BRILLIANT AND BOLD
FRIDAY, FEBRUARY 25, 2011
GRAND BALLROOM

8:30 - 9:15  Sign in/Registration  
Continental Breakfast

9:15 - 9:30  Opening Remarks  
James H. Ammons, President  
Cynthia Hughes Harris, Provost and Vice President, Academic Affairs

9:30 - 10:30  Restructuring & Technology Enhancement (T3E)  
Teresa Hardee, Vice President, Administrative & Financial Services

10:30 - 11:30  Ethical Considerations/Conflicts of Interest/Financial Disclosure Forms  
Linzie F. Bogan, Associate General Counsel/Director of Labor Relations  
C. Christopher Anderson, III, Chief Assistant General Counsel, Florida Commission on Ethics

11:30 - 12:00  Professional and Personal Enrichment  
Nicole Hargraves, Director of Community Programs, Office of Volunteer and Community Services

12:00 - 12:45 Lunch

12:45 - 1:45  Protected Classes in the Unprotected Cyber World  
Robert E. Larkin, III, Partner, Allen, Norton & Blue, P.A.

1:45 - 2:15  Protecting Confidential Information Online  
Clifford Stokes, FDLE Computer Crime Center/Systems Programming Consultant

2:15 - 2:45  Worker’s Compensation/Post Injury Return to Work Issues  
Nellie C. Woodruff, Assistant Vice President, Human Resources  
Linzie F. Bogan, Associate General Counsel/Director of Labor Relations

2:45 - 3:00  Break
3:00 - 3:30  Immigration: Study and Employment Issues

Joseph V. Jones, Interim Assistant Vice President,
Office of International Education and Development

3:30 - 4:00  FERPA

Shira R. Thomas, Deputy General Counsel

4:00 - 5:00  FAMU Distance Education

Cynthia Hughes Harris, Provost and Vice President, Academic Affairs

PROGRAM DIRECTOR: AVERY MCKNIGHT
PROGRAM COORDINATOR: ABIGAIL RADDAR
SPECIAL ACKNOWLEDGEMENTS

Dr. James H. Ammons
Mrs. Patricia Woodard
Ms. Jenell Blake
Lingie F. Bogan, Esq.
Mr. Charles Collins
Ms. Anna Crutcher
Mr. Keith Pope
Mrs. Abigail V. Raddar
David C. Self, II, Esq.
Shira R. Thomas, Esq.
Mr. Christian Whitaker
Ms. Elma Williams

Dr. Cynthia Hughes Harris
Mr. Joseph V. Jones
Mr. Sammie Morris
Mr. Jefferson Walker IV

Ms. Teresa Hardee
Dr. Thomas Cavano
Ms. Janine Cofield
Mr. Ralph Coleman, Jr.
Mr. Ron Henry
Mr. Arthur Ingram
Mr. John Kirby
Mr. James Lockley, Jr.
Mr. Roland Randolph
Mr. Jerome Swaine
Mr. Charles Williams
Mrs. Nellie C. Woodruff

Mrs. Carmen Cummings-Martin
Ms. Caroline Connelly
Mrs. Tammy Hamlet

Mr. C. Christopher “Chris” Anderson, III

Mrs. Nicole Hargraves

Robert E. Larkin, III, Esq.

Mr. J.W. Mitchell

Mr. Clifford Stokes, Jr.
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  ➢ 2007-02, Telecommunications Policy
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Management Seminar 2011

Restructuring

Re-investing

Investing

FLORIDA A&M UNIVERSITY
OUTCOMES:

FAMU is prominent in the international arena

FAMU’s programs are nationally ranked

FAMU’s salaries are equal or greater than our aspiration peers

FAMU is recognized for research

FAMU is recognized as the most wired campus

Retention and graduation rates will be a great focus and gain national recognition

FAMU will be a model of administrative efficiency
Budget Reductions FY 07-11

- 2007-08: (5,251,211)
- 2008-09: (10,689,291)
- 2009-10: (16,246,516)
- 2010-11: (3,153,531)
- Stimulus: (8,460,902)
- Total: (43,801,451)
Global Recession
Reduction in State Funding
Falling Endowments
Increasing Gov't Intervention
Restructuring: Efficiency & Effectiveness
Re-investing: FAMU & State Needs
Strengthening FAMU's Brand
Leveraging Technology
Investing: Revenue Generating Programs/Activities
Turbulent Years
FAMU’s Revenue (FS 6/30/10)

- Financial Aid: $1,691,326
- Tuition & Fees: $2,381,209
- State Appropriation: $7,936,118
- $41,109,354
- $689,883
- $46,096,506
- $46,664,878
- $5,655,016
- $2,712,559
- $78,957
- $7,325,673
FAMU’s Expenditures (FS 6/30/10)

- $28,183,640
- $19,780,144
- $15,480,657
- $47,762,098
- $171,029,365

Comp. & Benefits
Management Seminar 2011

E&G 6/30/11

- General Revenue: 89,641,397
- Lottery: 10,188,211
- Student Fee TF: 7,936,118
- Stimulus: 57,171,795

Florida A&M University
Management Seminar 2011

E&G 6/30/11

Salaries: 116,651,546
OPS: 8,457,095
Expenses: 28,821,347
OCO: 1,628,034
Black Male: 990,594
Library Resources: 1,074,040
Out of Stae Waivers: 130,838
Risk Management: 14,799
Salary Incentive: 1,506,303
Student financial Aid: 79,745
Debt Service:
21st Century FAMU: Innovative, interdisciplinary, technologically advanced land-grant, doctoral/research institution committed to enhancing the sustainability and viability of the state, region, nation, and world through a broad range of academic areas including:

- Land Grant Programs
- Architecture
- Health Sciences Programs
- Education
- Law
- Social Science Programs
- Environmental Sciences
- Business
- STEM
- Biomedical Sciences
- Fine Arts
Surveys
Focus Groups
Advisory Committee

• Faculty
• Student
• Staff
• Alumni
• Community
• Union Rep

COMMUNICATIONS
“FAMU can leverage its “brand” to actively recruit around signature programs”

“Although this restructuring process will be difficult initially, if we make the tough decisions now, the university will be much better off in the future. We will see dramatic improvements in student outcomes, improved financial position despite budget cuts, better customer service, more efficient and effective processes, improved employee morale, improved communication both internally and externally, improved levels of competitiveness and increased national and international reputation, and more proactive leadership”

“FAMU has to address the structure and quality of its management. There appears to be too high of a ratio of managers to workers. FAMU must also ensure accountability for outcomes including consequences for employee performance that is inconsistent with its goals and objectives (e.g. efficiency, customer service, etc.)”

“Improve communications and branding needed regarding IT services”

“FAMU must adjust to its new state funding reality”

“Reduce the number of colleges from 13 to 8”
Overall Methodology

Measure
Outcome
Of the intervention and identify areas for reinvestment

Implement
Assess Impact
In terms of potential savings
Those that will have the greatest impact

Prioritize Initiatives
Based on costs and feasibility

Identify Opportunities
For cost reduction

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To Increase Productivity and Performance
To Leverage Technology through BPR
To Eliminate Non-Value Added Steps
To Create Operational Synergies

Business Process Reengineering
Organizational De-layering
Span of Management

Administrative Methodology!
- Identify operating departments
- Identify employee roles, % of time devoted to role
- Identify “like processes” and/or “repeatable processes
- Determine time devoted to the roles via FTEs
- Determine process from beginning to end
- Determine capacity for each process
- Identify data for each process
- Identify # of FTEs required based on processes
- Determine management structure to support each process
- Gather O-Charts
- Obtain Salary/Wage for every position
- Compute each employee process costs by combining salary with roles
- Determine non-employee costs (supplies, equipment, etc.)
- Determine overall cost categories that tie to budget
• All academic programs were rated based on the following factors:
  • Enrollment of majors
  • Degrees awarded
  • Student FTEs produced
  • Sponsored research awards
  • Cost per credit hour*
  • Return on investment (ROI) on research*

* The last two factors (cost per credit hour and ROI research) were added based on recommendations of the academic focus groups.
Model combining indicator of societal need with productivity

- Societal need was indicated by whether a program was on the Board of Governors targeted list, in areas of critical needs in education and health, STEM fields, security and emergency services, and globalization. These are also the programs that FAMU has identified as priority areas that the University wishes to build upon. If a program was on the list, it was designated as high need; if not, it was designated as low need. The combination of the indicator of societal need and program productivity (from the score derived from item 2 above) resulted in all programs being assigned to one of four (4) quadrants:
  - high need, high productivity
  - low need, high productivity
  - high need, low productivity
  - low need, low productivity
Assessing the productivity of programs is a complex task, that cannot be confined purely to quantitative measures. Therefore, upon assigning each program to one of the quadrants in item 3 above, further analyses were conducted, using multiple filters, many of them qualitative in nature, in an attempt to ensure that no important factors were overlooked prior to recommending suspension or termination of some programs. The additional factors include:

- Programs that are central to the FAMU mission;
- Programs that represented the strengths of FAMU and priorities for the future;
- Programs that provided significant potential for the future growth through radical redesign;
- Comparison to productivity of similar programs at peer institutions (the third factor recommended by the academic focus groups).
Emerging Themes

Align with the strategic plan: “20/20 Vision with Courage”

Focus on high value, signature programs, while strategically reducing the staff

Targeted recruitment of students to ensure students meet their educational goals, resulting in increase retention and graduation rates

Leveraging technology to improve administrative and business processes

Emphasis on research and graduate programs
Business process reengineering (BPR) is an approach to improve, by means of elevating efficiency and effectiveness, the business processes that exist within and across the organization. The key to BPR is for organizations to look at their business processes from a “clean slate” perspective and determine how they can best construct these processes to improve business.
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BPR PROCESSES

- Travel & Expenses
- Procure-to-Pay (Purchasing & Accounts Payable)
- Asset Management
- Budget
- Contracts & Grants
- Special Events & Auxiliary Services

- General Accounting
- Month-End/Year-End Close
- Human Resource
- Student Financials
- Construction
BENEFITS of BPR

• To allow automated processes to be scheduled.
• To streamline processes.
• To ensure the transfer of knowledge.
• To ensure processes are effective and efficient.
• Decrease cycle times.
• Align with FAMU mission/strategy.
Organizational Change Management Plan

Goal of Organizational Change Management is to minimize the "Productivity Dip"

The Performance Dip

The Goal of Organizational Change Management is to minimize the depth & duration of the Productivity Dip caused by the project. However, the dip will still occur as it would with any large scale change.

The following Change Management plan will help minimize the dip in production levels and accelerate the improvement in performance levels.
What are the elements of Change Management?

- Organizational Readiness
- Communications
- Training and Staff Development
- Business Process Reengineering (as a separate co-equal process unto itself)
- Organizational design and staffing
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Time to Change

CHANGE AHEAD

FLORIDA AM UNIVERSITY
Core Restructuring Team

http://www.famu.edu/index.cfm?restructuring

Ms. Teresa Hardee, Chairperson
Dr. Cynthia Hughes Harris
Dr. Kwadwo Owusu-Aduemiri
Ms. Rosalind Fuse-Hall
Ms. Sharon Saunders
Dr. William Hudson, Jr.
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Restructuring Advisory Team

Alexis Cadwell
Elizabeth Davenport
Gwendolyn James-Singleton
John Branch, Jr.
Mary Howard
Stacey Youmans

FLORIDA A&M UNIVERSITY
Questions?
Ethical Considerations
Conflicts of Interest
Financial Disclosure Forms

Presented by
C. Christopher “Chris” Anderson, III
Chief Assistant General Counsel
Florida Commission on Ethics
Contact Information

Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709
(850) 488-7864, telephone
(850) 488-3077, facsimile
www.ethics.state.fl.us
Some Ethics Standards to Consider or to be Aware of

Chapter 112, Part III, Florida Statutes
Governor’s Code of Ethics*
Particular FAMU Rules/Regulations
Other Florida Statutes
Doing Business with One’s Agency/Conflicting Employment

F.S. 112.313(3)
F.S. 112.313(7)
F.S. 112.313(12)
F.S. 112.3185(2) & (6)
Misuse (Corrupt Use) of Public Position

F.S. 112.313(6)
F.S. 112.312(9)

Blackburn v. State, Commission on Ethics, 589 So. 2d 431 (Fla. 1st DCA 1991)
Disclosure or Use of “Inside Information”

F.S. 112.313(8)

CEO 04-15
Gifts/Expenditures/Things of Value

F.S. 112.313(2)
F.S. 112.313(4)
F.S. 112.3148
F.S. 112.3215 (6)(a)
F.S. 1004.085(1)
Forms 9, 10, & 30
Financial Disclosure

“Full” Disclosure (Form 6)
“Limited” Disclosure (Form 1)
Initial Filing
Annual Filing
“Automatic” Fines
Final Filing
Thank you.
The End.

Chris Anderson
Chief Assistant General Counsel
Florida Commission on Ethics
(850) 488-7864
PROFESSIONAL AND PERSONAL ENRICHMENT

RETIRING SUCCESSFULLY

Nicole Hargraves
Communities For a Lifetime
Florida Department of Elder Affairs
Facts about this decade ---
(U.S. Dept. of Commerce, Bureau of the Census)*

Life expectancy:  
Women: 71.1,  
Men: 65.6

Average Salary:  
$2,992

Labor Force male/female:  
5/2

Cost of a loaf of bread:  
$0.14
## Average Life Expectancy Today

<table>
<thead>
<tr>
<th>Rank</th>
<th>Country</th>
<th>At Birth</th>
<th>Male</th>
<th>Female</th>
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<tbody>
<tr>
<td>#36</td>
<td>United States</td>
<td>78.3</td>
<td>75.6</td>
<td>80.8</td>
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<tr>
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<td><strong>Highest</strong></td>
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<tr>
<td>#1</td>
<td>Japan</td>
<td>82.6</td>
<td>78.0</td>
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<td><strong>Lowest</strong></td>
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<td>#191</td>
<td>Swaziland</td>
<td>31.88</td>
<td>31.62</td>
<td>32.15</td>
</tr>
</tbody>
</table>
Life Expectancy Calculators

- MSN Money Central
- Northwestern Mutual Financial Network
- University of Pennsylvania Professors
- Minnesota State Retirement System
For a fool, old age is winter.
For a wise man it is a time of harvest

—Jewish proverb
What are the ingredients of a successful retirement?

- Financial
- Physical
- Social and Mental

Health
Goals are dreams with deadlines.

−Diana Hunt
Know your Financial Health Status?

**Symptoms**

- Employer
  - Pensions
  - Employee Retirement Accounts

- Social Security
  - Early Retirement
  - Will it be there when you need it?

- Savings
  - IRAs
  - Retirement Savings Accounts
  - Home Equity

**Cures**

- You
  - Deferred Compensations Programs
  - Pre-tax Accounts

- You
  - Check your credits
  - Age 62, 65 or 67

- You
  - Start today!
  - Second Job?
  - Reverse Mortgages?

**Know your Financial Health Status?**

---

**FLORIDA A&M UNIVERSITY**
Limited Network of Resources

- Department of Health and Human Service
  - Administration on Aging
  - Social Security
  - Veterans Affairs

- State Unit on Aging
  - Area Agencies on Aging
  - Local Service Providers

- Faith Organizations
  - Public and Private Donors
  - Family
Wish not so much to live long, as to live well.

- Benjamin Franklin

It is not how old you are, but how you are old.

— Marie Dressler
Age Related Illness

- Diabetes
- High Blood Pressure
- Heart Disease
- Osteoporosis
- Cancer
- Alzheimer's
- Parkinson Disease
- Broken Bones
Current Health Status

Symptoms

- Chronic Illnesses
  - Diabetes
  - High Blood Pressure
  - Arthritis

- Weight Related Illness
  - Obesity
  - Lack of Exercise

- Stress
  - Work
  - Family

Cures

- You
  - Evidence Based Programs
  - Daily Medications

- You
  - Lifestyle Changes
  - Regular Exercise Program
  - Home Modifications

- You
  - Preventive Maintenance
  - Age Related Examinations

FLORIDA A&M UNIVERSITY
Make the most of your retirement by becoming and remaining intellectually, socially, and physically engaged with life.
Social and Mental Health Indicators

Health

INTELLECTUAL STIMULATION

PHYSICAL ACTIVITY

SOCIAL INTERACTION
What will you do in your encore life!

ACTING, AMATEUR THEATER, ACTIVIST, ADOPT-A-HIGHWAY, AEROBIC EXERCISE, AFRICAN ART, AFRICAN-AMERICAN HISTORY, AARP, AMERICAN HOUSING, AMERICAN KENNEL CLUB, AMER. MUSEUM OF NAT. HIST., AMERICAN RED CROSS, ANIMALS, BOARDING, BREEDING, HABITATS, ANTHROPOLOGY, ANTIQUE COLLECTING.

ANTEQUE REFINISHING, APPALACHIAN TRAIL, APPLIQUÉ, AQUARIUMS, ARBOR DAY, ARCHERY, ARCHAEOLOGY, ARCHITECTURE, ART, DECO, HISTORY, NOUVEAU, ARTS AND CRAFTS, ASIAN ART, ASTROLOGY, ASTRONOMY, ATHLETICS, AUCTIONS, AUDUBON SOCIETY, AUTOMOBILE RESTORATION.
What will you do in your encore life!

BABYLONIANS
BALLROOM DANCING
BARBERSHOP QUARTET
BARTENDING
BASKET WEAVING
BATIK
BEACHCOMBING
BEACHKEEPING
BED & BREAKFAST
BEADING
BEEKEEPING
BEER
BELLY DANCING
BIBLIOTHECA

BICYCLING
BIG BROTHERS BIG SISTERS
BILLIARDS
BINOCULARS
BIRDING HOUSES AND FEEDERS
BLOGGING
BLOOD BANK
BONSAI
BOOK BINDING AND REPAIR
BOOK CLUB
BRAIDED RUG MAKING
BRAIDS
BRAIN EXERCISE AND TRAINING
BRIDGE
BUTTERFLIES

FLORIDA A&M UNIVERSITY
What will you do in your encore life!

CALLIGRAPHY
CAMPING
CANDLE, CANDY MAKING
CARDS
CARNIVALE
CARNIVOROUS PLANTS
CARVING
CERAMICS
CHEESE MAKING
CHESS
CHI
CIVIL WAR
CLASSIC CAR
CLIMBING
CLOCK MAKING
CLOWNING
COLLECTING

COMMUNITY SERVICE CLUBS
COMPOSING
CONCERTS
CONDO ASSOCIATIONS
CONGRESS
CONSERVATION
CONTAINER GARDENING
COOKING
COSMOLOGY
COSTUMING
CRIME PREVENTION
CROCHETING
CROSS-COUNTRY SKIING
CROSSWORD PUZZLES
CRUISES
CUBISM
CURATOR
What will you do in your encore life!

DANCING
DARTS
DECLUTTER
DECOUPAGE
DECORATIVE ARTS
DECOYS
DESTINATION ARCHITECTURE
DINE-OUT GROUP
DIVERSITY
DIVING
DOGS, DOG TRAINING
DOLL MAKING
DRAW
DRIFTWOOD

EATING
EBAY
EDUCATION
ELDERHOSTEL
EMBROIDERY
ENVIRONMENTALISM
EQUINOX
ESSAYS
ESTATE PLANNING
ESTATE SETTLEMENT
ETCHING
ETHNIC DANCING
ETHNIC COOKING
EXERCISE
What will you do in your encore life!

FAMILY HISTORY
FAMILY MEMORY BOOK
FAMILY RELATIONSHIPS
FAMILY TREE
FENCING
FENG SHUI
FINANCIAL PLANNING/INVESTING
FISHING
FLEA MARKETS
FLOWER GARDENING
FLY TYING
FOLK DANCING
FOOD SAFETY
FOREST MANAGEMENT
FURNITURE

GENEALOGY
GENOGRAPHIC PROJECT
GEOLOGY
GOAL SETTING
GOLD PANNING
GOLF
GOODWILL INDUSTRIES
GOURMET CLUB
GOVERNMENT
GRAY PANTHERS
GUN COLLECTING
GUN CONTROL
What will you do in your encore life!

Habitat for Humanity
Haiku
Halloween
Ham Radio
Handwriting Analysis
Health Care Proxy
Healthy Dining
Herbs
Hiking
History
Honeymoon
Hooked Rugs
Hopi Indians
Horoscope
Humane Society

Impressionism
In-line Skating
Insectarium, Insects
Internet
Investment Club
Islamic Art

Jazzercise
Jewelry
Jigsaw Puzzles
Journal
Juggle
What will you do in your encore life!

KARAOKE
KITES
KIWANIS INTERNATIONAL
KNITTING
KORAN

LAND RESTORATION
LANGUAGES
LEATHERWORKING
LEGISLATION
LETTER WRITING
LIFELONG EDUCATION
INSTITUTES
LIONS CLUBS INTERNATIONAL
LONG TERM CARE INSURANCE

MARTIAL ARTS
MASSAGE
MEDITATION
MEMORY STRENGTHENING
MEN’S ISSUES
MENTORING YOUNG FOLKS
METAL CRAFT
METROPOLITAN MUSEUM OF ART
MISSIONARY OR ACTIVIST
MODELING
MODEL BUILDING
MUSEUMS
MUSHROOMS
MUSIC
MUSIC THEORY

FLORIDA A&M UNIVERSITY
What will you do in your encore life!

NATL. GEOGRAPHIC SOCIETY
NATL. SENIOR GAMES ASSN.
NEEDLEPOINT
NEIGHBORHOOD WATCH
NEWSPAPER COLUMN

OBITUARY WRITING
ODYSSEUS
ORGANIZING
ORIENTEERING
ORIGAMI

PART-TIME EMPLOYMENT
PERSONAL HISTORY
PETS, PET THERAPY
PHILOSOPHY
PHOTOGRAPHY, ALBUMS
PICNIC
PILGRIMAGE
POETRY
POLITICS
POOL
POTTERY
PRIMITIVE ART
PRISONERS
PROBLEM SOLVING
PUPPETEERING
What will you do in your encore life!

QUIT SMOKING
RADIO
READERS CIRCLE
RECIPES
REGAN, RONALD
RELIGION, RELIGIOUS DANCE
RENAISSANCE
RENEW YOUR MARRIAGE VOWS
REPTARIUM
RIVER TRACING
ROCK GARDEN
ROTARY INTERNATIONAL

SALVATION ARMY
SCULPTURE
SENIOR ORGANIZATIONS
SET DESIGN/MANUFACTURE
SKETCHING
SINGING
SIX PILLARS OF FAITH
STAGE MANAGEMENT
STAIR CLIMBING
STAMP COLLECTING
SURFING
SURREALISM
SWAP MEETS
SWIMMING
What will you do in your encore life!

- TAI CHI
- TAP DANCE
- TERRARIUMS
- THEATER
- THEME PARTIES
- THIRD AGE
- TIN CRAFT
- TOOL COLLECTING
- TOYS
- TRAINS
- TRAP/SKEET/CLAY SHOOTING
- TRASH MANAGEMENT
- TRAVEL AND LEARN
- TREASURE
- TREES

- UMPIRE
- U. S. COAST GUARD AUX.
- U. S. OLYMPIC COMMITTEE
- USHERING
- U. S. POWER SQUADRONS

- VEGETABLE GARDEN
- VETERANS’ ORGANIZATIONS
- VOLUNTEERING
What will you do in your encore life!

WALKING
WATER GARDEN
WATER QUALITY
WEATHER
WEAVING
WEBLOG
WEIGHTLIFTING
WINE
WOMEN’S’ ISSUES
WOOD BURNING
WOODWORKING
WORLD AFFAIRS
WRITING

YIN AND YANG
YODEL
YOGA
YO-YO

ZEN
ZODIAC

FLORIDA A&M UNIVERSITY
Old age ain’t no place for sissies.
— Bette Davis
Contact Information

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hargravesn@elderaffairs.org
850 414-2341
PROTECTED Classes in the unprotected cyber world

How to Manage Cyber Issues in the Workplace

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Allen, Norton & Blue, PA
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Tallahassee, FL 32303
Phone: 850-561-3503
Fax: 850-561-0332

February 25, 2011
What kind of issues arise in the Cyber world?

- Employee Monitoring
- E-mail usage
- Internet usage
- Illegal Downloading
- Global Positioning System (GPS)
- Cell Phone / Text Messaging
- Social Networking Sites
  - Facebook, MySpace, Twitter, Craigslist, Match.com
Employee Monitoring

• Technological advances have made it easier to monitor employees in the workplace.

• Types of monitoring:
  • Internet monitoring and Filtering
  • E-mail monitoring (interception vs. review)
  • Phone monitoring
  • Keystroke logging
  • Instant message monitoring
  • GPS monitoring
Technological Advances

• As a result of technological advances, employers are able to determine:
  – Blogging at work
  – Whether an e-mail is work related or not
  – When an employee’s computer is running
  – The time it takes an employee to perform certain job functions or tasks
  – The numbers called from telephones and the lengths of those calls
  – Text messages – frequency and content
  – GPS – employee whereabouts and safe travel issues
Why Monitor Employees?

• Employer’s want to ensure employees:
  – Are using their time wisely
  – Are not stealing products or information
  – Are not engaging in illegal activity at the workplace
  – Are not incurring viruses that are sabotaging business equipment via internet usage
  – Are not exposing employers to liability for:
    • Sexual Harassment/Hostile Work Environment
    • Workplace violence
    • Defamation
Social Media in the workplace

• The largest of all social networking communities is Facebook.
• FAMU has a FaceBook Page/many departments have pages.
  • More than 500 million active users worldwide
  • More than 57 million users on MySpace.
  • More than 75 million people use Twitter.
• Between Facebook, YouTube and Wikipedia – more than 110 billion minutes of computer usage last year.
• Linked-In has over 60 million users.
Facebook & Loss of Productivity

- July 2009 independent study shows 1.5% loss of total employment productivity because of social networking sites
- 61% of regular Facebook users log in at work
- Some employees spend two hours per day at work on Facebook, though average is 15-20 minutes in work day
- Some employees log in only at work and not at home!
- 87% of Facebook users at work do not use it for any business purpose.
Employee Monitoring

• Can monitor if there is a compelling reason.
• Inform employees of potential for monitoring.
• Maintain policies that address computer use and electronic communications.
• Retain information only for the time needed.
• Restrict access to monitoring records.
• Treat all levels of employees equally when sanctioning for violations of policies.
• Determine whether monitoring imposes obligation on employer to take action.
Employer Monitoring: Risks That Can Be Avoided

- Union organizing efforts
- Defamation claims
- Misuse of Company assets/name
- Copyright and trademark violations
- Identity theft
- Sexual harassment, discrimination, hostile work environment
- Whistleblowers
- Employee disputes
TEXT MESSAGES CASE

• **Quon v. Arch Wireless**, 529 F.3d 892 (9th Cir. 2008)(Pending before U. S. Supreme Court)

• **Policy:** Employee use of employer-owned property to access the Internet and e-mail is subject to review at any time.

• Employees also are responsible for excessive charges on employer-issued pagers;

• Supervisor – informal policy that he does not review message content;

• Employer reviews an employee’s text messages after his usage becomes excessive

• Only 57 of more than 450 text messages were work-related; the remainder were personal and, in many cases, sexually explicit.
The Employer violated employee’s 4th Amendment right against unreasonable search and seizure.

Lieutenant’s informal “policy” that text messages would not be reviewed trumped the City’s written policy.

Point: Do NOT tell your employees something different than what the policy is.
E-Mail Cases


- Defendant began harassing Rudas from her first day of employment via sexually explicit and graphic e-mails
- Court coined the term “e-harassment”
E-mail Cases

  – Two employees of Morgan Stanley filed a $60 million lawsuit claiming they were professionally isolated and denied advancement after they complained about an e-mail containing inappropriate remarks.
  – E-mail was sent using the firm’s e-mail system
  – The same employees responsible for circulating the e-mail were also responsible for reviewing the employee’s work performance.
MySpace Case

- Pietrylo v. Hillstone’s Restaurant Group, Case No. 06-5754 (FSH)(DNJ 2009).
- Restaurant employee creates a group MySpace page.
- Purpose: “To vent about any BS while at work without any outside eyes spying on us”
- Hostess voluntarily accesses page in presence of manager.
- Hostess agrees to give managers her user information so they can access site later.
- Two group members are terminated.
Illegal Downloads

• Supervisors and Employers may be exposed to lawsuits for copyright violations if they permit (or ignore) employees to download software or other materials:

    • Suit against an employer which alleged its employees copied and retained copyrighted product support materials and diagnostic software
    • Employee used those materials in contracts to perform service and distributed the materials to subcontractors
**EMLOYEE BLOGS & FORUMS**


Pilots posted allegedly harassing, false, and defamatory comments about a female pilot on the “Crew Members Forum,” an electronic bulletin board.

**Court:** “Employers do not have a duty to monitor private communications of their employees.”

“Employers do have a duty to take effective measures to stop co-employee harassment when the employer knows or has reason to know that such harassment is part of a pattern of harassment that is taking place in the workplace and in settings that are related to the workplace.”
YouTube Issues

Two Domino’s Pizza employees posted on YouTube a video of themselves doing disgusting & unsanitary things with the food products they were purportedly preparing for delivery

– More than 1M viewers before being pulled;
– Multimillion dollar loss for Domino’s Pizza;
– 50-year old reputation tarnished – defamed;
– Employees fired and charged with “delivering prohibited foods.”

Domino’s CEO posts apology video on YouTube
Employer Use of Computer Misconduct

• Employee’s improper use of Computer/Cell Phone can become public and evidence!

• Use In Lawsuits, Workers’ Comp. and Unemployment Comp. Claims
  – Computer E-mails (both company and personal);
  – Computer Websites visited and frequency;
  – Text Messages sent and received;
  – Employee activity on public domains (Facebook/MySpace/YouTube/Craigslist/Twitter pages);
  – Cell Phone bills are discoverable.
Social Media and Employment

• E-Mails often involve a looser form of communication to and among employees and friends that can lead to:
  – Discipline or Termination

• Related issues connected with external social media can impact pre-hiring decisions:
  – Employer’s now frequently “google” applicants;
    • Look for controversial matters.
  – Check for Facebook/MySpace personal pages;
    • Look at friends, political orgs., club and assoc. memberships.
  – Conduct Background checks through local civil/criminal/traffic/family courts;
Social Media and Students

• Most Students, if not all, have Facebook/MySpace pages.

• Problems associated with “friending” students:
  – Knowledge of student’s personal matters:
    • Disabilities and/or medical issues
    • Relationships and/or status of relationships
    • Drug use/criminal activities
    • Discussion about other faculty, administrators, students or policies.
  – Appearance of Impropriety;
  – Potential favoritism or compromising of grades;
FAMU Policies

• FAMU maintains policies on Telecommunications and Social Media!

• Telecommunications Policy – Policy No. 2007-02: Prescribes manner and use of cell phones.

• Before obtaining FAMNET ID User ID – all users must sign the Computing Terms of Service Agreement:
  – Proscribes permitted uses, including e-mail and internet use;
  – Outlines prohibited uses for all users and potential sanctions.
COMPUTER USER AGREEMENT

Continued

Use the Service in connection with external surveys, contests, pyramid schemes, chain letters, junk e-mail, spamming or any duplicative or unsolicited messages (commercial or otherwise).
Defame, abuse, harass, stalk, threaten or otherwise violate the legal rights (such as rights of privacy and publicity) of others.
Publish, distribute or disseminate any inappropriate, profane, defamatory, infringing, obscene, indecent or unlawful material or information.
Advertise or offer to sell or buy any goods or services for any non-personal purpose.
Harvest or otherwise collect information about others, including e-mail addresses, without their consent.
Create a false identity for the purpose of misleading others as to the identity of the sender or the origin of a message.
Use, download or otherwise copy, or provide (whether or not for a fee) to a person or entity that is not a Service member any directory of the Service members or other user or usage information or any portion thereof other than in the context of your use of the Service as permitted under the TOS.
Transmit or upload any material that contains viruses, trojan horses, worms, time bombs, cancelbots, or any other harmful or deleterious programs.
COMPUTER USER AGREEMENT

Continued

• Transmit or upload any material that contains software or other material protected by intellectual property laws, rights of privacy or publicity or any other applicable law unless you own or control the rights thereto or have received all necessary consents.

• Interfere with or disrupt networks connected to the Service or violate the regulations, policies or procedures of such networks.

• Attempt to gain unauthorized access to the Service, other accounts, computer systems or networks connected to the Service, through password mining or any other means.

• Violate any applicable laws or regulations including, without limitation, laws regarding the transmission of technical data or software exported from the United States through the service.

• Interfere with another member's use and enjoyment of the Service or another individual's or entity's use and enjoyment of similar services.

You further agree to abide by the University Policy on the Ethical Use of Software and Other Computing Resources as set forth below.
What can an YOU do?

• Not have a Facebook/MySpace page:
  – Advantages:
    • No lost time at the workplace
    • No risk of personal information discovered about you
  – Disadvantages:
    • May inhibit communication avenues.

• Suggestion: Use Extreme Discretion with limited Facebook/MySpace pages!
  – Limit information that is public
  – Limit friends.
Additional Suggestions:

• Prohibit posting information about the University or its administration, employees and students.
• Use good judgment and take personal and professional responsibility for content.
• Limit identification of personal information, social clubs and organizations on pages.
• Prohibit use of University e-mail address to register for social media outlets.
• Remember: Everything you put in the public domain may one day be discoverable.
E-Mail/Tweet Use Suggestions

- Limit University E-mails to business/professional content.
- Use discretion in e-mailing students and third parties.
- Do not use profanity or improper language.
- Remember: Treat e-mails and Twitter as if each communication could be front page news.
LinkedIn

- Careful who you “recommend” former employee/students on LinkedIn
- Positive recommendation on LinkedIn could conflict with University mission.
- Positive recommendation on LinkedIn could have potential personal issues.
- Should be treated the same as an employment reference
Questions?

Robert E. Larkin, Esq.
Allen, Norton & Blue, PA
906 North Monroe St.
Tallahassee, FL 32303
Phone: 850-561-3503
Fax: 850-561-0332
Protecting Confidential Information Online

- Social Engineering
- Malware (Viruses, Trojans, root kits, etc.)
- System security
- Social Networking sites
Social Engineering

“You are the weakest link...goodbye!”

• The manipulation of people rather than technology to breach security.
Management Seminar 2011

Social Engineering

- Shoulder surfing
- Piggybacking
- Dumpster diving
- Impersonating tech support
- Student in need of a printed document
Social Engineering

- Be aware
- Policies and Procedures
- Safeguard your professional as well as your personal spaces
Malware

- Viruses
- Trojans
- Worms
- Rootkits
- Keyloggers
Malware

• Anti-Virus programs
• Software patches
• Firewall system (software & hardware)
• Awareness

“Install a patch for the update of the new version. If that doesn’t work, install the new version of the update for the patch. If all else fails, install a patch for the new version of the update.”
System Security

- Administration
- Technology
- Physical
System Security

- Administration
  - Business Continuity Planning
  - Policy and Procedures
  - Separation of Duties
  - Job Rotation
FAMU Password Policy

- Users are responsible for all activity originating on their account
- Passwords must not be shared with any person
- Passwords must be at least 8 characters long, and changed every 90 days
- Passwords must be alpha-numeric and have at least one number
- NEVER use the same password for both privileged and non-privileged accounts
FAMU Prohibited Network Uses

- Commercial or money-making activities
- Transmissions that defame or harass others
- Obscene, indecent, or unlawful activities (including copyright infringement)
- Transmitting or uploading malware
- Disrupting the network; interfering with another member’s use
- Gaining, or attempting to gain, unauthorized access to any system or file
FAMU Prohibited Network Uses (Cont.)

• Attaching equipment not owned by FAMU to the FAMU network
• Using non-FAMU email accounts for University communications
• Seeking information about, or copies of, files or passwords belonging to other users.

Report any suspected unauthorized use of your account by contacting EIT at 850-599-3560 or EIT@famu.edu
System Security

• Technology
  – System hardening
  – Data Back up
  – Mobile device encryption
    • FDLE / State policy
System Security

• Physical
  – Guards
  – Biometric keypads
  – Cabled locks
Social Networking Sites

- Facebook
- MySpace
- Linkedin
- Flikr
- Xanga

“On the Internet, nobody knows you’re a dog.”
“Someone got my Social Security number off the internet and stole my identity. Thank God — I hated being me!”
Our Mission

To protect the citizens and economy of Florida by safeguarding our information systems, reducing our vulnerability to cyber attacks, and increasing our responsiveness to any threat.

We offer cybersecurity training for FREE!
See a sampling of the classes available.

Current Security Issues

- **Phishing - How to Avoid Getting Hooked!**
  Published January 21, 2011
  Phishing attacks and especially spear phishing attacks (more targeted) have increased throughout the nation. This article tells you how to recognize them. More...

- **Facebook Backtracks on Sharing User Phone, Address Information**
  Published January 18, 2011
  Facebook has temporarily backed away from its decision to allow applications to access users’ mobile phone and address information. More...

- **New Phishing Scam Targets PayPal Users**
  Published January 11, 2011
  PayPal users are advised to be on alert for a new email-based phishing attack designed to steal the login credentials for their Internet payment accounts. More...

- **Fixes for two Windows flaws coming from Microsoft**
  Published January 7, 2011
  Microsoft’s first group of updates for 2011 should be relatively insignificant. More...

Browse the complete list of Security Issues.
Secure Florida’s Best Practices

- Use anti-virus software
- Install hardware and software firewalls
- Create strong passwords
- Establish a back-up schedule for important data
- Maintain up-to-date security patches
- Use password protected screen savers

- Check the security settings in your email client and web browser
- Use safe email and download practices
- Increase your awareness of Internet security
- Establish policies and rules for information security
Florida A&M University

Workers’ Compensation

What You Need to Know…..

Nellie C. Woodruff, Assistant V.P.
Human Resources

February 25, 2011
What is the Workers’ Compensation Program?

- An insurance plan provided by the University through the State of Florida Division of Risk Management, which pays reasonable, necessary and approved medical expenses for employees, students and volunteers due to an on-the-job-injury or a job-related illness as a result of their employment.
Who are the Individuals Covered by Workers’ Compensation?

**Covered:**

- All full-time, part-time, and temporary employees and volunteers beginning on their first day of performing work within the course and scope of their employment:
  - Faculty
  - Administrative & Professional (A&P) including Executive Service
  - University Support Personnel System (USPS)
  - Other Personal Services (OPS), Graduate Assistants and College Work Study Students (*Certain conditions apply for temporary employees*)
  - Volunteer workers who are registered with the University

**Not Covered:**

- General Public, Independent Contractors or Vendors who provide services to the University
What should be done if an Employee is injured on the job?

**MEDICAL EMERGENCY**

Go to the nearest emergency medical facility or contact Emergency Medical Services (EMS) by dialing 911.

Closest Tallahassee Emergency Medical Facility:

Tallahassee Memorial HealthCare
1300 Miccosukee Road
Tallahassee, Florida 32308
(850) 431-1155

BE SURE TO INFORM THE EMERGENCY MEDICAL FACILITY AND RESPONDING PERSONNEL THAT THE INJURY IS WORK-RELATED!
Medical Emergency Cont’d

- **Supervisor or designated Department Representative shall:**
  - Contact OptaComp at 1-877-518-2583 and provide employee’s name, date of birth, and medical treatment facility;
  - Report the injury to the University Workers’ Compensation Coordinator in the Office of Human Resources at (850) 599-8727 or (850) 599-3611.

- **OptaComp:**
  - Contact treatment facility immediately to initiate management of the case;
  - Contact supervisor once the emergency is under control.

- **Completion of First Report of Injury Form:**
  - Supervisor completes and submits the FAMU First Report of Injury Form to the Office of Human Resources within 24 hours of reporting the injury;
  - Form is located Online at [http://www.famu.edu/index.cfm?hr&Forms](http://www.famu.edu/index.cfm?hr&Forms).
Non-Medical Emergency

- **Employee shall immediately report the injury or accident to Supervisor or designated Department Representative who immediately:**
  - Reports injury or accident to OptaComp at 1-877-518-2583 and;
  - Reports claim to University Workers’ Compensation Coordinator at (850) 599-8727 or (850)599-3611.

- **OptaComp:**
  - Assigns a Nurse Case Manager to secure medical treatment and manage claim of injured employee.

- **Supervisor:**
  - Completes and submits the FAMU First Report of Injury Form to the Office of Human Resources within 24 hours of reporting the injury;
  - Form is located Online at [http://www.famu.edu/index.cfm?hr&Forms](http://www.famu.edu/index.cfm?hr&Forms).
Job Injuries Off-Campus

- If an employee sustains an accident while traveling on University business, he/she should:

  - Seek treatment appropriate for the injury (ranging from self-treatment initially to treatment by emergency medical personnel or other medical professionals) and/or;

  - Contact the Manage Care Provider, OptaComp at 1-877-518-2583 for instructions to treat the injury, if the injury is not life-threatening;

  - Contact supervisor or designated Department Representative via telephone as soon as possible following the injury. Have documentation which authorized the employee’s travel for University business.

*Employees are to be reminded that medical treatment for job related injuries or illnesses by the employee’s personal care physician or health care provider is NOT permissible.*
Reporting Injuries and Illnesses After Work Hours

- If the work related injury or illness occurs outside of the University’s official hours of operation (Monday – Friday), 8:00 a.m. - 5:00 p.m., the following action should be taken:
  - Supervisor or designated Department Representative on duty at the time of the injury should immediately contact OptaComp at 1-877-518-2583 to report the job-related injury or illness, and to obtain approval for treatment;
  - Supervisor or designated Department Representative is authorized to call 911, or take the employee to the nearest hospital emergency room, if the injury is life threatening.
Medical Treatment Authorization Requirement:

- **Medical Emergencies** - Supervisor or University Workers’ Compensation Coordinator can provide medical authorization directly to treating facility;

- **Non-Medical Emergencies** – OptaComp Nurse Case Manager provides authorization for treatment.

Injured worker is required to present proper identification such as a Government issued picture ID and do the following:

- Follow all medical treatment plans as prescribed by the Managed Care Network Provider;

- Ensure all follow-up medical treatment is coordinated with the Nurse Case Manager at 1-800-545-6565, ext. 25507 or the University Workers’ Compensation Coordinator at (850) 599-8727;

- Provide Supervisor and University Workers' Compensation Coordinator with all medical documentation concerning work status.
Medical Treatment: Pharmacy

- **Prescription and related medical treatment cost Payment(s):**
  - Prescriptions required for treatment and/or recovery from work-related injuries are covered under the Workers' Compensation Program;
  - Any pharmacy within the State of Florida, except Walgreen, may be used to fill a prescription.

- **Direct Billing by Pharmacy:**
  - In most cases, pharmacies will charge OptaComp directly with no charge to the injured employee;
  - Some pharmacies, however may require the injured employee to pay for medications out-of-pocket.

**Reimbursement for Cost:**

- Reimbursement for charges may be obtained by submitting the original copy of bill payment with the receipt to:
  
  Florida Department of Financial Services  
  Division of Risk Management  
  Bureau of State Employees WC Claims  
  P.O. Box 8020  
  Tallahassee, Florida 32399
Indemnity (Loss of Wages)

- **Lost Time and Wages:**
  - **Disability Leave:** During the first seven (7) calendar days or a maximum of forty (40) hours, if taken intermittently, a Salaried non-OPS employee is carried in full-pay status (without the use of accrued leave), as a result of a work-related injury.

**Documentation:**

- During the first 40 hours following the injury, the salaried (non-OPS) employee is carried in full-pay status and is required to submit the following information to the Office of Human Resources on each Tuesday of Payroll Processing Week:
  - Documentation of medical visits to the authorized Managed Care Network Physician and;
  - Completed Attendance and Leave Form(s) or Leave Report Form(s), as applicable for job classification/pay group.

- **After the first 40 hours:**
  - If the injured employee is unable to return to work, two-thirds of the injured employee's wages up to $782 are paid by the Workers' Compensation Program, while the remaining one-third may be paid by applying available accrued personal leave (sick, annual and compensatory) to receive pay at their normal bi-weekly wage.
Eligibility begins on the eighth day (8) of partial or total disability if:

- Managed Care Network Physician or medical facility substantiates the employee's inability to return to work as a result of the injury; and submits documentation to Nurse Case Manager, or;

- Employee is certified to return to work on full or modified duty with restrictions, but the Department is unable to provide reasonable accommodations.

OPS and Temporary Employees:

- Do not accrue annual or sick leave;

- Are ineligible for disability leave or wage loss payment the same as salaried employees,

- May qualify for certain wage payments after 21 consecutive days of medical disability;

- Must provide return to work status, follow-up medical or physical therapy appointments documentation to Supervisor and University Workers’ Compensation Program Coordinator on a timely basis.

Supervisors are responsible for maintaining communication with the injured worker while he/she is unable to work, and for facilitating return to work.
What Are the Return to Work Restrictions/Modified Duties for an Injured Employee?

- **Work Restrictions/Modified Duties:**
  - Authorized by the University when medical care provider assigns physical restrictions and releases the injured employee to return to work.
  - Departments and supervisors are required to identify and provide temporary modified duty work upon request as stated above.
  - University Workers’ Compensation Coordinator will assist departments and/or supervisors in complying with the injured employee’s work restrictions and/or modified duties request.
  - Injured employees must perform assigned modified duty work within the restrictions established by their authorized medical care provider.
  - Departments have no obligation to provide modified duties to employees who fail to perform such work.
  - Employees who refuse to cooperate with and/or participate in the program jeopardize their benefits.
University’s obligation under Workers’ Compensation to provide modified duty work ends…

- When the injured employee reaches Maximum Medical Improvement (MMI);

- When the injured employee has performed the modified duties for a period of ninety (90) consecutive calendar days; or

- When a department’s efforts to assist the injured employee proves to be counter-productive.
Assistance Directory

Workers’ Compensation Coordinator
Drew Holcombe
850-599-8727

FAMU Nurse Case Manager
Steve Kaigle
1-800-545-6565, ext. 25507

FAMU Claims Adjuster
Christy Glisson
850-413-4809

Opt Comp
1-877-518-2583 (to Report injuries)

Division of Risk Management
Bureau of State Employee's WC Claims
P.O. Box 8020
Tallahassee, FL 32399-0314

*Florida Statute, Chapter 440.105: "Any person who, knowingly and with intent to injure, defraud, or deceive any employer or employee, insurance company, or self-insured program, files a statement of claim containing any false or misleading information commits insurance fraud, punishable as provided in s. 817.234."*
Questions
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Presented by Joseph V. Jones
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IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Session Overview

• Study visas (F-1, J-1, H-4)
• Nonimmigrant work visas (H-1B, J-1, TN, O)
• Immigrant visas (LPR - Green Card)
• Resources Available
• Contact Information
• Questions and Answers
A primary function of a visa is to enable an individual to enter the United States for various reasons, such as: vacation, education, cultural exchange, business, or work, etc. There are many types of visa, but Florida A&M University (FAMU) has specific responsibility for the visas discussed herein.
Visas Overview

Categories of Visas

• Tourist/Visitors Visas: B1/B2 (Not for study or work)
• Student Visas: F-1, H4*, J-1, J2*
• Non-Immigrant Work Visas: H-1, J-1, O, TN
• Immigrant Visas (LPR or Green Card)

* Dependents – specific limitations
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Academic F-1, Form I-120)

• Academic visa allows students to study from the associates, bachelors, masters, to Ph. D.
• Admitted to the University
• Admissions request Form I-20
• Office of International Education and Development issues the Form I-20
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Academic F-1, Form I-120)

- Student pays fee to obtain visa from their country’s or designated U.S. embassy
- Students travels to U.S. to study
- Student arrives at FAMU
- Student receives orientation from the OIED
- Student must maintain full-time enrollment
There are two types of practical training available to F-1 students: Curricular Practical Training (CPT) for Internship and Optional Practical Training (OPT) for post graduate. These trainings can be either off-campus or on-campus.
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Academic F-1, Form I-120)

Curricular Practical Training: Internships

• Authorization is given by the International Student Office

• Student must have been enrolled as a full-time student for one full academic year, unless a graduate program requires an immediate CPT experience
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas

(Academic F-1, Form I-120)

Curricular Practical Training: Internships

• The training/internship must be an integral part of an established curriculum
• Student can register for the training or internship through the University Career Center
• Must be directly related to student’s field of study
• Training/internship may be full-time or part-time.
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Academic F-1, Form I-120)

Optional Practical Training: Post Graduate

- Allows student to work for one full year in their field of study after the completion of their academic program
- Authorization is given by the USCIS
- Optional Practical Training related to student’s field of study
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Academic F-1, Form I-120)

Optional Practical Training: Work Experience

• Practical Training (OPT)
• related to student’s field of
• Some students in the STEM majors can work for up to 29 months on OPT
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Academic F-1, Form I-120)

- Student can change visa to H-1B
- Department makes request for visa to OIED

Note: The H-1B visa process will be discussed under non-immigrant work visas.
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Exchange Students J-1, Form DS-2019)

• Promotes education and cultural exchanges
• Fosters good will between the US and foreign governments
• FAMU or foreign institution requests Form
• OIED issues DS-2019
• Student pays fee and obtains visa to FAMU
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Study Visas
(Exchange Students J-1, Form DS-2019)

- Student receives orientation from OIED
- Student study for one semester or degree
- Student required to return to home country for two years by regulation Rule 212 (e).
- Student can work for up to 20 hours per week while enrolled.
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

**Work Visas**
(Visiting Scholars J-1, Form DS-2019)

- Promotes education and cultural exchanges
- Fosters good will between the US and foreign governments (countries)
- FAMU Department submit requests to OIED to OIED for Form DS-2019
- OIED requests approval from Provost
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas
(Visiting Scholars J-1, Form DS-2019)

- OIED processes and issues Certificate of Eligibility Form DS-2019 to obtain visa
- Scholar pays fee at designated U.S. Embassy
- Short term scholars: 3 weeks to 6 months
- Research scholars: 6 months to 5 years
- Subject to Rule 212(e) 2 years residency
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas
(Visiting Scholars J-1, Form DS-2019)

• Scholar returns home for 2 years prior to returning to the U.S. in J-1 Scholar, H-1B or 0 visa
• Scholars request a “No Objection Letter” from home country’s government
• Once approved no further action can be taken by OIED, scholars must transition to H
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• This visa is used to fill positions with shortage of U.S. citizens or Permanent Residents
• Bachelor’s degree or higher
• Work in the field of their degree
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• U.S. Federal Government’s Fiscal year is October 1st – September 30th
• Can apply 6 month earlier – April 1st
• Annual Cap applies to for profit businesses
• 65,000 undergraduates/graduates students
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas
Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• 20,000 additional for Masters and Ph.D degrees earned inside the U.S.
• Cap Exempt employers are institutions of higher education and affiliated entities
• Entities which provide medical training programs
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• Non-profit research and government research organizations
• Certain former J-1 physicians are exempt from the quota programs
• Physicians are exempt from the quota
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Minimum Employer Obligations

• Must pay at least the prevailing wage
• Must file a Labor Attestation
• Must not be any strike or lock out
• Must employ in the area stipulated
• Must agree to pay one-way return transportation for early termination of employee
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Potential Pitfalls

• No Gap Rule
• No Grace Period
• Quota (CAP) Limitation
• Filing Fees
• Degree Requirement Essential
• No Bona fide Employment
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

- Employment based petition
- Valid for up to six years (1-3 year renewals)
- Department submit request to OIED
- OIED reviews employment documents
- Position must have been advertised for at least 14 days
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• Selection criterion must be submitted
• OIED obtains Vice President’s approval
• Department pays the processing fee
• OIED prepares and submits petition to DHS, United States Citizenship & Immigration Services (USCIS)
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

- OIED requests Department & Human Resources post “Intent to Hire Foreign National”
- OIED notifies Human Resources and Hiring Department of approval notice
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

- Entire process can take 3-6 months
- USCIS has implemented new regulations to protect against displacement U.S. citizens and permanent residents by foreigners
- Process takes longer and much stricter
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• All foreign nationals employment must be approved by the Office of International Education and Development

• All new hires must be placed in E-Verify within 3 days of employment
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

- E-Verify is the U.S. Government’s mandatory employment tracking system
- H-1B employees must maintained their status, because there is no grace period
- H-1B visa is employer specific
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Nonimmigrant visa (H-1B, Form I-129)

Temporary Specialty Employment

• FAMU currently processes H-1B visa for one year
• It takes several months to process petitions
• Allow 6 months for new hires & extensions
• Regular processing fee $325
• Premium processing is an additional $1,225
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Non-immigrant visa (TN, Form I-129)

*Free Trade Visa for Canada and Mexico*

- Same requirements as the H-1B visa except:
- No dual visa intent (temporary residency)
- Applicable only to Canadian and Mexican citizens
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Non-immigrant visa (TN, Form I-129)

*North American Free Trade Agreement (NAFTA)*

*Free Trade Visa for Canada and Mexico*

- Visa obtained at the point of entry (border)
- Applicable to specific employment positions
- Visa must be renewed every three years
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Non-immigrant visa (O, Form I-129)

*Aliens of Extra-Ordinary Ability*

Similar to H-1B except:

- Extra-ordinary ability in Science, Education, Business, Athletics, Arts, Motion Picture or Television
- Top ten percent (10%) of their field
Work Visas

Non-immigrant visa (O, Form I-129)

Aliens of Extra-Ordinary Ability

• Internationally recognized award, such as, Nobel Peace or Pulitzer Prize

• Nationally recognized prize or award of excellence in the field of endeavor

• Memberships in renown organizations
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Non-immigrant visa (O, Form I-129)

Aliens of Extra-Ordinary Ability

- Published material in professional or major trade publications
- Original scholarship/authorship
- High salary
- Participation on peer review panel
- Written and directed nationally or internationally acclaim films, etc.
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

_Immigrant visas (LPR, Form I-140)_

- Immigrant visa is path to permanent residence
- Options depend on job, employee’s qualifications, employer’s involvement
- Each case is analyzed individually to determine the best strategy
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Immigrant visas (LPR, Form I-140)

Several means to immigrant visa:

- Employment
- Visa lottery
- National Interest Waiver
- Family

Employment Based Visa

- Permanent Labor Certification
- Special Handling
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Immigrant visas (LPR - Green Card)

5 Categories of employment based:

• EB-1 Priority Workers
• EB-2 Advanced Degree Professionals & Aliens of Exceptional Ability
• EB-3 Skilled workers, professionals, and other workers
• EB-4 Religious Workers
• EB-5 Employment Creation
FAMU files for only the EB-1 and EB-2 categories and only under the “Special Handling” procedures for college and university employers in tenure-track faculty positions that involve teaching and/or research.
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

*Immigrant visas (LPR - Green Card)*

- Employer files petition (I-140)
- Employer must always prove financial ability to pay alien throughout process.
- Adjustment of Status (AOS) can be filed concurrent or following petition approval
- NIW, EB-1 Extraordinary or Outstanding, best to file AOS after petition approval
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Work Visas

Immigrant visas (LPR - Green Card)

- Beneficiary files (I-485) for Adjustment of Status (AOS)
- Employee responsible for expenses associated AOS
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

References and Resources

Immigration Attorneys
dware@david-ware.com
rsosostrin@sostrinimmigration.com

Website Sources:
http://exchanges.state.gov
http://www.uscis.gov

67 Federal Register 30465 (May 6, 2002).
20 C.F.R. §656.21a(a)(1)(iii).
“Evaluating Reduction in Recruitment (RIR) Requests in an Environment of Increased Layoffs,”
Primary Contact Persons Information

F-1 Academic Students
Mrs. Agnes D. Coppin, Director & PDSO
International Students and Scholars Services
agnes.coppin@famu.edu

H-1B Temporary Specialty Employment
Mrs. Avis V. Simmonds, Administrative Assistant, DSO and ARO
avis.simmonds@famu.edu
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Primary Contact Persons Information

J-1 Exchange Students and Visiting Scholars
TN & O Non-Immigrant Visas
LPR - Legal Permanent Residence
Mr. Joseph V. Jones, Responsible Officer and Interim Assistant Vice President
joseph.jones@famu.edu
IMMIGRATION: STUDY AND EMPLOYMENT ISSUES

Questions
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT
FERPA BACKGROUND AND BASICS

- FERPA is:
  - Federal Law enacted in 1974 formally titled the -- FAMILY EDUCATIONAL RIGHTS and PRIVACY ACT
  - FEDERAL FERPA STATUTE IS FOUND AT 20 U.S.C. § 1232g
  - FEDERAL FERPA REGULATIONS ARE FOUND AT 34 CFR PART 99
- Also known as the “BUCKLEY AMENDMENT”
STATE COMPANION TO FERPA

- Florida Statutes also governing student education records found at:
  - Sections 1002.22 and 1002.221, Florida Statutes (F.S.), govern education records\reports, rights of students and parents, notification, consent requirements and penalties as the K-12 public institutions.
  - Section 1002.225, F.S., governs education records of students in public postsecondary educational institutions and penalties.
    - Requires state public postsecondary institutions to comply with FERPA with respect to education records
    - Education records are defined as provided in FERPA regulation 20 U.S.C. §1232g and associated federal regulations
FERPA BACKGROUND AND BASICS

- **FERPA**
  - Applies to public and private institutions that receive funds under any applicable program administered by the U.S. Department of Education
    - Applies to elementary, secondary and postsecondary educational institutions and to parents of children under 18. At 18 or upon attendance at a postsecondary institution, such rights are transferred to the student, unless the student is a dependent for tax purposes under IRS rules. This presentation/discussion is tailored to postsecondary requirements.
  - Protects the privacy of a student’s education records by:
    - Prescribing student rights to inspect, review, amend and consent to the disclosure of such records
    - Prohibiting unauthorized disclosure or dissemination
    - Permitting disclosures only under certain circumstances
Management Seminar 2011

ANNUAL NOTIFICATION OF RIGHTS

➢ FERPA requires institutions to:

acja annually of their rights under FERPA to:

➢ Inspect, review and amend education records;
➢ consent to disclosure of personally identifiable information; and
➢ file a complaint with the Department of Education concerning alleged violation by institutions

➢ Include in its notices: the procedure for exercising right to inspect and review; the procedure for requesting amendments; and if records are disclosed within the institution, criteria for determining who constitutes a school official and what constitutes legitimate educational interests

➢ Model FERPA policies found at U.S. Department of Education, Family Policy Compliance Office

➢ Give notice of its list of directory information and the procedures for “opting out” from release of their directory information
KEY FERPA DEFINITIONS:

STUDENT

- any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records

ATTENDANCE includes, but is not limited to:

- Attendance in person or by paper correspondence, video conference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom

- The period during which a person is working under a work-study program
KEY FERPA DEFINITIONS (Continued)

EDUCATION RECORD

- any records directly related to a student that is maintained by an educational agency or institution or by a party acting for the agency or institution
  - A record is considered directly related to a student when it contains personally identifiable information.
  - is not limited to academic records or records maintained in a specific format

PERSONALLY IDENTIFIABLE INFORMATION

- is information easily connected to or that expressly identifies a student (directory or nondirectory information) which includes, but is not limited to:
  - The student's name or the name of the student's parent or other family members;
  - The address of the student or student's family;
  - A personal identifier, such as the student's social security number, student number, or biometric record;
  - Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
  - Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
  - Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates
KEY FERPA DEFINITIONS (Continued)

- **Education Record** does not include:
  
  - Records kept in the **sole possession** of the maker, used only as a personal memory aid, and not accessible or revealed to any other person except a temporary substitute for the maker of the record.
  
  - Records of the **law enforcement** unit of an educational agency or institution (commissioned or non-commissioned) created and maintained by the law enforcement unit for a law enforcement purpose.
  
  - Records relating to an individual **employed** by an educational agency or institution, that: (1) are made and maintained in the normal course of business; (2) relate exclusively to the individual in that individual's capacity as an employee; and (3) are not available for use for any other purpose. Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted.
  
  - Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are: (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity; (2) made, maintained, or used only in connection with treatment of the student; and (3) disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
  
  - Records created or received by an educational agency or institution after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.
  
  - Grades on **peer-graded** papers before they are collected and recorded by a teacher.
RIGHTS OF INSPECTION, REVIEW AND AMENDMENT

FERPA grants students the right to inspect and review their own education records within 45 days of a student’s request and to receive reasonable explanations and interpretations or the records.

Parents may be granted these right as well if student is a dependent for tax purposes under IRS rules.

FERPA does not require the institution to provide copies unless circumstances prevent such review and inspection and other arrangements for review cannot be made.

FERPA does not permit students to review and inspect:
- Records that contain information on more than one student
- Financial records, including that of the student’s parents
- Confidential letters/confidential statements of recommendations that students have waived the right to review
- Treatment records
If a student believes his or her education records contain inaccurate, misleading information or information in violation of the student’s privacy rights, the student may ask the institution to amend the record.

Within a reasonable time of receipt of the request, the institution must decide whether to amend the record.

If the institution decides not to make the requested amendment, it must inform the student of its decision and their right to a hearing.

Hearing is to be conducted in accordance with minimum requirements set forth in 34 C.F.R. § 99.22.
DISCLOSURE OF EDUCATION RECORDS

- PERMITTED DISCLOSURES OF A STUDENT’S PERSONALLY IDENTIFIABLE INFORMATION UNDER FERPA

- Disclosure to student or parents of a dependent student
  - Verify student’s dependent status

- Disclosure made with consent of student
  - Student shall provide a signed and dated written consent prior to disclosure
  - Written consent must also: (1) Specify the records that may be released; (2) State the purpose of the disclosure; and (3) Identify the party or class of parties to whom the disclosure may be made
PERMITTED DISCLOSURES OF A STUDENT’S PERSONALLY IDENTIFIABLE INFORMATION UNDER FERPA (Continued)

FERPA also provides exceptions for disclosure absent student consent:

- **Disclosure of Directory Information**

  Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to:

  - the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

  Directory information does not include a student's -- (1) Social security number; or (2) Student identification (ID) number, except -- Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

- Institutions are allowed to designate certain classes of information as directory

- Students have the right to “opt-out” or request that their directory information not be disclosed and such requests made while student was in attendance must be honored even after graduation
PERMITTED DISCLOSURES OF A STUDENT’S PERSONALLY IDENTIFIABLE INFORMATION UNDER FERPA (Continued)

FERPA also provides exceptions for disclosure absent student consent:

- Disclosure to internal school officials who have a legitimate educational interest in the information
  - The disclosure is to other school officials within the agency or institution whom the agency or institution has determined to have legitimate educational interests;
  - School official—person employed by the institution in an administrative, supervisory, academic or research, or support staff position (including law enforcement and health staff) or a contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official under this paragraph provided that the outside party (e.g. an attorney, auditor, Board member, etc.) -- (1) Performs an institutional service or function for which the agency or institution would otherwise use employees; (2) Is under the direct control of the agency or institution with respect to the use and maintenance of education records; and (3) Is subject to the requirements of Sec. 99.33(a) governing the use and redisclosure of personally identifiable information from education records
  - Legitimate educational interest - a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her responsibilities for the University (U.S. Dept of Education, Family Policy Compliance Office)

- Disclosure to another educational institution where a student seeks or intends to enroll or where student is already enrolled as long as the disclosure is for a purpose associated with the student’s enrollment or transfer
FERPA also provides exceptions for disclosure absent student consent:

- Disclosure is in connection with financial aid for which the student has applied or which the student has received
  - If the information is necessary to: determine eligibility for the aid; determine the amount of the aid; determine the conditions for the aid; or enforce the terms and conditions of the aid

- Disclosure made in connection with a health or safety emergency
  - If information released is necessary to protect health, safety of students and/or others, consult appropriate persons, including parents; however, release should be limited in scope

- Disclosure to the parent of a student who is under age 21, both at the time of disclosure and at the time a determination is made that the student violated any federal, state or local law or institution policy related to drug or alcohol use and possession
PERMITTED DISCLOSURES OF A STUDENT’S PERSONALLY IDENTIFIABLE INFORMATION UNDER FERPA (Continued)

- FERPA also provides exceptions for disclosure absent student consent
  - Disclosure to comply with a judicial order or lawfully issued subpoena
    - Reasonable effort must be made by institution to inform student in advance of compliance unless otherwise specified in the order or subpoena
  - Disclosure to a court in a lawsuit that a student brings against the institution or an institution brings against a student
    - Release limited to information relevant to the action
  - Disclosure of final result of a disciplinary proceeding against a student with whom an institution has determined violated institutional rule/policy connected to alleged acts which would, if proven, constitute a crime of violence or non-forcible sex offense
    - Final results limited to the name of student, the basic nature of violation, and the description and duration of any imposed sanction
  - Disclosure to a victim of an alleged perpetrator of a crime of violence or non-forcible sex offense and consists only of final results of the institution’s disciplinary proceeding in connection with that alleged crime
  - Disclosure related to sex offenders which consists of information provided to an institution under the Violent Crime control and Law Enforcement Act of 1994 (Wetterling Act)
PERMITTED DISCLOSURES OF A STUDENT’S PERSONALLY IDENTIFIABLE INFORMATION UNDER FERPA (Continued)

- FERPA provides additional exceptions for disclosure absent student consent
  - Disclosure to authorized representatives of The Comptroller General of the United States; The Attorney General of the United States; The Secretary; or State and local educational authorities
  - Disclosure to accrediting organizations to carry out their accrediting functions
  - Disclosure to organizations conducting studies for educational institutions to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction
REDISCLOSURE

Redisclosure of education records are generally prohibited without the prior consent of the student.

Institution must inform recipient that it must use the information only for the purpose for which disclosure was made and that it cannot further redisclose the information without the student’s consent.

Exceptions: disclosure of directory information, disclosure to student or parents of dependent student, disclosure to parents as a result of drug/alcohol violation, court ordered disclosures, subpoena disclosures, lawsuit disclosures, disciplinary proceedings involving alleged crime of violence or non-forcible sex offenses.
RECORDKEEPING

Duty to record and maintain each request and release of personally identifiable information from a student’s education record

Record must minimally include: identities of requestors and recipients; the legitimate interest they had in the information; description of the perceived threat in cases of emergency,

Except when request is received from:
- A school official
- A parent of dependent student or student
- A person with written consent

Except when:
- Request is for directory information
- Disclosure connected to grand jury or other law enforcement subpoena prohibiting disclosure of its contents
FERPA AND DEVELOPMENT/ALUMNI AFFAIRS

Although FERPA does not prohibit the release of information to such offices because staff may be considered school officials with legitimate educational interest, there is no automatic right to such student education records and the release of the information by these offices is restricted, except in very limited circumstances.

FERPA applies to records of alumni while they were students; however, FERPA does not apply to records that contain information about individuals after they are no longer students.
ENFORCEMENT/COMPLIANCE

The U.S. Department of Education, Family Policy Compliance Office:

- Provides technical assistance regarding FERPA compliance matters
- Investigates, processes and reviews complaints of alleged violations of FERPA
  - If a claim has merit and is based on policy and practice, the Office recommends corrective actions and grants the institution a reasonable time to come into compliance
  - Should the institution fail to comply with the corrective actions or continually violates FERPA, the Department of Education is authorized to terminate all or any portion of the institution’s federal funds

- No private or individual right/cause of action is created under FERPA
- Under Section 1002.225, F.S., the aggrieved student has an immediate right to bring an action in circuit court to enforce his/her rights by injunction. If successful, the student may be awarded attorney’s fees and court costs
Note:

- Florida Public Records Law is consistent with FERPA

Do Not:

- Post grades by name, social security number, student identification number or any part thereof
- Automatically speak to parents, grandparents or guardians or attorneys about student matters
- Redisclose information received from law enforcement units or other department within the University

Contact the Office of the General Counsel with questions regarding subpoenas and court orders or records disclosures when uncertain

Questions and Comments
Management Seminar 2011

Sources

- 20 U.S.C. § 1232g
- 34 CFR PART 99
- U. S. Department of Education, Family Policy Compliance Office Publications
- National Association of College and University Attorneys Publications and Outlines

Presented by
Shira R. Thomas
Deputy General Counsel
FAMU’s Distance Learning Program

Cynthia Hughes Harris, Ph.D., Provost and Vice President for Academic Affairs

Franzetta D. Fitz, M.Ed., Director, Instructional Technology
A Faculty Distance Education Committee will be established after initial launch.
Strategic Plan:
- Goal 1.1.2: Develop and Implement Comprehensive Distance Learning Programs

Workplan Goal:
- Initiate online academic degree programs
Universities Within the SUS With Distance Learning programs

Florida Atlantic University - www.fau.edu
Florida Gulf Coast University - www.fgcu.edu
Florida International University - www.fiu.edu
Florida State University - www.fsu.edu
University of Central Florida - www.ucf.edu
University of Florida - www.ufl.edu
University of North Florida - www.unf.edu
University of South Florida - www.usf.edu
University of West Florida - www.uwf.edu
Distance Learning Terminology

- **Video-Conferencing**
  - Video-Conferencing is a set of interactive telecommunication technologies which allow two or more locations to interact via two-way video and audio transmissions simultaneously.

- **Blackboard**
  - Blackboard is an integrated set of web-based tools that allows faculty to manage online course content in both synchronous and asynchronous modes.

- **Elluminate**
  - Elluminate is an online collaboration system that allows students and faculty to conduct live synchronous class sessions.
The Evolution of Distance Education at FAMU

- Implemented Blackboard - 1999
- Developed Video-Conferencing Facility – 1999
- Launched Executive Doctorate of Pharmacy - 1999
- Developed Faculty Training Facility – 1999
- Developed Faculty Training Workshops – 2000
- Faculty Training Facility Upgrade – 2010
- Video-Conferencing Facility Upgrade – 2010
- Blackboard Upgrade – 2010
- Elluminate Upgrade - 2010
The Evolution of Distance Education at FAMU

- Implemented Elluminate – 2003
- Faculty Training Facility Upgrade – 2010
- Video-Conferencing Facility Upgrade – 2010
- Blackboard Upgrade – 2010
- Elluminate Upgrade – 2010
- Faculty Usage of Blackboard – 38%
- Student Usage of Blackboard – 68%
- Total of Hybrid Courses 1999 – 2010 = 1007
The Time is Now

- Contribute to Restructuring Initiative
- Improve Program Productivity
- Address Market Demand
- Increase Enrollment
- Increase Revenue
- Establish Partnerships in the Community
- Contribute to Global and Diversity Initiatives
Initial Online Programs

- Degree Programs
  - School of Business and Industry - Masters in Business Administration
    - Full-Time Graduate
  - College of Pharmacy and Pharmaceutical Sciences – Institute of Public Health - Masters in Public Health
    - Full-Time Graduate
  - School of Nursing - Master of Science in Nursing
    - Full-Time Graduate
• SACS approved the Florida A&M University Distance Education Prospectus, which included the Master of Business Administration Online Degree Program

• Other programs only require letters of notification to achieve approval
Nursing, Business, Public Health

- Informed respective accrediting agencies
  - School of Business and Industry
    - Association to Advance Collegiate Schools of Business (AACSB)
  - Institute of Public Health
    - Council on Education for Public Health (CEPH)
  - School of Nursing
    - National League for Nursing Accrediting Commission, Inc. (NLNAC)
Enterprise Information Technology
REVIEW: iRattler Campus Solutions

What is iRattler?

- iRattler is the name given to our Oracle/PeopleSoft ERP application suite that includes our HR/Payroll System, Financial System and Student Information System (Campus Solutions).
- Supports more than 13,000 currently enrolled students, in addition to faculty, staff and alumni.

What role does iRattler play in Distance Education?

- iRattler Campus Solutions is the system that provides comprehensive online enrollment services including admissions, registration, course management, academic records, fee payment and financial aid services.
- Initially, the respective College or School will register all students.

iRattler Services

- Allows students to manage their academic career and access data.
- Allows students and faculty to order textbooks online.
- Allows administrators, staff and faculty to track and monitor class and enrollment data.
Leveraging iRattler to Expedite Enrollment Processes

- Development and full integration of on-line application for undergraduate and graduate admissions Jan 2011

- Development of interfaces between the iRattler Student System and BlackBoard Learning Management System

- Enhancement and streamlining of processes used to evaluate and post transfer credit

- Establishment and configuration of distance learning academic plan codes, fees, calendars and courses after Board approval
Support and Customer Service

Software to Improve:

- Recruitment
- Retention
- Advisement
- Survey
- Communications
- Service Desk

- Call Center/ 24 hour Service Desk (Help Desk)

- Support Staff for managing classroom technology
Classroom Technology

Interactive Smart Podium

Smart Board

Smart Slate

Document Camera
Supporting Technology

Microsoft Exchange Server 2010

VIRAL VIDEO

STREAMING MEDIA

BLACKBOARD MOBILE

webex
FAMU Online MBA

Managerial MBA (5 years work experience with 2 years at management level):

- Tuition - 44 credit hours in 14 month-long modules and 2 credit hour seminar over 4 semesters (16 months)
- Tallahassee Residency - travel, lodging, and meals for 3 days
- International Residency - travel, lodging, and meals for 7 days
## Master of Business Administration - Institutional Comparisons

<table>
<thead>
<tr>
<th>Institution</th>
<th>Length of Program</th>
<th>Residential Visit</th>
<th>International Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Florida</td>
<td>16 Months - 32 Credit Hours</td>
<td>5 Visits per student</td>
<td>No</td>
</tr>
<tr>
<td>Florida State University</td>
<td>28 Months - 39 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>University of Phoenix</td>
<td>12 Months - 36 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>University of Maryland University College</td>
<td>24 Months - 42 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Florida A&amp;M University</td>
<td>16 Months - 44 Credit Hours</td>
<td>1 Visit per student</td>
<td>1 Visit per student</td>
</tr>
</tbody>
</table>
FAMU Online Master of Public Health

- Professional MPH (minimum 5 years work of professional public health and/or health care experience):
  - Tuition - 50 credit hours over 6 semesters (24 months)
  - Tallahassee Residency - travel, lodging, and meals for 3 days
<table>
<thead>
<tr>
<th>Institution</th>
<th>Length of Program</th>
<th>Does Cost Include Residential Visit?</th>
<th>International Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of South Florida</td>
<td>Partially online 43 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>University of West Florida</td>
<td>24 Months - 42 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Florida International University</td>
<td>24 Months - 45 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Florida A&amp;M University</td>
<td>24 Months - 50 Credit Hours</td>
<td>1 Visit per student</td>
<td>No</td>
</tr>
</tbody>
</table>
FAMU Online Master of Nursing

- Master of Nursing (BSN from nationally accredited program and 1 year of documented nursing practice within the past 5 years):
  - Tuition - 42 credit hours in 24 month-long modules over 6 semesters (24 months)
  - Tallahassee Residency (2 Trips) - travel, lodging, and meals for 7 days
  - 2 Faculty Clinical Visits (Various Locations) - travel, lodging, and meals for 3 days
# Master of Nursing - Institutional Comparisons

<table>
<thead>
<tr>
<th>Institution</th>
<th>Length of Program</th>
<th>Residential Visit</th>
<th>International Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida State University</td>
<td>18 Months - 45 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Drexel University</td>
<td>24 Months - 55 Credit Hours</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>University of Cincinnati</td>
<td>18 Months - 36 Credit Hours</td>
<td>No</td>
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<tr>
<td>Florida A&amp;M University</td>
<td>24 Months - 42 Credit Hours</td>
<td>2 Visits per student and faculty</td>
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<tr>
<td>Service</td>
<td>Colloquy</td>
<td>Education Online Services Corp.</td>
<td>HBCUonline.com</td>
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<td>Marketing</td>
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<td>Recruitment</td>
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<tr>
<td>Faculty Training, Development, and Assistance</td>
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<td>Student Support Services</td>
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<td>Client Relationship Management (CRM) System</td>
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<td>Virtual Student Union</td>
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<td>Individual Student Advocates for Student Success Plans</td>
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<td>Culturally sensitive student success strategies</td>
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<td>Alignment of Services with Accreditation Standards</td>
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<td>Length of Contract</td>
<td>Between 4 – 7 Years</td>
<td>10 Years</td>
<td>1 Year</td>
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HBCUSONLINE.COM is an education services company that assists HBCUs with developing their online education programs by providing the following:

- Marketing
- Assistance with the development, maintenance and delivery of effective online degree programs
- Administrative processes
- Faculty Support Training
- Ongoing Student Support (Academic Quality Assurance)
HBCUSONLINE.COM’s unique emphasis is focused on:

- Providing a comprehensive Student Experience Online
- Providing institutional administrative support
- Providing virtual student support services
- Providing faculty with transitional training from face-to-face to online instruction
- Identifying market attractive degree programs for the virtual student
HBCUSONLINE.COM team consists of:

- Mr. Thomas Joyner, Sr. — Internationally renowned host of the Tom Joyner Morning Show and Chairman, Reach Media.
- Mr. Thomas Joyner, Jr. — President, Tom Joyner Online Education
- **Dr. Gerald Heeger** — Chief Academic Officer (Former President, University of Maryland University College and Former Provost of Adelphi University)
- **Mr. Vince Conti** — COO (Former COO of University of Maryland University College and Former Vice Dean of Arts and Sciences at University of Pennsylvania)
- Mr. Greg Campbell — CEO (Businessman and entrepreneur)
- **Dr. Adrian Butler** — Chief Technology Officer & VP of Student Services
- **Dr. Oceana Wright** — Senior Director, Academic Programs
### The Future of Distance Education at FAMU

#### Program Admission Terms

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</table>
Next Steps

- Establish Distance Education Committee

Consider:

- Finalize launch dates for three pilot programs (Fall 2011)
- Determine next phase of online offerings depending on the results of restructuring.
## DELEGATIONS OF AUTHORITY INDEX

<table>
<thead>
<tr>
<th>Date</th>
<th>Authority Delegated to the Following Position</th>
<th>Authority Delegated</th>
<th>Re-Delegation</th>
</tr>
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<tbody>
<tr>
<td>May 6, 2008</td>
<td>Provost and Vice Presidents</td>
<td>Delegation of authority to administer provisions of Chapter 10 of FAMU Regulations, as President's designee, effecting employment and personnel actions.</td>
<td>Not Authorized</td>
</tr>
</tbody>
</table>
| May 6, 2008| Cynthia Hughes-Harris, Ph.D.                   | • Review and execute contracts and agreements pertaining to academic affairs functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021. | Not Authorized |
| May 6, 2008| Teresa Hardee                                  | • Review and execute contracts and agreements pertaining to construction and facilities planning functions consistent with FAMU Regulations 1.021, 6.001 and 6.005 and FAMU Board of Trustees Policy Nos. 2005-06 and 2005-7A;  
• Approve contracts and contract amendments from $25,000 to $100,000 in the aggregate in accordance with FAMU Regulation 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;  
• Execute checks to pay legal obligations of the University in accordance with Section 1011.42(7), F.S., and FAMU Regulation 1.021;  
• Perform banking transactions in accordance with FAMU Regulation 1.021;  
• Prepare an annual report concerning the status of accounts receivable charge-offs to the FAMU Board of Trustees in accordance with FAMU Regulation 1.021;  
• Acquire any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct-support organization thereof; and, if the property is not claimed by the owner within the designated reasonable period of time, ordering it sold at a public auction in accordance with FAMU Regulation 1.021. | Not Authorized |
| July 1, 2010| William Hudson, Jr.                            | • Review and execute contracts and agreements pertaining to student activity functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;  
• Administer the Student Code of Conduct, including the issuance of final orders regarding student disciplinary matters consistent with FAMU Regulations 2.012 and 2.013;  
• Provide purchasing, contracting and budgetary review processes for student government organizations in accordance with FAMU Regulation 1.021. | Not Authorized |
| May 6, 2008| Charles O'Dour, Ph.D.                          | • Review and execute contracts and agreements pertaining to audit and compliance functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021. | Not Authorized |
<table>
<thead>
<tr>
<th>Date</th>
<th>Authority Delegated to the Following Position</th>
<th>Authority Delegated</th>
<th>Re-Delegation</th>
</tr>
</thead>
</table>
| May 12, 2009 | Kinfe K. Redda, Ph.D.  
Acting Vice President for Research                                                  | • Review and execute contracts and agreements pertaining to research functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;  
• Negotiate and execute research contracts on a cost-reimbursement basis and provision of temporary financing of such costs prior to the reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law in accordance with FAMU Regulation 1.021;  
• Perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products and enforcement of the University’s rights therein in accordance with Section 1004.23, F.S. and FAMU Regulation 1.021. | Not Authorized |
| May 6, 2008  | Carla S. Willis  
Vice President for University Relations                                                | • Review and execute contracts and agreements pertaining to the Division of University Relations consistent with FAMU Regulations 1.021, 6.001 and 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;  
• Serve on the board of directors and the executive committee of the FAMU Foundation and receive annual budgets and reports of the FAMU Foundation consistent with Regulation 1.021. | Not Authorized |
| January 5, 2011 | Teresa Hardee  
Enterprise Information Technology                                          | • Review and execute contracts and agreements pertaining to licensing and acquiring software, maintenance, service and equipment related to operating and developing campus information technology consistent with FAMU Regulations 1.021, 6.001 and 6.005, with the approval of the President or President’s designee.  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021. | Not Authorized |
| May 6, 2008  | Henry L. Kirby  
Associate Vice President for Student Affairs                                        | • Review and execute contracts and agreements pertaining to student activity functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;  
• Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;  
• Administer the Student Code of Conduct, including the issuing final orders regarding student disciplinary matters consistent with FAMU Regulations 2.012 and 2.013;  
• Provide purchasing, contracting and budgetary review processes for student government organizations in accordance with FAMU Regulation 1.021. | Not Authorized |

**DELEGATIONS OF AUTHORITY BY BOARD OF GOVERNOR REGULATION 6.005**

<table>
<thead>
<tr>
<th>Authority Delegated to the Following Position</th>
<th>Authority Delegated</th>
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<tbody>
<tr>
<td>Director of Purchasing</td>
<td>Approve contracts and contract amendments up to $25,000.</td>
<td>Not Authorized</td>
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<tr>
<td>CFO and Vice President for Administrative and Financial Services (as President’s Designee)</td>
<td>Approve contracts and contract amendments up to $100,000.</td>
<td>Not Authorized</td>
</tr>
<tr>
<td>President</td>
<td>Approve contracts and contract amendments up to $1,000,000.</td>
<td>Not Authorized</td>
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</tbody>
</table>

Revised by SRT on 1/6/11
MEMORANDUM

TO: Teresa Hardee
Chief Financial Officer and Vice President for Administration and Financial Services

FROM: James H. Ammons
President

SUBJECT: Delegation of Authority

DATE: January 5, 2011

In light of recent personnel changes in the Division of Enterprise Information Technology and pursuant to Florida A&M University (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President’s designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to licensing and acquiring software, maintenance, service and equipment related to operating and developing campus information technology consistent with FAMU Regulations 1.021, 6.001 and 6.005, with the approval of the President or President’s designee;

3. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021.

This delegation is effective immediately and spans all areas under the Division of Enterprise Information Technology. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority.

Copy: Leadership Team
Mrs. Nellie C. Woodruff
Mrs. Carrie Gavin
Mr. Michael James
MEMORANDUM

TO: Teresa Hardee
    Chief Financial Officer and
    Vice President for Administrative and Financial Services

FROM: James H. Ammons
      President

SUBJECT: Delegation of Authority

DATE: May 6, 2008

Pursuant to Florida A&M University (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President’s designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to construction and facilities planning functions consistent with FAMU Regulations 1.021, 6.001 and 6.005 and FAMU Board of Trustees Policy Nos. 2005-06 and 2005-7A;

3. Approving contracts and contract amendments from $25,000 to $100,000 in the aggregate in accordance with FAMU Regulation 6.005;

4. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;

5. Executing checks to pay legal obligation of the University in accordance with Section 1011.42(7), F.S., and FAMU Regulation 1.021;

6. Performing banking transactions in accordance with FAMU Regulation 1.021;
7. Preparing an annual report concerning the status of accounts receivable charge-offs to the FAMU Board of Trustees in accordance with FAMU Regulation 1.021;

8. Acquiring any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct-support organization thereof and if the property is not claimed by the owner within the designated reasonable period of time, ordering it sold at a public auction in accordance with FAMU Regulation 1.021.

This delegation is effective immediately and spans all areas under the Division of Administrative and Financial Services. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. All previous actions taken by you since July 2, 2007, pursuant to University regulations, policies and procedures pertaining to these matters are hereby ratified.

Copy: Leadership Team
    Mrs. Nellie C. Woodruff
    Mrs. Carrie Gavin
MEMORANDUM

TO: Dr. William Hudson, Jr.
    Interim Vice President for Student Affairs

FROM: James H. Ammons
      President

SUBJECT: Delegation of Authority

DATE: July 1, 2010

Pursuant to Florida A&M University Board of Trustees (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President's designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to student affairs functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;

3. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;

4. Administration of the Student Code of Conduct, including the issuance of final orders regarding student disciplinary matters consistent with Regulations 2.012 and 2.013.

This delegation is effective immediately and spans all areas under the Division of Student Affairs. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. This memorandum supersedes all previous delegations and correspondence on this subject.
By copy of this memorandum, I am also directing the Agency Clerk and Deputy Agency Clerk to begin processing final orders for your signature.

Copy: Leadership Team
Mrs. Nellie C. Woodruff
Mrs. Carrie Gavin
Mrs. Abigail Raddar
MEMORANDUM

TO: Kinfe K. Redda
   Acting Vice President for Research

FROM: James H. Ammons
      President

SUBJECT: Delegation of Authority

DATE: May 12, 2010

Pursuant to Florida A&M University Board of Trustees (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President's designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to research functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;

3. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;

4. Negotiating and executing research contracts on a cost-reimbursement basis and provision of temporary financing of such costs prior to the reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law in accordance with FAMU Regulation 1.021;

5. Performing of all things necessary to secure letters of patent, copyrights, and trademarks on any work products and enforcement of the University's rights therein in accordance with Section 1004.23, F.S., and FAMU Regulation 1.021.
This delegation is effective immediately and spans all areas under the Division of Research. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. This memorandum supersedes all previous delegations and correspondence on this subject.

Copy: Leadership Team
    Mrs. Nellie C. Woodruff
    Mrs. Carrie Gavin
MEMORANDUM

TO: Cynthia Hughes Harris
    Provost and Vice President for Academic Affairs

FROM: James H. Ammons
      President

SUBJECT: Delegation of Authority

DATE: May 6, 2008

Pursuant to Florida A&M University (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President’s designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to academic affairs functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;

3. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021.

This delegation is effective immediately and spans all areas under the Division of Academic Affairs. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. All previous actions taken by you since January 2, 2008, pursuant to University regulations, policies and procedures pertaining to these matters are hereby ratified.

Copy: Leadership Team
    Mrs. Nellie C. Woodruff
    Mrs. Carrie Gavin
MEMORANDUM

TO: Carla S. Willis
Vice President for University Relations and Executive Director of FAMU Foundation, Inc.

FROM: James H. Ammons
President

SUBJECT: Delegation of Authority

DATE: May 6, 2008

Pursuant to Florida A&M University (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President’s designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to the Division of University Relations consistent with FAMU Regulations 1.021, 6.001 and 6.005;

3. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;

4. Serving on the board of directors and the executive committee of the FAMU Foundation and receiving annual budgets and reports of the FAMU Foundation consistent with Regulation 1.021.

This delegation is effective immediately and spans all areas under the Division of University Relations. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. All previous actions taken by you since February 18, 2008, pursuant to University regulations, policies and procedures pertaining to these matters are hereby ratified.

Copy: Leadership Team
Mrs. Nellie C. Woodruff
Mrs. Carrie Gavin
MEMORANDUM

TO: Charles O’Duor  
Vice President for Audit and Compliance

FROM: James H. Ammons  
President

SUBJECT: Delegation of Authority

DATE: May 6, 2008

Pursuant to Florida A&M University (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President’s designee, the following authority to administer all applicable FAMU regulations, policies and procedures:

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;

2. Reviewing and executing contracts and agreements pertaining to audit and compliance functions consistent with FAMU Regulations 1.021, 6.001 and 6.005;

3. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021.

This delegation is effective immediately and spans all areas under the Division of Audit and Compliance. Pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. All previous actions taken by you since July 2, 2007, pursuant to University regulations, policies and procedures pertaining to these matters are hereby ratified.

Copy: Leadership Team  
Mrs. Nellie C. Woodruff  
Mrs. Carrie Gavin
MEMORANDUM

TO: Henry L. Kirby
Associate Vice President for Student Affairs and
Dean of Students

FROM: James H. Ammons
President

SUBJECT: Delegation of Authority

DATE: May 6, 2008

Pursuant to Florida A&M University (FAMU) Regulation 1.021, Authority of the President, I hereby delegate to you as the President's designee, the authority to examine student disciplinary appeals and conduct hearings consistent with FAMU Regulations 2.012 and 2.013.

This delegation is effective immediately and pursuant to FAMU Regulation 1.021(1)(cc), you are not authorized to further delegate such authority. All previous actions taken by you since July 2, 2007, pursuant to University regulations, policies and procedures pertaining to these matters are hereby ratified.

Copy: Leadership Team
Mrs. Nellie C. Woodruff
Mrs. Carrie Gavin
Mr. Willie Wright
MEMORANDUM

TO: Provost, Vice Presidents, Deans, Division Heads and Directors

FROM: Avery D. McKnight
General Counsel

SUBJECT: Contract Procedures and Requests for Legal Opinions

DATE: August 12, 2010

Due to the significant nature of transactional matters carried out on behalf of Florida Agricultural and Mechanical University (FAMU) and its Board of Trustees, you are hereby requested to please observe the following.

For those legal agreements that require the review and approval of the Office of the General Counsel, it is requested that the agreements be provided to this Office at least three (3) weeks prior to the anticipated due date. Compliance with this request will allow this Office to complete a thorough legal review and ensure that the interests of the University are protected. In addition, one copy of the agreement is required to be submitted for retention in the Office of the General Counsel. Accordingly, if you need two originals, submit one extra copy and label it “extra copy.” Also submit an electronic copy of the agreement, in an editable format (e.g. word), for redlining if revisions are necessary.

During the early negotiating phase, it would be helpful if you explain to the potential contracting party that the FAMU Board of Trustees can neither indemnify nor hold harmless anyone. Further, the process would also be expedited if it were made clear to all contracting parties that the only state law which can govern an agreement is the law of the State of Florida as constitutionally permitted. It is possible to simply omit a provision on governing law if that would help facilitate execution of the agreement. In each agreement the University must be referenced as “Florida A&M University Board of Trustees” or “Florida A&M University (FAMU), acting for an on behalf of the FAMU Board of Trustees,” as such references name the legal entity permitted to enter into agreements. In addition, please remember that only the President or President’s designee is authorized to sign agreements, regardless of its dollar value.
As to legal opinions, copies of the formal requests for a legal opinion should be provided to President James H. Ammons at the same time that such are provided to this Office.

In conclusion, the Office of the General Counsel is thankful to work with each of you and is committed to performing tasks in an effective and efficient manner for the successful operation of the University. Your cooperation is requested to assist this Office in its efforts to be more accountable, productive and responsive. In advance, thank you for your continued assistance in these matters.

ADM/ar

Copy: James H. Ammons, President  
Rosalind Fuse-Hall, Chief of Staff  
Shira Thomas, Esquire  
David Self, II, Esquire  
Linzie Bogan, Esquire
Florida Agricultural and Mechanical University (FAMU) is an 1890 land-grant institution dedicated to the advancement of knowledge, resolution of complex issues and the empowerment of citizens and communities. The University provides a student-centered environment consistent with its core values. The faculty is committed to educating students at the undergraduate, graduate, doctoral and professional levels, preparing graduates to apply their knowledge, critical thinking skills and creativity in their service to society. FAMU’s distinction as a doctoral/research institution will continue to provide mechanisms to address emerging issues through local and global partnerships. Expanding upon the University’s landgrant status, it will enhance the lives of constituents through innovative research, engaging cooperative extension, and public service. While the University continues its historic mission of educating African Americans, FAMU embraces persons of all races, ethnic origins and nationalities as life-long members of the university community.

Florida A&M University (FAMU) will be internationally recognized as a premier land grant and research institution committed to exemplary teaching, research, and service preparing transformational graduates with high ethical values dedicated to solving complex issues impacting our global society.
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<td>FY 2010</td>
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Third District Court of Appeal
State of Florida, July Term, A.D. 2010

Opinion filed January 5, 2011.
Not final until disposition of timely filed motion for rehearing.

Nos. 3D10-1596 & 3D09-3520
Lower Tribunal No. 05-13257

Miami-Dade County,
Appellant,

vs.

Mansour Eghbal,
Appellee.

Appeals from the Circuit Court for Miami-Dade County, Barbara Areces, Judge.

R.A. Cuevas, Jr., Miami-Dade County Attorney, and William X. Candela, Assistant County Attorney, for appellant.

Gary A. Costales, for appellee.

Before GERSTEN and SUAREZ, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Miami-Dade County ("the County") appeals the trial court’s order denying the County’s motion for directed verdict and for judgment notwithstanding the
verdict ("the motion"), and final judgment on age discrimination and retaliation claims. We affirm.

Mansour Eghbal ("Eghbal"), a sixty-nine-year-old County employee, applied for a promotion four times, but the County did not promote him. Thereafter, Eghbal sued for age discrimination and retaliation under the Florida Civil Rights Act ("the FCRA"), sections 760.01-760.11 and 509.902, Florida Statutes, claiming the County failed to select him for a promotion because of his age and because he filed an Equal Employment Opportunity Commission ("EEOC") complaint.

At trial, the jury found age discrimination in one of the four promotion applications and retaliation in another promotion application. The County moved for directed verdict and for judgment notwithstanding the verdict. The trial court denied the motion. Thereafter, the trial court entered a final judgment in Eghbal’s favor on the two claims. The County appealed.

On appeal, the County contends that the trial court erred in denying its motion because Eghbal did not establish a prima facie case of age discrimination and retaliation. Eghbal asserts that the trial court did not err in denying the motion because it presented a prima facie case of age discrimination and retaliation for a jury determination. We agree with Eghbal.
The standard of review on appeal of the trial court's ruling on a motion for directed verdict and for judgment notwithstanding the verdict is de novo. See Martin Cnty. v. Polivka Paving, Inc., 44 So. 3d 126 (Fla. 4th DCA 2010). An appellate court must evaluate the evidence in the light most favorable to the non-moving party, drawing every reasonable inference flowing from the evidence in the non-moving party's favor. See Floyd v. Video Barn, Inc., 538 So. 2d 1322 (Fla. 1st DCA 1989). If there is conflicting evidence or if different reasonable inferences may be drawn from the evidence, then the issue is factual and should be submitted to the jury for resolution. See Blizzard v. Appliance Direct, Inc., 16 So. 3d 922, 925 (Fla. 5th DCA 2009).

To establish a prima facie case of age discrimination, Eghbal had to prove that: (1) he was a member of a protected class, i.e., at least forty years of age; (2) he was otherwise qualified for the positions sought; (3) he was rejected for the position; and (4) the position was filled by a worker who was substantially younger than the plaintiff.

Here, Eghbal proved that: (1) he was sixty-nine years old; (2) he was qualified for the position sought; (3) he was rejected for the position, and (4) the position was filled by a substantially younger worker. Therefore, because Eghbal proved a prima facie case of age discrimination, the trial court properly denied the motion.
Next, turning to retaliation under the FCRA, an employee must demonstrate: (1) that he or she engaged in statutorily protected activity, (2) that he or she suffered adverse employment action, and (3) that the adverse employment action was causally related to the protected activity. *Blizzard*, 16 So. 3d at 926.

Here, there was evidence to prove retaliation, to-wit, (1) Eghbal was engaged in a statutorily protected activity, filing the EEOC charges; (2) Eghbal’s adverse employment action was that he was denied the promotion; and (3) causal relation was established when Eghbal testified that the promotion decision makers knew of his lawsuit because “when something happens like that this, my case, it spreads around immediately in the County.” This became apparent when one of the promotion decision makers stated in his notes that Eghbal thought he was, “extremely unfairly treated with county.” Therefore, since there was evidence concerning the retaliation, the trial court correctly denied the motion and allowed the jury to make the factual determination.

Accordingly, we affirm the trial court’s order denying the County’s motion and the final judgment.

Affirmed.

GERSTEN and SUAREZ, JJ., concur.
SCHWARTZ, Senior Judge (dissenting).

I do not believe the evidence is sufficient to demonstrate an indispensable element of a retaliation claim: that is, that the decision makers actually knew of the employee’s complaint so that their adverse action could have been causally related to that protected activity. See Gibbons v. State Pub. Emps. Relations Comm’n, 702 So. 2d 536, 537 (Fla. 2d DCA 1997) ("The plaintiff, at a minimum, must establish that the employer was aware of the protected expression when it took the adverse employment action."); see also Johnson v. State of Florida, Dep’t of Elder Affairs, 2010 WL 1328995, 2 (N.D.Fla. 2010) ("A court will not presume that a decisionmaker was motivated to retaliate by something unknown to him or her."); Brown v. Sybase, Inc., 287 F.Supp.2d 1330, 1347 (S.D.Fla. 2003).

In this regard, it is undisputed that (a) Eghbal never told any of the three panel members, either specifically or impliedly, that he had made such a complaint and (b) two of the three stated, in unimpeached and uncontradicted testimony, that they were not aware of it. We have previously held that mere circumstantial evidence cannot overcome uncontradicted direct evidence to the contrary. See Alan & Alan, Inc. v. Gulfstream Car Wash, Inc., 385 So. 2d 121, 123 (Fla. 3d DCA 1980) ("[A] fact cannot be established by circumstantial evidence which is perfectly consistent with direct, uncontradicted, reasonable and unimpeached
testimony that the fact does not exist.”). This rule is applicable in spades to this case in which the only even circumstantial evidence to which Eghbal and the majority can point approaches if it does not reach the non-existent:

1. The panelist’s note that Eghbal considered himself “unfairly treated” by the County is a wildly uncertain observation which does not speak to the existence of a prior complaint at all and indeed more clearly referred to the claim of age discrimination which he had insisted upon but was rejected by the jury.

2. Eghbal’s statement that “when something happens like this, my case, it spreads around immediately in the County...and almost everybody knows about it” is likewise too speculative to warrant any consideration. Simply put, a statement that everyone must know something is no evidence that anyone in particular actually does. see also Morris v. New York Dep’t of Correctional Servs., No. 91-CV-634, 1995 WL 21647, at 9-10 (N.D.N.Y. Jan.17, 1995) (claim that plaintiff's support of co-worker's discrimination claim was “common knowledge” insufficient to prove defendant's knowledge of protected activity); Long v. AT & T Information Systems, Inc., 733 F.Supp. 188, 205, 205 (S.D.N.Y. 1990) (claim that retaliating employees knew of protected activity from “familiarity with office gossip” insufficient to create an issue of fact as to their knowledge)); Hayden v. Atlanta Newspapers, 534 F.Supp. 1166 (N.D.Ga. 1982) (summary judgment granted where plaintiff merely alleged that it was logical to
assume that person who took adverse action had knowledge of protected activity); see generally Russell v. KSL Hotel Corp., 887 So. 2d 372, 379 (Fla. 3d DCA 2004) ("the plaintiff must show a defendant's awareness with more evidence than mere curious timing coupled with speculative possibilities").

These items, taken individually or collectively, did not justify the verdict and judgment below. See Alan & Alan, Inc., 385 So. 2d at 123.
ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

This ACTION came before the Court for review of cross motions for summary judgment filed by the Plaintiff and Defendant. This Court is presented with a pure issue of law, in that the parties have stipulated to all relevant factual matters, and this matter is ripe for disposition by summary judgment.

In November of 2008, Plaintiff submitted two public records requests to the University of Florida Student Senate ("Senate") which sought audio and video recordings, respectively, of public meetings of the Senate. In June of 2009, Plaintiff submitted an additional request for audio recordings from May of 2009, and also submitted a renewed request for the items previously requested. Plaintiff received a response indicating that he was welcome to listen to the recordings in the office of the Senate at his convenience. Plaintiff reiterated that he had a right to copies of the recordings, but the Senate continued to deny him the right to obtain copies. In August of 2009, Plaintiff filed a complaint seeking declaratory and injunctive relief on grounds that
Defendant had failed to comply with Chapter 119, which is Florida’s public records act. Specifically, Plaintiff sought an order compelling the Defendant to comply with his public records request for certain audio and video recordings of University of Florida Student Senate meetings.

Defendant argues that the University of Florida is prohibited from providing Plaintiff with the requested copies because they constitute “educational records,” pursuant to federal and Florida law. See Family Educational Rights and Privacy Act, 20 U.S.C. 1232(g); 24 C.F.R. Part 99; § 1006.52, Fla. Stat. (adopting the FERPA’s definition of educational records for the purposes of the Florida public records act.)

In June 2010, Plaintiff filed the motion currently before the Court. Plaintiff argues that videos of regularly held Senate meetings do no constitute “student education records” pursuant to FERPA.

With the consent of both parties, the Court reviewed in camera the DVD of the University of Florida Student Senate meetings which were the subject of this lawsuit. Additionally, both parties made inquiry of the U.S. Department of Education indicating that the Court in this case requested guidance from that department with respect to the disclosure of such records. No such response was forthcoming. Consequently, this Court is required to make the decision regarding this issue.

From its in camera inspection of the UF Student Senate proceedings and based upon an examination of the court file and all affidavits attached to the respective motions for summary judgment filed by both parties, the Court FINDS as follows:

A. The University of Florida Student Senate meetings which are the subject of this litigation were open to the public;
B. Two videos of University of Florida Student Senate meetings, precisely the same kind of records Plaintiff seeks in this case, were posted on a University of Florida public website for public viewing;

C. The agendas and minutes of the University of Florida Student Senate, made available on the University of Florida website, routinely identify individual University of Florida students. Likewise, the same University of Florida website identifies which student senators serve on committees and how each individual student senator voted on particular matters before the student senate. The same website provides the text of the legislation considered by the student senate and identifies the students who authored the text. Additionally, the website contains images of individually identified students who participated in various aspects of student government and sometimes it provides individual electronic mail addresses for those individual students.

D. Another University of Florida website makes available the individual names of each officer of each official student organization and the electronic mail address for those students.

E. The focus of the University of Florida Student Senate meetings which are the subject of this litigation was not on any individual student and the information contained in the DVD of those meetings did not directly relate to any individual student as such.
LEGAL ANALYSIS

Florida Statute section 1006.52(1) exempts from disclosure under the Florida Public Records Act "education records" as defined in the Family Educational Rights and Privacy Act ("FERPA"). § 1006.52(1), Fla. Stat. An education record is defined in FERPA as "those records, files, documents, and other materials which contain information directly related to a student; and are maintained by an educational agency or institution or by a person acting for such agency or institution." 20 U.S.C. 1232(g)(a)(4)(A).

The narrow and dispositive question before the Court is whether the videotapes of University of Florida Student Senate meetings are records "directly related to a student," and therefore education records exempt from the open records mandate of Chapter 119, Florida Statutes.

As a preliminary matter, there is a strong public policy in Florida in favor of open government and access to public records. Art. 1, sec. 24(e), Fla. Const.; § 119.01, Fla. Stat. Generally, application of the law in a particular case should be resolved in favor of disclosure. See National Collegiate Athletic Assoc. v. Associated Press, 18 So. 3rd 1201, 1206 (Fla. 1st DCA 2009).

Not all records that identify students or include student statements are considered education records. For example, a record which includes student statements provided in relation to an investigation or discipline of another party, such as a professor or staff of a University department, does not contain information "directly related to a student," and therefore does not qualify as an education record. See NCAA v. AP, 18 So.3rd at 1210-11 (and cases cited therein) (affirming Associated Press v. Florida State University Board of
Trustees, WL 276352 (Fla. 2nd Circuit, August 28, 2009) (finding that the records are not education records “because those documents do not contain information directly relating to a student. Instead those documents focus primarily on the actions of FSU with respect to alleged academic fraud and the alleged failure of FSU to monitor its employees.”)) The Second Circuit went on to explain in that case that a record does not qualify as an education record under FERPA simply because it mentions, identifies, or refers to a student in a tangential way. Id.

The facts here are analogous to those in NCAA. The Senate meetings were open meetings which any member of the public could attend in person. While the videos depict students discussing student and University business, the record does not reflect that the proceedings relate directly to an identified student. Rather, the proceedings relate generally to topics of importance to students and may identify specific students, but not as a focus of the record. Moreover, because the meeting itself was open, it is hardly logical that a memorialization of it would be confidential.

It is inconsistent for the Defendant to release certain student government records and records of student organizations, including identifying individual student names, student statements, and images of students related to the University of Florida Student Senate meetings, while holding that video recordings of the same student senate meetings are exempt from disclosure under FERPA because such recordings contain “images of students” or “student names” or “statements made by and or about any student.”

Accordingly, it is

ADJUDGED that the record in question is not an educational record pursuant to FERPA, and not exempt from public record disclosure.
Plaintiff's motion for summary judgment is **GRANTED.**

**ORDERED** in Alachua County, Florida on this 10th January, 2011.

[VICTOR L. HULSLANDER  
ACTING CIRCUIT COURT JUDGE]

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished this 10th day of January, 2011, to the following:

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ASSOCIATION for UNIVERSITY and COLLEGE COUNSELING CENTER DIRECTORS

PRESS RELEASE CONCERNING THE TUCSON SHOOTING TRAGEDY

The Association for University and College Counseling Center Directors (AUCCCD) joins the nation in expressing sympathy to the families touched by the tragic violence that occurred in Tucson in early January. We offer our condolences to families, friends and communities for their heartbreaking losses, and we extend our prayers to those who are healing. We also look inward as we reflect on the steadily increasing demands for mental health services on campuses, the limits of campus-based mental health systems and the community setting, and the challenges faced by campus counseling centers to manage serious mental illness in addition to the developmental and transitional concerns of our students.

The nearly 800 members of AUCCCD are involved in the daily promotion of health, safety, and resiliency among our nation’s college students. Our college and university mental health professionals are well aware of the potential impact of our most vulnerable students on campuses, and surrounding communities. While our campuses vary in the professional resources available to support students’ mental health, we are united in our commitment to strengthening the campus and community safety net of support and mental health resources in the service of students’ academic success in preparation for their future roles in our society.

In supporting students’ academic success, our counseling centers must play an integral role in the network of campus departments striving to maintain safe, healthy, and effective learning communities. In addition to the counseling, therapy and other treatments we provide students, we lead or collaborate with campus health services, crisis and threat assessment teams, student conduct panels, campus and community police departments, campus housing, campus deans and other campus partners. We consult daily with concerned faculty, staff, administrators, families, and other students to connect at-risk students to professional mental health resources in order to maintain the integrity and effectiveness of the campus’ learning environment. Our counseling centers collectively provide services to hundreds of thousands of students annually across a range of ability and functioning, increasing their academic, career, and relationship success.

Among the many students seen in our counseling centers, an exceedingly small percentage struggle with severe mental illness and are unable to consistently and safely function within the campus community. Safety concerns among our most vulnerable students are most often related to suicidal behaviors and life-threatening eating disorders, and alcohol and substance disorders. An even
smaller percentage of students develop thought disorders or psychosis, but individuals with mental illness are rarely violent and are more likely to be victims than perpetrators of violence. In treatment, our campus mental health professionals work to increase students’ adaptive and relationship skills, emotional self-regulation strategies, and social support. When needed, we provide medication and other adjunctive treatments, all with the intent of increasing safety for both the student in treatment and the campus community.

When identified students cannot function safely on campus despite our available treatment services, counseling centers act in concert with other involved campus departments to strengthen the support and monitoring of these students to the degree allowed by law. If we determine that a student represents an immediate danger to health and safety in the campus community, we work with campus police, and available hospitals to restore safety by connecting students with higher levels of care through inpatient hospitalization or other means. When students cannot return safely to campus, counseling centers work to transition their care to the community, where mental health services can often be underfunded and difficult to access.

While developing our campus responses to student mental health demands remains a work-in-progress, we applaud the efforts of campuses to (a) clearly articulate the boundaries of appropriate student conduct and behavior, (b) take action when these behavioral expectations are violated, and (c) apply codes of conduct and existing laws to ensure that students experience appropriate consequences and are connected to appropriate levels of care. A student’s ultimate inability to function within campus conduct code requirements may lead appropriately to the termination of student status, but the need for mental health and other services in the community may remain. While our campus counseling centers serve a vital and central role in these processes, our primary focus must be to support the academic mission of our campuses.

AUCCCD acknowledges the complexity of these circumstances, given the resource limitations of both our counseling centers and our service partners in the community mental health system. Our counseling centers provide excellent and effective services to steadily increasing numbers of students with increasing levels of need each year; but our counseling centers average fewer than one counselor per 2,000 students. Some campuses have no mental health professionals whatsoever. In the wake of this national tragedy, we urgently voice our support for (1) increasing mental health services, in higher education and across communities; (2) providing funding for preventative as well as crisis services; and (3) increasing mental health care management to help individuals with mental health needs to become productive and healthy contributors to our society.

The AUCCCD Board of Directors

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1.18.11
3.021 Alcoholic Beverages Regulation.

(1) This regulation shall govern the possession, service, sale, consumption or distribution of alcoholic beverages at any and all Florida Agricultural and Mechanical University (FAMU) sponsored activities and events; at any and all facilities or properties operated under the jurisdiction of FAMU; and by any and all trustees, administrators, faculty, staff, students, direct support organizations, vendors and guests attending such FAMU sponsored activities and events. As used in this regulation, the term “alcoholic beverage” includes beer, wine, hard liquor, distilled spirits, mixed drinks, fermented beverages and other beverages containing alcohol.

(2) FAMU recognizes the serious nature and potentially harmful effect of using alcoholic beverages in the workplace and academic settings. Therefore, the manufacture, distribution, dispensation, possession, service, sale, consumption or use of alcoholic beverages in all facilities or upon properties and grounds leased, owned or operated by FAMU is prohibited unless specifically permitted as set forth below.

(3) Upon satisfaction of all legal and regulatory requirements, the possession, service, sale, consumption or distribution of alcoholic beverages at FAMU is restricted as follows:

(a) No alcoholic beverages may be possessed, served, sold, consumed or distributed at the University except the following FAMU Designated Areas: President’s Box (Bragg Stadium); Alumni House; Faculty Club House; Center for Viticultural Sciences & Small Fruit Research Center for Water Quality; and Alfred Lawson Multipurpose Teaching Gymnasium.
(b) No individual under the legal drinking age of 21 may serve, sell, purchase, distribute, consume or possess alcohol on FAMU properties or at FAMU sponsored activities or events except to the extent permitted by law or unless specifically engaged in an approved and supervised academic program that does not involve the actual ingestion of alcohol by an individual under the legal drinking age.

(c) Alcoholic beverages must be served by a licensed and insured third party vendor, who is properly trained regarding Florida’s underage drinking laws and who has appropriate permits. Alcoholic beverages shall not be served to persons under the legal drinking age.

(d) All members of the FAMU community (trustees, administrators, faculty, staff, students, direct support organizations, vendors and guests) must adhere to all applicable federal or state laws, local ordinances and FAMU regulations and contracts related to the possession, service, sale, consumption or distribution of alcoholic beverages at the FAMU Designated Areas as appropriate. The requisite permit for the sale of alcoholic beverages must be obtained from the Division of Alcoholic Beverages and Tobacco of the State of Florida.

(e) A written document, contract or agreement, facility request form, memorandum or letter describing the type of event, number of attendees and appropriate event controls shall be submitted to the President or President’s designee for approval at least two (2) weeks prior to the scheduled date of the event at the FAMU Designated Areas. Approval may be granted based on demonstrated intent to comply with the requirements set forth in this regulation and proof of appropriate licenses and permits for such events. Any event which will have student attendance also will require the approval of the Vice President for Student Affairs and the Dean of Students.

(f) Individuals or groups who are approved to have an event where alcoholic beverages will be served or consumed at the FAMU Designated Areas will be held responsible for the event. Any announcement or advertisement, including but not limited to a flyer, notice, poster, banner, tee-shirt,
promotional item, newspaper and radio advertisement concerning the event shall note the availability of non-alcoholic beverages at the event as prominently as the availability of alcoholic beverages and note that proper identification is required in order to be served or sold alcoholic beverages, and shall not make reference to the amount of alcoholic beverages to be served at the event. Such advertisements or announcements shall not portray the drinking of alcoholic beverages as a solution to personal or academic problems or as necessary to social, professional, political, personal or academic success.

(g) The only alcoholic beverages that may be served, sold, purchased, distributed, consumed or possessed at FAMU are those alcoholic beverages served at the activity or event, and the served alcoholic beverages must be consumed within the facility or space designated.

(h) The FAMU Department of Public Safety (Department) must be notified of any and all events involving the possession, service, sale, consumption or distribution of alcoholic beverages at FAMU. The Department will determine if a uniformed member of, or substitute by the Chief, must be present during the event. In such cases, the Department’s expense must be paid by the sponsoring individual(s) or group(s) unless waived by the President or President’s designee.

(4) Notwithstanding the provisions of this regulation, requests related to the possession, service, sale, consumption or distribution of alcoholic beverages outside of the FAMU Designated Areas must be considered by the FAMU Board of Trustees. Any and all approvals by the FAMU Board of Trustees must be consistent with the requirements set forth in this regulation.

(5) The possession, service, sale, consumption or distribution of alcoholic beverages in the absence of the appropriate approval(s) identified herein is a direct violation of this regulation.

Specific Authority: Article IX, Section 7(c), Florida Constitution, BOG Regulation 1.001. History: New February 10, 2011.
I. Policy Statement and Purpose

The purpose of this policy is to establish uniform rules and regulations for the use and management of voice, video, fax, and cellular services by employees of Florida Agricultural and Mechanical University.

The University incurs significant costs for telephone usage from long distance toll calls, credit card calls, cellular telephone charges, telephone charges reimbursed while on travel status, and for monthly service charges. It is the responsibility of each department to maintain an adequate system of internal control to ensure that calls and telephone related expenses are for official University business.

Wireless telecommunication devices have become common place and are now often necessary for faculty and staff to carry out their responsibilities in an effective and efficient manner. These items are subject to additional scrutiny by the Internal Revenue Service (IRS), in that it requires that a listing of all calls be specifically and properly identified as to their purpose, business or personal.

This policy provides options for the departments with regard to the use of cell phones and other wireless communication devices in an effort to reduce the increased record keeping responsibility imposed by the IRS.

II. Definitions

A. Stakeholders - Individuals or groups defined as faculty, staff, students, alumni, and community partners.

B. Business Call - a call that supports or promotes the ongoing missions of the University.

C. Personal Call - A call that does not qualify as a business call.
D. Local Call- A toll call for which there is no separately stated charge on the University phone bill issued by the University’s telephone service provider.

E. Long Distance Call- a toll call that does not qualify as a local call for which there is a separately stated charge on the University’s telephone bill issued by the telephone service provider or State SunCom provider.

F. Telephone Services- single and multiple phone lines, local services only, restricted and unrestricted long distance service, calling cards, cellular phones, pages, PDAs, etc.

G. University Telephone- a telephone paid for by the University, whether on or off campus, purchased to support or promote the ongoing missions of the University.

ACRONYMS

EIT – Enterprise Information Technology

III. Procedures, Approvals/Responsibilities

Chief Information Officer (CIO)

The Chief Information Officer (CIO) is responsible for the implementation of this policy.

Chief Information Security Officer (CISO)

The Chief Information Security Officer reports to the CIO. The CISO has primary responsibility for the oversight of the state of information security at the University and is charged with the definition of security strategy and scope. Primary responsibilities include:

- Drafting of information security policies and procedures.
- Reporting on the state of information security.
- Performing oversight of the security efforts of area managers, security engineers and other security related specialists as appropriate; insuring adherence to operations related security policies and procedures.
- Serving as primary point of contact for auditors during formal audit processes.
- Preparing formal responses and action plans pursuant to internal audits.
- Identifying individuals responsible for security engineering functions outsourced.
  - Reviewing operations related to security.
  - Performing annual risk assessment based on CobIT 3 standards included by reference and will be complied with except where superseded by University approved procedures.
  - Evaluating and adjusting the University information security program in light of its annual risk assessment.
  - Providing Security Awareness Training for University employees and students.

University Purchasing Office

The University Purchasing Office has some responsibility related to this policy to include:

- Reviewing of purchasing and contracting operations related security policies.
- Reviewing security strategy and policies through participation in the Chief Information Security Officer reviews and meetings.
- Communicating security policies and requirements to vendors / service providers.
- Obtaining signatures from contract service providers acknowledging their responsibility for nondisclosure of confidential information and adhering to University policies and procedures.
- Taking reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the stakeholders’ information at issue.

System Administrator Authority

- System administrative privileges shall be limited to those support personnel requirements for business purposes. Such authority shall be revoked upon determination by CIO that such access is no longer required.
- EIT Services shall be responsible for maintaining a current roster of individuals with administrative access to each supported system or set of systems.

University Employees and Students
Managers are responsible for ensuring that their staff complies with this policy.
Managers will include information security as part of their employee orientation.

Local & Long Distance Telephone and Facsimile Usage

Local
University employees are discouraged from using University telephones to make personal local calls and are further discouraged from using University facsimiles for personal local use. Although no direct payment for personal local telephone calls is required, excessive use of University telephones or facsimiles for personal use may result in appropriate disciplinary action.

Long Distance
University employees shall not use University telephones to make personal long distance calls and shall not use University facsimiles for personal long distance use. The University recognizes the occasional need for an employee to do so. However, on such infrequent occasions, if an employee needs to make a personal long distance call, the employee must call collect or charge the call to their home telephone, personal calling card or personal credit card. Employees are further encouraged to seek commercial service providers to meet their personal facsimile or long distance needs.

Long Distance Record Review

The following procedure shall be used to review long distance records:

1) Each month, a list of all telephone charges incurred are calculated, and sent electronically to EIT.

2) EIT shall process this file and create a list for each department head, by grouping calls that originated from telephones owned by each respective department. This list shall be sent to the telecommunications group.

3) The telecommunications group shall review these lists, and specifically note any phone calls that were:
   i. longer than one hour in duration, and/or
   ii. occurred after 6:00pm for further review.

4) The Telecommunications group shall disseminate these lists to each respective department.

5) Each department head shall disseminate the list further to each respective employee.

6) Each employee must review all long distance calls, note and discrepancies, and certify by signature that all calls were business related. Any calls which the employee has made but were not business related must be reimbursed by compelling the employee to pay (by
check or money order) for the personal amount used. This is calculated by charging $.10 for each minute used.

7) Employee shall return certified list along with any payments to the telecommunications group.

8) Telecommunications group shall ensure and be responsible for collecting employee’s certified long distance phone record. Telecommunications group shall keep these lists for audit purposes for a minimum of three (3) yrs.

Long Distance Employee Record Keeping Requirements

Each employee must keep a monthly log of all calls made using their office telephone, using the “Long Distance Record Log” form located in Appendix D.

Cellular Phones Introduction

Cellular telephony can be an effective resource for Florida A&M University to conduct University business when employees are away from their University office. In general, cellular telephones (i.e., telephones connected to a commercial cellular telephone service such as Alltel, Nextel, Verizon, or Cingular, etc.) may be assigned to employees for whom the nature of their work requires wide mobility and simultaneous access to the public telephone network. These situations include providing on-call support after normal University business hours and moving around campus working on University business.

University departments are responsible for choosing cellular telephone rate plans that are the most economical for their department's needs and circumstances. The department should review the monthly bills checking each individual usage and adjust individual cellular plans to assure that the University receives the lowest cost per minute.

Cellular Phones – General Requirements

To obtain cellular telephone service, prior approval from the department head of an employee’s section is required. Requests for cellular phone service must be submitted by completing either the “Cellular Service Allowance Request” form, or the “Cellular Service Reimbursement Request” form, depending on which type of plan is selected.

Cellular Phone Plan Options

Departments have the following two options to provide for the business use of cell phones and other wireless communication devices.

Cell phone usage is subject to scrutiny by the Internal Revenue Service (IRS) and other auditors who would look for assurance that the costs incurred for cell phone use are only for
official business use. To support that calls are only for business use the IRS requires that all
calls be specifically and properly identified as to their purpose, business or personal. This
requirement significantly increases FAMU’s record keeping responsibility.

To reduce administrative costs by negating the requirement to keep detailed logs, an
“allowance stipend” approach is currently the preferred method of cell phone acquisition.
Alternatively, the reimbursement method is also an option.

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Option (A) – Stipend - Preferred</th>
<th>Option (B) – Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phone &amp; Plan Ownership</td>
<td>Purchased and owned by staff, allowance of $250 is provided</td>
<td>Purchased and owned by University. Must be returned upon termination.</td>
</tr>
<tr>
<td>Use Restrictions</td>
<td>May be used for both Business and Personal calls</td>
<td>May only be used for Official Business use. Any personal calls must be reimbursed at a per/minute rate</td>
</tr>
<tr>
<td>Monthly Payments</td>
<td>Allowance will be disbursed to an employee on a monthly basis.</td>
<td>University will pay all costs associated with bill. Employee will refund personal calls on a per minute basis.</td>
</tr>
<tr>
<td>IRS Record Keeping Requirements</td>
<td>Because the entire University contribution toward the communication device and plan is considered wages to the employee, treated as taxable income, no detailed documentation of personal or business calls is required.</td>
<td>A record of each telephone call must be made, noting whether it was business or personal, record of reimbursement of all personal calls.</td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td>Each supervisor of an employee who is issued a phone must verify employee’s record of calls</td>
</tr>
<tr>
<td>Employee</td>
<td>Must keep phone bills</td>
<td>Must submit (Cellular Phone Usage Form A) each month</td>
</tr>
</tbody>
</table>

**Stipend Plan Calculations**

*Initial*
There will be an initial stipend allowance of $250.00 to cover the cost of a new cellular
phone or PDA.

Monthly

The monthly service allowance shall be designated by making a determination as to the position level that an employee belongs to, based on the table below.

<table>
<thead>
<tr>
<th>Position Level</th>
<th>I</th>
<th>II</th>
<th>III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Group</td>
<td>Executive Management (e.g. Vice President, Associate VP )</td>
<td>Managers (e.g. Directors, Department Heads)</td>
<td>Staff (e.g. Supervisors, Employees)</td>
</tr>
<tr>
<td>Monthly Service Allowance</td>
<td>$150.00</td>
<td>$100.00</td>
<td>$65.00</td>
</tr>
</tbody>
</table>

The monthly allowance is determined by the following formula:

E.g. Position Level III
Monthly Service Allowance $65.00
Annual Allowance $780.00 (Monthly X 12)

The monthly service allowance will most likely not cover the entire monthly phone bill when taxes and other surcharges are calculated, however it is not expected to, because the phone may be used for personal as well as business calls.

17H.405 Reimbursement Plan Requirements

The services paid by the University are to be utilized in the conduct of University business. Personal calls are not allowed, except in emergency circumstances (as determined by the Department Head) or in unpreventable instances (i.e., incoming calls for which charges will be assessed, and the user has no ability to prevent). Employees are responsible for making certain that all cellular calls are business related.

Each month, a copy of the cellular phone bill will be provided to each employee. The employee will review this bill, and complete a “Cellular Phone Reimbursement” Form, as noted in Appendix A. In addition, the cost of any personal calls shall be calculated and payment (by check or money order) shall be submitted to cover the cost.

The employee’s supervisor shall review the reimbursement form, taking care to ensure that it covers all calls presented on the cellular phone bill. The supervisor shall not accept the form without an attached payment to cover personal calls, if there are any.
Failure to justify business calls, and/or to complete reimbursement form, shall result in all calls being deemed personal, and an amount calculated to be due. Failure to provide a reimbursement check in a timely manner will result in disciplinary action.

Employees are responsible for any cellular equipment assigned to them, and will be responsible for its use and for safeguarding the instrument. Lost or stolen instruments must be reported immediately to the vendor and to the department head.

**Reimbursement for Personal Cellular Service for Business Purposes**

Reimbursement to the employee for occasional use of personal cellular telephones to conduct official business will be made only when substantiated by documentation showing that the call was necessarily made for the official business of the University. If the business call made on the employee’s personal cellular telephone does not result in additional charges to the employee, reimbursement for the business call is disallowed. However, if the business call results in additional charges, the employee may be reimbursed up to the per-minute rate charged, plus applicable taxes, for the excess minutes incurred as a result of usage for official University business. Employees will be required to provide a statement certifying that the calls were necessary and were for official University business. No payment will be made for any portion of the employee’s personal monthly charges, taxes on the basic monthly fee, or charges related to obtaining documentation listing individual telephone calls.

If it is necessary for an employee to consistently use his or her personal telephone to conduct the duties and responsibilities of the University, then the University should consider providing use of a cell phone.

**17H.407 Employee Responsibilities**

A) The employee is personally responsible for complying with any contract entered into with a communication service provider including payment of all expenses incurred (including long distance, roaming fees, and taxes). In the event that an employee leaves the position, he/she continues to be responsible for the contractual obligations of the cellular service plan.

B) An employee receiving a University contribution toward the purchase of cellular devices or services must notify his/her department head within five working days of the inactivation of communication service.

**Appendix A - Monthly Reimbursement Cellular Phone Record Keeping Requirement**

When option “B” is selected, this form must be completed and submitted each month by the employee.

<table>
<thead>
<tr>
<th>Cellular Phone Reimbursement Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Month Ending</td>
</tr>
<tr>
<td>Date</td>
</tr>
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</tbody>
</table>

**Total Personal Minutes**

Amount Owing
(Multiply previous line by $X\$ .10)

Enclose check/money order payable to:
FAMU

<table>
<thead>
<tr>
<th>Employee Signature</th>
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<table>
<thead>
<tr>
<th>Supervisor Approval</th>
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**Appendix B - Cellular Phone Justification Form**

<table>
<thead>
<tr>
<th>Florida Agricultural &amp; Mechanical University</th>
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<tr>
<td>Cellular Phone Request Form – Stipend Option</td>
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</table>

<table>
<thead>
<tr>
<th>Date:</th>
<th>Supervisor Name:</th>
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<table>
<thead>
<tr>
<th>Employee's Name:</th>
<th>Phone:</th>
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</tbody>
</table>
Employee ID: ______________ Email: ______________

Purchase Allowance: $_________
Monthly Allowance
☐ $65  ☐ $100  ☐ $150

Start Date
__/__/____
End Date
__/__/____  MM/DD/YY

Employee Type:
☐ Department Head level position or above
☐ Key critical situation members (requiring 24/7 contact: i.e. network administrators, police, facilities staff, etc.)
☐ Field staff (job duties require being out of the office a significant amount of the time)
☐ Other (please provide justification):

Signatures:

I certify that I have read and understand the FAMU Cellular Wireless Communication Policy. It is my responsibility to report changes or interruptions in service of the device to my department contact. I also affirm that an allowance, other than the one stated above, is not being received from another department or activity affiliated with Florida Agricultural and Mechanical University.

________________________________________  ____________
Employee Signature  Date

I certify that I have read and understand the FAMU Cellular Wireless Communication Policy. I further certify that use of an employee's cell phone and/or other wireless communications device and allowance amounts are a requirement to fulfill this employee's job duties. I affirm that the allowance requested is appropriate for the level of usage.

________________________________________  ____________
Signature of Department Head  Date

Printed Name of Department Head

Appendix C – Stipend Based Model
Appendix D - Monthly Long Distance Office Phone Record Log
This form must be completed by all employees for which a university phone has been assigned, and submitted to their supervisor for approval.

**Monthly Long Distance Log**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Long Distance Telephone #</th>
<th>B/P</th>
<th>Justification (For Business Use Only)</th>
<th>Minutes Used</th>
</tr>
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<tbody>
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</tr>
</tbody>
</table>

Total Personal Long Distance Minutes

Amount Owing 
(Multiply previous line by X $.10)

Enclose check/money order payable to:
FAMU

Employee Signature

Supervisor Approval

17H.500  Existing Conformance Plan
17H.600  Credentialing

17H.700  Compliance

17H.701  Standards Compliance

17H.702  Enforcement

17H.703  Disciplinary Actions

A. Suspected violations of this policy should be reported to the Chief Information Officer and the Information Security Manager.

B. Individuals who violate this policy will be subject to discipline as appropriate.

C. The University has primary responsibility and authority for all components of the IT infrastructure. All devices, applications, databases and other components must comply with the university policies.

D. The University information security cooperates with law enforcement agencies in their efforts to investigate any violation of federal and state laws. If the University suspects the violation of any law, the University may ask campus police or an external law enforcement agency to investigate the matter.

E. Users reasonably believed by the University to have willfully compromised its information security are subject to investigation, possible prosecution and/or termination/dismissal.

F. An employee who interferes with or refuses to cooperate in the investigation of violation of this policy will be subject to discipline, possible prosecution and/or termination/dismissal.

G. A student who interferes with or refuses to cooperate in the investigation of violation of this policy will be subject to discipline, possible prosecution and/or termination/dismissal.

H. Business units or departments may establish additional procedures that are relevant to their operations providing that these additional procedures:

   i. Do not conflict with this policy,

   ii. Provide specific operational detail, and

   iii. Are more restrictive in security posture.

17H.800  Approvals
I. **Policy Statement and Purpose**

The purpose of this policy is to establish uniform rules and regulations for the use and management of voice, video, fax, and cellular services by employees of Florida Agricultural and Mechanical University.

The University incurs significant costs for telephone usage from long distance toll calls, credit card calls, cellular telephone charges, telephone charges reimbursed while on travel status, and for monthly service charges. It is the responsibility of each department to maintain an adequate system of internal control to ensure that calls and telephone related expenses are for official University business.

Wireless telecommunication devices have become common place and are now often necessary for faculty and staff to carry out their responsibilities in an effective and efficient manner. These items are subject to additional scrutiny by the Internal Revenue Service (IRS), in that it requires that a listing of all calls be specifically and properly identified as to their purpose, business or personal.

This policy provides options for the departments with regard to the use of cell phones and other wireless communication devices in an effort to reduce the increased record keeping responsibility imposed by the IRS.

II. **Definitions**

A. **Stakeholders** - Individuals or groups defined as faculty, staff, students, alumni, and community partners.

B. **Business Call** - a call that supports or promotes the ongoing missions of the University.

C. **Personal Call** - A call that does not qualify as a business call.

D. **Local Call** - A toll call for which there is no separately stated charge on the University phone bill issued by the University’s telephone service provider.

E. **Long Distance Call** - a toll call that does not qualify as a local call for which there is a...
Florida A&M University
Office of Communications

COMMUNICATIONS POLICY
Approved by the Florida A&M University Board of Trustees
February 12, 2008

UNIVERSITY COMMUNICATION/MEDIA POLICY
2008-01

MEDIA POLICY

As a public university supported with tax dollars, Florida A&M University (FAMU) has a responsibility to be open and responsive to requests for information from the public and the news media.

Faculty and staff are encouraged to give interviews to the media when asked, and to provide information on matters within their field of expertise in a timely and courteous manner. The Office of Public Relations serves as a tool to help reporters find the right person to interview for a topic. As a courtesy, however, if faculty/staff agree to participate in an interview, please contact the Office of Public Relations so we may obtain a copy of the article and keep it in our files.

If you are not experienced in handling questions from the media, or have not established a relationship with the journalist requesting information, please feel free to contact the Office of Public Relations for tips on interviewing (i.e. answering questions for print media versus broadcast) or to address any concerns.

Administrators, faculty and staff should consult with the Office of Public Relations or the Office of the General Counsel if they have questions about releasing information that may be of a sensitive nature, (for example the firing of an employee, murder investigation or sexual harassment). If you are faced with a potentially controversial situation, it is crucial that you discuss the matter with the communications staff in the Office of Public Relations before it becomes public. In instances where there is a question about the legality of releasing information, the Office of Public Relations and any other campus units receiving information requests should consult with the University’s General Counsel.

UNIVERSITY SPOKESPERSON

The President is the official spokesperson of the university. The President has designated the executive assistant to the president for Public Relations and Chief Communications Officer as the official spokesperson in matters of weather emergencies, crisis situations and other occasions. This individual also provides the point of contact between media and university resources and provides referrals to proper sources of information within the university community.

PRESS RELEASES

The Office of Public Relations prepares and distributes all press releases to local, regional, and national media except releases regarding sports-related activities. The press releases range from major stories about achievements by faculty, administrators and students to public service announcements. Some stories may be distributed only to the local media depending on the subject and relevance.
OFFICE OF SPORTS INFORMATION

The Office of Sports Information is responsible for publicizing information regarding FAMU’s intercollegiate varsity athletic teams. The office publishes all athletic publications and news releases, coordinates athletic photography, maintains statistical data on teams, maintains athletic web pages and serves as the department’s contact with the NCAA and the Mid-eastern Athletic Conference. The Sports Information Director will ensure compliance with FAMU’s graphic identity and technical standards, including athletic marketing and publications.

ADVERTISING

The Executive Assistant to the President for Public Relations and Communications or the designee must approve in advance all paid advertising (print, broadcast, billboard and radio) and student recruitment, marketing and fund-raising videos. This does not include paid ads for hiring personnel.

ADVERTISEMENTS BY EXTERNAL AGENCIES, BUSINESSES, ORGANIZATIONS,

External agencies, businesses, organizations, etc. must submit a copy of the advertisement to the Office of Public Relations for approval. Authorized advertisement must display the Public Relations stamp of approval before being posted on campus or appearing in University Publications.

PHOTOGRAPHIC SERVICES

The university has a full-time photographer and provides photographic services for the campus. Photographic assignments for the University’s programs and activities are also the responsibility of the Public Relations Office. University officials and students who desire photographs for university related activities must receive approval from the Public Relations Office. A request for photographic services form must be completed and returned to the Public Relations Office at least three days before the planned activity.

PUBLICATIONS & STYLE POLICY

PUBLICATIONS

Externally distributed publications must be reviewed by the Office of Publications to guarantee that all publications representing Florida A&M University demonstrate a consistent message and image. The publications office will review materials based upon the established printing guidelines. In general, these guidelines apply to official university Web sites, as well.

Exceptions include publications edited and produced by students, fliers or posters for events funded by student activities fees, internal office correspondence, faculty works, textbooks and materials for classroom use.

A successful identity program is dependent on the cooperation of all members of the University community; therefore, resulting in improved communications.
Official publications that offer pertinent information about Florida A&M University, its purpose, objectives, programs of instruction, public services and information for prospective students, faculty and staff are published through the Publications Office. These publications include: catalogs, schedules, reports, handbooks, manuals, brochures, recruitment materials, directories and other general information documents.

The Office of Publications is the starting point for all projects produced in the university print shop for an external audience. University Publications is charged with interpretation and control of all institutional publications involving the use of the name seal, and/or logos of the University. This responsibility is carried out primarily through a University Identity Program, which sets editorial style, typography and graphic standards, including the use of the FAMU shield and seal for all publications.

USE OF SEAL

The official seal of Florida A&M University is used only for formal usage, i.e., for diplomas, invitations to University functions or official University statements. The presence of the seal authenticates publications as an official document from Florida A&M University. The use of the university shield or logo, must be approved by the Office of Publications.

USE OF OTHER UNIVERSITY LOGOS

The University shield, "Excellence With Caring," institutional logos, "Rattler" and "FAMU" may be used in publications requiring a symbol of identity, such as catalogs, handbooks, brochures, programs, fliers, invitations, bookmarks, posters and paraphernalia. Generally, one logo per publication is sufficient. However, before deciding to design a publication on your own, consult with the Office of Publications.

REQUEST FOR UNIVERSITY LOGOS

Requests for camera-ready copies of the official and other university logos should be made through the Office of Publications. Scanned or modified versions of Florida A&M University logos are in direct violation of university publications policy.

OFFICIAL FAMU COLORS

The official colors of Florida A&M University are orange and green. More specifically, the correct orange to use on any printed material is Pantone Matching System number 151 (PMS 151). The university uses Pantone Matching System number 348 (PMS 348) as its official green. Using the above specifications will insure that the University's colors are consistent.

UNIVERSITY LISTING

The acceptable listings for Florida A&M University are in keeping with the national trend of reference to entities or institutions by acronym, which should not be confused with abbreviations.

Acceptable listings:
1. Florida Agricultural and Mechanical University (formal, used for invitations, letterhead, etc.)
2. Florida A&M University (most frequently used)
3. FAMU  
4. A&M (with no space between characters)

_Listings to avoid:_
1. Florida A and M University  
2. Florida Agricultural & Mechanical University  
3. Florida A. and M. University  
4. F.A.M.U.  
5. A.&M.  
6. A & M

**OFF-CAMPUS PRINTING JOBS**

Some larger jobs require that printing be done off-campus. The Office of Publications is ultimately responsible for ensuring that all publications are in line with guidelines, therefore, it is wise to consult with our office before seeking outside printing advice.

Outside printing jobs require a completed publication request form, specifications form, cost computation worksheet and required statement of cost and purpose — and other supporting documents from the Office of Publications. These forms must be submitted prior to clearance for printing/production.

It is suggested that a minimum of three price quotes from selected vendors be requested. The vendor with the lowest bid for the job is normally selected for the contract.

To proceed with printing production, a completed and signed requisition should be submitted to the Office of Publications for clearance and approval.

**LETTERHEAD, ENVELOPES AND BUSINESS CARDS**

All Florida A&M University letterhead, envelopes and business cards are standardized to provide consistent institutional identity. Once that identify has been established, the Publications Office is responsible for enforcing the visual identity.

A standard format has been established for University letterhead and envelopes. All units of the University must use only the standard format. The Office of University Publications will help prepare specifications upon request.

**LETTERHEAD**

Letterhead is not to be personalized. Business cards are the appropriate place for such personalized information. The names of departments as they appear on stationery is strictly controlled by the University. Prior approval for changes or additions must be requested through the Office of University Publications.

**BUSINESS CARDS**

The card includes the individual’s name, title, position, business address, telephone, suncom and fax numbers and e-mail address. University personnel wanting to purchase business cards should consult staff in the Office of Publications for assistance.

**REQUIRED STATEMENTS**
All publications produced by FAMU, costing in excess of $15,000, which are not working documents (documents used in the normal routine of work including test papers, office forms, general correspondence, etc.) must contain the following statement of cost and purpose:

This public document was promulgated at a total cost of $________, or $________ per copy, to (state purpose of the document).

This statement should be displayed in a conspicuous manner, enclosed in a two-point box, and should be the same size as the body type of the publications. Suggestions: inside front cover, inside back cover, first page. Also the document should display on either the inside front cover, the first page, the inside back cover or the outside back cover the following: "FAMU is an Equal Opportunity/Equal Access University."

RESTRICTIVE PRINTING

Devices for use in lotteries, raffles or other regulated games of chance will be produced only after appropriate written authorization has been granted and presented. Copyrighted materials need permission from the copyright holder. Clearance is granted through the Office of Publications.
FAMU Computing Terms of Service Agreement (TOS)

Before obtaining your FAMNet ID User ID and Password for accessing iRattler, FAMMail & FAMU network, please read and agree to the following: The terms and conditions are as follows:

MEMBER PRIVACY

To the extent permitted by law, FAMU recognizes the privacy of its members. It is FAMU's policy to respect the privacy of its members. FAMU will not monitor, edit, or disclose any personal information about you or your use of the Service, including its contents, without your prior written permission unless FAMU has a good faith belief that such action is necessary to: (1) conform to legal requirements or comply with legal process; (2) protect and defend the rights or property of FAMU; (3) enforce this TOS; or (4) act to protect the interests of its members or others. FAMU does not provide user information to third parties. Some personal information you provide to FAMU may be stored outside of the country in which you reside. You agree that FAMU may access your account and monitor its activity, including its contents, as stated above or to respond to service or technical issues. MESSAGE STORAGE, OUTBOUND MESSAGES AND OTHER LIMITATIONS

FAMMAIL is the official email account for students, faculty and staff. E-mail includes person-to-person messages, postings to newsgroups and listservs and any electronic messaging involving computers and computer networks. E-mail is also generally subject to the Florida Public Records Law to the same extent as it would be on paper. While using iRattler and the online administrative systems, notifications and messages regarding your transactions will be sent to your FAMU e-mail account. The amount of e-mail storage space per member is determined by the user's role and is as follows: Students: 250MB, Faculty & Staff: 350 MB; therefore, you agree to periodically access your FAMMAIL and archive your emails on your computer. The amount of instant messaging storage space is limited and some instant messages may not be processed due to space constraints or outbound message limitations. You agree that FAMU is not responsible or liable for the deletion or failure to store messages or other information.

MEMBER CONDUCT

As a condition of your use of the Service, you warrant to FAMU that you will not use the information technology services provided by FAMU for any purpose that is unlawful or prohibited by these terms, conditions, and notices. These Services are provided to individuals only and for university use. You agree to use the Service only to send and receive university related messages. Any unauthorized commercial use of the Service, or the resale of its services, is expressly prohibited. You agree to abide by all applicable local, state, national and international laws and regulations and are solely responsible for all acts or omissions that occur under your account or password, including the content of your transmissions through the Service. By way of example, and not as a limitation, you agree not to:

- Use the Service in connection with external surveys, contests, pyramid schemes, chain letters, junk e-mail, spamming or any duplicative or unsolicited messages (commercial or otherwise).
- Defame, abuse, harass, stalk, threaten or otherwise violate the legal rights (such as rights of privacy and publicity) of others.
- Publish, distribute or disseminate any inappropriate, profane, defamatory, infringing, obscene, indecent or unlawful material or information.
- Advertise or offer to sell or buy any goods or services for any non-personal purpose.
- Harvest or otherwise collect information about others, including e-mail addresses, without their consent.
- Create a false identity for the purpose of misleading others as to the identity of the sender or the origin of a message.
- Use, download or otherwise copy, or provide (whether or not for a fee) to a person or entity that is not a Service member any directory of the Service members or other user or usage information or any portion thereof other than in the context of your use of the Service as permitted under the TOS.
- Transmit or upload any material that contains viruses, trojan horses, worms, time bombs, cancelbots, or any other harmful or deleterious programs.
• Transmit or upload any material that contains software or other material protected by intellectual property laws, rights of privacy or publicity or any other applicable law unless you own or control the rights thereto or have received all necessary consents.
• Interfere with or disrupt networks connected to the Service or violate the regulations, policies or procedures of such networks.
• Attempt to gain unauthorized access to the Service, other accounts, computer systems or networks connected to the Service, through password mining or any other means.
• Violate any applicable laws or regulations including, without limitation, laws regarding the transmission of technical data or software exported from the United States through the service.
• Interfere with another member's use and enjoyment of the Service or another individual's or entity's use and enjoyment of similar services.

You further agree to abide by the University Policy on the Ethical Use of Software and Other Computing Resources as set forth below.

University Policy on the Ethical Use of Software and Other Computing Resources
Computing resources at Florida A&M University are allocated for the use of students, faculty, and employees in the instruction and research programs at the institution, and in performing the duties and responsibilities of employment so as to effectively support the operations of the University. Other use of computing resources shall occur only upon appropriate authorization by the President or his designee. The University does not condone unauthorized use of any of its computing resources inclusive of: use for personal profits; attempts to gain access to files for which permission to enter has not been granted; participation in illegal file sharing; copy of proprietary software without licensed approval; attempts to impair performance of computing resources; and, use for purposes of harassment.

As an institution of higher learning, the university is especially cognizant of its responsibility as a trustee for integrity and honesty in academic discourse. Given a mission to foster intellectual activity and scholarship, coupled with an awareness of the ease by which electronic works can be reproduced, the university has a particular responsibility to convey that it does not condone the duplication or distribution of software in violation of copyright or license agreement. The University reserves the right to sanction its students, employees, and others to whom it may have granted access to computing resources, for such violations.

Florida A&M University recognizes that respect for creativity, intellectual labor, and discovery arising from scholarly undertaking, is fundamental to its mission. The University further recognizes that only through strongly adhered to principles of academic honesty, will it achieve the goals it has set for excellence in higher education. Careful consideration has been given to issues that involve ethics in computing and ethics in utilization of computing resources. Therefore employees and students are expressly advised that the above policy gives the university great latitude in the sanctions it can impose on employees and students. Such sanctions can range from warning or reprimand to termination in case of violations by employees. Violations of the policy by students can result in a broad range of sanctions including denial of access to computer resources or expulsion from the university.

The following list identifies only some of the acts that are a clear violation of this agreement. Students, Faculty and staff are warned to avoid these acts.

1. Copy of software in violation of terms of the license held by the university.
2. Installation of software on university owned computers in violation of the license held on the software.
3. Unauthorized access to files on university computers.
4. Destruction of university computing resources (this includes hardware and software)
5. Use of university computing resources to harass employees or students.
6. Use of university computing resources to commit any computer crime.
7. Unauthorized use of university computers and software.
8. Unauthorized relocation of computer software or computer hardware.
9. The intentional use or operation of computing resources in a way that will impair the performance of a university computing resource inclusive of computer networks.

The university will further develop and strengthen policies and procedures to assure an environment with ethical practices.

iRattler User Account & Password Requirements
You agree to the following terms regarding your password:
You are responsible for any activity originating from your account within reasonable expectations of control. Please do not share your accounts and passwords, under any circumstances, with any person.
Your password must:

• Be a minimum of eight characters
• Start with an alphabetical character
• Contain at least one numeric character

You agree to change your password and set your “Forgot Password” hint upon first access logon; afterwards, to safeguard your account information, the system will periodically prompt you to change your password.

FAMU has no obligation to monitor the Service or any user's use thereof or retain the content of any user session. However, FAMU reserves the right at all times to monitor, review, retain and/or disclose any information as necessary to satisfy any applicable law, regulation, legal process or governmental request. In the event you obtain knowledge of your account, persons or other accounts violating the terms of this agreement via illegal or unauthorized use of accounts or resources you agree to change the password on your account and report the incident circumstances immediately to 850-412-HELP (4537) or helpdesk@famu.edu.