

## CHAPTER FSU-6 MISCELLANEOUS

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### **FSU-6.0035 Intercollegiate Athletics; Season Ticket Allocation and Sale.**

(1) Purpose and Intent. Whereas there is a significant excess of demand over supply regarding purchases of season tickets for the events of The Florida State University Intercollegiate Football Program, it is the intent and purpose of the following statements of policy to establish a priority system of ticket allocation based upon relative factors relating availability and allocation of season tickets to the contributions of prospective purchasers to the University intercollegiate athletic programs and to the University in general, including financial contributions and contributions of service and support.

(2) General Public; Point System. There is hereby established a point system by which prospective purchasers from the general public will be accorded a relative priority for the stadium location of reserved season tickets they may purchase, based upon the total number of points to which they are entitled. The more points to which a person is entitled, the higher his priority. Each season ticket purchaser under the priority system will have the same reserved seat(s) for each regular season game played during that season in Doak Campbell Stadium.

(3) Ticket Allocation; Location:

(a) The following factors will be used to determine the number of points attributed to each prospective purchaser in accord with the number of points indicated for each factor:

1. Preceding years season ticket buyer – 2 points
2. Continuous years as season ticket buyer – 1 point for each year up to a maximum of 10 points
3. Continuous years as a contributor – 1 point for each year up to a maximum of 5 points
4. Current year Booster contribution or pledge according to this scale:

\$25 to \$49	1 point
\$50 to \$109	2 points
\$110 to \$249	4 points
\$250 to \$499	5 points
\$500 to \$999	7 points
\$1000 to \$2499	10 points
\$2500 to \$4999	15 points
\$5000 to \$9999	20 points
\$10,000 to \$19,999	25 points
\$20,000 or more	30 points

5. Total Booster contribution for the previous 5 years according to the same scale as above
6. Dues paying member of the F.S.U. Alumni Association – 2 points
7. Member of the Florida Legislature – 4 points
8. Member of the President’s Club – A fund for Academic Excellence – 4 points
9. Faculty and Staff and Varsity Lettermen – 2 points each

(b) Seat Location. A person’s total points will determine the seating location. Persons with higher points will be allocated seating in the preferred sections of the stadium. To the extent possible, any previous purchaser who maintains sufficient points to be entitled to seats in the same priority section in which he was seated the preceding year shall receive season tickets for the same seats.

(c) Example. The following example illustrates how this new point system would work: An individual bought season tickets in 1978 for his eighth consecutive year. He pledged \$250 to the Boosters for 1979-80 and has contributed a total of \$1150 to the Boosters during the previous five years. He is also a member of the F.S.U. Alumni Association and President’s Club. His points would be listed as follows:

- 2 Prior Year Buyer
- 8 Continuous Years as a Buyer
- 5 Current Booster Contribution
- 10 Total Booster Contribution for the Previous 5 Years
- 2 Alumni, Faculty, Staff or Varsity Lettermen
- 4 Presidents’ Club Contributor for the Current Year
- 31 TOTAL POINTS

The individual would be assigned to a priority section in the stadium that will include individuals with 31 points.

(d) With respect to points acquired for continuous years as a season ticket buyer, persons who have previously purchased tickets through a third party shall be entitled to credit for such purchases, provided that they obtain in writing from said party a statement releasing those seats to them. If the person receiving such release shall thereby or otherwise accumulate enough total points to be entitled to seats in the same priority location, such person shall retain the seats so released and the party releasing them will not be assured of replacing them with seats in an equally good or adjacent location.

(e) Ticket Allocation; Number. Persons will be entitled to purchase the following maximum numbers of tickets in their priority location as determined by the point system described above, in accord with the following amounts of their current year contributions to the Seminole Boosters, Inc.:

Contribution	Priority Tickets	Allocated
\$5000		30 tickets
\$2500		20 tickets
\$1000		12 tickets
\$500		8 tickets
\$250		6 tickets
\$110		4 tickets
\$50		2 tickets
\$25		1 ticket

Provided, however, that persons who have purchased season tickets prior to the 1980 intercollegiate football season, including the season immediately preceding the year of purchase, shall be entitled to purchase the same maximum number of season tickets to which they were entitled pursuant to the policy in effect prior to the 1980 intercollegiate football season. Therefore, persons who contributed the following amounts to the Seminole Boosters, Inc., during the calendar year 1979 shall be entitled to the following numbers of season

tickets as long as they continue to annually contribute the same or higher amounts to the Seminole Boosters, Inc.:

	Priority Tickets
Contribution	Allocated
\$2500	30 tickets
\$1000	20 tickets
\$500	10 tickets
\$250	2 tickets
\$100	4 tickets
\$50	2 tickets
\$25	2 tickets

(f) Price. The University shall retain the sole and exclusive right to determine and charge the purchase price for all tickets, including any taxes applicable to purchasers thereof.

(g) Reserved Allocations. There shall be reserved in the Athletic Ticket Office up to 1000 seats to provide for last-minute large gifts to the Seminole Boosters, Inc., or the Florida State Foundation, and to resolve other problems. However, a purchaser who has met minimum requirements for seats in a given priority location will not be moved in favor of a purchaser who has acquired more points through a large contribution or similar means. The latter purchaser who thereby becomes eligible for better seats will receive them only upon their becoming available.

(h) Inquiries and Communications. Each person who purchased season tickets the preceding season and who stands to lose his seat(s) because his total number of points is below the number required to retain such seat(s) shall be advised of that fact by the Athletic Ticket Office and shall be further advised as to what must be done to retain the same seat(s). Inquiries regarding this or any other matter pertaining to intercollegiate athletic program tickets should be directed to the Athletic Ticket Office, Tully Gym, Florida State University, and will be responded to by a staff person having responsibility for the matter raised.

(4) Students. Students or student groups may purchase full-priced season tickets in the same manner and subject to the same policies as members of the general public, if they desire seats in the reserved seating sections of the stadium (west side and limited portions of the east side). Otherwise students shall be entitled to purchase tickets in the student or open seating sections of the stadium in accord with the prices and policies applicable thereto.

(5) Student Athletes, University Staff. There shall be reserved and allocated on a per game or per event basis a certain number of tickets to student athletes and staff of the intercollegiate football program and officials and staff of the Department of Intercollegiate Athletics for their use. The Director of Intercollegiate Athletics, in consultation with the Head Football Coach, and in accord with applicable provisions of the constitution, by-laws and regulations of the National Collegiate Athletic Association (NCAA), shall determine the number and location and provide for the allocation and distribution of such tickets.

(6) Applicability to Other Intercollegiate Athletic Programs. The policies contained in this rule may be applied to allocation of priorities for seat location and number of tickets for season tickets, for the events of the intercollegiate athletic program conducted by the University in any other sport or to any individual event involving the Department of Intercollegiate Athletics, whenever the University President, or his designee, determines that the ratio of demand to seating capacity or availability warrants its application. In so construing and applying these policies, the name or description of the subject sport or event shall be deemed to be substituted for the term "football" wherever it appears herein, and the policies shall otherwise be deemed to be modified as required by the circumstances to effectuate the purpose and intent hereof.

(7) Presidential Prerogative. All other provisions of this rule notwithstanding, the University President shall have the authority, in his sole discretion, to direct that any person be entitled to purchase or receive gratis

season tickets or single event tickets in the location and number designated by him with regard to any program or event involving the Department of Intercollegiate Athletics whenever he deems such action to be warranted by the contribution to the University or its direct support organizations by such person, whether in money, in kind, in service, or in support, and whenever he deems such action to be in the best interest of the University.

Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 Law Implemented 240.227(1), (15), (19) FS. History—New 4-27-80, Formerly 6C2-6.035.

### **FSU-6.006 Florida State University Imprimature.**

#### **(1) Academic Press and Publications Board.**

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

- (a) Appointments of members of the Board shall be made by the President for staggered 3-year terms.
- (b) The membership of the Board will represent the various academic units of the university.
- (c) The Provost for Graduate Studies and Research, the Dean of Faculties, and the Director of APPB, or their representatives, shall be ex-officio members of the Board.
- (d) The APPB shall be organized with 15 regular members plus the Director of APPB, who shall serve as Chairman of the Board. Further, 4 committees of the APPB shall represent the four (4) areas of publication namely, books, journals, monographs, and artistic works of the creative imagination. These committees shall be responsible for analyses of proposed publications in their respective areas and for making recommendations to the APPB. The President may designate the committee assignment of each member of the Board.
- (e) Press publications shall bear the imprint, "The University Presses of Florida," and the series designation "A Florida State University Book," during the university's participation in the State University System Press (The University Presses of Florida). Monographs and Journals will normally carry the imprint, "Florida State University," or the name of any constituent department or other unit of the university, or both of those names.
- (f) The affairs of the APPB shall be administered by its chairman, the Director of the APPB, who shall be responsible for the implementation of all recommendations made by the Board and approved by the appropriate University officers.

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

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

##### **(a) The Florida State University Press.**

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

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

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

promotion, and distribution of the book.

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

(b) Florida State University Journal Publications.

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

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

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

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

(c) Florida State University Monographs.

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

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

Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 . Law Implemented 240.227(14), 240.229 FS. History–New 9-30-75, Amended 5-11-77, Formerly 6C2-6.06.

## **FSU-6.007 University Marine Lab.**

Operational Policy for the Marine Laboratory.

The Florida State University Coastal and Marine Laboratory (FSUGCL) operates as an University-wide — interdisciplinary research and development center. Under the general supervision of the Office of the Vice President for Research, the FSUCML is organized under the specific administrative control of the Director appointed by the Vice President for Research. To provide academic direction, the FSUCML Director is aided by an Advisory Committee comprised of faculty as designated by the chairs of various departments, plus a representative from the Office of the Dean of Arts and Sciences...

In general, the FSUCML is governed as follows:

(1) General Shop Facilities and Parts Stockroom. The FSUCML maintains a general shop for use of all staff, faculty, and students working at the laboratory. All requests by students and faculty for utilization of hand tools, shop space, or materials from shop or stockroom should go directly to a member of the Marine Laboratory staff. Instructions on the use of power tools and check-out procedures should go directly to the supervisor. All students using power tools must have proper accident insurance.

(2) Small Boat Operations. All requests for use of small boats should be directed to the Director who will check insurance and transmit all requests for small boats to the marine facilities. All students going out in university boats must have proper insurance coverage. All students and faculty operating the small boats must be checked out on the operation of the equipment, boat safety and marine regulations in accordance with Standard Operating Procedures. Any damage occurring to boats must be explained in writing to the Director.

(3) Sea Water System. The entire operation of the Sea Water System is under the direction of the Facilities Manager as designated by the Director. Under no circumstances should any valves or machinery connected with the system be operated without the approval of the designated supervisor. In his/her absence, responsibility for the Sea Water System will be further delegated.

(4) FSUCML Vehicles. Three trucks, one car, and a 15-passenger van are operated for FSUCML use. The car and van are housed on campus and scheduling for their use is conducted by appropriate FSUCML staff. The trucks at the FSUCML are for the use of the Staff only and the keys and a sign-out sheet for the vehicle are kept in the general shop office.

(5) Accident Reports. Any injury received while working with facilities related to the FSUCML Marine Laboratory must be reported within 24 hours and an accident report will be filed with University officials.

(6) Research Vessels with R/V Designation. All requests for ship-time onboard the FSUCML research vessel must be filed with the appropriate staff member for reservations at least three (3) weeks in advance of anticipated need. Once the reservation is approved, the Chief Scientist for the cruise shall file a cruise plan with the Director and the Captain of the research vessel at least two (2) weeks prior to the sailing date. It is the responsibility of the Chief Scientist of any cruise to ensure that all necessary research equipment is aboard., All new classes utilizing the research vessel will be given an orientation relative to duties and responsibilities while on board ship before departure. A users guide for the research vessel is available through the Director's Office. This guide includes all information pertinent to scheduling, reporting and vessel capabilities, and is included for policy and rulemaking procedures.

(7) Utilization of Classroom and Dorms. All requests for use of classroom and dormitory facilities should be directed to the appropriate staff member responsible for reservations. The maintenance of these facilities is the responsibility of the facility staff. It is expected that individuals using these facilities will clean the area before departure.

(8) Space in the Research Laboratory. All requests for research facilities and space should be directed to the Director. Space assignments will be made by the Director with the assistance of the Associate Director and the Advisory Committee.

(9) The Academic Diving Program is part of the FSUCML that supports science diving and research. The coordinator of this program, appointed by the Director, is responsible for the oversight of all safety and research diving using compressed air. All faculty, students, and staff using compressed air diving as part of their research are required to complete appropriate diver training to be in compliance with the American Academy of Underwater Science (AAUS) guidelines and must ensure that all sponsored projects in which compressed air is used have filed appropriate paperwork.

(10) Shore Facility Use Charges for use of all dormitory space, research laboratory, classroom space and vessel use shall be as recommended by the Director and approved by the Vice Prsdient for Research and can be obtained through the Director's office.

Specific Authority BOG Regualtion 1.001(3)(j) , Reg. Procedure July 21, 2005 . Law Implemented 1004.74(6) FS. History–New 9-30-75, Formerly 6C2-6.07 Amended, 6-13-2008

### **FSU-6.009 Inventions and Patents.**

#### (1) Basic Objectives.

(a) To serve the public interest by insuring that inventions which have the potential for the betterment of society are developed to the point of maximum utilization and prompt availability to the public.

(b) To encourage the creation of inventions by giving adequate recognition and incentive to inventors. In sharing the proceeds of inventions with inventors, the university recognizes inventorship and acknowledges the sizable amount of time and effort necessary to adequately disclose the invention, participate in its evaluation, assist attorneys involved in filing patent applications, and alert potential licensees.

(c) To encourage and support research within the university by returning a portion of the proceeds of an invention to support selected research programs and the patent program.

(d) To recognize the equity of any outside sponsor of research within the university by making reasonable and equitable provision for the granting of limited patent rights to the sponsor consistent with the objectives outlined above.

#### (2) Definitions.

(a) An "invention" includes any discovery, invention, process, composition of matter, article of manufacture, know-how, design, model, technological development, strain, variety, culture of any organism, or portion, modification, translation, or extension of these items, and any mark used in connection with these items.

(b) "University support" includes the use of university funds, personnel, facilities, equipment, materials, or technological information; and includes such support provided by other public or private organizations when it is arranged, administered, and/or controlled by the university.

#### (3) Rights in Inventions.

(a) An employee shall disclose all inventions which the employee may develop or discover while an employee of the university. With respect to inventions made during the course of approved outside employment, the employee may delay such disclosure, when necessary to protect the outside employer's interests, until the decision has been made by the outside employer whether to seek a patent.

(b) All inventions made outside the field or discipline in which the employee is employed by the university and for which no university support has been used are the property of the employee, who has the right to determine the disposition of such work and revenue derived from such work. The employee and the President or representative may agree that the patent for such invention be pursued by the university and the proceeds shared.

(c) An invention which is made in the field or discipline in which the employee is employed by the university, or by using university support, is the property of the university and the employee shall share in the proceeds therefrom.

(d) While an employee may, in accordance with university rules, engage in outside employment pursuant to a consulting agreement, requirements that an employee waive the employee's or university's rights to any inventions which arise during the course of such outside employment must be approved by the Vice President for Research. An employee who proposes to engage in such outside employment shall furnish a copy of this patent policy to the outside employer prior to or at the time the consulting or any other agreement is signed, or if there is not a written agreement, before the employment begins.

(e) Students employed to work in research sponsored by outside agencies or otherwise funded with contract and grant funds, or who are using university support shall be governed by this rule.

#### (4) Reporting Procedures.

(a) The inventor shall report to the Vice President for Research the nature of the discovery or invention, together with an outline of the project and the conditions under which it was done. If the university wishes to assert its interest in the invention, the Vice President shall inform the inventor within 30 days. The Vice President shall conduct an investigation which shall assess the respective equities of the inventor and the university in the invention, and determine its importance and the extent to which the university should be involved in its protection, development and promotion. The Vice President shall inform the inventor of the university's decision to apply for the patent within a reasonable time, not to exceed 135 days from the date of the disclosure to the Vice President.

(b) The division, between the university and the inventor, of proceeds generated by the licensing or assignment of patent rights or trade secrets, shall be reflected in a written contract between the university and the inventor which shall comply with the division of proceeds schedule contained in the policy on file in the office of the Vice President for Research. All such agreements shall comport with and satisfy any preexisting commitments to outside sponsoring agencies, but the inventor shall not commit any act which would tend to defeat the university's interest in the matter, and the university shall take any necessary step to protect such interest.

#### (5) Release of Rights.

(a) At any stage of making the patent application, or in the commercial application of an invention, if it has not otherwise assigned to a third party the right to pursue its interests, the President or representative may withdraw. At the request of the inventor in such case, the university shall return the patent rights to the inventor, in which case the patent shall be the inventor's property, and none of the costs incurred by the university or on its behalf shall be assessed against the inventor.

(b) All assignments or releases of inventions, including patent rights, by the President or representative to the inventor shall contain the provision that such invention, if patented by the inventor, shall be available royalty-free for governmental purposes of the State of Florida, unless otherwise agreed in writing by the university.

(6) Patent Committee. There shall be a Patent Committee appointed by the Vice President for Research. The committee shall, upon the request of the Vice President or his designee, advise whether the university should exert an interest in a particular invention, whether patent rights should be released to an inventor, and on any other matter relating to the exploitation of an invention. The committee shall also make recommendations on university patent policy and disputes arising under this rule.

Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 . Law Implemented 240.227(1), (5), (13), 240.229 FS. History—New 9-30-75, Formerly 6C2-6.09, Amended 8-5-91.



## **FSU-6.0091 Ownership of Student-Produced Films: School of Motion Picture, Television and Recording Arts.**

(1) Purpose and Intent: This rule establishes policy governing:

(a) The ultimate disposition of the student films;

(b) Promotion of the collective work of the School of Motion Picture, Television and Recording Arts (the “Film School”);

(c) Protection of the reputation of the School. It is also intended to recognize the equity and interest of the individual students involved in their use of these films as portfolio pieces in the advancement of their careers; and

(d) Graduate and Undergraduate programs.

(2) Ownership of student productions:

(a) Upon admission to the Film School or prior to the commencement of workshop exercises and filming, the University shall require all students to sign an acknowledgement of university ownership of all student productions. Each student enrolling in the Film School, thereby agrees to be governed by this rule and accepts all terms and conditions set out herein.

(b) The acknowledgement shall contain substantially the following wording:

“In consideration of admission to the School of Motion Picture, Television and Recording Arts and other good and valuable consideration, I hereby acknowledge that the Film School is the owner of all interests to which I may be entitled in any student production, including federal and state copyright interests. I hereby further agree to be governed by all terms and conditions of the Florida State University Film School as contained in Rule FSU-6.0091, F.A.C.”

(3) Screenplays:

(a) Screenplays that are generated as “stand alone” products by students are the student’s individual property. They may be copyrighted in the student’s name and exploited commercially in whatever way the student wishes. However, the student will be responsible for all costs and liability associated with whatever use he or she makes of any student production.

(b) Screenplays that are submitted by the student for production either as exercises or as thesis films become the property of the university, if accepted, and if incorporated into such a film. The use of such a completed film, its screenplay and its other parts is governed by the policies set forth elsewhere in this rule.

(4) General Film and Video Works:

(a) This rule applies to student film and video products, regardless of state of completion.

(b) The Florida State University’s School of Motion Picture, Television and Recording Arts retains all rights to all student films and videos produced. In particular, the University is vested with exclusive rights and ownership to the copyright of all student works and with exclusive rights to exhibit, distribute and duplicate these films and videos and to enter into distribution or broadcast licensing arrangements, whether commercially or non-commercially.

(c) Subject to the conditions contained herein, the Film School will allow students to purchase prints of particular film and video productions on which they worked, the use of which is restricted exclusively to their inclusion in the students’ career portfolios. These prints and tapes shall not be exhibited, broadcast, distributed or duplicated in any fashion without explicit written permission from the Office of the Dean of the FSU School of Motion Picture, Television and Recording Arts.

(d) The availability of such portfolio prints for purchase is always subject to approval by the Film School. If, for example, the School’s faculty considers a particular student film too elementary or too poorly executed to represent properly in public the typical level of student achievement at the Film School, it may decline to make it available to the student filmmakers involved. In this regard, the Film School attempts to protect the

reputation of both current and future students.

(e) Students who are allowed to purchase prints of their films and videos will agree to assume full responsibility and all liability for any screening of those films for potential employers and others outside FSU property.

(f)1. In the event any net revenues are derived from the commercial or non-commercial exhibition, distribution, broadcast or duplication of any particular student film or video, the principal student film or video makers involved in its production shall receive a royalty, the nature of which will be determined by the Dean or his designee or designees in consultation with the Office of the University Attorney. The payment of royalty to any student shall reflect general university royalty policies, as set out in the BOR/UFF Collective Bargaining Agreement, 1988-1991, Article 18; The Florida State University Faculty Handbook, Section 7; and Rule FSU-6.009, F.A.C., which are incorporated by reference.

2. The principal film or video makers involved in the production of a film or video are the writer, the director (or writer/ director), the producer/production manager, the cinematographer, the editor and the audio supervisor. Should a student musical director/composer and/or art director function on the production, they also will be considered part of the team of principal film and video makers.

(g) Any student films that are not completed within the deadlines that are set are also the permanent and exclusive property of the FSU Film School.

(5) Licenses, Contracts, Clearances, Waivers and Other Legal Agreements:

(a) The incorporation of certain elements into a student film, especially music, but also animation, art work, derivative story properties, and the use of certain types of real public or private property, may involve property that is protected by a variety of laws, including statutory copyright and common law. Students are responsible for securing appropriate legal releases for the use of such property and films; recognizing that releases may contain or be subject to constraints by law regarding their use. The faculty of the Film School will take such matters into consideration in deciding whether or not to make student film exercises and thesis films available for exhibition outside the university.

(b) The Film School will totally restrict the distribution of a student product when the appropriate releases have not been obtained for all materials used in the work.

(6) Film Festivals and Competitions:

(a) The FSU Film School reserves the exclusive right to enter its student films and tapes in festivals and competitions, whether regional, national or international. If students request, the Film School may also agree to enter student "stand alone" scripts in competitions. Alternatively, students may enter their own scripts.

(b) Any financial prizes for "stand alone" scripts done by students will go directly to the individual student(s) who wrote the script.

(c) Any financial prizes won by student films or tapes made at the Film School will be placed in a student development fund, the revenues of which will be used to support student productions, scholarships or other student benefits.

(d) Any certificates or statuettes of award received by student films will be displayed at the appropriate facilities, whether at Sarasota or Tallahassee.

(7) General Procedures:

(a) The FSU Film School will retain the motion picture negatives and/or video master tapes of all student films made as part of its programs. These will be used as needed to make prints or printing masters for either students or the School.

(b) Each of the Film School's completed productions will bear a copyright notice in the name of The Florida State University. At the time of its release, broadcast, exhibition or duplication the copyright will be registered with the Copyright Office by the FSU Film School.

(c) Completed FSU Film School student productions will bear full credit titles in the position and order

prescribed by the Film School.

(d) Any FSU Film School student productions that are released or exhibited will bear the FSU and Film School logo and name as the producing studio.

Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 Law Implemented 240.229, 240.241 FS. History—New 5-27-91.

### **FSU-6.011 Eminent Scholars Program.**

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

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

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

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

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

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

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

(c) **Search for Candidates.**

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

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

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

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

(6) EVALUATION PROCEDURE. After a Chair has been filled, the Selection Committee shall provide the President with a set of measures to be used in evaluating the success of the Chair in achieving the goals implied in the selection criteria for that Chair and the purpose of the Eminent Scholars Program.

(7) CHAIR OPERATION.

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

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

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

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

Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 . Law Implemented 240.227(1), 240.2605 FS., Section 35, Chapter 94-230, Laws of Florida. History–New 12-6-87, Amended 3-21-96.

### **FSU-6.012 Alcohol Policy.**

The University alcohol policy shall be as follows:

## FLORIDA STATE UNIVERSITY ALCOHOL POLICY

### Introduction

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

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

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

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

- (a) No individual under the legal drinking age (minimum of 21 years of age permitted by the State of Florida or the minimum age prescribed by the laws of foreign countries, but in no case below the age of 18 years of age) may serve, sell, consume or possess alcohol on university properties, except to the extent allowed by law within licensed premises or designated areas of the university.
- (b) Alcohol must be served by a licensed and insured third party vendor. No individual may serve or otherwise provide alcohol to persons under the legal drinking age.
- (c) The Consumption of Alcohol: The consumption of alcohol on university properties will be restricted to the following areas:
  1. Florida State University Law School Rotunda;
  2. Licensed areas of the university (e.g., Center for Professional Development, Club Downunder, Crenshaw Lanes, Renegade Grill);
  3. Academic food service facilities;
  4. University Center areas include:
    - i. Skyboxes
    - ii. Miller Hall (C3300, UC)
    - iii. President's Box (Level 7, UC)
    - iv. Booster/Alumni Board Rooms (C5300, C5301 UC)
    - v. University Club (Building B, Floor 3, UC)
    - vi. Meeting Rooms (Building B, Floors 5 & 6, UC)
  5. Lounges in Beth Moor at Longmire Building;
  6. WFSU-TV and Radio Broadcast Center;

7. Premises in and around President's house, Pearl Tyner Alumni Center, and surrounding grounds;
  8. University property not located on the main campus, which has been leased by the university to private entities or persons, referred to in this rule as "private premises," such as Heritage Grove;
  9. Private university living quarters, including Alumni Village, where those present are of legal drinking age (see the Guide to Residence Living, Community Expectations, for further restrictions that may apply in residence halls; or in the case of living quarters provided for study abroad programs, see policies promulgated by Florida State University International Programs Association, Inc.);
  10. Premises in Doak Campbell Stadium area used or licensed for use on football game days;
  11. At the following sites, when provided in conjunction with an artistic or municipal event:
    - i. The Fine Arts Gallery;
    - ii. The reception/hospitality room in the Opperman Music Hall;
    - iii. The Fine Arts Building; and the
    - iv. FSU Lab Theater.
  12. Werkmeister Reading Room (201 Dodd Hall)
  13. In common areas for special events approved by the University President or his/her designee. For faculty, the designee is the Dean of the Faculties, for student groups, the designee is the Vice President for Student Affairs, and for all other groups the designee is the Vice President for University Relations.
- (d) The Sale of Alcohol: The sale of alcohol on campus must be approved by the President or designee. Although the President or designee may approve the sale of alcohol on campus, only the Division of Alcoholic Beverages and Tobacco can issue the permit required to sell alcohol in the State of Florida.
- (e) Promotional Guidelines: The promotion of activities or events shall not advertise alcohol or sponsorship by alcohol marketers without prior written approval of the Vice President for University Relations. Events that seek advertising approval must meet the following requirements:
1. Alcohol shall not be used as an inducement to participate in a university event and may not be offered as a prize or gift in any form of contest, drawing or competition. Social events which encourage drinking, drinking contests, or drunkenness, and the advertisement of such events, are prohibited.
  2. Alcohol advertising on campus or in campus media, including that which promotes events as well as product advertising, shall not portray drinking as a solution to personal or academic problems of students or as an enhancement to social, sexual, or academic status.
  3. Advertising for any university event where alcoholic beverages are served shall mention the availability of non-alcoholic beverages as prominently as alcoholic beverages.
  4. Promotional materials, including advertising for any university event, shall not make reference to the amount of alcoholic beverages available. This includes references to kegs or open bars.
  5. Must adhere to University posting policy guidelines.
- (f) Florida State University Police shall be notified of all on campus events that are not regularly scheduled that plan to serve alcohol.
- (g) Laws and Regulations: All members of the campus community (students, faculty, staff, alumni, and guests) must adhere to all applicable federal or state laws, local ordinances, and University regulations related to the sale and use of alcohol. They include, but are not limited to the following:

1. It is unlawful for any person to aid or abet an underage person, as defined by Section 1 (a), in the purchase or attempt to obtain alcoholic beverages.
2. It is unlawful for any underage person to falsify a driver's license or other identification document in order to obtain or attempt to obtain alcoholic beverages.
3. It is unlawful for any person to permit use of his/her driver's license or any other identification document by an underage person to purchase or attempt to purchase alcoholic beverages.
4. No person may bring any type of alcoholic beverage into a licensed facility or area, nor may any person take alcoholic beverages out of the licensed facility or area, except that a bottle of wine purchased, but not fully consumed, at the University Center Club or similar restaurant establishment on campus may be removed by the person after it has been recorked as allowed by law.
5. Transportation of all alcoholic beverages on campus shall be in unopened and unobservable containers.
6. Damage to or destruction of property, or injury to person(s), which is caused by or can be shown to be related to the consumption of alcohol will be subject to disciplinary action, as will any other violation of this rule.

## II. Guidelines for University Sponsored Events.

Definition: Large public and formal events where the University acts in symbolic ways to honor, celebrate, and reward achievements central to its mission (e.g., graduation, convocation, dedications, awards, ceremonies). These events convey important values about what is central to the University. Florida State University is concerned with the image conveyed when alcohol service is included as part of these events. All University Sponsored Events are subject to the guidelines outlined in Section I of the alcohol policy. In addition, the following restrictions apply;

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

## III. Guidelines for University Related Events.

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

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

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

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

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

#### IV. Tailgate Events

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

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

#### V. Administration and Enforcement of Policy

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



## VI. Health Risks

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

Alcohol first affects the area of the brain responsible for higher functions, such as decision-making and social inhibitions, suppressing an individual's self-control. Alcohol in the blood can slow reaction time, reduce muscle coordination and impair eyesight, contributing to deficits in performance, judgment, memory, and motor skills. Even low doses can significantly impair the judgment and coordination required to drive a car safely. Florida State University reiterates that no one should ever drink alcohol and drive. The designated driver should never drink alcohol.

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

## VII. Educational Resources and Support

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

- (a) Health Promotion at the University Health Services [644-8871; Website is <http://healthpromotion.fsu.edu>
- (b) Office of Residence Life [644-2860; Website is <http://housing.fsu.edu/index.html>]
- (c) FSU Police Department [644-1234; Website is <http://www.police.fsu.edu/>].
- (d) (b) Volunteer opportunities for students seeking to work toward greater alcohol responsibility are available through Healthy Noles, which is an organization directed by Health Promotion at University Health Services. The Healthy Noles advocate for wellness on campus and alcohol responsibility is a significant component. For more information contact Health Promotion at [644-8871; or access the application at <http://healthpromotion.fsu.edu>]
- (e) The Learning Resources Center of the College of Nursing has books, slides and videotapes on alcohol and other substances which are available to instructors in the College of Nursing. All other staff or faculty would need approval from the Dean of the College of Nursing to access these resources [644-1291]. More information is available at [www.fsu.edu/~nursing/](http://www.fsu.edu/~nursing/).
- (f) The Digital Media Center provides media resources, which include listings on alcohol topics, to all campus approved departments and organizations. There is no charge for this service when it is used for regularly scheduled classes [644-5924; Website is <http://www.lib.fsu.edu/digitalmc.html>].
- (g) SMART (Students Making Alcohol and Other Drug Responsibility Theirs) Choices consists of two, two-hour class sessions and an interactive on-line program at University Health Services that presents the legal and personal consequences of substance abuse. Students who are sanctioned by the Office of Student Rights and Responsibilities [644-2428, Dean of Students Department] or University Housing [644-2860] for on or off-campus violations of the University's alcohol and drug policy must complete the course. Students may also enroll in the course free of charge if they would simply like to gain more knowledge about alcohol. Students may contact Health Promotion at [644-8871 if they would like to

sign up. The purpose of the course is to introduce the student to a process of self-examination that may lead to improved decision making and behavior change.

- (h) The University Counseling Center (UCC) provides a structured two-session Alcohol and Other Drug (AOD) Evaluation for students who are sanctioned by the University for violations of the University's alcohol and drug policy. In addition to mandated AOD sessions, AOD Evaluations are available on a voluntary basis to all FSU students. Following the AOD Evaluation sessions, a recommendation is made to the student regarding need for counseling treatment. Counseling treatment is provided to students on a voluntary basis only. Any fee-paying student currently enrolled at Florida State University is eligible for services at the UCC. Please contact the University Counseling Center for a current fee schedule [644-2003; Website is <http://www.counseling.fsu.edu>].
- (i) The Employee Assistance Program (EAP) at Florida State University was established to assist employees with behavioral, medical and substance abuse problems affecting employment. Employees can enter the program through a self-referral or supervisory referral. The EAP functions as a coordinator of counseling and other appropriate services available both within the university and the community [644-2288; Website is <http://www.eap.fsu.edu>].
- (j) Counseling services are also provided for students, staff, faculty, and the community by the Marriage and Family Therapy clinic, which fees are based on annual income [644-1588; Website is <http://www.chs.fsu.edu/fcs/mft/center.php>].
- (k) The Human Services Center is a training clinic within the College of Education. Counselors are graduate students with counseling majors who offer service for students, staff, faculty, and the community. Services are free [644-3857; Website is <http://www.epls.fsu.edu/hsc>].
- (l) The Psychology Clinic is also a training clinic. Counselors are graduate students in clinic psychology programs. They provide one-on-one psychology services (no support groups) to students, staff, faculty, and the community. Fees are based on a sliding scale [644-3006; Website is <http://www.psy.fsu.edu/community/clinic>].
- (m) Helpline 211 is a telephone counseling and referral service for short term counseling, information and referrals mainly for social services in the Big Bend area [(877)-211-7005, (850) 224-6333, 211; Website is <http://www.211bigbend.org>].
- (n) AlcoholEdu offers personalized and confidential health information related to alcohol. <http://alcoholedu.com/>.

Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 . Law Implemented 240.261 FS. History–New 2-10-93, Amended 12-28-97, 11-29-07, 10-30-2012

### **FSU-6.013 Sex Discrimination and Sexual Misconduct.**

Sex Discrimination and Sexual Misconduct are contrary to Florida State University's (FSU or University) values and moral standards, which recognize the dignity and worth of each person. The University is committed to providing and maintaining programs, activities, and an educational and work environment founded on civility and respect, where no one is unlawfully excluded from participation in, denied the benefits of, or subjected to discrimination in any University program or activity based on sex (including gender), sexual orientation, gender identity, or gender expression. The University strongly promotes the involvement

of all campus constituents in making FSU a safe and welcoming environment. In order to address situations of Sex Discrimination or Sexual Misconduct, individuals are encouraged to promptly report an incident.

For additional information, including reporting procedures and complaint mechanisms, see the FSU Policy 2-2 Sex Discrimination and Sexual Misconduct Policy.

Specific Authority BOG Regulation 1.001(3) (j), Reg. Procedure July 21, 2005 History–New 9-24-98. 6 -10-2016