



## **CHAPTER FSU-2 ADMINISTRATIVE MATTERS**

[FSU-2.004 University Attorney.](#)

[FSU-2.007 Use of University Lands and Facilities.](#)

[FSU-2.009 Parking and Traffic Regulations.](#)

[FSU-2.010 Bicycle Parking and Traffic Code.](#)

[FSU-2.011 Facilities Leasing Program.](#)

[FSU-2.013 Commercial Solicitations.](#)

[FSU-2.0131 Posting, Chalking and Distribution of Materials.](#)

[FSU-2.014 Identification Cards.](#)

[FSU-2.015 Procurement and Purchasing.](#)

[FSU-2.0151 Supplier Diversity Program](#)

[FSU-2.016 Purchasing of Insurance.](#)

[FSU-2.022 Employee Debt Collection.](#)

[FSU-2.0225 Direct Deposit Program](#)

[FSU-2.023 Public Records: Uniform Charge Procedure.](#)

[FSU-2.024 Tuition and Fees.](#)

[FSU-2.0241 Tuition and Fees for Repeated Enrollment in College Credit Courses.](#)

[FSU-2.02410 Internet Payment of Tuition and Fees.](#)

[FSU-2.02411 Third Party Tuition and Fee Billings.](#)

[FSU-2.02412 Financial Aid and Tuition and Fee Payment.](#)

[FSU-2.02413 Florida Prepaid College Program.](#)

[FSU-2.02414 Waivers and Exemptions of Tuition and Fees.](#)

[FSU-2.02415 Late Fee Waivers.](#)

[FSU-2.02416 Student Residency.](#)

[FSU-2.02417 Refunds of Tuition and Fees.](#)

[FSU-2.02418 Student Withdrawals from Courses Due to Military Service.](#)

[FSU-2.02419 Withdrawals and Return of Financial Aid.](#)

[FSU-2.0242 Registrations for Zero Hour.](#)

[FSU-2.02420 Exit Interviews.](#)

[FSU-2.02421 Tuition and Fee Assessments and Remittance.](#)

[FSU-2.02422 Special Fines, Fees, and Penalties.](#)

[FSU-2.02423 Delinquent Accounts.](#)

[FSU-2.02424 Dishonored Checks or Electronic Payments.](#)

[FSU-2.0243 Auditing Courses.](#)

[FSU-2.0244 Materials and Supply \(Lab\) Fees.](#)

[FSU-2.0245 Tuition-free Courses for Those Sixty Years of Age and Older.](#)

[FSU-2.0246 Tuition and Fee Deferments.](#)

[FSU-2.0247 Tuition and Fee Liability.](#)

[FSU-2.0248 Student Cancellation of Schedule.](#)

[FSU-2.0249 Installment Tuition and Fee Contracts.](#)

[FSU-2.025 Direct Support Organizations.](#)

[FSU-2.026 Lost, Abandoned, or Seized Personal Property](#)

[FSU-2.027 Fraud Prevention, Detection, Reporting, and Investigation](#)

**FSU-2.004****University Attorney.**

All persons within departments or divisions with potential legal problems, including contract documents and the like, must forward such problems to the attention of the respective central administrative officer and not directly to the University Attorney's Office. Matters calling for possible legal advice or assistance may be reviewed and presented to the Office of the University Attorney by only central administrative officers of the University. Situations necessitating the coordinating of projects or programs among several persons other than the Office of the University Attorney will continue to be respected, assuming that only the appropriate central administrative officer shall be primarily responsible for coordinating such matters with that office.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 10041.74(1), (2), (4) FS. History—New 9-30-75, Formerly 6C2-2.04.

**FSU-2.007 Use of University Lands and Facilities.**

(1) Introduction. The Florida State University is a public institution. This regulation sets forth the guidelines for use of University facilities for events other than the normal University functions of teaching, research, service and administration. Use of facilities is administered by various units; however, final authority for use of all campus facilities lies with the President or designee.

(2) Scope. University space, including University lands and facilities, will be used first for the official and regular purposes and functions of the University. The University may extend the use of specified space to members of the University community or to the general public subject to the provisions outlined within this regulation. This regulation shall be interpreted and implemented in a manner consistent with the First Amendment to the United States Constitution, Art. I of the State Constitution, and the Campus Free Expression Act, section 1004.097, F.S. Nothing in this regulation is intended to or shall be used to prohibit free expression based on viewpoint, or to prohibit spontaneous expressive activity in outdoor areas of campus subject to this regulation and other reasonable time, place, and manner restrictions.

(3) Definitions.

(a) "University Persons, Groups and Organizations." University persons, groups and organizations are defined as one of the following: individual members of the University community (students, faculty, and employees acting in an official University capacity); all Student Government Association (SGA) entities; student organizations officially registered with the University; officially constituted colleges, schools, divisions, departments, agencies; and the University Board of Trustees or other

corporate organizational units which are a part of, or operate on behalf of, the University, such as Direct Support Organizations, (DSO's).

(b) "University Related Groups and Organizations." Groups and organizations not officially registered or affiliated with the University, or otherwise failing to meet the definition in paragraph (a) above, but which are related to the University because of the promotion of interests of the University community, the academic professions, and other related interests of the faculty, staff, or students, or which perform other service to the University and its community, such as credit unions, academic professional associations and fraternities, employee organizations, charitable community organizations, other public educational institutions, and the like.

(c) "Non-University Persons, Groups and Organizations." Persons, groups or organizations which do not meet the definitions of persons, groups, or organizations as defined in paragraph (a) or (b) above, including those groups and organizations which exist primarily for the purpose of carrying on commercial activity for profit, or which otherwise exist primarily for private individual gain or benefit.

(d) "Private Events." A private event held on the University campus that is open to attendance only by members and invited guests of the host organization or person.

(e) "Public Events." A public event held on the University campus that is open to attendance by all members of the University community and/or to the general public in accordance with the provisions of this regulation.

(f) "Continuing Education Programs." Continuing Education programs are those conferences, meetings, and other events registered with the Center for Professional Development & Public Services that have as their purpose the providing of instruction, training, and other educational programs to persons outside the University community. For regulation(s) pertaining to continuing education programs and events registered with the Center for Academic and Professional Development, refer to Regulation FSU-5.090, Center for Professional Development and Public Service.

(g) "Outdoor Areas of Campus." Outdoor areas of the campus are classified as follows and are subject to use in accordance with this regulation:

1. Academic areas. Outdoor areas immediately adjacent to classrooms, libraries, laboratories, auditoria, and research facilities.

2. Student Affairs Areas. The Student Union, Student Services Building, Askew Student Life Center, and Health and Wellness Center areas. Outdoor areas immediately adjacent to these facilities, as well as Woodward Street Plaza, Langford Green, and Landis Green.

3. Residential areas. Outdoor areas immediately adjacent to residence halls on the University campus.

4. Campus Recreation areas. Outdoor areas of campus under the purview of Campus Recreation including the Lakefront Property, Main Campus Fields, Recreation Sportsplex, Harkins Field, and Westside Courts.

5. University Relations areas. Outdoor areas of campus under the purview of University Relations including areas immediately adjacent to the Westcott Building including Westcott Plaza, and Mina Jo Powell Green.

6. Athletics areas. Outdoor areas of campus under the purview of Athletics including Doak S. Campbell Stadium, Dick Howser Baseball Stadium, the Seminole Soccer Complex, the JoAnne Graf Softball Stadium, Speicher Tennis Complex, Mike Long Track, Basketball Facility, Morcom Aquatic Center, Sand Volleyball Courts, Sportsmanship Plaza (Gate G), University Center Gates Plaza (Gate K) and sports practice areas established for special uses. The Seminole Legacy Golf Club is under the

7. College of Music. Outdoor areas of campus under the purview of the College of Music including the Owen Sellars Amphitheatre.

8. Donald L. Tucker Center. Outdoor areas of campus immediately surrounding and under the purview of the Tucker Center.

9. Panama City Campus. Outdoor areas of campus under the purview of the Office of Finance and Administration in Panama City.

10. Other areas of the campus established for special uses or purposes not otherwise designated in this section. The scheduling or use of these areas for meetings or events contemplated by this regulation shall be through the President's office, depending on entity assigned responsibility and control.

(h). "Camping". Camping is defined as use of a vehicle other than as for authorized transportation or work, tent, or other shelter at any time, and/or bedding or hammocks after sundown.-

#### (4) Scheduling of Facilities and Outdoor Areas of Campus

(a) The following facilities and outdoor areas of campus are subject to this regulation. Scheduling of facilities and outdoor areas of campus is subject to oversight and policies determined by the following University units:

1. Academic areas. Non-academic use of these facilities and outdoor areas are requested through the space reservation office in the Student Union subject to approval by the University Registrar or designee.

2. The Student Union, Student Services Building and the Askew Student Life Center areas. The scheduling of events or meetings in these facilities and outdoor areas is through the space reservation office in the Student Union.

3. Residential areas. The scheduling of meetings or events in these facilities and outdoor areas is scheduled through the Executive Director of University Housing Office or designee.

4. Campus Recreation areas. Facilities and outdoor areas are scheduled through the Director of Campus Recreation or designee.

5. University Relations areas. Facilities, including Miller Hall, Board Room UCC 5301, Beth Moor Lounge, and outdoor areas are scheduled through the Vice President of University Relations or designee.

6. Athletics areas. Facilities and outdoor areas are scheduled through the Director of Athletics or designee.

7. College of Music. Facilities and outdoor areas are scheduled through the Dean of the College of Music or designee.

8. Center for Global Engagement. Facilities are scheduled through the Director of Center for Global Engagement or designee.

9. Dunlap Student Success Center. Facilities are scheduled through the Assistant Vice President of Career Services or designee.

10. Center for Professional Development. Facilities are scheduled through the Director of the Center for Professional Development or designee.

11. Donald L. Tucker Center. Facilities and outdoor areas are scheduled through the Director of the Center or designee.

12. Campus Dining and Business Services facilities are scheduled through the Director of Business Services or designee.

13. Panama City campus facilities and outdoor spaces are scheduled through the Director of Finance and Administration for the Panama City campus, or designee, in consultation with the Dean.

14. Other areas of the campus established for special uses or purposes. The scheduling or use of these facilities for meetings or events contemplated by this regulation shall be through the President's Office, depending on entity assigned responsibility and control.

(b) Outdoor areas of campus may be used on an unscheduled basis for spontaneous expressive activities, provided that:

1. The University has not reserved or restricted the use of an outdoor area for individuals or groups pursuant to this regulation or for other official University purposes;

2. The unscheduled use of the outdoor area does not materially and substantially disrupt the functioning of the University or the expressive rights of other individuals or groups; and

3. The use of the outdoor area is otherwise in compliance with applicable laws, University regulations, and other reasonable time, place, and manner restrictions.

(c) Expressive activities in outdoor areas that have been reserved by the University or another individual, group, or organization for use through established University procedures are subject to removal or relocation under the parameters of this regulation. Additionally, no individual or group may claim exclusive use of any area without prior approval through the applicable event permitting processes.

(d) Requests for space by University and University Related Persons, Groups, and Organizations must be made per any policies set by the respective units which oversee scheduling as outlined in this regulation. Said University unit policies must be consistent with this regulation.

(e) Requests by Non-university persons, groups, or organizations for use of facilities or outdoor areas must be made per the policies set by the respective unit which oversees scheduling as outlined in this regulation at least fourteen days in advance of the event. Requests for any continuing or permanent use of University facilities by a non-university user, for a certain time each day, or a certain day of the week for a number of weeks, shall not be permitted under this regulation.

(f) Meetings or activities scheduled in accordance with this regulation that contemplate the charging of admission or other fees shall be subject to policies as approved by the University President or designee.

(g) All instructional space of the University, including seminar rooms, classrooms, laboratories, other research facilities, teaching auditoria, and libraries, is considered academic space and is under the assignment and control of the University Registrar. Any non-academic use of such facilities under this regulation shall be on a space-available basis. Requests for said space shall be made through the space reservation office of the Student Union subject to approval of the University Registrar.

(5) Facilities and Space Use other than for Official University Purposes by Category of User.

(a) Priority for Use of University Facilities.

1. Priority for the use of University facilities shall be awarded in the following order:

- a. University persons, groups, and organizations.
- b. University Related persons, groups, and organizations.
- c. Non-University persons, groups, and organizations.

2. When in the best interest of the University, such as the unforeseen need of facilities for major athletic events, priority of use may be reassigned with the approval of the President or designee.

(b) Use of University Facilities by University Persons, Groups, and Organizations.

1. University persons, groups, and organizations may use University facilities for the purpose of hosting events. A license agreement to secure use of facilities for private events may be issued by the space reservation office in the Student Union. Events may be subject to the registration requirements of the respective units outlined in (4), which include rental payment, certificate of insurance, security, and other registration requirements when deemed necessary by the University for the protection of the facility and the group participants and in the best legal and financial interest of the University.

2. Within the provisions of this section, private events shall not be accorded priority over public events. Any priority will be determined at the time of the scheduling of the event.

3. No University person, , or organization shall sponsor an event, for any Non-University person, group, or organization for the commercial or private benefit of said non-University person, group or organization that has not sought and received permission on its own to use University facilities.

(c) Use of University Facilities by University Related Persons, Groups, or Organizations.

1. University Related persons, groups or organizations may use University facilities subject to the following conditions:

a. All use of University facilities by University related persons, groups, or organizations shall be conditional upon the execution of a written agreement between the University and the individual, group, or organization desiring to use the facilities. Said agreement shall provide for, but is not limited to the following, that such individual, group, or organization:

i. Shall pay to the University the established rental fee as provided in (4)(d) plus any additional out-of-pocket costs incurred by the University or the state in the scheduling and holding of the activity, including but not limited to security, parking, and physical services.

ii. Shall supervise the event and accept full responsibility for any loss and/or damage to University facilities and/or equipment and shall hold the University harmless from any claims arising from any personal injuries in the use of the premises.

iii. Shall be responsible for reporting and paying all applicable Federal and State taxes.

iv. Shall assume all responsibility for the promotion and advertising of the meeting or event utilizing the University's policy for posting, promotions, advertising, chalking, and the distribution of materials in Regulation FSU-2.0131.

v. Shall not use the University's name and/or symbols in connection with the promotion or holding of any event without the express, written permission of the University.

vi. Shall provide the equipment of any type required for the event unless otherwise agreed to between the University and the individual, group, or organization. vii. Shall provide evidence of insurance required for the event as determined by the University Environmental Health and Safety department.

(d) Use of University facilities by Non-University Persons, Groups, and Organizations.

1. Use of University Facilities by Non-University Persons, Groups, and Organizations. Generally, groups in this category will not enjoy the use of campus facilities. However, it is possible that special conditions might permit the use of University facilities by some organizations in this group, such as educational programs that may be attended by members of corporate organizations.

2. Non-University persons, groups or organizations who are permitted use of University facilities shall use University facilities subject to the conditions outlined in (5) (c.)

(6) General Conditions Applicable to All Uses of University Areas and Campus Facilities.

(a) All uses of the University areas and facilities in accordance with this regulation are subject to the laws of the State of Florida and the rules, regulations, and policies of the Board of Trustees and the Florida State University and other applicable laws and rules.

(b) The University reserves the right to reasonably determine the time, place, and manner of all events held in University areas and facilities subject to this regulation as outlined in section (8) of this regulation.

(c) The use of public address systems or other electrical amplification equipment in outdoor areas of campus is subject to approval by the Director of the Student Union or designee, or the Chief of Police or designee. Approval will be granted when it is necessary that such equipment be utilized in the meeting or event and when the use of such equipment does not interfere with the academic processes or activities of the University or with other previously scheduled events or campus activities. All such use of public address systems or other amplification equipment is subject to the other provisions of this regulation and shall maintain a reasonable sound level which meets the communication needs of the event without excessive noise penetration to adjacent areas.

(d) All users of University areas and facilities shall take adequate precautions to avoid endangering the safety of persons in the area of the facilities used.

(e) The Florida State University does not allow the use of its facilities by groups or organizations whose practices may impact the health or safety of any individual or property.

(f) Cooperative arrangements with State Agencies for the use of University Facilities shall be permitted under this regulation.

(g) All persons, groups, and organizations must adhere to the University's policy on the use of alcoholic beverages at events, Regulation FSU-6.012 and the University's policy for posting, promotions, advertising, chalking, and the distribution of materials in Posting Regulation FSU- 2.0131.

(h) Persons, groups, and organizations using a University facility or outdoor area shall clearly state the identity of the sponsoring group in its request, signage at the event, and in news releases, placards, tickets, etc.

(i) Use of University Facilities by Private Individuals and Commercial Organizations. University space shall not be provided for private individuals or commercial organizations except when



specifically determined by the University that such use is in the best interest of the University and not in conflict with other University uses.

(j) Use of University Facilities for Political Campaign Events. It is recognized that the University, as a state educational institution, has an obligation to assist political organizations to inform the faculty and student body of the issues in primary and general elections. Therefore, all political campaign events shall be limited to meetings or events sponsored by organizations affiliated or registered with the University and consistent with applicable laws, regulations and rules. Costs associated with the use of university facilities for campaign events shall be the responsibility of the sponsoring organization or political campaign.

(k) Individuals or groups who occupy university facilities or outdoor areas of campus are responsible for removing all equipment and debris following use of the space. Individuals or groups may be held financially responsible for the university's cost for removal of any debris or equipment or any other damage to university property.

#### (7). Use of Campus Lands; Tents, Shelters, Camping.

(a) Tents, shelters, or temporary structures are prohibited on lands of the Florida State University campus except when used in connection with activities of academic or administrative units of the University, or as otherwise approved pursuant to this subsection.

(b) Tents, shelters, or temporary structures may be erected on University property by academic or administrative units only for activities directly related to the mission of the unit and only after first obtaining written approval of the Vice President for Finance and Administration or designee, who shall consider time period, space, traffic, and other safety and aesthetic factors.

(c) Student Government and registered student organizations may secure approval for use of tents, shelters, or temporary structures for activities described above by request to the Vice President for Finance and Administration or designee, who shall consider time period, space, traffic, and other safety and aesthetic factors.

(d) Camping is prohibited on lands of the Florida State University campus except when such camping is in connection with an official activity of the University, such as an activity of an academic or administrative unit. Prior written approval for such camping must be granted by the Vice President for Finance and Administration or designee taking into consideration time period, space, traffic, and other safety and aesthetic factors, along with the health, safety and welfare of the participants, the University community, and guests of the University. However, the Florida State University Chief of Police may authorize the use of vehicles, mobile homes, camping trailers, gazebos, tarps and similar structures in pre-designated areas in conjunction with or furtherance of an official one- day university event.

#### (8) Prohibited Conduct

The University prohibits any person from interfering with university and authorized functions, activities, and events and from participating in unlawful conduct. As such, no person may engage in the following:

- (a) Obstruct or impede vehicular, bicycle, pedestrian, or other traffic;
- (b) Obstruct any entrance or exit to any building, assembly space, driveway, parking lot, vehicular path, stairway or walkway or impede entry to or exit from any such area;
- (c) Build or construct any shelter, barrier, or other physical structure.
- (d) Camping as defined in this regulation.
- (e) Disrupt, disturb, or interfere with educational or administrative activities, events, or operations inside or outside any building;
- (f) Enter into any building or facility or occupy any university building without appropriate authorization;
- (g) Violate any applicable federal, state, or local law, rule, or ordinance;
- (h) Fail to comply with any reasonable instruction by university policy or any University official action in the performance of their duty;
- (i) Cause any threat to the health or safety of any passerby or member of the University community;
- (j) Engage in harassing conduct as defined in the Student Conduct Code, regulation 3.004 which includes any gesture, written, verbal, or physical act or any electronic communication that places a person in reasonable fear of harm to their person or damage to their property, infringes upon rights of personal privacy, has the effect of substantially interfering with a reasonable person's academic performance or ability to participate in opportunities or benefits provided by the University, or has the effect of substantially interfering with the orderly operation of the University.
- (k) Obstruct, disrupt, or attempt by physical force to cancel or discontinue speech by any speaker, or the observation of speech by any person intending to see or hear a speaker;
- (l) Damage University property, including but not limited to structures, grass, shrubs, trees, fountains, or other landscaping;
- (m) Mark university property, including any vertical or horizontal surface, other than in accordance with regulation 2.0131.
- (n) Use amplified sound, including but not limited to bullhorns, airhorns, and noise-making devices or instruments, except as approved in advance under applicable policy and within sound limits that will not disrupt University operations;
- (o) Wear any mask, hood, or device whereby any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer.
- (p) Conduct that is in violation of the lawful time, place, and manner restrictions in this regulation.

(q) Any inflammatory speech that is directed to inciting or producing imminent lawless action, and is likely to incite or produce such action. d

#### (9) Time, Place and Manner Restrictions

Time, place, and manner restrictions are content-neutral limitations that serve the University interest to ensure the health, safety, and rights of all members of the University community.

(a) No person, while participating in any meeting, assembly, picketing activity, demonstration, protest or gathering shall carry or possess any of the following:

1. Signs exceeding the size restriction of 24" by 36". Only signs constructed of foam, cardboard, or paper shall be permitted to be carried. Signs may be mounted on sticks or posts provided that the sticks or posts are constructed of wood, foam, or plastic and their dimensions do not exceed one-half inch in diameter (if round in shape) or one-fourth inch thick by two inches wide (if rectangular in shape).

2. Unmanned signs, banners, or flags. All signs, banners, or flags must be in the possession of persons at all times, and any unmanned signs, banners or flags will be collected.

3. Signs, banners, flags, or displays that infer university endorsement either by content or location.

4. Weapons or firearms as defined by FL Statute 790.001.

5. Mace or pepper spray unless for the purpose of personal protection.

6. Bats or other club-like objects.

7. Face shields, gas masks, hand-held shields, or helmets.  
of violations of University regulations or policies, or other applicable laws or ordinances.

8. Flammable liquid.

9. Torches or other open flames, except as authorized by University officials.

10. Wagons, carts, or ladders, except as authorized by University officials, or other items that could be used to barricade or to push or manipulate crowds.

11. Tents, vehicles, shelters, and/or bedding as outlined in section (7) of this regulation.

12. Any other items reasonably determined by the President or designee to be a public safety hazard.

(b) Meetings, assemblies, picketing activities, demonstrations protests, and gatherings are subject to the following restrictions:

1. Public address systems and other electrical amplification equipment may be utilized for events, subject to the provisions in section (6) of this regulation. All such use of public address systems or other amplification equipment shall maintain a reasonable sound level which meets the communication needs of the event without excessive noise penetration to adjacent areas.

2. Only University or University-related events will be permitted during any final exam period, and no unapproved amplified sound will be permitted at outdoor events during any final exam period.

3. The University may place limits on the attendance of expressive activities based upon the capacity of the forum.

4. Outdoor events are only permitted between sunrise and sundown unless prior approval is granted from the University i.e. scheduled sports competitions located in properly lighted space designed for such activity and scheduled through Campus Recreation.

5. Outdoor events are not permitted to block ingress or egress to any building or pathway, stairs, landings, or other areas deemed to create a hazard to the safety of the community.

Specific Authority Board of Governors Regulations 1.001 (3) (j) and (7) (g). History—New 9-30-75, Formerly 6C2-2.07, Amended 5-11-04, 9-24-10, 1-13-2012, 3-8-2013, 9-4-2018, 6-20-24

#### **FSU-2.009 Parking and Traffic Regulations.**

(1) General Information.

(a) Applicability of Traffic Regulation. This regulation 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 in any state or at the Office of Transportation and Parking Services in the name of, or operated by such person to be parked or operated in violation of any provision of this Regulation. It is the policy of FSU to enforce the provisions of this Regulation and seek to impose the fines, penalties or other sanctions provided herein:

1. In the case of a vehicle registered with the Office of Transportation and Parking 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 Transportation and Parking 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 Regulation 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 Transportation and Parking 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 Transportation and Parking Services shall be responsible for the supervision and implementation of this Regulation. All requests for individual consideration with regard to the parking and traffic regulations contained in this Regulation must be directed to that person at the Office of Transportation and Parking Services.

(d) Definitions. The following words and phrases, when used in this Regulation, 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 three (3) or more wheels.

3. Back-in Parking. Parking a vehicle so that the front-end of the vehicle is pointing toward the drive aisle. It does not matter if the vehicle actually backed into the parking space or drove through an adjacent space.

4. Commuter Lot. Designated lots/facilities that prohibit the parking of vehicles between the hours of midnight and 5:45 AM, except on Friday and Saturday evenings or as posted on the entrance of the lot.

5. Commuter Student. Any person not classified as faculty, administrative and professional personnel or University support personnel system staff that is enrolled and carrying 1 or more credit hours of undergraduate or graduate work at FSU that does not pay for on-campus housing and does not reside in an on-campus FSU residential hall.

6. Designated Parking Space. Areas governed by FSU parking Regulations with parking spaces delineated by red, white, yellow, green or blue striping, and ~~meter~~ hourly parking sign, or other physical barriers to include, but not be limited to railroad ties and bumper blocks intended to delineate parking parameters.

7. Director of Transportation and Parking Services. An FSU employee who has been assigned the specific duties of supervising and managing the Office of Transportation and Parking Services.

8. Employee. Any employee of FSU including (but not limited to) executive staff, faculty, administrative and professional personnel, University support personnel system staff, and OPS staff.

9. Employees of Recognized FSU Organizations or Contracted Services. Personnel who work on campus, but who are not University employees (including, but not limited to: bookstore employees, beauticians, barbers, food service personnel, credit union employees, golf course employees, postal/shipping employees, staff of religious houses, event personnel, and employees of the Greek houses).

10. Financial Aid Disbursement. The period of time defined each semester by the Controller's Office for the disbursement of financial aid funds.

11. 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.

12. 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 Transportation and Parking Services are authorized to use loading docks. Loading docks are delineated by signs and/or pavement markings. Vehicles parked without proper authorization will be issued a citation and/or towed at owner's expense.

13. Loading Zones. Areas specifically designated for the sole purpose of loading or unloading materials or equipment. Properly identified service vehicles, commercial vehicles, vehicles registered for valid FSU virtual permits, or vehicles properly displaying a valid loading zone parking credential issued by the Office of Transportation and Parking Services are authorized to use loading zones. Loading zones are delineated by signs and/or pavement markings. Use of these areas is limited to 20 minutes. Vehicles exceeding the 20-minute maximum period may be issued a parking citation. Additional citations may be issued every hour after the original citation and/or vehicles may be towed at owner's expense.

14. Motorcycle, Moped, or Motor Scooter. Any motor vehicle having less than three (3) wheels.

15. Overnight Lot. Designated lots/facilities that allow parking twenty-four (24) hours a day.

16. Parking. The standing of a vehicle, whether occupied or not and whether the engine is running or not., as may be permitted by law under the State Uniform Traffic Control

Law, Chapter 316, Florida Statutes, or this Regulation pursuant to Section 1006.66.

17.        Parking Credential. A virtual parking permit, parking placard, parking hang-tag, or other designated pass/permit that authorizes parking in one or more campus parking lots/facilities.

18.        Parking Hang-Tag. A parking hang-tag is a physical parking permit that is hung from an automobile's rearview mirror. A parking hang-tag authorizes parking in the lots, facilities, and/or spaces as shown on the hang-tag. The parking hang-tag does not authorize parking in any lots, facilities, or spaces not noted on the hang-tag.

19.        Parking Placard. A parking placard is a physical parking permit that is placed on an automobile's dashboard. A parking placard authorizes parking in the lots, facilities, and/or spaces as shown on the placard. The parking placard does not authorize parking in any lots, facilities, or spaces not noted on the placard.

20.        Permit Registration Year. The period from August 15 of one year to August 15 of the succeeding year

21.        Persons Affiliated with FSU. Employees or students of FSU or employees of recognized FSU on-campus organizations or contracted services.

22.        Reserved Space. A parking space that is reserved for a specific user, user group, event/function, or vehicle. The space will be marked with signage, pavement markings, and/or temporary barricades. Any parking space on campus may be reserved for events or other University functions.

23.        Resident Student. Any person not classified as faculty, administrative and professional personnel or University support personnel system staff that is enrolled and carrying 1 or more credit hours of undergraduate or graduate work at FSU that also pays for on-campus housing and resides in an on-campus FSU residential hall.



24. Restricted Hours. Between 7:30 AM and 10:00 PM, Monday through Friday on all class days, examination periods, semester breaks, and registration periods.

25. 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 Transportation and Parking 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 and/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 if the space is not reserved for a specific vehicle or fine code – 06 if the space is reserved).

26. Short Term Parking. Those spaces designated by signage with a two-hour maximum stay. An appropriate parking placard or hang-tag must be obtained from the Office of Transportation and Parking Services and appropriately displayed on the vehicle.

27. Transportation 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 Transportation 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 Board Coordinator, when a regular member is unavailable. All appointments shall be made by the Vice President for Finance and Administration. 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.

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

Motorized scooters and micromobility devices governed by s. 316.2128, F.S., have certain rights of bicycles and are governed by that law, University regulation and policy including those governing bicycles, city ordinance and the provisions of any vendor contract.

29. Virtual Permit. Vehicle registration which allows the registered vehicle to be parked on the grounds of the University, as set out in this Regulation. A virtual permit is not a physical permit. Instead, the registered vehicle's license plate is used to determine whether or not the vehicle is properly registered with the Office of Transportation and Parking Services. Up to five automobiles may be registered to a single virtual permit. However, a vehicle may not be registered to more than one virtual permit at a time. Automobile virtual permits are only issued to vehicles with three (3) or more wheels and motorcycle virtual permits are only issued to vehicles with fewer than three (3) wheels.

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

31. Working Day. Any day that the University is officially open. This does not include official holidays or winter break.

(2)Virtual Permits, Parking Placards, and Parking Hang-Tags.

(a)All vehicles parked on the campus by persons affiliated with FSU must be registered for a valid virtual permit or display the appropriate placard or hang-tag as instructed. The following, however, are excepted:

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

2. "State" Tag Vehicles. Vehicles owned by or assigned to an FSU department or organization and bearing a duly issued "State" license tag must be registered for a valid virtual permit, but are not required to pay hourly parking 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. Vehicles bearing a duly issued "State" license tag but are not owned or assigned to an FSU department or organization must either purchase a virtual permit, purchase a visitor parking placard or hang-tag, park in an hourly parking space and pay the appropriate fee, or park in a designated visitor parking lot/facility and pay the appropriate fee.

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). A virtual permit is not required if a valid press identification is prominently displayed on the vehicle(s). 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 (less than 10 minutes) at 1 or more points on campus are not required to register for a virtual permit or display a parking placard or hang-tag. Vehicles used by persons required to perform service or regular maintenance on University-owned or leased equipment or facilities must have a valid FSU parking hang-tag displayed. These vehicles may be parked in any designated, unreserved parking space. Hourly parking and visitor lot/facility fees 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 Transportation and Parking Services. Construction placards or hang-tags must be displayed in the windshield of each parked vehicle, whether or not the vehicle is parked in a parking lot/facility or within a fenced enclosure.

6. Vehicles Transporting Disabled Individuals; Disabled Veterans.

a. In accordance with Florida Statutes, a vehicle bearing a disabled parking permit issued pursuant to Sections 320.0848, 320.0842, 320.0843, and 320.0845, Florida Statutes, or a disabled license plate issued pursuant to Section 320.084 or Section 320.0848, Florida Statutes

(disabled veterans and veterans confined to wheelchairs), may park in designated accessible

b. 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 reserved space, bus loading zone, fire zone, disabled space access aisle, service vehicle space, non-designated parking area or any other area posted as a "No Parking" zone. All employee and student affiliates are required to purchase the appropriate virtual permit in order to park on campus. Vehicles appropriately registered for a valid virtual permit and displaying a disabled permit issued by the state may park in hourly, 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 accessible spaces, hourly parking space (at no charge), and/or visitor parking lots/facilities (provided the regular rate/fee is paid).

c. Any person who fraudulently obtains or unlawfully displays a disabled parking 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.

d. Transportation and Parking services will immobilize any vehicle displaying a fraudulent disabled permit and contact the FSU Police Department.

7. Visitors may park in hourly parking spaces or in any designated visitor parking lot/facility provided appropriate fees are paid and time limits are not exceeded. All vehicles must be parked with the flow of traffic.

(b) The virtual permit year begins on August 15 and ends the following August 15. All permits, placards, and hang-tags will expire on August 15 each year.

(c) Permit Information: All persons affiliated with FSU that park on University property are required to register for a virtual permit and pay all related charges/fees.

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

(e) Replacement Gate Access Cards and Virtual Permit Refunds. A replacement gate access card, if applicable, will be issued when a gate card is no longer serviceable. The original gate card must be returned to the Office of Transportation and Parking Services to qualify the holder for a replacement gate card due to defect. No refunds will be issued for returned temporary permits, gate cards or remote gate openers.

(f) Virtual Permit Classifications.

1. Faculty, Administrative and Professional personnel, and University Support Personnel System staff are eligible to register for "RP" virtual permits. Faculty, Administrative and Professional

personnel, University Support Personnel System staff, Non-Student OPS employees of recognized FSU affiliated organizations or contracted services are eligible to register for "R" virtual permits. Both the "RP" and "R" virtual permits authorize parking only in designated "R" parking areas (as identified by red stall lines and/or entrance signage) or in areas specified for shared parking (as identified by alternating red and white stall lines and/or entrance signage). In order to be appropriately registered for an "RP" or "R" virtual permit, the employee must provide the make, model, color, year, and license plate of each vehicle registered to the virtual permit (up to five vehicles per permit) and pay all required fees.

2. Visitors are eligible to purchase a "V" parking hang-tag, authorizing parking only in designated "W" and non-gated "R" parking areas. Faculty, staff and student affiliates, as well as employees of FSU affiliated organizations or contracted services, are not eligible to purchase a "V" hang-tag.

3. Students and Non-Student OPS employees are eligible to register for "VW" virtual permits. Vehicles that are registered to a "VW" virtual permit are authorized to park in designated "W" parking areas (identified by white stall lines and/or entrance signage) between the hours of 5:45 AM and 12:00 a.m. on all class days in areas designated for commuter parking and 24- hours per day in areas designated for overnight parking. "VW" virtual permits can also park in areas specified for shared parking (as identified by alternating red and white stall lines and/or entrance signage).

4. Students are also eligible to register for a "VRES" virtual permit which allows 24/7 access to a designated reserved lot or area. To acquire this optional permit, students must provide the make, model, color, year, and license plate of each vehicle registered to the virtual permit and pay all required fees (\$325 – Academic Year or \$415 – Annual).

5. Students are also eligible to register for an "Overnight" virtual permit (ON) which allows parking in all areas designated for overnight parking between the hours of 12am and 5:45am Monday through Friday. This permit will also carry "VW" parking privileges at all other times. To acquire this optional permit, students must provide the make, model, color, year and license plate of each vehicle registered to the virtual permit and pay all required fees (\$300 – Annual)

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

7. Individuals operating motorcycles, mopeds or motor scooters may purchase a "VMC" virtual permit authorizing parking in motorcycle parking spaces only.

Commercial vendors and sales and service representatives are eligible to purchase commercial ("C") hang-tags. Vehicles bearing "C" hang-tags may park in any designated, unreserved parking space on campus. Commercial hang-tag holders may also utilize designated loading areas for 20-minute periods only, short-term parking spaces (2 hour maximum), and unreserved service vehicle spaces, as well as hourly parking spaces and visitor parking lots/facilities (provided appropriate fees are paid).

8. Loading Zone hang-tags may be purchased on an individual basis to afford access to designated loading zones for loading or unloading of materials or equipment. "LZ" hang-tags are not valid in any other parking spaces on campus.

9. Service vehicle hang-tags may be purchased by eligible service and technical support representatives. Vehicles bearing a valid "SV" hang-tag are eligible to park in designated unreserved service vehicle spaces with no time restriction and loading zones for a maximum of twenty (20) minutes. "SV" hang-tags are not valid in any other parking spaces on campus.

10. Departmental hang-tags may be purchased by eligible FSU departments for use by employees to conduct departmental business. Vehicles bearing a valid departmental hang-tag are eligible to park in unreserved "R" parking spaces and loading zones for a maximum of twenty (20) minutes.

11. Back-in hang-tags may be purchased by individuals with valid FSU virtual permits. Vehicles bearing a valid back-in hang-tag are authorized to park in appropriate campus parking lots back-in style. Back-in hang-tags are not valid in parking garages or in parking lots with angled parking spaces.

12. Temporary disabled parking placards or hang-tags will be issued by the Office of Transportation and Parking Services, upon determining eligibility, for a period not to exceed 21 calendar days. To be eligible to apply for a temporary disabled parking permit, the individual must have properly registered and paid for a valid virtual permit. 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 83039 S, which is incorporated herein by reference which contain "Disabled Person's Parking Permit a Physician's Statement of Certification", for issuing disabled parking permits at which time a placard or hang-tag will be issued for an additional period not to exceed 35 calendar days. This temporary disabled parking permit is non-renewable.

(g) Virtual permits, parking placards and hang-tags are issued to specific individuals or departments/organizations and are not transferable. The registered owner of the virtual permit, parking placard or parking hang-tag accepts responsibility of all fines when the permit is used by or displayed on any vehicle.

(h) An individual may purchase and maintain only 1 automobile virtual permit and 1



motorcycle virtual permit at a time during each permit year. This excludes any replacement permits issued.

(i) On the day preceding a home football game (including the spring football game) or as designated on lot/facility entrance signage, all vehicles must be removed by 11:59 PM in designated football lots. A map of football parking lots and facilities will be available on the Office of Transportation and Parking Services website.

### (3) Parking Fees and Penalties.

(a) "VW" 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 a virtual permit can be obtained by each student who has registered for classes. Each student who registers for a virtual permit and pays all related fees/rates shall be granted a "VW" virtual permit for their automobile or a "VMC" virtual permit for their motorcycle, scooter or moped. If a student owns both an automobile and a motorcycle, they shall have the option to purchase both a virtual permit for their automobile and a virtual permit for their motorcycle. It is the responsibility of the student to properly register their vehicle(s) for a virtual permit from the designated point of distribution. All annual permits shall expire on August 15 of each year.

(b) Fees for Transportation Services. The fees assessed for each type of parking credential, with the exception of the Student Transportation Fee and departmental charges, are subject to a sales tax mandated by the State Legislature. All transportation fees shall be posted on appropriate websites. Any fee increase/decrease to the Student Transportation Fee shall be approved by the Board of Trustees. The University President or designee shall have the authority to regulate all other fees associated with Transportation and Parking Services not addressed in this regulation.

(c) Fees for Visitor Parking Spaces/Lots/Facilities, Contractor Parking, and Special Event Parking. Fees for visitor, contractor, and event parking passes, hourly parking, designated visitor parking lots/facilities, and campus special event reservations shall be determined by the Director of

Transportation and Parking Services. All visitor, contractor and event parking rates will be posted in the parking payment app, at the entrance of each visitor lot/facility, and on the Transportation and Parking Services website, as appropriate.

(d) Refund of Fees.

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

2. Virtual permits, parking placards, and parking hang-tags purchased on an annual or semester basis will not be refunded/canceled unless student has withdrawn from the University or employee is no longer employed by the University. In these cases, refunds will be made on a pro-rated basis on a monthly scale for unused parking and/or payroll deductions will cease at separation from the University.

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

(e) 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 are subject at all times to the motor vehicle laws of the State of Florida, the 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 on a rotational basis.

(d) Vehicles parked in violation of the provisions of this Regulation, abandoned on campus, deemed as a safety hazard by the FSU Police Department or Environmental Health and Safety, or failing to be registered for a valid virtual permit or display a current and valid parking placard or hang-tag 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 vehicles registered for "R", "RP", and "E" virtual permits, or vehicles displaying placards and hang-tags that provide parking in "R" parking areas, between the hours of 7:30 AM and 4:30 PM on all class days (or as otherwise noted by signage and/or gate equipment), examination periods, semester breaks and registration periods. "V" hang-tags may utilize ungated "R" parking areas only. These areas are delineated by signs and/or red parking lines. After 4:30 PM Monday through Friday, all valid FSU virtual permits, placards, and hang-tags are honored unless otherwise noted by signage.

2. "W" parking areas are reserved for the use of vehicles registered for valid "VW" virtual permits, or vehicles displaying placards and hang-tags that provide parking in "W" parking areas, between the hours of 7:30 AM and 4:30 PM Monday through Friday. These parking areas are delineated by signs and/or white painted parking lines.

3. Shared parking areas are reserved for the use of vehicles registered for valid FSU virtual permits, or vehicles displaying placards and hang-tags that provide parking in shared parking areas, between the hours of 7:30 AM and 4:30 PM Monday through Friday. These parking areas are delineated by signs and/or alternating red and white painted parking lines.

4. Between 4:30 PM and 10:00 PM, Monday through Friday, all parked vehicles must be registered for a valid FSU virtual permit or display a valid parking credential and may park in any marked space in any unreserved parking area without regard to permit designation and may park in hourly parking spaces provided applicable fee has been paid. Reserved and disabled parking regulations are still enforced.

5. Between 10:00 P M Friday and 11:59 PM, Sunday, no virtual permit or valid parking credential is required to park in any marked space in any unreserved parking area. Hourly spaces may be used without charge. Reserved and disabled parking regulations are still enforced.

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

(g) General disabled spaces may be designated as time limited. The time limitation will be posted on the sign. Vehicles parked in the time limited disabled space for longer than the maximum time are subject to the issuance of a fine code (01) citation. Accessible spaces in gated lots shall be designated for faculty, staff or student affiliates whose vehicle is properly registered to a valid FSU virtual permit and valid Department of Motor Vehicle Disabled Parking Permit. Vehicles without a valid FSU virtual permit are not authorized to park in the restricted disabled 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 hourly spaces as long as all fees are appropriately paid. Motorcycles may not park in non-

hourly automobile spaces and may not park in any gated lot or facility.

(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: parking without a valid virtual permit, parking placard, or parking hang-tag in restricted lots; parking multiple vehicles on campus that are assigned to a single virtual permit; back-in parking without authorization; back-in parking in a campus parking garage or parking lot with angled parking; parking in an access lane; blocking access to spaces, lots, facilities, drive aisles, or streets; parking without the appropriate virtual permit, parking placard, or parking hang-tag for the space, lot, or facility used; obstructed license plate; virtual permit vehicle information entered incorrectly; 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 hourly spaces or time limited spaces -- 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 fire lane -- fine code 03. The fee assessed for this violation: \$100.00.

4. Parking in a disabled space without authorization, blocking disabled spaces or access aisles, or with a disabled 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 virtual permit, motorcycle permit, parking placard, or parking hang-tag or purchase of a virtual permit, motorcycle permit, parking placard, or parking hang-tag by an authorized individual for use by or resale to an unauthorized individual. Failure to provide correct vehicle information within seven working days. Use of a parking permit, placard, or hang-tag listed as stolen or lost. Use of an altered or forged parking permit, placard, or hang-tag. Misuse and fraudulent use of a virtual permit, motorcycle permit, parking placard, or parking hang-tag 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, reserved lot/facility, or bagged hourly space – 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 thirty (30) 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 30 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 Transportation and Parking 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 Transportation and Parking 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 Regulation 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 Transportation Violations Appeals Board. Such notice shall be given by completing a Transportation Violations Appeals Board Form MP- 01 and filing it with the Board Coordinator. 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 Transportation 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 Transportation and Parking Services, Tallahassee, Florida.

5. Transportation 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 Board 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 Transportation 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 suspend the 14-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 30 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 Transportation 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 a 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 30 calendar days of the date of issuance of such citation; or who fails to pay the applicable fine within 30 calendar days of the date of issuance of written decision of the Transportation Violations Appeals Board, affirming the individual's adjudication of violation, the Director of Transportation and Parking 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, the Dean of Students or the University Personnel Relations Department, or some combination thereof, 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 Regulation FSU-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 Dean of the Faculties for appropriate action taken in accordance with applicable provisions of the Florida Statutes, University Regulations governing faculty employment, and any applicable faculty collective bargaining agreement. All matters involving non-faculty employees shall be referred to the Assistant Vice-President and Chief Human Resources Officer or designee for appropriate action taken in accordance with applicable provisions of Florida Statutes, Regulation FSU- 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 Transportation and Parking 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 Transportation and Parking 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 \$90.00 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 Transportation 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 Transportation and Parking 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 Transportation and Parking 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 Transportation 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 Regulation.

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, 6-7-2013, 10-9-2015, 6-7-2019, 8-13-2020, 6-22-2022, 6-20-24

**FSU-2.010      Bicycle Parking and Traffic Code.**

(1)General Information.

(a) The provisions of this rule shall be applicable to all persons who operate or park a bicycle on the Florida State University campus at all times, including examination periods, term breaks, and registration periods.

(b) All ordinances of the City of Tallahassee relating to Traffic which are not in conflict with or inconsistent with this rule are made a part thereof and are enforceable as provided herein.

(c) The University reserves the right to designate and regulate the use of all its bicycle parking facilities, including the right to remove, or reallocate parking areas as the need arises.

The responsibility of locating legal parking space rests with the operator of the bicycle. Lack of space will not be considered a valid excuse for violating parking regulations.

(d) Definitions.

1. Administering Agency. The Florida State University Department of Public Safety and Department of Environmental Health and Safety and Parking Services are vested with the authority necessary to enforce this rule.

2. Bicycle. Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor rated at not more than 200 watts and capable of propelling the vehicle at a speed of not more than 10 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device.

3. Bicycle Lane. That portion of a roadway restricted to the exclusive use of bicycles and so designated by signs and/or markings.

4. Bicycle Path. A route separates from roadways for the exclusive use of bicycles and so designated by signs and/or markings.

5. Campus. All property situated in the Tallahassee area that is under the control of The Florida State University.

6. Dual Use Sidewalk. A sidewalk on which both bicycle and pedestrian traffic is permitted and that is so designated by signs and/or markings.

7. Hazard. When a bicycle is parked or secured by chain or other device in a location the result of which creates a situation of risk, peril or danger of injury or destruction to property.

8. Operator. The person in actual physical control of a bicycle.

9. State. The State of Florida.

10. University. The Florida State University.

11. All other definitions cited in Section 316.003, F.S., and relating to bicycles and other motor vehicles are hereby accepted for use in this rule.

(2)Bicycle Registration.

(a) All bicycles that are operated, parked, or stored on campus by any student or faculty or staff member of the University community are encouraged to voluntarily register their bicycles with the Department of Public Safety or Environmental Health and Safety. Bicycles not owned or operated by a member of the University student body, faculty or staff, or an employee of a University related agency or office can be operated or parked on the campus in accordance with this rule.

(b) The application form includes the following:

1. Full name and address of the owner(s).
2. The owner's FSU ID number.
3. Name and address of the Operator (if different from previous name and address).
4. Make, color, serial number, and model of the bicycle, or other identifying information.

(3)The Operation of Bicycles.

(a) Every person operating a bicycle upon a public street shall do so in accordance with the traffic control devices and rules of the road that are applicable to motor vehicles under Florida law and regulations specified within this rule.

(b) Mounted bicycles shall be operated only on a roadway, bicycle path, bicycle lane, or dual use sidewalk.

(c) A person operating a bicycle shall do so as close to the right-hand side of the path, lane, sidewalk and roadway and with the flow of traffic.

(d) Rules of the road applicable to motor vehicles shall apply to bicycles operated on bicycle paths unless this rule explicitly requires a different course of action. Wherever a usable

path for bicycles has been provided adjacent to a roadway, bicycle riders shall use that path and not use the roadway.

(e) After sundown, every bicycle shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least five hundred feet to the front and a lamp on the rear exhibiting a red light visible from a distance of five hundred feet to the rear. A red reflector meeting the requirements of this section may be used in lieu of the red light. All such lamps and reflectors shall be in place and in operation whenever a bicycle is operated after sundown.

(f) All traffic signals, stop signs, yield signs, and other traffic control signs will apply to the operator of a bicycle. Traffic control signs or devices on a roadway parallel to a bicycle path shall also apply to the operator of a bicycle on such a path if that path leads into or crosses an area or street protected by the traffic control device.

(g) The operator of a bicycle shall at all times yield the right-of-way to pedestrians.

#### (4) Bicycle Parking.

(a) The Florida State University reserves the right to designate and regulate the use of all its bicycle parking facilities.

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

(c) A bicycle is forbidden to be parked and/or secured on a handicapped accessible ramp, either in part or totally, or in any manner that would restrict the movement of physically challenged persons.

(d) Bicycles shall be parked so as not to impede any form of pedestrian or vehicular movement. Prohibited areas include any area within six feet in front and to the side of any entrance to or exit from any building, within any sidewalk, on any access or egress ramp, or sidewalks, steps or stairs, in corridors, or motor vehicle parking spaces.

(e) A bicycle should be chained or locked only to a bicycle parking rack or to the locking device provided in bicycle parking areas. A bicycle, including specifically an electric bicycle or other device used for transportation and powered by a battery, may not be brought

into FSU buildings except specifically designated parking facilities.

(f) The Department of Public Safety and the Department of Environmental Health and Safety are authorized to cut security devices and remove for impoundment any bicycle parked or stored in violation of this rule. A bicycle will be impounded for any of the following reasons:

1. Parked in a manner so as to create a hazard, as defined in subparagraph (2)(f)7.
2. Abandoned.
3. Parked in a prohibited area as provided in paragraphs (4)(c) and (d).

(g) A person whose bicycle has been impounded may claim their bicycle within 30 days by contacting the Department of Public Safety or Department of Environmental Health and Safety. The burden of proving ownership shall rest with the person claiming the bicycle.

(h) An impounded bicycle not reclaimed within 30 days shall be considered to be abandoned and shall be disposed of by the University in accordance with Section 705.18, F.S.

(5) Enforcement Procedures.

(a) Any person whose actions result in a violation of this rule will be assessed a fine of \$10.00 per violation in accordance with Section 240.265, F.S.

(b) All fine assessments are payable at Parking Services.

(c) Alleged violators of this rule will have the same avenues of appeal as an operator of a motor vehicle in accordance with FSU Rule FSU-2.009, F.A.C.

Specific Authority BOG Regulation 1.001(3)(j) Law Implemented 240.263, 240.264, 240.265, 240.266, 705.18 FS. History—New 9-30-75, Formerly 6C2-2.10, Amended 3-7-95, 6-15-23



**FSU-2.011 Facilities Leasing.**

(1) The purpose of this Regulation is to implement the delegated authority from the Board of Governors (BOG) to the Florida State University (FSU) found in BOG Regulation 17.001 with respect to leasing of space.

(2) The President or designee may enter into leases for space in a building or any part of a building for use by FSU or its direct-support organizations. However, Leases subject to Section 1010.62, Florida Statutes, relating to revenue bonds and debt, must be approved by the Board of Governors.

(3) The President or designee must first certify that there is no available and suitable university-controlled space within a reasonable distance of the need before approving any lease. All leases will achieve best leasing value. "Best leasing value" means the highest overall value to the state based on objective factors that include, but are not limited to, rental rate, renewal rate, operational and maintenance costs, tenant-improvement allowance, location, lease term, condition of facility, landlord responsibility, amenities, and parking. Cost savings related to the university procurement processes are not sufficient justification for direct negotiation.

(4) Leases for space of 5,000 square feet or more in a privately owned building must be competitively procured. Competitive bids shall be awarded to the lowest responsible and responsive bidder; competitive proposals shall be awarded to the most advantageous responsible and responsive proposer based on all criteria in the proposal including price. The

university may not negotiate with responding proposers unless the university makes a specific statement why this will achieve best leasing value. Cost savings related to the university procurement processes are not sufficient justification for direct negotiation.

(5) Competitive procurement shall not be required for the following:

(a) Renewal of leases procured under this Regulation where the specific renewal involved is provided in the initial lease, which was itself competitively procured, where such is required.

(b) Lease of less than 120 consecutive days which is for the purpose of securing a one-time special use of the leased property.

(c) Lease for nominal or no consideration.

(d) Competitive solicitations shall not be required to extend an existing lease of 5,000 or more square feet, if the extension is determined to be in the best interest of the University and the total of the extension does not exceed 11 months. If at the end of the 11th month the University still needs space, it shall be procured by competitive solicitation. However, if the University determines it is in its best interest to remain in space it currently occupies, the University may negotiate a replacement lease with the landlord if an independent market analysis demonstrates that the lease rates offered are within market rates for the space and the cost of the new lease does not exceed the cost of a comparable lease plus documented moving costs. The term of such replacement lease may not exceed the base term of the expiring lease. The best interest of the University for this purpose shall be determined by the Vice President for Finance and Administration.

(e) Lease of educational facilities in an FSU affiliated Research and Development Park. However, as required by Section 1013.17, Florida Statutes, the Board of Trustees or designee must certify in writing that it is in the best university interests and that the exemption is not detrimental to the state,

(f) Leasing of specialized research, medical or educational facilities certified by President or President's designee in writing that such leasing is available only from a single source and that compliance with competitive bid requirements would be detrimental to the university.

(g) In an emergency, when university/state-owned or leased space is destroyed or rendered uninhabitable by an act of God, fire, malicious destruction, or structural failure, or by legal action, upon certification by the President or designee that other University controlled space is not available and the term of any such lease does not exceed 18 months, provided the University may modify the lease to extend it on month to month basis for up to 6 additional months to allow completion of such construction or renovations.

(h) Leasing facilities in a hospital or other medical facilities, such as a medical office building, with which the University is affiliated.

(6) All measurement of potential leased space shall be based on the method of measurement used by the State University System for gross square feet as described in the current Physical Facilities Space File.

(7) Escalation Clauses Prohibited. A lease shall not contain a rental escalation clause or an open rental rate that permits an adjustment in the amount paid by the University based on the happening of a future event, such as a change in the Consumer Price Index or other economic indicator, without also including a ceiling on the total amount the rent may increase. For leases of ten years or more a process may be established within the terms of the lease that allow for determining and adjusting the rental amounts based on existing fair market leasing values at agreed upon milestones.

(8) Right-to-Terminate Clause Required. All leases for a term exceeding one (1) fiscal year shall include the following provision: "The State of Florida's performance and obligation to pay under this Lease is contingent upon an annual appropriation by the Legislature."

(9) Lease Form. All leases shall be prepared in accordance with this regulation and executed by the President or the President's designee. The University uses a standard lease approved by the Senior Vice President for Finance and Administration and by the University General Counsel for form and legal content. Any deviations from the standard lease must be within the requirements of this Regulation and will acquire specific approval of these same parties.

(10) For leases or renewal of leases of space of 5,000 square feet or more, Lessor must disclose to FSU all owners of the leased property to ensure compliance with conflict-of-interest provisions of Chapter 112, Florida Statutes.

Specific Authority BOG Regulations 1.001 (3) (j) and (7) (b), 17.001. History—New 9-30-75, Amended 6-14-81, formerly 6C2-2.11, Substantially rewritten, 6-9-2012. Amended 2-22-2019

**FSU-2.013 Commercial Solicitations.**

(1) All soliciting done on the University premises must be approved by the Director of

Business Services, except for the sale of newspapers in the dormitory and housing areas, and certain activities sponsored by student organizations.

(2) University Solicitors' Permit.

(a) All solicitors must have a University Solicitors' Permit, except students representing student organizations.

(b) All applicants for a permit must have in their possession a valid City of Tallahassee Solicitors' Permit. They must also have and furnish verifiable personal, and company or organization identification for all persons who will be engaged in the requested activity.

(c) The University Solicitors' Permit will contain the following information.

1. Name of company or organization.
2. Names of individuals representing the company or organization on campus.
3. Type or nature of approved activity.
4. City of Tallahassee Solicitors' Permit number.
5. Location where permit is valid.
6. Dates of issue and expiration of University Solicitors' Permit.

(d) Copies of the University Solicitors' Permit are to be given to the individual responsible for the activity, who will ensure that each person engaged in soliciting has a copy. The original permit will be kept on file in the Business Services Division office.

(3) Obtaining Permits. Permits are to be obtained from the Director of Business Services. The issuance of permits will be governed by the benefits to be gained by the University community. Copies of the permit are to be carried by each individual whose name appears on the permit and are engaged in the activity and will be presented to any University official upon request. Any issued permit is subject to cancellation at any time it is deemed in the best interests of the University to do so. In the event a permit is cancelled, all copies of the permit

are to be surrendered to the Director of Business Services and soliciting by the permit holder will cease.

(4) Student Organizations. In recognition of the rights and freedom of student organizations at the Florida State University, approved student groups are permitted to solicit for support, or sell and distribute items as a project of that organization within the following limits and guidelines:

(a) No item is to be sold or advertised that is offered for sale in, or that is in competition with, any University agency such as the Union Store, Bookstore, Food Service, Office Services and Laundry without a University Permit granted by the Director of Business Services.

(b) Sponsoring and participating organizations must register the activity and arrange for space with the Office of Student Activities.

(c) Activities referred to in this policy are permitted only in the area of the University Union Complex designated as the Bookstore Arcade. Any requests for exceptions to this location should be submitted to the Office of Student Activities. Requests for tables and chairs in connection with such an activity should be made to the Union Reservations Office.

(d) Sponsoring and participating organizations will comply with any Student Government Statutes affecting fund raising projects.

(e) Officers of any student organization sponsoring or participating in solicitations, either on or off the campus, will assume full responsibility for adherence by the participating students to all laws and regulations governing such activities.

(5) The posting or distribution of advertising material will be limited to the permanent official bulletin boards of the University.

(6) Dependent on the availability of space in areas specifically designated for such purposes, newsstands containing daily newspapers of general public circulation authorize will be permitted. The Director of Housing will the placement of newsstands in the dormitory

housing areas. The Director of Business Services will authorize the placement of newsstands in other areas.

Specific Authority BOG Regulation 1.001(3) (j) Law Implemented 240.227(1), (13) FS. History-- New 9-30-75, Formerly 6C2-2.13.

**FSU-2.0131 Posting, Chalking Advertising and Active Distribution of Materials on FSU Campuses.**

(1) Overview. Any FSU entity, defined as any division, department, office, academic unit, program, center, faculty, staff, enrolled student or student organization officially recognized, owned, operated, regulated, or supervised by FSU, may publicly post on university property in designated areas consistent with these terms and the applicable provisions of the Florida State University Board of Trustees Regulations and Policies, and all applicable state and federal laws. Any Non-FSU entity is eligible for distribution of materials through the FSU rack program managed by Business Services and must meet all provisions of this regulation. Nothing stated in this regulation is intended to modify or supersede the provisions set forth by the

Commercial Solicitation Policy (FSU-2.013) governing commercial solicitation and use of FSU facilities for commercial purposes.

(2) Purpose. The FSU Posting Regulation has been adopted for the purposes described below:

(a). Creation of an educational campus culture. FSU is committed to creating a campus which supports the academic mission of the university, provides a campus culture conducive to learning, and is free from obscene materials and hostile workplace environments.

(b). Information and Promotion. To provide information and a means for FSU entities to

promote activities, events, and services as well as allow for the announcement of matters directly related to the health, safety, security, or welfare of the university community.

(c) Regulation of Commercial Material. To protect the campus from commercial and promotional materials and activities sponsored by non-FSU entities and to protect the health, safety and welfare of the students entrusted to the university.

(d) Appearance of the Physical Environment. To maintain and improve the appearance of the physical environment of the campus such that it be aesthetically pleasing and welcoming for students, faculty, staff, alumni, community members, and visitors. The campus should be free from excessive and abusive postings, chalking, and litter which defaces and depreciates the value of the grounds and facilities of the campus.

(e). Sustainability. To cultivate a campus atmosphere that supports a sustainable environment by means of reducing the amount of paper used for posting, eliminating use of products that have a negative impact on the environment, and encouraging recycling of materials. Thus, electronic distribution of materials and Oglesby Union tabling shall be encouraged over paper postings.

(f) Provide Notice. To provide all entities with information and terms of this regulation so they are well informed of the terms and the consequences should the regulation be broken.

### (3) General Provisions.

(a) The university has the right to deny or remove any posting, material, individual or entity not in adherence with terms of this regulation.

(b) All materials advertising events, or which invite any transaction involving a fee or other monetary charge, must be clear and legible, bear the name of the sponsoring FSU entity and provide event and current contact information.

(c) Campus entities are responsible for immediate clean up and/or removal of materials that are in violation of terms of this regulation; otherwise, materials are to be removed within 24-hours of completion of an event.

(d) Any entity that posts, chalks, displays, or distributes materials in a way that damages university property is financially responsible for the damage.

(e) Materials posted or distributed may not: promote the use or sale of alcohol or illegal drugs; display trademarks and or brand names of alcohol or illegal drug products; contain material that is obscene or defamatory; be directed to incite or produce imminent lawless action; or violate any University policy or regulation, or local, state, or federal law.

(f) Posted or distributed material by FSU entities does not necessarily reflect the opinions, beliefs or practices of The Florida State University.

(g) Bulletin or posting boards maintained and monitored by university offices or departments do not fall under this posting regulation. Permission to post materials on these posting boards must be obtained through the appropriate university department.

(h) FSU departments, offices or units may impose area-specific procedures for posting and promotions on their posting boards and/or facilities so long as the minimum requirements of this regulation are upheld.

(i) The placement of any material and/or free-standing signs on vehicles, sidewalks, walkways or any paved areas is prohibited, except for emergency, safety, warning or directional signs placed by university officials acting on behalf of the university to announce a matter directly related to the health, safety or welfare of the university community.

(j) Exceptions to the terms of this regulation may be granted by the university President or designee in cases where the materials intended to be posted/distributed are directly related to the mission or goals of the university or to protect the safety and welfare of the university community.

(k) FSU Branch Campuses will develop area-specific procedures in addition to these General Provisions to suit appropriate campus needs.

(4) Active Distribution of Materials. (a) The active distribution or passing/handing out of materials [by FSU entities, as defined in this regulation, may](#) occur on paved sidewalks on campus provided that such distribution does not unreasonably interfere with the movement of



traffic, classes, or other university activities.

(b) Active distribution of literature outside a university facility, including athletic and recreational venues and fields, shall not occur within 30 feet of any entrance or exit way of the facility. Active distribution of literature that is consistent with the educational mission of the university may occur inside a university facility with approval from the director or manager of the facility.

(c) Materials may not be placed on vehicles in parking lots or parking garages.

(5) Posting of Materials.

(a) Posting of materials is limited to the designated outdoor posting kiosks per the maps located at [www.posting.fsu.edu](http://www.posting.fsu.edu).

(b) No more than one (1) flier per event, maximum size of 8.5"X11", may be posted on the same kiosk at any time.

(c) Posting in or on an FSU facility is prohibited without approval of manager or director of the facility.

(6) Chalking.

(a) Chalking on campus is permitted only on the designated concrete-paved sidewalks on the maps located at [www.posting.fsu.edu](http://www.posting.fsu.edu). Chalking on brick surfaces is prohibited.

(b) Chalking must be done with a water-soluble powder substance, in open, horizontal areas that can be directly washed by rain.

(7) Free-Standing Signs.

(a) The placement of Free-Standing signs on campus is limited to the promotion of events or activities for up to 7 days prior to its occurrence and must be removed within 24-hours upon completion of the event/activity.

(b) Up to Five (5) A-Frames/Sandwich Boards/Tee Pees, (no larger than 4'X3') and Ten (10) Stake Signs (no larger than 24"X18") may be placed on campus at one time for a single event/activity.

(c) The placement of free-standing signs must be in accordance with terms in the Americans with Disabilities Act (ADA) and are not to block sidewalks or walkways per the maps located at [www.posting.fsu.edu](http://www.posting.fsu.edu).

(d) Signs may be removed, or special requests denied due to: physical harm posed to the university community; damage or deterioration by inclement weather; excessive postings; or space constraints.

(8) Banners.

The placement of any banner on or inside a building or any other structure must be approved by the Director of Facilities or designee with the exception of banners hung at the Oglesby Union or at any residence hall, which must be approved via their respective departmental procedures. Visit [www.posting.fsu.edu](http://www.posting.fsu.edu) for contact information regarding banner display.

(9) University Special Events.

(a) Additional posting provisions are extended to Student Government Association elections and any other university-wide events as endorsed by the University President or designee beginning seven (7) calendar days prior to the event and ending within 24-hours of completion of the event.

(b) Materials for posting on outdoor kiosks may be up to 16"X20" in size.

(c) Up to Ten (10) A-Frames/Sandwich Boards/Tee Pees, (no larger than 4'X3') and Twenty (20) Stake Signs (no larger than 24"X18") may be placed on campus at locations designated at [www.posting.fsu.edu](http://www.posting.fsu.edu).

(d) The placement of balloons or other material on any object or the distribution/placement of materials outside of the provisions in this regulation for designated special events only is subject to the approval of the Director of the Oglesby Union or designee at least 7 days prior to desired occurrence. Visit [www.posting.fsu.edu](http://www.posting.fsu.edu) for contact information regarding special requests under this provision.

(10) Political Elections. The active distribution and/or posting of material, and the placement of free-standing signs during federal, state and local elections is limited to candidates running for office and their representatives pursuant to the locations designated at [www.posting.fsu.edu](http://www.posting.fsu.edu), and shall be consistent with all applicable laws and policies governing campaign activity on campus.

(11) Sanctions and Enforcement.

(a) University officials and members of the university community are to take the appropriate action to uphold a positive campus culture by educating the citizens of the community, encouraging positive participation in campus activities, and addressing any improper posting, chalking, or distribution of materials on FSU campuses.

(b) Any entity whose postings, promotions or actions violate any terms of this regulation are subject to sanctions that may include but are not limited to warnings, restitution, loss or suspension of privileges, trespass or expulsion from campus, and or disciplinary/legal action.

(c) Enforcement of this regulation and assignment of sanctions shall reside in the Division of Student Affairs for individual student and student organization cases; the Vice President for Faculty Development and Advancement for faculty related violations; the Office of Human Resources for staff related violations and the Vice President for Finance and Administration for all other groups, including outside groups, organizations, and individuals.

(d) Updates to locations for postings, chalking, and free-standing signs (that do not change terms of this regulation) are to be recommended and approved by a committee appointed by the University President or designee on an annual basis.

Specific Authority BOG Regulation 1.001(3)(j) Law Implemented 1001.74(6) FS. History–New 5-9-02, Amended 6-13-2008, 9-4-18, Technical Change 3-25-20<sup>1</sup>, Technical Change 4 -2-24 (update terms)

1. Editor’s Note–technical change conforming to intent after notice and comment- “physical” harm for free standingsigns

(1) “Validation” is an imprint that is placed on the clear edge of an ID card to show that the card is effective during the imprinted period.

(2) University ID cards, guest cards, and alumni association membership cards provide a convenient means for identifying individuals who are entitled to utilize the facilities, activities, and services of the Florida State University. An ID card is nontransferable and is only for use by the individual whose name appears on the card. Misuse of an ID card may result in revocation of the card and disciplinary action. The ID Card Committee reviews and recommends policies for the issuance of ID cards.

(3) Issuance of Identification Cards. Different types of ID cards are issued to members of the University community depending on the nature of their affiliation with the University. By accepting and using an ID card, an individual agrees to abide by any rules and regulations that pertain to the use of University facilities, activities, or services. Possession of an ID card does not relieve the holder from paying any admission fees or service charges that may apply to a given facility, activity, or service.

(a) Students. Students who have been issued cards at a prior registration are to retain their cards and have them validated at subsequent registrations by the Bureau. When a student withdraws from the University, the Counseling Center removes the validation for that quarter from the student’s ID card. Students who withdraw are allowed to retain their ID cards in case they are readmitted at a later date.

(b) High School Students. High School students who enroll in classes at Florida State University without payment of registration fees will be charged a \$5.00 fee for their student ID cards. To further identify the high school student, the name of the student’s high school will be typed above the student’s name when the card is issued.

(c) Faculty/Staff. Faculty and staff ID cards are issued to permanent full-time and part-time faculty and staff. Graduate students who are employed temporarily as part-time instructors will not be issued faculty ID cards but will use their student ID cards.

Specific Authority BOG Regulation 1.001(3)(j) Law Implemented 1001.74(1), (5) 1009.24 FS.  
History—New 9-30-75, Formerly 6C2-2.14.

## **FSU-2.015 Procurement and Purchasing**

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

(2) Purpose. These regulations implement the University's delegated authority from the University Board of Trustees with respect to the powers, duties and functions of the university's procurement jurisdiction consistent with Florida Board of Governor's Regulation 18.001

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

### (4) Procurement Organization

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

(b) The University President. As chief administrative officer of the University, the President has the responsibility to implement the University's procurement authority as consistent with the regulations of the Florida Board of Governors and University Board of Trustees. The President has delegated authority to approve, execute and administer contracts for and on behalf of the University Board of Trustees for licenses; the acquisition or provision

of commodities, goods, equipment and services; to acquire real property and contract for the sale and disposal of same; leases of real estate and personal property and planning and construction to be rendered to or by the University provided such contracts are within the law and the regulations, rules and policies of the Florida Board of Governors and the University Board of Trustees. The President may delegate all or any portion of such authority, which is not required by law or regulation to be exercised personally, to any employee of the University in the interest of the efficient and effective operation of the University.

(5) Delegation of Procurement Authority

(a) Duties and Powers. The Chief Procurement Officer is delegated authority to exercise the powers, duties and functions pertaining to the procurement of commodities and contractual services or which are assigned specifically to that position.

(b) The Chief Procurement Officer may delegate to the Procurement Services department staff such portions of those powers, duties and functions as deemed appropriate.

(c) Additional Procurement Delegation. Departments' delegated authority to make purchases of commodities and services for their respective area is limited to the following: Food purchased for the cafeteria at the Florida State University Schools; books and periodicals purchased by University libraries, and construction and construction related purchases by the Facilities Department. Any such purchases shall be processed by the appropriate University department in full compliance with this regulation. References in this regulation to the procurement department shall include all offices delegated procurement authority under this regulation. References in this regulation to the duties and responsibilities of the Procurement Director shall apply to the director or department head of all areas with delegated procurement authority, regardless of title, however, shall not include those powers and duties delegated and granted here to the Chief Procurement Officer, who is head of the Procurement Services Department.

(d) Purchase of Private Attorney Services. Written approval from the Attorney General is not required for private attorney services acquired by the University; however, University General Counsel approval must be obtained.

(e) Purchase of Insurance. The University has the authority to purchase insurance

as deemed necessary and appropriate for the operation and educational mission of the University. Examples of insurance coverage that may be acquired by the University include:

1. Physical damage on vehicles and boats;
2. Inland marine on property owned, leased, or loaned to or by the University;
3. Building and property damage;
4. Equipment losses due to theft;
5. Equipment subject to transportation;
6. Loss of rental income;
7. Commercial general liability insurance for scientific equipment;
8. Excess general liability coverage;

(6) Duties and Authority of the Chief Procurement Officer

(a) Canvass sources of supply, and contract for the purchase or lease of all commodities and contractual services for the University, in any manner, including, reverse auctions and purchase by installment- or lease-purchase contracts.

(b) Remove any contractor from the University's competitive solicitation or supplier list that fails to respond to one (1) or more competitive solicitations or to fulfill any of its duties specified in a contract with the University and to reinstate any such contractor when satisfied that further instances of default will not occur. A "No Bid" or similar response is considered a response under this section.

(c) Plan and coordinating purchases, including volume purchases; and negotiating and executing agreements and contracts for commodities and contractual services for use by all University departments.

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

available from a single source.

(e) Evaluate, approve and use contracts that are entered into after a public and open competitive solicitation established by any State of Florida agency or department, the Federal Government, other states, political subdivisions, cooperatives or consortia or any independent college or university for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the University to make purchases under contracts established by such other entities. Consortia and cooperative contracts should be reviewed to identify potential savings, and, if there is the potential for savings, enter into new consortia and cooperative contracts to achieve the savings, with the goal of achieving a five-percent savings on existing contract prices. Contracts so approved are not subject to additional competitive solicitation requirements.

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

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

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

(b) Public Notice. The Procurement Director, or a designee, shall determine the method of public notice to be used in each case of a competitive solicitation based on the nature and quantity of the commodities, contractual services, or construction sought and the



availability and extent of competitive solicitation lists. Posting of competitive solicitations on a Procurement Department website constitutes public advertising.

(c) Receipt of Responses. Competitive solicitation responses shall be delivered, including electronically, as directed in the competitive solicitation to the appropriate Procurement Department, or as otherwise directed in the competitive solicitation document, at or prior to the date and time specified in the competitive solicitation. Only responses that are delivered to that specific location shall be considered. It is the responder's responsibility to assure that their response is delivered at the proper time and place. If the competitive solicitation is not administered through an electronic sourcing solution, the clock in the Reception area of the Procurement Services Department is designated as the official timepiece for purposes of determining whether a response is received in Procurement Services by the appointed date and hour. Otherwise, the official timepiece is dependent upon the built-in functionality of the electronic sourcing solution. Any individual university Procurement departments with delegated procurement authority may designate an alternate timepiece.

1. Prior to the time a competitive solicitation response is opened, the Procurement Director, or a designee, may change or correct the terms, conditions or specifications by issuing an addendum to all known recipients of the competitive solicitation.

2. A responder to a competitive solicitation may withdraw or correct a response prior to the time that the competitive solicitation response is opened. Any alteration or correction to a response must be in writing and signed or approved electronically, by an authorized representative of the firm who signed the original response.

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

prejudicial to the fairness of the competitive procurement process or a monetary or educational interest of the University.

(d) Competitive Solicitation Evaluation. Responses to a competitive solicitation shall be evaluated based on the requirements set forth in the competitive solicitation. The requirements of the competitive solicitation include but are not limited to criteria such as price, inspection, samples, quality, testing, workmanship, convenience, experience, delivery and suitability for a particular purpose. Those criteria that affect the price shall be objectively measured to the extent practicable. In cases where more than one commodity or contractual service is listed on a response to a competitive solicitation, the University is not required to consider all alternates or options, nor do they have to be considered in sequence.

(e) Right to Reject Competitive Solicitation Responses and Waive Minor Irregularities. The University reserves the right to reject any and all responses to a competitive solicitation. The University also reserves the right to waive minor irregularities in an otherwise valid response. A minor irregularity is a variation from the competitive solicitation terms and conditions, which does not affect the price offered, or give the responder an advantage or benefit not enjoyed by other responders or does not adversely impact the business or educational interests of the University. The University shall correct mistakes clearly evident on

the face of a response, such as an error in arithmetic or extension of pricing. In the case of extension errors, calculations based upon multiples of the unit price, the unit price shall prevail.

(f) Receipt of Fewer Than Two Responsive Offers to a Competitive Solicitation. When fewer than two responsive offers are received in response to a competitive solicitation exceeding the competitive solicitation threshold, the Procurement Director, or a designee, shall review the circumstances surrounding the solicitation to determine if a second call for a competitive solicitation is in the best interest of the University. If it is determined that a second competitive solicitation is not in the best interests of the University, the University may proceed with the acquisition based on the one responsive offer received or may proceed to negotiate with any other possible source including the sole responder.

(g) Preferences for Florida-Based Suppliers.

1. Preferences for Personal Property. When a University awards a contract to purchase personal property, other than printing, by competitive solicitation a preference shall be provided to suppliers with a principal place of business in Florida (“Resident Suppliers”) as follows:

a. If the responsible and responsive supplier who submits the lowest bid, the most advantageous proposal, or the best value and is one whose principal place of business is outside of Florida and whose state or political subdivision grants a preference for the same purchase to a local supplier then the University shall grant that same preference to the lowest or best responsible and responsive Resident Supplier.

b. With respect to Invitations to Bid, if the lowest responsible and responsive bid is from a supplier whose principal place of business is in a state that does not grant a preference for the purchase to a supplier in such state, then the University shall grant a preference in the amount of five percent (5%) to the lowest responsible and responsive Resident Supplier.

c. For suppliers whose principal place of business is outside of Florida, such suppliers must, at the time of submitting its bid, proposal or reply, provide a written opinion from a licensed attorney in its state specifying: (a) the preferences(s) granted by the state or political

subdivision, as applicable, under the laws of that state to suppliers whose principal place of business is in that state or political subdivision; and (b) how the preference is calculated. The failure to submit the written opinion may be waived as non-material if all suppliers responding to the solicitation have principal places of business outside of Florida.

d. The supplier’s principal place of business, as represented by the supplier in its bid or reply, may be relied upon by the University without further inquiry. If the University determines that a supplier has misrepresented its principal place of business, the supplier’s bid, proposal or reply shall be rejected.

e. For the purpose of paragraph (g) 1., “personal property” shall be defined as goods and commodities, but not real estate, intellectual property or services.

2. Preferences for Printing. When a University purchase printed materials by competitive solicitation, a preference shall be provided to Resident Suppliers as follows:

a. If the lowest responsible and responsive bid received pursuant to an Invitation to Bid is from a supplier whose principal place of business is outside of Florida, then the University shall grant a preference to the lowest responsible and responsive Resident Supplier in the amount of five percent (5%) if the University has determined that the printing can be performed by the Resident Suppliers at a level of quality comparable to that obtainable from the supplier submitting the lowest bid whose principal place of business is outside of Florida.

b. For purposes of subparagraph (g) 2.a. the level of quality shall be determined by whether a supplier satisfies the minimum specification requirements as set forth in the Invitation to Bid.

3. Method of Calculating Five Percent Preference. If the competitive solicitation is an Invitation to Bid, then an amount equal to five percent (5%) of the total base bid and any alternates shall be deducted from the base bid and alternates, as applicable, of the lowest responsible and responsive Resident Supplier's bid.

4. Determining a Supplier's Principal Place of Business. A supplier's "principal place of business" is determined as follows:

a. If the supplier is an individual or a sole proprietorship, then its "principal place of business" is in the state where the supplier's primary residence is located.

b. If the supplier is a business organization, then its "principal place of business" is in the state where the majority of the supplier's executive officers direct the management of the supplier's business affairs.

5. Federally Funded Projects. Purchases made to perform specific obligations under federally funded projects shall not be subject to this preference requirement to the

extent the application of a preference is not allowed under applicable federal law or regulation.

6. If no preference exists or where after application of the preference here, two or more responses are equal in every respect, the University will use a toss of a coin to select the successful response.

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

(i) Competitive Solicitation Notice of Award. After evaluating the responses to a competitive solicitation, the Procurement Director, or a designee, shall make a determination as to the successful response based on the method of award contained in the competitive solicitation. A notice of award shall be posted electronically by posting a Competitive Solicitation Tabulation Sheet, or other appropriate document, on the Web Site of the Procurement department that issued the competitive solicitation, on the date and time listed in the competitive solicitation or as soon as reasonably possible after the responses are

evaluated. The Competitive Solicitation Tabulation Sheet shall contain the competitive solicitation name, the name of each responder including those whose responses were rejected and the dollar amount(s) of each response, the date and hour that it was posted and the date and hour that the posting period ends. The Notice of Award Web Site shall be maintained by each department with delegated procurement responsibility and shall be available for public inspection at all times during regular University business hours. Any person who is adversely affected by the University's decision or intended decision regarding a competitive solicitation shall file in writing a protest which shall be received in the procurement department responsible for issuing the competitive solicitation before the end of the 72-hour posting period shown on the Notice of Award, or within 72 hours after the protestant received actual notice by other delivery of the decision, whichever occurs first. The 72-hour period excludes the hours in weekends and University holidays. Weekends are deemed to begin at 5 PM on Friday and end at 8 AM on Monday. Holidays are deemed to begin at 5 PM at the end of regular workday before the holiday or 8 AM after a Sunday if the holiday begins on a Monday and end at 8 AM on the next regular University workday. Posting of the proposed Notice of Award does not establish a contract between the University and the proposed supplier.

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

(8) Competitive Solicitation Registration. Individuals and businesses shall register with the University's Procurement Services department to receive competitive solicitations, a contract or a purchase order from the Central procurement department. The University does not guarantee that a business will receive notice of a competitive solicitation for a particular commodity or contractual service for which they have registered as a supplier and are

responsible for monitoring posted notices which interest them. The opportunity to participate in a competitive solicitation is a privilege not a right.

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

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

(b) Sole Source Purchases. Commodities or contractual services available from a single source shall be exempted from the competitive solicitation process. A sole source document shall be publicly posted in the Notice of Award Web Site for 72 hours, unless the sole source is covered under the annual certification list provided in (6)(d).

(c) Construction Direct Purchase Program. Commodities to be incorporated into any public work (as that term is defined in Fla. Admin. Code R. 12A-1.094 as authorized under Section 212.08(6), F.S. [tax- exempt purchase] which are procured by the University in accordance with the requirements of the University's direct purchase program are not subject to any further competitive solicitation.

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

1. Artistic services;
2. Academic reviews;
3. Lectures;

4. Auditing services;
5. Legal services, including attorney, paralegal, expert witness, appraisal, arbitrator or mediator services;
6. Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration. Prescriptive assistive devices for medical, developmental or vocational rehabilitation including, but not limited to prosthetics, esthetics, and wheelchairs, provided the devices are purchased on the basis of an established fee schedule or by a method that ensures the best price, taking into consideration the needs of the client;
7. Training and education services for University employees;
8. Advertising, except for media placement services;
9. Services or commodities provided by governmental agencies, another University in the State University System, direct support organizations of the university, cooperatives or consortia, political subdivisions or independent colleges and universities;
10. Goods or services purchased with auxiliary funds authorized for such purchases, in direct support of specific programs, conferences, workshops, or continuing education events offered to the general public, for which fees have been collected to pay all expenses associated with the program or event;
11. Purchases from firms or individuals who are prescribed by state or federal law or specified by a granting agency;
12. Regulated utilities and government-franchised services;
13. Regulated public communications, except long distance telecommunication services or facilities;
14. Purchases from the Annual Certification List provided in (6) (d)
15. Purchases for resale to the public.



16. Accounting Services

17. Implementation/programming/training services available only from the owner of copyrighted software or its contracted supplier; and

18. Purchases of materials, supplies, equipment, or services for research purposes when the Vice President for research, or a designee, certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project.

19. Contracts or services provided by not-for-profit support and affiliate organizations of the University, direct support organizations, health support organizations, and faculty practice plans.

(10) Suppliers Excluded from Competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, projects or programs for future implementation, or competitive solicitation documents, shall be excluded from competing for such procurements.

(11) Standard of Conduct

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

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

(12) Bonding Requirements

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

(b) Payment and Performance Bonds.

1. Any contractor contracting with the University to provide commodities, services or commodities which include installation, may be required to furnish a payment and performance bond, with good and sufficient securities, to the University prior to the issuance of the contract as pursuant to BOG Regulation 18.003.

2. The bond or security must be in an amount equal to 100% of the response submitted to the competitive solicitation.

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

(13) Contract Formation

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

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

(c) The extension of a contract granted to extend the time to complete the contract shall be in writing signed by the Chief Procurement Officer. Contract extension shall not cause the University to incur additional costs. The contract extension shall be signed by both parties if a bilateral agreement and a purchase order were issued and shall be subject to the same terms and conditions set forth in the initial contract for up to twelve months or until completion of the competitive solicitation and award or protest, whichever is longer.

(d) A contract may contain provisions for renewal. If the commodity or contractual service is purchased as a result of a competitive solicitation, all contemplated renewal periods must be included in the competitive solicitation, and evaluated as part of the award evaluation process, including a cost algorithm to determine the cost to the university during renewal periods. Renewal(s) of a contract may not exceed 5 years or twice the term of the original contract, whichever is longer. This provision is not intended to apply retroactively; existing contracts entered into prior to January 1, 2017, including any specified renewal period(s) may continue in accordance with existing contract terms.

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

(f) In order to promote cost-effective procurement of commodities and contractual services, the University may enter into contracts that limit the liability of a supplier

consistent with Section 672.719, F.S. and consistent with the lawful limits of state sovereign immunity.

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

(14) Authority to Suspend or Debar a Business.

The Chief Procurement Officer shall remove a business from the University's authorized supplier or competitive solicitation list and reject all responses offered by that business in the event the business's performance through acts of omission or commission results in any of the following grounds, when it is determined to be in the best interest of the University, including but not limited to:

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

(b) Failure to make timely delivery or fully comply with the pricing, terms, conditions, or specifications, on any one contract or purchase order;

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

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

(e) Bankruptcy.

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

(g) Failure or refusal to use any of the university's automated procurement and payment processes when instructed to do so, including but not limited to the on-line submission of responses to requests for quotations, competitive solicitations, or invoices.

(15) Default

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

(b) Unless the supplier corrects its failure to perform within the time provided, or unless the University determines based on its own investigation that the supplier's failure is legally excusable, the supplier shall be found in default and issued a second notice stating the reasons the supplier is considered in default and stating that the University has re-procured the commodity or service and the amount of the procurement and the cover cost. The University shall also advise the defaulting supplier that the supplier has been removed from the supplier and competitive procurement lists pursuant to this regulation and will not be eligible to submit a competitive solicitation or be awarded a contract until such time as the University is reimbursed for all re-procurement costs and for costs of cover. The defaulting supplier also shall be advised of the right to protest and shall follow the protest procedures provided BOG Regulation 18.002.

(c) The Procurement Director shall determine the method for re-procurement of commodities or contractual services as the best interests of the University require.

(d) The University may issue a second competitive solicitation or purchase on the open market if a substantially similar procurement is not accomplished under (c) above. Until such time as the supplier reimburses the University for all re-procurement and cover costs, the defaulting supplier shall not be reinstated on the University's competitive solicitation list and shall not be eligible for any type of purchase order or contract with the University.

(e) All correspondence to suppliers respecting failure to perform shall be sent by certified mail, return receipt requested or documented courier delivery service. The foregoing provisions do not limit or exclude the University's remedies at law.

(16) **Protested Solicitations and Awards.** Protests arising from all University contract procurement processes for the purchase of goods, services, leases and for construction-related competitive solicitations shall be handled in accordance with BOG Regulation 18.002.

(17) **Purchase of Motor Vehicles.**

(a) The University has authority to:

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

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

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

4. Contract for specialized maintenance services.

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

(18) Definitions.

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

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

(c) Commodity. Supplies, materials, goods, merchandise, food, equipment or other personal property, including a mobile home, trailer or other portable structure, which are purchased, leased, lease-purchased or otherwise contracted for by the University.

“Commodity” also includes interest on deferred-payment contracts entered into by the University for the purchase of other commodities. Printing of publications and photocopying shall be considered a “commodity.” Software license agreements shall be considered a “commodity.”

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

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

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

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

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

(i) Department. Any Florida State University college, school, department, principal investigator, club, organization or other budget entity assigned a departmental account by the University.

(j) Extension. An increase in the time allowed for the contract period.

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

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

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

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



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

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

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

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

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

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

(u) Procurement Services. also known as Central Procurement; the department with primary procurement responsibilities at the University.

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

(w) Request for Proposal. A written solicitation issued by the Procurement department for competitive proposals for commodities or contractual services with the title, date, and hour of the public opening designated. A request for proposals may be used when the scope of work is not clearly defined, or cost is not the primary consideration.

(x) Responder. A person or business that has submitted a bid, proposal response or an offer to negotiate, as the result of a competitive solicitation.

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

(z) Responsible supplier or responder. Individuals or businesses that possess the ability to perform successfully under the terms and conditions of the proposed purchase.

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

(bb) Request for Quotation. A written or oral request issued by the Procurement department to one or more suppliers to provide pricing on specified commodities or contractual services when the total costs, including all renewal options, is less than the competitive solicitation threshold. Requests for Quotations are not subject to the electronic posting requirements of BOG 18.002.

(cc) Specifications.

1. A clear and accurate description of the technical requirements, including the range of acceptable characteristics or minimum acceptable standards, for the material, product, or service to be purchased. In competitive solicitations, such specification shall not contain features which unduly restrict competition.

2. The specific features of "brand name or equal" descriptions that responders are required to meet when such items are included in a competitive solicitation.

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

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

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

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

Specific Authority BOG Regulation 1.001(3) (j), (7) (b) Law Implemented 112.313, 283.33, 672.719, 1004.22(7) FS. History--New 1-5-81, Formally 6C2-2.15, 6C2-2.015 Amended 11-4-87, 6-11-91, 12-21-93, 10-20-99, 3-17-03, 9-19-2008, 6-25-2010, 3-7-2014, 10-9-2015, 6-7-2017

### **FSU-2.0151 Supplier Diversity Program**

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

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

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

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

Specific Authority BOG Regulation 1.001(3) (j), (7) History–New, 9-19-2008, Amended 6-12-2014

### **FSU-2.016 Purchasing of Insurance.**

The acquisition of insurance coverage for the Florida State University regardless of the type or duration must be effected through the Insurance and Benefits Section of the University Personnel Relations Department. The procurement of insurance coverage for the University must be coordinated with the Board of Governors, as required, of the State University System as well as other State agencies. That coordination may only be accomplished by the Insurance and Benefits Section of the University Personnel Relations Department.

Specific Authority BOG Regulation 1.001(3) (j) Law Implemented 110.123, 287.022 FS. History–New 9-30-75, Technical Change, BOG for BOR, Formerly 6C2-2.16.

## **FSU-2.022 Employee Debt Collection.**

(1) Purpose. The purpose of this regulation is to provide procedures for the recovery of non-salary sums due and owing to the University by its employees. Indebtedness to the University assessed pursuant to Board of Governors and University regulations is considered indebtedness to the State of Florida. It is subject to enforcement by University regulation. The purpose of this regulation is to provide procedures for the recovery of non-salary sums due and owing to the University by its employees. Indebtedness to the University includes but is not limited to, delinquent accounts receivable, including student loans and registration fees; traffic or library fines; payment for the reasonable value of University property entrusted to an employee and not returned or otherwise accounted for; travel advances made to but not repaid by the employee; bad checks; and other similar obligations.

(2) Definitions.

(a) Debt – a specific sum of money owed by an employee to the University; a fixed and certain obligation to pay money; the debt may be a single obligation or an aggregate of separate debts.

(b) Employee – any part time or full-time employee of the University paid by state warrant from salary appropriations or from agency funds.

(c) Settlement – an agreement to accept a sum of money or other consideration from a person as full discharge of the debt due to the University. The sum may be less than the total amount owed.

(3) All amounts of indebtedness shall be due and unpaid to the University before any action is taken against an employee.

(4) Initial attempts at collection. The department or its equivalent to which an employee has incurred a debt is responsible for the initial efforts to collect the amount of indebtedness. If the department is successful in collecting the debt no further action is required. If the department is unsuccessful in collecting the debt, it shall contact the Office of the University Controller for further action. The department shall forward to that office

copies of all records and documentation of the indebtedness and of the efforts toward recovery. The information to be forwarded shall include:

(a) Name, home and campus addresses, and social security number of the person owing the debt.

(b) The original amount owed, plus any penalties or interest owed, and a record of any payments made.

(c) A brief description of the transaction which resulted in the debt, including relevant dates and time periods.

(d) A brief description of the efforts made to collect the debt.

(4) Any other pertinent information of payment. Payment of indebtedness may be made by the individual or the individual's representative by money order, certified or cashier's check, cash, or payroll deduction from wages. Collection by personal check is discouraged but will be accepted.

(5) Means of Collection. The University Controller shall verify the amount of the indebtedness with the department head originating the charges and debt and establish the manner of its recovery. The University Controller may employ one or more of the following means of collecting monies due the University:

(a) Issue University collection letters.

(b) Hold transcripts or current grades.

(c) Withhold registration privileges at Florida State University.

(d) Turn delinquent accounts over to a collection agency.

(e) After consultation with the University Attorney refer the debt to the Department of Banking and Finance of the State of Florida for prosecution by the appropriate

state attorney under provisions of Section 17.20, Florida Statutes, or for assignment to a debt collection agent if that Department determines that approach to be cost effective.

(f) Seek a voluntary wage deduction from the employee. Each debt will be handled on an individual case basis. In the interest of fairness and equity, it is acknowledged that an individual who has incurred an indebtedness may be unable to pay the total amount in a lump sum. If such is the circumstance and the individual agrees to equitable partial payments over a limited period of time, the Controller may prepare a promissory note and proposed schedule of payments for the employee's signature. Any deduction authorization shall be kept in the permanent personnel file of the employee.

(g) If the employee refuses to voluntarily pay the indebtedness to the University, the Controller may initiate involuntary deductions from future salary payments due the employee, using the set-off procedures specified below until the total amount of indebtedness has been collected.

(6) Set-off Procedures. Involuntary wage deductions based on the common-law right of set-off shall be considered and used only where other reasonable efforts have failed.

(a) The employee who owes a debt to the University will be advised by certified letter (restricted delivery), or by email to the employee's official University email address, from the University Controller's Office that the employee has ten calendar days from the receipt of the letter or email to either clear the account, make satisfactory payment arrangements, or submit documentary evidence disputing the employee's debt. The employee shall be given an opportunity during normal business hours of the University to review the documentation and evidence of the employee's indebtedness to the University and has the right to submit documentary evidence to refute the indebtedness within a reasonable time therefrom.

(b) If no arrangements for payment have been made by the end of the ten calendar daytime period, all evidence of the employee's debt will be reviewed by the University Controller.

(c) If, upon that review, a verification of the debt is made and it is determined that an agreement as to voluntary payments or voluntary wage deductions cannot be reached with the employee, the employee will be notified by U. S. mail, or by email to the employee's official University email address, of the fact set-off procedures will be implemented on a date certain, not sooner than 10 work days from receipt of the notice, and of the amount and duration of the deductions from the employee's salary warrant. The employee will also be advised of the employee's right to any administrative review of the decision to set-off the employee's debt and deduct funds from the employee's paycheck, including judicial review of any final University decision, pursuant to Florida Rule of Appellate Procedure 9.190, applicable to review of quasi-judicial decisions of an administrative body not subject to the Administrative Procedure Act, by filing a petition for certiorari review within thirty (30) days of the date of the final University decision.

(7) Amount of Payroll Deduction under Set-off Procedures.

(a) In the event that the total amount of the debt is less than 10% of the employee's biweekly gross salary, the full amount of the employee's debt may be deducted in the first or second pay period following the date of notification in subsection (6) above.

(b) If the amount of the debt is greater than 10% of the employee's gross biweekly salary, the amount deducted each period may be up to 10% of the employee's gross salary but will not exceed 20% of the employee's net salary after mandatory deductions.

(8) In the event an employee-debtor is terminated, abandons employment, voluntarily leaves the University, or dies while in University employment, the amount of the debt, up to the total of the net salary less \$1.00, will be deducted from the employee's final salary payment or from the employee's terminal leave payments.

(9) Settlement of Delinquent Accounts. The University President or his designee may settle delinquent accounts after all reasonable and lawful collection attempts have failed.

(10) Write-off of Uncollectible Debts. The President may write-off a debt as uncollectible after all reasonable and lawful collection attempts have failed.



## **FSU-2.0225 Direct Deposit Program**

(1) Direct Deposit is the electronic transfer of net salary and travel expense reimbursements into Florida State University employees' personal checking or savings account at a United States financial institution.

(2) All employees, including temporary hires and non-work study students, are required to participate in the Direct Deposit Program as a condition of employment, regardless of date of hire, as follows:

(a) Employees must submit the Florida State University Direct Deposit Authorization Form (PR-06) as part of their original hiring packet. Once the employee's record is established in the OMNI system, the employee can update own information by utilizing the OMNI Self-Service function or by submitting an updated Direct Deposit Authorization Form to the Office of Payroll Services. The Direct Deposit Authorization Form can be obtained from the Office of Payroll Services, the Office of Human Resources, or their related websites.

(b) Rehired employees are required to submit a new Direct Deposit Authorization Form with their new hire paperwork.

(c) If an active employee's banking information changes, the employee can update the information using OMNI Self-Service or by submitting an updated Direct Deposit Authorization Form to the Office of Payroll Services. If an active employee has not been paid for 90 days or more and a payment is scheduled to be made, the Office of Payroll Services will notify the employee of the scheduled payment and will request that the employee verify own banking information in the OMNI system. If the employee's banking information needs to be updated, the employee can use OMNI Self-Service or submit an updated Direct Deposit Authorization Form to the Office of Payroll Services.

(d) Employees are not required to re-submit a Direct Deposit Authorization Form when changing hiring authorities, pay plans or job titles within Florida State University.

(e) By Federal Regulations, Work-Study students are not required to participate in the Direct Deposit Program but are strongly encouraged by Florida State University to participate.

(f) The direct deposit authorization remains in effect in the Office of Payroll Services until it is changed or canceled by: (i) the employee either through OMNI Self-Service or in writing to the Office of Payroll Services, (ii) the employee's legal representative in case of the employee's legal incapacity, (iii) the employee's financial institution, or (iv) Florida State University.

(3) Employees who are unable to establish an account at a financial institution must contact the Office of Payroll Services to discuss their options for obtaining cash pay (debit card) account with one of the area's local financial institutions.

Specific Authority BOG 1.001(3) (j), (5) (a) Law implemented 17.076; 110.113 F.S. History-New 2-19-2010, Amended 10-28-2016

**FSU-2.023 Public Records: Uniform Charge Procedure.**

(1) This regulation constitutes the University's uniform procedure for the assessment and collection of charges for the duplicating or copying of public records, at the request, or for the benefit of, any individual citizen or non-University-related, non-state agency organization or enterprise.

(2) In construing this rule where context will permit:

(a) The following terms are defined by the provisions of Section 119.011, F.S.:

1. "Public Records";
2. "Criminal Intelligence Information";
3. "Criminal Investigative Information".

(b) "Directory Information – Students".

1. This term consists of, and applies to the following information on a student:

- a. Name, date and place of birth;
- b. Local address and University provided email address;
- c. Permanent address;
- d. Classification;
- e. Major field of study;
- f. Participation in official University activities and sports;
- g. Weight and height of members of athletics teams;
- h. Dates of attendance at the University;
- i. The most recently attended educational institution;
- j. Degrees, Honors and Awards Received.
- k. Student identifier number, commonly known as EMPLID.

2. Directory information on students may be released or published by the University without prior written consent of the student, unless exception is made in writing by the student.

(3) Records Confidential or Exempt from Public Inspection. The University may not provide those records confidential or exempt from public disclosure by Section 119.071, F.S., or any other general law or special act when such laws or acts are applicable to an activity of the University. Confidential or exempt records of the University include:

- (a) Criminal intelligence records.
- (b) Criminal investigation records.
- (c) Academic evaluations of employee performance.

(d) Certain student records, including those in the academic permanent folder, excluding directory information as defined herein.

(e) Records of the University Health Center and Counseling Center.

(f) Records of the University Attorney prepared for or in anticipation of adversarial criminal, civil or administrative proceedings.

(g) Sealed bids, proposals, or replies received pursuant to a competitive solicitation and, prior to their opening or notice of an intended decision.

(h) Documents regarding negotiations for acquisition of real estate.

(i) Data processing software obtained under a licensing agreement which prohibits disclosure.

(j) Trade Secrets.

(k) Complaints and other records relating to a complaint of discrimination involving race, color, religion, sex, national origin, age, handicap, marital status, hiring practices, position classification, salary benefits, discipline, discharge, evaluation, or other related activities.

(l) Certain records related to Research and Grants.

(m) The records of direct support organizations such as the Florida State University Foundation, and the Seminole Boosters.

(4) Uniform Charge Procedure.

(a) Persons or organizations making requests for copies of public records shall reimburse the University for applicable costs. If the nature or volume of the record(s) is such as to require extensive clerical or supervisory assistance by University personnel in addition to the cost of duplication, a special service charge shall be assessed based on labor costs as provided herein. Charges for copying public records shall be levied and collected by the custodian of the records reproduced.

(b) Private citizens or private organizations shall be assessed a charge of 15 cents per one sided copy, and an additional 5 cents per two-sided copy. Each printed side of a copy shall count as a page.

(c) When University personnel time or supervisory assistance devoted to researching, retrieval and/or copying of University records or use of information technology resources exceeds thirty (30) minutes, it shall be considered extensive use of information technology resources or extensive clerical or supervisory assistance. In such case, the University may charge, in addition to the actual cost of duplication, a special service equal to the reasonable actual costs incurred.

(d) Computer discs or other portable storage devices provided by the University shall be charged at cost.

(5) Processing Payment for Copies.

(a) Fees assessed for the copying of public records shall be paid prior to the requester receiving the copies. Fees assessed as a special service charge shall be paid prior to any extensive use tasks being undertaken. Payment may be made by cash, check, or money order.

(b) All monies collected from such transactions shall be deposited with the University Cashier, using the standard University deposit slip, FSU Form DT118 (Rev. 6-73), incorporated herein by reference and available to record custodians from the University Printing and Postal Services office. The Cashier's Office requires only an original of the Deposit Slip.

(c) Depositors will use the Revenue Object Code 001901. The Explanation of Deposit on Form DT118 will be used to identify record revenues from transactions exceeding ten (10) pages of printed copy or services rendered in excess of thirty (30) minutes. Originators of the completed Deposit Slip may make copies of Form DT118 for departmental records and they may also be utilized by a custodian as a receipt for payment made and information received.

Specific Authority BOG Regulation 1.001(3)(j) Law Implemented 119.07(1), 1002.22, 1004.22, 1006.52, 1012.91 FS. History—New 7-15-93, Amended 11-22-98, 10-9-2015, 1-19-2017, 2-23-2021, 2-8-2022

**FSU-2.024 Tuition and Fees.**

The following tuition and fees shall be levied and collected in U.S. dollars for each student regularly enrolled, unless specifically provided otherwise, for Fall, Spring and Summer, Per Credit Hour in U.S. Dollars

[Note: Graduate references all graduate degree programs and areas other than as may be specifically provided such as Medicine, Law, Other Professional Programs effective date applies to all but Medicine]

Main Campus	Undergraduate	Graduate
Tuition	105.07	403.51
Tuition Differential	49.59	
Student Financial Aid Fee	5.25	20.17
Capital Improvement Trust Fund Fee	4.76	4.76
Athletics Fee	7.90	7.90
Activity & Service Fee	12.86	12.86
Student Health Fee	13.97	13.97
Transportation Access Fee	8.90	8.90
Student Facility Use Fee [+ 20.00/semester]	2.00	2.00
Technology Fee	5.25	5.25
Total Per Credit Hour (PCH) Resident Rate	215.55	479.32
Student Facility Use Fee Per Semester	20.00	20.00
Out-of-State Fees		
Total PCH Resident Rate	215.55	479.32
Out-of-State Fee	481.48	601.34
Out-of-State Student Financial Aid Fee	24.07	30.06
Total PCH Out-of-State Rate	721.10	1,110.72
Student Facility Use Fee Per Semester	20.00	20.00

Law	
Tuition	602.36
Student Financial Aid Fee	30.11
Capital Improvement Trust Fund Fee	4.76
Athletics Fee	7.90
Activity & Service Fee	12.86
Student Health Fee	13.97
Transportation Access Fee	8.90
Student Facility Use Fee	2.00
Technology Fee	5.25
Total (PCH) Resident Rate	688.11
Student Facility Use Fee Per Semester	20.00
Out-of-State Fees	
Total PCH Resident Rate	688.11
Out-of-State Fee	635.31
Out-of-State Student Financial Aid Fee	31.76
Total PCH Out-of-State Rate	1,355.18
Student Facility Use Fee Per Semester	20.00



Panama City Campus		
	Undergraduate	Graduate
Tuition	105.07	403.51
Tuition Differential	49.59	
Student Financial Aid Fee	5.25	20.17
Capital Improvement Trust Fund Fee	4.76	4.76
Athletics Fee	0.69*	0.69*
Activity & Service Fee	9.88	9.88
Student Health Fee		
Technology Fee	5.25	5.25
Total PCH Resident Rate	180.49	444.26
Out-of-State Fees		
Total PCH Resident Rate	180.49	444.26
Out-of-State Fee	481.48	601.34
Out-of-State Student Financial Aid Fee	24.07	30.06
Total PCH Out-of-State Rate	686.04	1,075.66

\*Panama City Students may opt to pay Main Campus rate in exchange for Main Campus Athletic Fee benefits

Sarasota Campus

	Undergraduate	Graduate
Tuition	105.07	403.51
Tuition Differential	49.59	
Student Financial Aid Fee	5.25	20.17
Capital Improvement Trust Fund Fee	4.76	4.76
Athletics Fee	0.69	0.69
Activity & Service Fee	11.69	11.69
Student Health Fee		
Technology Fee	5.25	5.25
Total PCH Resident Rate	182.30	446.07
Out-of-State Fees		
Total PCH Resident Rate	182.30	446.07
Out-of-State Fee	481.48	601.34
Out-of-State Student Financial Aid Fee	24.07	30.06
Total PCH Out-of-State Rate	687.85	1,077.97

Medicine	
In State Fees Assessed:	
Following assessed per year	
Tuition	22,408.12
Student Financial Aid Fee	1,120.41
Capital Improvement Trust Fund Fee	190.40
Athletics Fee	284.40
Activity & Service Fee	462.96
Student Health Fee	502.92
Following assessed per credit hour	
Technology Fee	189.00
Transportation Access Fee	320.40
Student Facility Use Fee	132.00
Out-of-State Fees (Per Year)	
Out-of-State Fee	32,905.90
Out-of-State Student Financial Aid Fee	1,645.29

**College of Medicine Notes:**

The academic year for the College of Medicine consists of Summer, Fall, and Spring Semesters.

The Student Facilities Use Fee is not assessed to 3rd & 4th Year College of Medicine students, as their studies are conducted off-campus.

A College of Medicine student taking six or more semester hours will pay the full rate as provided herein for tuition and fees. Any student approved to attend fewer than six semester hours will pay the tuition and fees at the Graduate Student Rate for the actual number of semester hours.

**Other Professional Programs****Master of Science-Nurse Anesthesia** (Panama City Campus)-per semester**Doctor of Nurse Anesthesia Practice (DNAP).** (Panama City Campus)-per semester  
(beginning Summer 2021)

Tuition	8,475.00
Student Financial Aid Fee	423.75
Capital Improvement Trust Fund Fee	51.12
Athletics Fee	8.26
Activity & Service Fee	118.56
Technology Fee	423.75

**Physician Assistant**

Following assessed per year

[Local and other per-credit fees set at 36-hour year]

Tuition	28,000.00
Student Financial Aid Fee	1,400.00
Capital Improvement Trust Fund Fee	171.36
Athletics Fee	284.40
Activity & Service Fee	462.96
Student Health Fee	502.92
Technology Fee	189.00
Transportation Access Fee	320.40
Student Facility Use Fee [20.00/semester + 2.00/credit hr.]	132.00
<b>Total In-State Fee</b>	<b>31,463.04</b>
<b>Out-of-State Fees (Per Year)</b>	
Out-of-State Fee	10,000.00
Out-of-State Student Financial Aid Fee	500.00
<b>Total Out-of-State Fee</b>	<b>41,963.04</b>

Physician Assistant Tuition and Fee Note A Physician Assistant (PA) student taking six or more semester hours will pay the full rate as provided herein for tuition and fees. Any PA student approved to attend fewer than six semester hours will pay the tuition and fees at the Graduate Student Rate for the actual number of semester hours.

Distance Learning

	Undergraduate	Graduate
Tuition	105.07	403.51
Tuition Differential	49.59	
Student Financial Aid Fee	5.25	20.17
Capital Improvement Trust Fund Fee	4.76	4.76
Athletics Fee	0.69	0.69
Activity & Service Fee	9.88	9.88
Student Health Fee	---	---
Transportation Access Fee	---	---
Student Facility Use Fee [+ 20.00/semester]	---	---
Technology Fee	5.25	5.25
Total Per Credit Hour (PCH) Resident Rate	180.49	444.26
Total PCH Resident Rate	180.49	444.26
Out-of-State Fee	481.48	601.34

Out-of-State Student Financial Aid Fee	24.07	30.06
Total PCH Out-of-State Rate	686.04	1,075.66
Student Facility Use Fee Per Semester		

**Definition:**

**Distance Learning Student:** A distance learning student is one who is coded as such in the Office of the University Registrar. Note that students are assessed distance learning rates when they are coded as a distance learner student based on policies established by the Registrar but that all students enrolled in online courses are not automatically deemed distance learners for tuition purposes.

**Tuition and Fees:** For the purposes of this regulation, tuition and fees refers to the standard charges assessed pursuant to State Statute, Board of Governors and Florida State University Regulation.

**Specific Authority:** Art. IX, Sec 7, Florida Constitution, BOG Regulation 1.001(3) Law Implemented: BOG Regulation 7.001; s. 1009. 24, Florida Statutes History-New 7-21-05, Amended, 9-21-05, 1-30-2007, 6-14-2007, 11-29-2007, 6-13-2008, 2-25-2009, 6-17-2009, 6-25-2010, 9-9-2011, 9-7-2012, 6-7-2013, 6-27-2014, 11-21-2014, 6-26-2015, 6-10-2016, 6-7-2017, 6-8-2018, 6-7-2019, 8-13-2020, 6-17-2021, 6-22-2022

**FSU-2.0241 Tuition and Fees for Repeated Enrollment in College Credit Courses.**

(1) A student enrolled in the same undergraduate college-credit course more than twice shall pay tuition and fees at 100 percent (100%) of the full cost of instruction and shall not be included in the calculations of full-time equivalent enrollment for funding purposes.

(2) Students who withdraw from or fail a class due to extenuating circumstances of extreme financial burden, significant university error, documented medical emergency, call to

active medical emergency or what would be considered an act of God or force majeure under standard contract law will be granted an exception only once for each class.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005) FS. Law Implemented 1009.285 FS. History–New 5-5-03.

#### **FSU-2.02410 Internet Payment of Tuition and Fees.**

Students may make payment of tuition and fees via the Internet. Customers using this mode of payment will be assessed a convenience fee for this service. The convenience fee is non-refundable.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 1001.74(24) FS. History–New 5-5-03.

#### **FSU-2.02411 Third Party Tuition and Fee Billings.**

(1) Students who have a third-party agency (i.e., employer, governmental agency, etc.) paying all or part of their tuition and fees are required to submit an Agency Billing Card plus a Letter of Authorization from the third-party billing agency by the fifth (5th) day of each semester. Students who do not meet these requirements will be assessed the late payment fee.

(2) Students who have a third-party billing agency paying all or part of their tuition and fees and who are also receiving financial aid but have not completed the requirements in subsection (1) above by the fifth day of the semester, will have their tuition and fees deducted from their financial aid. In such instances, a refund will not be issued until after the third-party billing agency payment is received by The Florida State University.

(3) If the agency has not paid tuition and fees by the end of the semester, the student is required to pay all outstanding tuition and fees in full before any additional university services will be granted and the late payment fee will be assessed.

(4)) If a third-party billing agency pays only a portion of the student tuition and fees due, the student is responsible for ensuring that any remaining balance of tuition and fees are paid from other financial aid sources or other personal sources by the fee payment deadline. Failure to meet this requirement will result in the assessment of the late payment fee.

(5) Agency billings for tuition and fees must be reported on the student's financial aid application as a financial resource to avoid an over-award of financial aid from occurring. Any financial aid over-award will be on the student's billing statement and must be repaid before further university services will be granted.

(6) It is the primary responsibility of the student to ensure that their tuition and fees are paid in full or properly deferred by published deadlines to avoid assessment of the late payment fee.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.24(12) (e) FS. History–New 5-5-03.

#### **FSU-2.02412 Financial Aid and Tuition and Fee Payment.**

Financial aid students must settle their tuition and fee bill according to the published deadline by verifying that either financial aid has arrived on time or a deferment has been granted until the financial aid does arrive.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1001.74(10) FS. History–New 5-5-03.

#### **FSU-2.02413 Florida Prepaid College Program.**

(1) Students paying tuition and fees using the Florida Prepaid College Program must pay the balance, if any, before the fee payment deadline to avoid being charged a late payment fee.



(2) Students are responsible for paying any material and supply fees (also referred to as lab fees), the transportation-access fee, late fees, if assessed, and any other applicable fees not included in the Florida Prepaid College Program. Such fees must be paid by the fee payment deadline unless financial aid has been awarded to the student. Failure to pay such fees by the fee payment deadline will result in the late payment fee assessment.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1001.74(10), 1009.97 FS. History—New 5-5-03.

#### **FSU-2.02414 Waivers and Exemptions of Tuition and Fees**

(1) The Florida State University Board of Trustees may waive tuition and fees for purposes which support and enhance the mission of the university not otherwise in conflict with applicable law or regulation for specific defined categories of students by board approval.

(2) Tuition and fees are waived as provided below:

(a) Tuition and fees will be waived by the president or president's designee for participants in sponsored institutes and programs consistent with BOG 8.002(3).

(b) Tuition and fees are waived for the following where mandated in sections 112.19, 112.191, 112.1915, 1009.26, 1009.25, 1009.26, 1009.265, Florida Statutes and Board of Governors Regulation 7.007, 7.008, including any restrictions or qualifications provided therein. The President may waive tuition and/or fees where Florida Statute or Board of Governors Regulation permits the waiver as optional, stating the university may waive, consistent with university mission and financial considerations and including any applicable restrictions or qualifications.

(c) Unless provided otherwise through a university scholarship, full-time university employees who meet academic requirements may receive waivers of up to 6 credit hours of tuition-free courses per term on a space available basis. When applicable, the non-resident tuition fee is also waived.

(d) Non-resident students who are non-degree seeking are entitled to waiver of the non-resident fee if the hours generated by such students are non-fundable and the cost of the program of study is recovered from the fees charged to the students.

(e) Intern Supervisors – Persons who supervise interns for institutions with the State University System shall receive one non-transferable certificate (tuition and fee waiver) for each full academic term during which the person serves as an intern supervisor. This certificate will define what portion of tuition and fees are to be waived.

(f) Florida residents 60 years of age or older are entitled to waiver of tuition and fees as provided by Regulation FSU-2.0245, F.A.C., and Section 1009.26(4), F.S. and BOG 7.008(4)

(g) A student enrolled through the Florida Linkage Institutes Program within limits provided by BOG 7.008. pursuant to Section 288.8175(5)(b), (6), F.S.

(h) Out-of-state per credit hour fees for qualified graduate students from the Alabama and Georgia counties listed below may be granted waivers for attendance at the Panama City Campus, provided those students pay a \$20.00 differential out-of-state fee per credit hour: in Alabama-Baldwin, Barbour, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Escambia, Geneva, Henry, Houston, Mobile, Monroe, Pike and Washington; in Georgia- Baker, Decatur, Early, Miller and Seminole.

(i) Up to 100% of the out-of-state per credit hour fees for undergraduate students whose enrollment will ensure the continued progress of preeminence, performance, and other established academic metrics. These waivers shall be determined by the University Provost for the following categories.-

1. Students in fine and performing arts programs (ex: Art, Dance, Music, and Theater);
2. Undergraduate students that demonstrate outstanding academic achievement upon admission; and
3. Students completing the First Year Abroad program requirements.

(j) Any tuition or fees waived or excepted by applicable Florida Statute or Board of Governors Regulation.

The university shall waive the activity and service, health, athletic, and material and supply fees assessed on a per credit hour only if a student's tuition is waived for all credit hours. If a student pays a portion of the assessed tuition and fees, that student shall pay in full, the activity, health, athletic, and material and supply fees assessed on a per credit hour basis.

**Specific Authority** BOG Regulation 1.001(3)(j); Reg. Procedure July 21, 2005. Law Implemented 112.19, 112.191, 112.1915, 1009.24(4), (5), 1009.25, 1009.26, 1009.265 FS., BOG 7.007, 7.008, 8.002, History–New 5-5-03, Amended 10-21-04, 11-20-20, [ER 6-15-23], 9-8-23

**FSU-2.02415 Late Fee Waivers.**

- (1) Requests for waiver of the Late Registration Fee may be submitted to Current Records, Office of the University Registrar.
- (2) Requests for waiver of the Late Payment Fee may be submitted to the Office of Student Financial Services.
- (3) Late Fee waivers will be granted in extenuating circumstances of extreme financial burden, significant university error, documented medical emergency, call to active medical emergency or what would be considered an act of god or force majeure under standard contract law beyond the control of the student. Students are required to present written documentation of the circumstances involved.

**Specific Authority** BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.24(13) (e) FS. History–New 5-5-03.

## **FSU-2.02416 Student Residency.**

(1) For the purposes of assessing tuition and fees, resident and non-resident status shall be determined as provided by Section 1009.21, F.S., and Rule 6C-7.005, F.A.C.

(2) An individual shall not be classified as a Florida resident, for fee-paying purposes, and shall not be eligible to receive the resident tuition rate, until the individual has provided satisfactory documentation to substantiate his or her legal Florida residence and domicile to appropriate university officials.

(3) Documentation required by the university to establish eligibility for Florida resident status, for tuition and fee purposes, shall include, but is not limited to, the student or dependent student's parent/legal guardian providing a residency statement, proof of independent or dependent status, a copy of his/her Florida voter registration, automobile registration, driver's license, rent receipts or mortgage receipts, and any other relevant materials deemed necessary by the university to support his/her claim for Florida resident eligibility.

(4) The applicant or dependent applicant's parent/legal guardian must have maintained 12 months of residency in Florida immediately prior to his/her enrolling at The Florida State University. Merely maintaining a temporary residence or abode incident to enrollment in the university does not qualify the student to be classified as a Florida resident for tuition and fee-paying purposes.

(5) The following students shall be classified as Florida residents for tuition and fee-paying purposes:

(a) Persons married to legal Florida residents and who intend to make Florida their permanent home;

(b) The legal residence of a dependent child whose parents are divorced, separated, or otherwise living apart will be deemed to be a resident of this state if either parent is a legal resident of this state, regardless of which parent is entitled to claim, and does in fact claim, the minor as a dependent pursuant to federal individual income tax provisions;

(c) A dependent child living with an adult relative other than the child's parent may qualify as a resident for tuition purposes if the adult relative is a legal resident for tuition purposes and the provided child has resided continuously with such relative for the five years immediately prior to the child's qualification, during which time the adult relative has exercised day-to-day care, supervision, and control of the child; Active-duty members of the

Armed Services of the United States residing in or stationed in this state, their spouses, and dependent children, and active-duty members of the Florida National Guard who qualify under Section. 250.10(7) and (8), F.S., for the tuition assistance program;

(d) Active-duty members of the Armed Services of the United States, and their spouses attending The Florida State University within 50 miles of the military establishment where they are stationed, if such military establishment is within a county contiguous to Florida;

(e) Students living on the Isthmus of Panama, who have completed 12 consecutive months of college work as Florida State University students in Panama, and their spouses and dependent children;

(f) Full-time instructional and administrative personnel employed by state public schools, community colleges, and institutions of higher education as defined in Section 1000.04, F.S., and their spouses and dependent children;

(g) Students from Latin American and the Caribbean who received scholarships from the Federal or state government, providing the student attends a Florida institution of higher education;

(h) The Southern Regional Education Board's Academic Common Market graduate students attending Florida's state universities;

(i) Full-time employees of state agencies or political subdivisions of the state when the student tuition and fees are paid by the state agency or political subdivision for the purpose of job-related law enforcement or corrections training;

(j) McKnight Doctoral Fellows and Finalists who are United States Citizens;

(k) United States Citizens living outside the United States who are teaching at a Department of Defense Dependent School or in an American International School and who enrolls in a graduate level education program which leads to a Florida Teaching Certificate;

(l) Active duty members of the Canadian military residing or stationed in Florida under the North American Air Defense (NORAD) agreement, and their spouses and dependent children, attending The Florida State University within 50 miles of the military establishment where they are stationed.

(6) Section 1009.21, F.S., contains additional provisions for establishing and maintaining Florida resident status for tuition and fee-paying purposes.

(7) Appeal from a determination denying “resident for tuition purposes” status to applicant therefore may be initiated after appropriate administrative remedies are exhausted by the filing of a petition for review pursuant to Section 120.68, F.S.

(8) Any student granted status as a “resident for tuition purposes,” which status is based on a sworn statement, which is false, shall upon determination of such falsity, be subject to such disciplinary sanctions as may be imposed by the president of the university as provided in the Student Conduct Code, Rule FSU-3.004, F.A.C.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.21 FS. History–New 5-5-03.

#### **FSU-2.02417 Refunds of Tuition and Fees.**

(1) Students who officially withdraw from the university prior to the end of drop/add will be eligible for a refund of 100 percent of tuition assessed, adjusted for waivers and any other outstanding charges.

(2) Students will be eligible for a refund for a situation in which the university determines it is in substantial, prejudicial error. The amount of a payment in excess of the adjusted assessment may be refunded.

(3) Students who drop a course(s) without tuition and fee liability after their tuition and fees have been paid will be eligible for a refund in extenuating circumstances of extreme financial burden, significant university error, documented medical emergency, call to active medical emergency or what would be considered an act of god or force majeure under standard contract law. Any amount in excess of the amount owed the university during the semester/term will be carried forward and may be applied against subsequent charges or may be refunded on request of the student. Any outstanding charges owed to the university will be deducted from eligible refunds and the balance will be issued as a refund to the student.

(4) Students who have not received Federal financial aid and withdraw after the fifth (5th) day of the semester and prior to the end of the fourth (4th) week of the semester (or for summer sessions by the first twenty-five percent (25%) of the term) are eligible for a twenty-five percent (25%) refund of tuition and fees paid. After the end of the fourth (4th) week of classes, no further refunds shall be made except as follows:

(5) Full refunds of tuition and fees paid will be granted in instances of withdrawal from the university under the following conditions:

- (a) Student withdrawal from courses due to military service;
- (b) Death of the student or death in immediate family (parent, stepparent, spouse, child, sibling or grandparent);
- (c) Illness of the student of such duration or severity, as confirmed in writing by the attending physician, that his/her completion of the term is precluded;
- (d) Cancellation of a course by the university for which the student is registered for and has paid tuition and fees.
- (e) Other exceptional circumstances that could not have been foreseen and are beyond the control of the student upon approval by the University Refund Committee.
- (f) Refund requests based on official withdrawals must be submitted to the Office of Student Financial Services within six (6) months from the end of the term from which the student withdrew in order for the refund request to be processed. Refund requests received later than this specified time will not be considered by the Refund Committee.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 1001.74(1), (2), 1009.24 FS. History—New 5-5-03.

### **FSU-2.02418 Student Withdrawals from Courses Due to Military Service.**

Any student enrolled in a postsecondary course(s) at The Florida State University shall not incur academic or financial penalties by virtue of performing military service on behalf of our country. Such student shall be permitted the option of either completing the course or courses at a later date without penalty or withdrawing from the course or courses with a full refund of fees paid. If the student chooses to withdraw, the student's record shall reflect that the withdrawal was due to active military duty.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1004.07 FS History--New 5-5-03.

### **FSU-2.02419 Withdrawals and Return of Financial Aid.**

(1) Students who withdraw and have received Federal financial aid (Title IV Programs) or state financial aid will be required to repay to the appropriate program, the amount of unearned financial aid funds disbursed to him/her as of their withdrawal date.

(2) Title IV programs includes Pell Grants, Perkins Loans, Supplemental Educational Opportunity Grants (FSEOG), Stafford Loans (subsidized and unsubsidized), and Parent Loans (the Federal PLUS Loan Program).

(3) The unearned amount of program funds is calculated based on the percentage of the semester completed before the date of withdrawal.

(4) Both the university and students receiving certain financial aid are required to return the unearned financial aid to the Federal government.

(5) The university is required to return the unearned portion of the Title IV funds and certain state aid it received from withdrawing students that was used to pay institutional charges, such as tuition, fees, housing, and other educationally related expenses, assessed by the institution.



(6) The funds returned to the Federal government by the university will reduce the student's total liability of unearned funds. However, students will owe the university the amount returned to the government for institutional charges.

(7) Students must repay the unearned Title IV funds to any Title IV loan program in accordance with the terms of their loan. For Title IV loan programs, unearned grant program funds are considered overpayments and students are required to return fifty percent (50%) of the grant(s). Students who owe grant overpayments remain eligible for Title IV program funds for forty-five (45) days, if during those 45 days, the student: (1) repays the overpayment in full to the university, or (2) enters into a repayment agreement with the university. However, entering into a repayment agreement does not mean the student is eligible to register for additional courses, receive academic transcripts, or a diploma, etc.

(8) Students can lose Title IV financial aid eligibility if they do not comply with the requirements above.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 1001.74(1), (2), FS. History–New 5-5-03.

#### **FSU-2.0242 Registrations for Zero Hour.**

Registration for zero credit-hour provides for examinations, graduations, use of facilities, etc., when deemed appropriate by the institution. The student is assessed Resident tuition and fees for one credit hour. If the student is simultaneously registered for other credit courses, the charge for the zero hour registration will not be assessed.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.24(13) (d) FS. History–New 5-5-03.

**FSU-2.02420 Exit Interviews.**

(1) Federal and university regulations require that all recipients of Federal loans participate in an exit interview counseling session upon graduating, withdrawing from the university, or dropping below six (6) credit hours of enrollment.

(2) These loan programs include Perkins (NDSL), Subsidized Stafford (GSL), Unsubsidized Stafford (USGL) and SLS loans.

Specific Authority BOG Regulation 1.001(3) (j), 4; Reg. Procedure July 21, 2005. 34 C.F.R. 674.42. History—New 5-5-03, Amended 6-7-17

**FSU-2.02421 Tuition and Fee Assessments and Remittance.**

(1) Building Fee and Capital Improvement Fee shall be remitted to an appropriate fund designated by the State Board of Education and utilized as provided in Section 18, Chapter 94-292, and Laws of Florida.

(2) Except for the Building and Capital Improvement Fees, the university shall retain all components of the student tuition and fees as well as all other fines, fees, and penalties authorized and collected by the university.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1010.86 FS. History—New 5-5-03.

**FSU-2.02422. Special Fines, Fees, and Penalties.**

The Board of Trustees must authorize all tuition and fees assessed. Accordingly, the specific fines, fees and penalties listed in this section, and the tuition and fees defined in Regulation FSU-2.024, are the only fees that may be charged without specific approval of the Board, except as authorized by Florida Statute:

- (1) A nonrefundable application fee ..... \$30.00
- (2) An orientation fee ..... \$35.00
- (3) A fee for security, access, or identification card:
  - (a) Annual card fee (\$5.00 each, Fall and Spring Semester) ..... \$10.00
  - (b) Replacement card fee..... \$15.00
- (4) A service charge for the payment of tuition in installments ..... \$15.00
- (5) A late registration fee to be assessed to students who fail to initiate registration during the regular registration period ..... \$100.00
- (6) A late payment fee to be assessed to students who fail to pay tuition and fees or who fail to make appropriate arrangements to pay (by means of installment payment, deferment, or third-party billing) by the tuition and fee deadline set by the university ..... \$100.00
- (7) Materials and supply fee (lab fees) to offset the cost of materials and supplies consumed during the course of the student's instructional activities, excluding the cost of equipment replacement, repairs and maintenance ..... Cost
- (8) A fee for miscellaneous health-related charges for services provided at cost by the university health center which are not covered by the health fee set under Section 1009.24(11), F. S..... Cost

- (9) Housing rental rates and miscellaneous housing charges for services provided by the university at the request of the student..... Cost  
 Housing costs may include amounts as required by existing bonds and for long term replacement of the particular facilities.
- (10) A charge to represent the reasonable efforts to collect overdue accounts..... Cost
- (11) A service charge on university loans in lieu of interest and administrative handling charges.....\$5.00
- (12) Library fines and charges, including:
- (a) Damaged and lost library materials, interlibrary loans, and Literature searches .....Cost
  - (b) Overdue per book or unit per day ..... Not to exceed \$2.00
  - (c) Overdue Reserve Materials per book or unit per hour ..... Not to exceed \$4.00 (\$40.00)
- (13) Fees relating to duplicating, photocopying, binding, and microfilm services; copyright services, and standardized testing.....Cost
- (14) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment ..... Cost
- (15) Returned check fee for unpaid checks returned to the university..... As provided by Section 832.07, F.S.
- (16) Traffic and parking fines, charges for parking decals or permits, and transportation access fee ..... As provided by FSU-2.009
- (17) An Educational Research Center for Child development fee for childcare and services offered by the center..... Cost

(18) Fees for academic transcripts .....\$10.00

(19) Diploma replacement.....\$10.00

(20) Internet Payment Convenience Fee..... Cost

(21) Developmental Research School Fees: Activities Fee ..... Variable

(22) The university president will authorize additional fees in order to meet specific higher education needs of the State when special circumstances result in specific, identifiable increased costs to a university. These fees will be in addition to the regular Student Credit hour fees charged to students enrolling in these courses on-campus. The additional fees charged shall be sufficient to recover all increased costs. The university shall remit the regular Student Credit hour fees collected for these courses to the appropriated Student Fee Trust Funds. The university shall use the additional fees to cover the increased cost of these courses and reimburse the appropriate Educational and General fund, or the appropriate other fund if the costs are incurred in other than Educational and General funds..... Variable

(23) Each university president or president's designee will authorize additional fees for off-campus course offerings in order to meet specific higher education needs of the State when special circumstances result in specific, identifiable increased costs to the university. These fees will be in addition to the regular Student Credit hour fees charged to students enrolling in courses on campus. The additional fees charged shall be sufficient to recover all increased costs. The university shall retain the additional fees collected. The university shall use the additional fees collected to cover the increased cost of these courses and reimburse the appropriate Educational and General fund, or the appropriate other fund if the costs are incurred in other than Educational and General funds..... Variable

- (24) Other miscellaneous fines, fees and penalties as approved by the Board of Trustees and authorized by state law.
- (25) Each applicant to the university as a freshman (otherwise known as FTIC, First Time in College) or as a law or medical student shall submit a nonrefundable \$200 admissions deposit upon the applicant's acceptance to the university. If the student enrolls, the deposit will be applied towards tuition. If the applicant does not enroll, the deposit will be used as specified in Section 1009.24(14), F.S. The deposit will be waived only upon demonstrated inability to pay.
- (26) A technology fee of 5 percent of the tuition per credit hour, beginning with the fall term of the 2010-2011 academic year. The revenue from this fee shall be used to enhance instructional technology resources for students and faculty. The technology fee shall not be included in any award under the Florida Bright Futures Scholarship Program.

Specific Authority: Art. IX, Sec 7, Florida Constitution, BOG Regulation 1.001, BOG Reg. Procedure July 21, 2005. Law Implemented: BOG Regulation 7.003; s. 1009. 24, Florida Statutes History--New 5-5-03, Amended 9-30-03, 10-21-04, 8-3-05, 2-12-07, 11-29-07, 4-3-2008, 2-26-2009, 9-17-2009, 6-25-2010, 9-9-2011, 11-21-2014, 2-19-21, 2-8-22

**FSU-2.02423 Delinquent Accounts.**

- (1) Delinquent accounts, including delinquent current semester tuition and fees, will prevent students from registering until all delinquent accounts are paid in full. Diplomas and official academic transcripts will not be issued when any amount is owed to the university.
- (2) Delinquent accounts not paid in full are referred to a collection agency after reasonable efforts to collect the account have been exhausted by the University. All applicable collection costs are added to the outstanding delinquent balance.
- (3) Students who owe delinquent accounts to the university will not be allowed to register for classes, receive academic transcripts or receive a diploma. A financial hold will be placed on the student's account until all delinquent balances are paid in full.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.24(13) (i) FS. History–New 5-5-03.

**FSU-2.02424 Dishonored Checks or Electronic Payments.**

(1) A charge of \$25.00 or five percent (5%) of the face amount of the check, whichever is greater, shall be assessed for all dishonored or electronic payments by the banking institution. A returned check/stop payment charge is assessed against a student's account who has a check or electronic authorization for payment returned by the bank to The Florida State University.

(2) The university automatically submits all personal checks to the banking institution a second time for payment when checks are returned for non-sufficient funds or uncollected funds. This is an automated process, and the second submission cannot be stopped; there is no charge, however, assessed by the University for this second submission. The banking institution, however, may assess additional service charges against the bank account upon which the check is drawn for dishonored checks or electronic payments. Repayment of returned checks must be made in cash, by FSUCard, or by money order or cashier's check.

(3) Returned check charges are assessed for all personal checks written or electronic payments authorized for tuition, fees, or other services provided by the university, which are returned by the banking institution for non-sufficient funds, uncollected funds, closed accounts, and stop payments placed on checks. In addition to the returned check/electronic payment/charge, if the initial payment is for tuition and fees, and the redemption of the returned check/electronic payment is not made prior to the tuition and fee payment deadline, a late payment fee is assessed.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 832.07, 1009.24(13) (e) FS. History–New 5-5-03.

**FSU-2.0243 Auditing Courses.**

Audit registration assures a course space for the student; however, no grade is awarded. The fee is the same as the Resident tuition provided in paragraph FSU-2.024(1) (a), F.A.C. Depositing of fee proceeds shall be the same as that provided for tuition. Seating privileges will be first afforded to currently enrolled students for academic credit and then to students taking courses as audit (non-academic credit).

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.24(13) (d) FS. History—New 5-5-03.

**FSU-2.0244 Materials and Supply (Lab) Fees.**

A materials and supply fee (lab fees) will be assessed for specific courses identified by the university to cover the cost of consumable materials and supplies that are consumed in the course of the student's instructional activities. The materials and supply fee shall not be assessed to cover the cost of replacement, repairs, and maintenance of classroom and laboratory equipment used in the process of instructional delivery of the course. A detailed list of materials and supply fees shall be published in the university Registration Guide identifying courses and the associated amount of the materials and supply fee assessed. The materials and supply fee will be separately identified for each applicable course at the time of registration.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.24(13) (g) FS. History—New 5-5-03.

**FSU-2.0245 Tuition-free Courses for Those Sixty Years of Age and Older.**

All fees are waived for persons sixty (60) years of age or older who are Florida residents and who attend credit classes.

(1) Under this tuition-free option, registration is allowed only on a space available, audit basis if such classes are not filled as of the close of registration.



(2) This waiver does not include thesis, dissertation, applied music courses or other courses requiring individualized instruction.

(3) Academic credit will not be given for such tuition-free courses.

(4) An appropriate form, the Audit Registration Form-2003, which is hereby adopted by reference, is available from the Office of the University Registrar. Proof of age and Florida residency, as provided by Section 1009.21, F.S., must be presented to the Office of Student Financial Services before returning completed forms to the University Registrar.

(5) The Florida State University will limit or deny the privilege for courses which are in programs for which the State Board of Education has established selective admissions criteria where there is insufficient space in the course.

(6) Persons paying full fees and state employees taking courses on a space-available basis shall have priority over those persons whose fees are waived in all cases where classroom spaces are limited.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 1009.26(4) FS. History—New 5-5-03.

#### **FSU-2.0246 Tuition and Fee Deferments.**

(1) The university president or designee will abide by rules of the State Board of Education in approving deferred payment when financial aid is delayed in being transmitted to the student through circumstances beyond the control of the student or formal arrangements have been made by the student with the university for payments.

(2) The following additional provisions apply to the use of tuition and fee deferments:

(a) When deferments expire, students must pay their unpaid tuition and fee balance in full by the expiration date or a late payment fee will be assessed.

(b) If tuition and fees are not paid accordingly, students will not be allowed to register for subsequent courses, receive a delayed delivery loan; receive semester/term grades or academic transcripts, etc.

(c) Students must ensure that financial aid pays tuition and fees by the deferment deadline. It will be the responsibility of the student to pay any balance remaining after all available financial aid has been applied to the tuition and fee assessment. Failure to do so by the published tuition and fee payment deadline will result in the assessment of the late payment fee.

(d) Financial aid students who are having their tuition and fees paid by a third-party agency (i.e., employer, government agency, etc.) or department billing must submit the required documents to the Office of Student Financial Services by the deadline published in the Registration Guide. Students are responsible for payment of any balance of tuition and fees. Failure to pay the balance of tuition and fees due by the deadline date will result in the assessment of the late payment fee.

(e) Any veteran, and other eligible students, who receive benefits under chapter 30, chapter 31, chapter 32, chapter 34 or chapter 35, U.S.C., or chapter 106, Title 10, U.S.C., is entitled to one deferment of tuition and fees each academic year and an additional deferment each time there is a delay in receipt of benefits in accordance with Section 1009.27, F.S.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1009.27 FS. History—New 5-5-03.

**FSU-2.0247 Tuition and Fee Liability.**

(1) Tuition and fee liability shall be defined as the liability for the payment of tuition incurred at the point at which the student has completed registration, as defined in paragraphs FSU-2.024(2)(a), (b), F.A.C., above.

(2) A student becomes liable for his/her tuition and fees upon registration.

(3) A late payment fee is assessed for late payments. Payment for courses added after the drop/add deadline or after distribution of financial aid must be paid within five (5) calendar days. Failure to pay tuition and fees for such added courses by the fee payment due date will result in a late payment fee being assessed.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 1001.74(1), (3) FS. History--New 5-5-03.

**FSU-2.0248. Cancellation of Student Schedule**

(1) Students who cancel their registration and were not enrolled for the preceding semester/term (non-enrollment for two consecutive semesters) must apply for readmission.

(2) Prior to the first day of classes, a student may cancel his/her registration by dropping all courses using the telephone or website registration system.

(3) During the first five days of the semester, or summer session, a student may cancel his/her registration by submitting a written request to the Office of the University Registrar. Students who cancel registration within this time frame are not liable for tuition and fees. If tuition and fees have been paid, students should request a refund from the Office of Student Financial Services.

(4) Beyond the first five (5) days of the semester, students cannot cancel registration; rather, they must withdraw from the university. Students who cancel their registration or withdraw from the university must apply for readmission. Under such circumstances, students allowed to register in error will have their registration canceled.

(5) The University automatically drops students for non-attendance of the first-class meeting and cancels student schedules for non-payment of tuition and fees.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005. Law Implemented 1001.74(1), (3) FS. History-- New 5-5-03, Amended 3-24-06

**FSU-2.0249 Installment Tuition and Fee Contracts.**

(1) The university president may establish a procedure for the payment of tuition and associated fees in installments.

Specific Authority BOG Regulation 1.001(3) (j); Reg. Procedure July 21, 2005, Law Implemented 1001.74(1), 1009.24(13) (d), (e), (15) FS. History—New 5-5-03, Amended, 2-19-21

**FSU-2.025 Direct Support Organizations.**

(1) The President of the University may recommend to the Board of Trustees that an organization meeting the requirements of Section 1004.28(1) (a), F.S., be designated a Florida State University Direct Support Organization (“DSO”). Upon approval by the Board of Trustees [“BOT”], a DSO shall be considered to be certified and authorized to use the property, facilities and personal services of the University.

(a) All use of personal services must comply with s. 1012.976, F.S.

(b) All use of property, facilities or personal services must:

1. Be used in a manner of primary benefit to the university
2. Be used in a manner which protects the university asset and where the DSO remains ultimately liable for any damage to property or facilities caused by DSO use
3. Be used in a manner consistent with all university regulations and policies applicable to such assets;
4. Be documented by some writing outlining the nature and duration of the use of such asset.

(c) The DSO may not receive cash transfers of state appropriations from the BOT except for funds pledged for capital projects. Allowed transfers of non- appropriated funds to a DSO will be reported to the Florida Board of Governors as required.

(d) A DSO is prohibited from using state funds for travel expenses incurred by the DSO.

(e) All debt issued by a DSO is subject to the State University System Debt Management Guidelines and all public-private partnership transactions involving a DSO are subject to the State University System Public-Private Partnership Guidelines

(2) In order to be considered for certification as a DSO, an organization must fulfill the requirements of Section 1004.28(1)(a), F.S., and must have Articles of Incorporation and Bylaws that together:

(a) Provide that any person employed by the organization shall not be considered to be an employee of the BOT by virtue of employment by the DSO.

(b) Provide that any chief executive officer of the DSO shall be selected as provided by DSO bylaws, with approval of the President of the University ("President"), and that the chief executive officer shall report to the President or a designee reporting directly to the President. (c) Provide that any amendments to the Articles of Incorporation or Bylaws be submitted by the President to the BOT for approval prior to becoming effective.

(c) Provide that the President shall have the following powers and duties:

1. Monitor and control the use of University resources by the organization.
2. Control the use of the University name by the DSO.
3. Monitor compliance of the organization with federal and state laws.
4. Recommend to the governing board of the board of trustees an annual budget.
5. Review and approve quarterly expenditure plans.
6. Approve contributions of funds or supplements to support intercollegiate athletics.

(d) Provide that the organization shall provide equal employment opportunities to all persons regardless of race, creed, color, sex, religion, age, disability, veteran status, marital status, sexual orientation, gender identity, gender expression, national origin or any other legally protected group status.

(e) Prohibit the giving, directly or indirectly, of any gift to a political committee or committee of continuous existence as defined in Section 106.011, F.S., for any purpose.

(3) The President of the University or a designee shall serve on the governing body and any executive committee of each DSO. The Chair of the BOT shall appoint a representative to the board of directors and any executive committee of each DSO. All other DSO board member appointments must be approved by the BOT.

(4) Each DSO shall submit an annual budget, which has been approved by its governing board and recommended by the President to the BOT for review. Such proposed budget shall be submitted no later than ninety (90) days after the first day of the fiscal year to which the proposed budget pertains. Each proposed budget shall include therein:

(a) Expenditures for the construction of physical facilities, and  
(b) Salary supplements, compensation and benefits provided to the President, University faculty, and staff, and to DSO employees to be paid with assets of the DSO, which shall be specifically identified.

(5) Significant Expenditure Approval.

Unless specifically approved by the BOT in a DSO Budget, any purchase of goods or services, construction or renovation of facilities or acquisition of real property of \$2 Million but less than \$5 Million will be approved by the BOT Business and Finance Committee; such purchases of \$5 Million or more will be approved by the BOT. No related purchases may be split to evade these threshold approvals and all purchases of \$1 Million or more will be reported to the BOT at its next meeting.

(6) Each DSO shall prepare and submit to the President no later than the first day of each quarter of the organization's fiscal year a quarterly expenditure plan that separately delineates planned actions which would cause a commitment of University resources or which represent a significant commitment of the resources of the DSO, including:

(a) Major fund-raising events and campaigns and their purpose.

(b) Compensation and benefits to University employees and employees of the organization.

(c) Capital projects, including land acquisition, construction, renovation or repair.

(d) Other major commitments of the resources of the organization.

(7) Each DSO shall cause a financial audit of its accounts and records to be conducted by an independent certified public accountant after the close of each fiscal year. The audit report shall be submitted by the President of the University to the BOT Board of Trustees no later than the end of the fifth month following the close of the organization's fiscal year. Annual audits shall be further governed as provided in paragraph (8)

(a) Audits shall be conducted pursuant to Section 1004.28(5), F.S., and in accordance with rules adopted by the Auditor General pursuant to Section 11.45(8), F.S., and Florida State University regulations and policies.

(b) The President shall submit the annual audit report to the Auditor General no later than nine (9) months after the close of the organization's fiscal year.

(8) The President may recommend to the BOT that an organization be decertified as a DSO if the President determines that the organization is no longer serving the best interest of the University. The recommendation for decertification shall include a plan for disposition of the organization's assets and liabilities.

(9) Audit Firm Selection and Approval Process.

(a) Each DSO shall have an audit committee made up of at least three members. All members shall be financially literate and at least one member shall have strong professional working experience in accounting, business, finance, audit, and internal controls. No member of the audit committee may be a member of DSO management. In the event the DSO is unable to identify a qualified audit committee member, the DSO Board may request the BOT Audit and Compliance Committee to appoint a qualified person to the DSO audit committee.

(b) Each DSO audit committee shall have an audit charter that shall be approved by the respective DSO Board.

(c) Each DSO audit committee shall select the audit firm to perform the DSO financial statement audit. The DSO audit committee shall forward its selection to the DSO Board for their approval. The DSO Board shall then forward the name of the selected audit firm to the BOT for final approval.

(d) All new audit firm contracts will be for up to a five-year period. At the end of the period, the DSO may elect to extend the first contract for up to an additional five-year period or, at its option, issue another Request for Proposal (RFP) for the next period. If the DSO chooses to issue an RFP for the second period, the current audit firm may respond to the RFP for consideration for the additional period.

(e) An audit firm entering into a second contract shall designate a new lead audit partner for the second term.

(f) For current audit firms that have served more than five years but less than ten years, the DSO, at its option, may extend the current contract to a total of up to ten years to include the years previously served as the auditor.

(g) Unless approved by the BOT, no audit firm may have an audit contract for more than five continuous years.

(h) The RFP issued shall identify criteria for evaluation of audit firm proposals to include, for example, areas such as: experience and ability; understanding of applicable laws, rules, and regulations; familiarity auditing similar organizations; project requirements, approach and method; and fee proposal.

(i) The audit committee shall first give consideration to the quality of the audit proposal in terms of work to be performed and after such deliberation; the audit committee shall take into consideration the proposed fee. Weights and scoring processes shall be based on the priorities and needs of the DSO.

(j) Negotiations shall then be held with the first ranked audit firm to agree on a contract to include the audit fee and related expenses.

(k) If a contract cannot be agreed upon, negotiations shall be formally ended with that audit firm and negotiations shall be conducted with the second ranked firm and so on until a contract is agreed upon.

Specific Authority BOG-1.001(3) (j); BOG Reg. Procedure July 21, 2005. Law Implemented 1004.28 FS, BOG-9.011. History—New 4-21-03, Amended 9-13-07, 6-10-16, 6-7-19, 2-19-21, 9-24-2021

## **FSU-2.026 Lost, Abandoned, or Seized Personal Property**

### **(1) General Provision**

All lost or abandoned personal property found on the University campus becomes university property if the personal property is not claimed by the owner within (30) thirty days after it is found consistent with the provisions of this regulation. The University obtains ownership of seized personal property under the Florida Contraband Forfeiture Act (Sections 932.701-932.706, Florida Statutes), when it receives a final judgment granting forfeiture of such property.

### **(2) Authority**

The University Controller shall manage the transfer, sale, donation, and disposal of personal property lost, abandoned, or seized on campus in accordance with this Regulation.



(3) Definitions

(a) Bicycle – A vehicle propelled solely by human power or a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour.

(b) Campus – All real property situated in the Tallahassee, Panama City, and Sarasota areas that are under the control of Florida State University.

(c) Date of Notification – The date on which an identified owner of lost or abandoned personal property is notified that such property is in custody and informed of the location and means by which the property may be released. If notification is by mail, the date of notification is (5) five business days after the date the letter is mailed.

(d) Date of Receipt - The date lost or abandoned personal property comes into the custody as recorded by the Property Custodian.

(e) Impound – To tow a vehicle away from the place in which it is parked, to boot a vehicle by use of an immobilization device, or to seize and hold legal custody of a vehicle.

(f) Lost or Abandoned Personal Property – Tangible personal property, with some appreciable value or apparent intrinsic value to the rightful owner, which has been mislaid or deposited on campus and left unattended. Lost or abandoned personal property may or may not have an identifiable owner.

(g) Motor Vehicle – An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power.

(h) Notice of Impoundment – A letter sent by the University Police Department to the registered owner of an impounded vehicle, via certified mail, and a notice posted on the vehicle notifying the registered owner that the vehicle will be impounded and stating the place and means by which the vehicle's release may be secured.

(i) Property Services – The unit within the Controller's Office that manages the transfer, sale, donation, or disposal of personal property lost, abandoned, or seized on campus.

(j) Property Custodian – The individual designated by the Vice President, Dean, or Director who has been assigned the responsibility for the identification of University property and the maintenance of the department’s property records.

(k) Seized Personal Property – any contraband article as defined in state statute 932.701

(4) Procedures

(a) Lost or abandoned personal property found on campus shall be delivered to the Property Custodian, who shall record the date of receipt of the property and retain custody of the property until disposed of in accordance with this Regulation. The University Police Department is responsible for determining if a motor vehicle or bicycle is abandoned.

(b) If the rightful owner of lost or abandoned personal property is identifiable, the Property Custodian shall make reasonable efforts to contact and notify the rightful owner of the location and means by which the property may be released. In determining whether the rightful owner is identifiable, the Property Custodian shall compare outstanding reports made to the University Police Department of missing, lost, or stolen property to the personal property in custody.

(c) If lost or abandoned personal property is not claimed by the rightful owner within thirty (30) calendar days from the date of receipt recorded by the Property Custodian, such property shall be sent to Property Services. Lost, abandoned or seized personal property may be retained by the University Police Department as necessary for evidentiary and/or investigative purposes.

(d) Lost, abandoned, or seized personal property will be available for University use or sold at public auction. If the property is not obtained for University use or purchased at auction, Property Services shall donate it to a charitable organization or discard it.

(e) The rightful owner of lost or abandoned personal property may reclaim the property at any time prior to the disposition, sale, or use of the property. Such property claimed by the rightful owner shall be released subject to any applicable liens, fees, fines, and reasonable costs of transport, storage and sale.

(f) Net proceeds from the sale of lost or abandoned personal property will be

deposited into the University Student Scholarship Fund.

(g) Net proceeds from the sale of seized personal property will be deposited into the University Special Law Enforcement Account in compliance with Section 932.7055(6) (g), Florida Statutes.

Specific Authority: Art. IX, Sec 7, Florida Constitution, Florida Board of Governors Regulations 1.001(3) (j), (7) (g) Law Implemented 705.18, FS History—New

### **FSU-2.027 Fraud Prevention, Detection, Reporting, and Investigation**

(1) Intent. Florida State University is committed to the establishment of an environment and culture that promotes honest and accountable actions and the elimination of fraudulent activities in all areas of administration and operation. Further, the University reaffirms its longstanding duty and responsibility to aggressively combat and respond to fraudulent activity.

(2) Purpose. An antifraud framework is established for the prevention, detection, reporting, and investigation of alleged fraudulent activities affecting the University. This framework provides a definition of fraud, a university-wide statement and response to attempted and committed fraudulent acts, applicability of the framework to the University community, responsibility for designing, implementing, and overseeing the framework, processes for reporting alleged fraud, responsibility for investigating alleged fraud and reporting investigation conclusions, protections to persons reporting suspected fraud, actions to be taken when alleged fraud is identified or substantiated, and a requirement for annual evaluation and reporting to the Board of Trustees on the status of the framework.

(3) Definition of fraud. An intentional misrepresentation or concealment of a material fact for the purpose of obtaining a benefit that would not otherwise be received, or inducement of another to act upon the intentional misrepresentation or concealment to his or her detriment. Fraud can be committed through many methods, including mail, wire, telephone, and the internet. Fraudulent acts may include, but are not limited to:

- (a) Benefitting from the use or misappropriation of University funds, securities, property, supplies, or other assets;
- (b) Receiving reimbursement as a result of falsification of time sheets, travel claims, and other expenses;

(c) Benefitting from the use of sponsored research personnel, property, labs, and other resources to develop software and other products and then selling the products through one's own private company;

(d) Receiving a benefit as a result of participating in the falsification of a record or document or an application for employment, admission, a student loan, scholarship, or grant; and

(e) Diversion or use of University people, time, money, or other assets for private use.

(4) University-wide statement and response to attempted and committed fraudulent acts. The University will establish and maintain strong internal controls to provide reasonable assurance that fraudulent acts committed against the University will be discovered. Further, the University affirms a "zero-tolerance" for persons determined to have committed a fraudulent act resulting in the loss or misuse of University resources. In support of this statement, the University will fully assist and cooperate in all applicable investigative processes and legal proceedings associated with alleged fraudulent activities.

(5) Applicability of the antifraud framework to the University community. Each employee, volunteer, board member, student, and vendor contracting or doing business with the University is responsible for compliance with this regulation. Such compliance requires an awareness of fraud prevention and detection activities, timely reporting of suspected fraudulent activity, and cooperating with investigative agencies by providing information and such other assistance as requested.

(6) Responsibility for designing, implementing, and overseeing the antifraud framework and strategies. The University Vice President for Finance and Administration shall be responsible for designing and overseeing the antifraud framework and strategies. The Vice President for Finance and Administration shall develop policies for the prevention, detection, reporting and investigation of suspected fraudulent activity. Prevention and detection policies shall include the development and adoption of strong internal controls. Administrators, deans, directors, and department heads are responsible for implementing and monitoring the antifraud framework and for making recommendations to the Vice President for Finance and Administration to further strengthen controls. Committees may be established as needed to assist in policy development, to communicate the antifraud framework, and to periodically report on progress or impediments to implementation.

(7) Processes for reporting alleged fraud. Suspected fraudulent activity should be reported to the Office of Inspector General Services (OIGS) which has primary responsibility for conducting fraud investigations. The OIGS should be notified directly, by mail or e-mail, through the OIGS website, or through the University fraud hotline. The OIGS will notify the Florida State University Police Department if reported fraudulent activity is indicative of a crime. The University Police Department and the OIGS will work together to coordinate efforts with external law enforcement and prosecutorial agencies as appropriate. Even in those cases where fraud is not substantiated, the OIGS may continue to investigate to determine whether administrative violations have occurred which warrant further University action.

(8) Protections afforded persons reporting suspected fraud. Faculty, staff, students, and others reporting suspected fraud in good faith will be provided maximum protections in accordance with applicable law, regulation, and policy.

(9) Actions to be taken when alleged fraud is identified or substantiated. University actions in response to identified or substantiated fraud may include appropriate disciplinary action, recovery of assets/losses, referral to law enforcement/prosecuting agencies, and/or review and remediation of internal control deficiencies and policies. Credible allegations that pose significant financial or reputational risk to the University shall be reported to senior management, the Board of Trustees, or the Board of Governors, as considered appropriate. Documents collected during the course of an investigation identified as confidential pursuant to law shall remain confidential. Other documents collected that do not have confidentiality protections in law shall remain confidential until such time as the final investigative report is issued.

(10) Any significant and credible allegation(s) of fraud, waste, mismanagement, misconduct, and other abuses made against the university president or a university board of trustees member shall be timely reported to the Board of Governors (BOG), through the BOG Office of Inspector General and Director of Compliance (OIGC) . Such allegations will be handled as follows:

- (a) The chair of the university board of trustees (or chair of the board of trustees' committee responsible for handling audit matters if the allegations involve the board

chair), in consultation with the chair of the Board of Governors, shall review the matter and may ask the OIGC to conduct a preliminary inquiry, in accordance with section 10.2.a. of the OIGC charter. If it is determined that an investigation is warranted, it shall take one of the following forms:

1. The board of trustees will hire an independent outside firm to conduct the investigation with OIGC guidance and monitoring; or
2. The OIGC will perform the investigation.

(b) At the conclusion of such investigation, the report shall be submitted to the subject, who shall have twenty (20) working days from the date of the report to submit a written response. The subject's response and the investigator's rebuttal to the response, if any, shall be included in the final report presented to the chair of the board of trustees and the Board of Governors' Audit and Compliance Committee. In the event the board of trustees chair is the subject, the report shall be submitted to the chair of the board of trustees audit and compliance committee.

(11) Any significant and credible allegation(s) of fraud, waste, mismanagement, misconduct, and other abuses made against the university chief audit executive or chief compliance officer shall be timely reported to the board of trustees and Board of Governors through the BOG OIGC. Such allegations will be handled in the same manner as provided for in (11) (a) and (b) above.

(12) Periodic evaluation and reporting to the Board of Trustees on the antifraud framework. At least annually, the OIGS shall perform an evaluation of the antifraud framework and make recommendations, as needed, to improve the framework. The Chief Audit Officer shall discuss conclusions and recommendations with the Vice President of Finance and Administration and shall present evaluation results to the President and Board of Trustees.

**Authority:** Art. IX, Section 7, Fla. Const., BOG Regulation 3.003, 1.001(6), BOG Regulation Procedure July 21, 2005.    **History:** New 11-12-2021, Amended 6-22-2022