition: Any organization or group, consisting primarily of Florida State University students, employees, faculty or alumni, and/or which utilizes the Florida State University name or its premises, in which alcohol is served, must adhere to the following guidelines. These guidelines apply to all student organizations, whether or not they have received formal recognition or not.

All University Related Events, on or off campus, are subject to the guidelines outlined in Section I of the alcohol policy. In addition, the following apply;

- (a) Sponsors are required to provide one or more alternative non-alcoholic beverage available in sufficient quantity throughout the event.

- (b) Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
- (c) If the alcoholic beverage is being sold, the alternative beverage should be available at a price equal to or less than the price of the alcohol being provided.
- (d) Wherever alcohol is present, food must also be in sufficient quantity throughout the event.
- (e) The cost of admission to an event may not include or cover the cost of alcoholic beverages.
- (f) No state appropriated, federal funds or A & S fees may be used to purchase or sell alcohol.
- (g) The burden of proof for showing legal age is placed upon the person desiring alcohol service. No service will be provided unless clear evidence of legal age is presented. Those of legal age and consuming alcohol will be identified by wrist bands, hand stamps, etc.
- (h) It is the responsibility of the serving establishment, at the time that an alcoholic beverage is requested, to check the picture ID. If, for any reason, proof of legal drinking age cannot be provided upon request, it is the responsibility of the server to deny the request.
- (i) At social functions where alcoholic beverages are served, direct access should be limited to a person(s) designated as the server(s) by a licensed insured vendor. Servers must not consume alcohol during the event.
- (j) The server shall refuse to serve anyone who seems to be in danger of over consumption will be reserved and used.

Any organization found not to be in compliance with the university alcohol policy at their event may be subject to university disciplinary action and may forfeit its right to any fee support from the university.

IV. Tailgate Events

Definition: Gatherings occurring in the designated parking areas surrounding the area of Doak Campbell Stadium prior to and after scheduled football games.

- (a) Florida State University does not support or condemn the consumption of alcohol by individuals 21 years of age or older at tailgate events.
- (b) Florida State University does not condone any act related to excessive consumption of alcohol that impairs, interferes, or endangers the safety or enjoyment of anyone attending these events, including the individual who chooses to consume alcohol.
- (c) Individuals who choose to consume alcohol are responsible for their behavior and should not operate a motor vehicle after they have consumed alcohol.

V. Administration and Enforcement of Policy

- (a) The Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ is the responsible university official for administration of the alcohol policy for all events involving primarily faculty. The Vice President for Student Affairs is the responsible administrator for students and student groups. The Vice President for University Relations is the responsible university official for administration of the alcohol policy for events managed by the direct support organizations and for those involving all other groups and individuals. Changes and revisions shall be coordinated by the Vice President for Student Affairs in consultation with other Vice Presidents, the Vice President for Faculty Development and Advancement ~~Dean of the Faculties~~ and the General Counsel, subject to final approval of the President of the University.
- (a) Enforcement of the alcohol policy shall reside in the Office of Student Rights and Responsibilities for individual student and student organization cases, and the Vice President for Faculty Development and Advancement ~~Dean of Faculties~~ for faculty related violations. Enforcement of the alcohol policy for all other groups, including outside groups, organizations, and individuals shall reside in the Vice President for University Relations.
- (b) The University maintains the right to forward possible violations of federal or state laws, local ordinances, and University regulations, to the proper authorities through the Florida State University Police Department.

VI. Health Risks

Alcohol consumption may cause a number of changes in behavior which are related to dose, rate of intake, body size and percentage of body fluid, expectations, social environment, physical conditions (disease or, more commonly, hormonal cycles can be factors), enzyme differences, and concentration of alcohol in a drink.. It may increase aggressiveness, lower inhibitions, cloud judgment, reduce resistance, and hamper the ability to make decisions.

Alcohol first affects the area of the brain responsible for higher functions, such as decision-making and social inhibitions, suppressing an individual's self-control. Alcohol in the blood can slow reaction time, reduce muscle coordination and impair eyesight, contributing to deficits in performance, judgment, memory, and motor skills. Even low doses can significantly impair the judgment and coordination required to drive a car safely. Florida State

University reiterates that no one should ever drink alcohol and drive. The designated driver should never drink alcohol.

Moderate to high doses of alcohol may cause marked impairments in higher mental functions, altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol may produce the effects just described above.

VII. Educational Resources and Support

In support of responsible management of alcohol, the University provides numerous resources and support services available to students, faculty, and staff of Florida State University, including alcohol education, counseling, treatment, rehabilitation, re-entry, prevention, and intervention, as well as other educational programs and volunteer opportunities. Below are just a few of these resources and services.

- (a) Health Promotion at the University Health Services [644-8871; Website is <http://healthpromotion.fsu.edu>
- (b) Office of Residence Life [644-2860; Website is <http://housing.fsu.edu/index.html>]
- (c) FSU Police Department [644-1234; Website is <http://www.police.fsu.edu/>].
- (d) (b) Volunteer opportunities for students seeking to work toward greater alcohol responsibility are available through Healthy Noles, which is an organization directed by Health Promotion at University Health Services. The Healthy Noles advocate for wellness on campus and alcohol responsibility is a significant component. For more information contact Health Promotion at [644-8871]; or access the application at <http://healthpromotion.fsu.edu>
- (e) The Learning Resources Center of the College of Nursing has books, slides and videotapes on alcohol and other substances which are available to instructors in the College of Nursing. All other staff or faculty would need approval from the Dean of the College of Nursing to access these resources [644-1291]. More information is available at www.fsu.edu/~nursing/.
- (f) The Digital Media Center provides media resources, which include listings on alcohol topics, to all campus approved departments and organizations. There is no charge for this service when it is used for regularly scheduled classes [644-5924; Website is <http://www.lib.fsu.edu/digitalmc.html>].
- (g) SMART (Students Making Alcohol and Other Drug Responsibility Theirs) Choices consists of two, two-hour class sessions and an interactive on-line program at University Health Services that presents the legal and personal consequences of substance abuse. Students who are sanctioned by the Office of Student Rights and Responsibilities [644-2428, Dean of Students Department] or University Housing [644-2860] for on or off-campus violations of the University's alcohol and drug policy must complete the course. Students may also enroll in the course free of charge if they would simply like to gain more knowledge about alcohol. Students may contact Health Promotion at [644-8871] if they would like to sign up. The purpose of the course is to introduce the student to a process of self-examination that may lead to improved decision making and behavior change.
- (h) The University Counseling Center (UCC) provides a structured two-session Alcohol and Other Drug (AOD) Evaluation for students who are sanctioned by the University for violations of the University's alcohol and drug policy. In addition to mandated AOD sessions, AOD Evaluations are available on a voluntary basis to all FSU students. Following the AOD Evaluation sessions, a recommendation is made to the student regarding need for counseling treatment. Counseling treatment is provided to students on a voluntary basis only. Any fee-paying student currently enrolled at Florida State University is eligible for services at the UCC. Please contact the University Counseling Center for a current fee schedule [644-2003; Website is <http://www.counseling.fsu.edu>].
- (i) The Employee Assistance Program (EAP) at Florida State University was established to assist employees with behavioral, medical and substance abuse problems affecting employment. Employees can enter the program through a self-referral or supervisory referral. The EAP functions as a coordinator of counseling and other appropriate services available both within the university and the community [644-2288; Website is <http://www.eap.fsu.edu>].
- (j) Counseling services are also provided for students, staff, faculty, and the community by the Marriage and Family Therapy clinic, which fees are based on annual income [644-1588; Website is <http://www.chs.fsu.edu/fcs/mft/center.php>].
- (k) The Human Services Center is a training clinic within the College of Education. Counselors are graduate students with counseling majors who offer service for students, staff, faculty, and the community. Services are free [644-3857; Website is <http://www.epls.fsu.edu/hsc>].

- (l) The Psychology Clinic is also a training clinic. Counselors are graduate students in clinic psychology programs. They provide one-on-one psychology services (no support groups) to students, staff, faculty, and the community. Fees are based on a sliding scale [644-3006; Website is <http://www.psy.fsu.edu/community/clinic>].
- (m) Helpline 211 is a telephone counseling and referral service for short term counseling, information and referrals mainly for social services in the Big Bend area [(877)-211-7005, (850) 224-6333, 211; Website is <http://www.211bigbend.org>].
- (n) AlcoholEdu offers personalized and confidential health information related to alcohol. <http://alcoholedu.com/>.

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