

# BACK<sup>2</sup> BASICS

Florida A&M University

2017  
MANAGEMENT  
SEMINAR



**FAMU MANAGEMENT SEMINAR 2017  
TUESDAY, SEPTEMBER 19, 2017  
GRAND BALLROOM  
BACK TO BASICS (B2B)**



**8:30 – 9:00 Registration**

Continental Breakfast

**9:00 – 9:15 Opening Remarks**

Larry Robinson, Interim President

**9:15 – 10:15 Labor and Employment Law Update – Robert Larkin, Esq.**

**10:15 – 10:45 Labor and Employment Best Practices – Maria Santoro, Esq. and Teresa Ward, Esq.**

**10:45 – 11:00 Break**

**11:00 – 12:00 Human Resources – Joyce Ingram, Sandi Smith-Anderson, Mark Palazesi**

- a. Diversity and Inclusion
- b. Performance Management
- c. Supervisory Boot Camp
- d. HR's Seven (7) Ps

**12:00 – 12:30 Lunch**

**12:30 – 1:30 Student Affairs Highlights – Carrie Gavin, Erica Herring, Tanya Tatum**

- a. Title IX
- b. Clery Conduct
- c. ACT Health and Security Issues

**1:30 – 2:00 Active Shooter Simulation – Department of Public Safety**

**2:00 – 2:15 Break**

**2:15 – 3:15 Open Meetings and Records – Pat Gleason**

- a. Public Records
- b. Sunshine Law
- c. University Processes

**3:15 – 4:15 University Administrative Processes and Procedures – Stephany Fall and Mattie Hood**

- a. Office of Procurement
- b. Travel

**4:15 – 5:00 International Affairs – William Hyndman, Tanya Tatum, Dave Teek, Reis Alsberry, Jim Jacoby**

- a. Travel
- b. Export Control

## **SPECIAL ACKNOWLEDGEMENTS**

**Dr. Larry Robinson  
Ms. Ora Mukes  
Ms. Pamela Zackery  
Ms. Elma Williams**

**Maria Santoro, Esq.  
Teresa Ward, Esq.  
Robert E. Larkin, III, Esq.  
Ms. Pat Gleason**

**Ms. Joyce Ingram  
Ms. Sandi Smith-Anderson  
Mr. Mark Palazesi  
Chief Terence Calloway  
Sgt. Erica Herring  
Ms. Stephany Fall  
Ms. Mattie Hood  
Mr. William Hyndman  
Ms. Tanya Tatum  
Mr. David Teek  
Mr. Reis Alsberry**

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Ms. Talia Varone  
Mr. Christian Whitaker  
Ms. Carrie Gavin  
Mr. James Jacoby**

**Mr. Michael Williams  
Ms. Allison McNealy  
Ms. Bridget Roberts  
Mr. Ronald Henry  
Mr. Michael Simmons  
Mr. Wayne Dunwoody  
Mr. Kevin Austin  
Danny Malone  
Metz Catering**

## SEMINAR OUTLINES

1. **Labor and Employment Law Update**
2. **Labor and Employment Best Practices**
3. **Human Resources**
4. **Student Affairs Highlights**
5. **Active Shooter Simulation**
6. **Open Meetings and Records**
7. **University Administrative Processes and Procedures**
8. **International Affairs**

# Management Seminar 2017: Current Trends in Employment Law

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# Discrimination and Harassment: Overview of the Laws

- Florida Civil Rights Act (state), includes marital status
- Title VII of the Civil Rights Act (federal)
- Americans with Disabilities Act (ADA)
- Age Discrimination in Employment Act (ADEA)
- Family and Medical Leave Act (FMLA)
- Pregnancy Discrimination Act (PDA)
- Retaliation and Whistleblower Statutes (Emerging Area)



# Individual Liability

- If you are accused of harassing conduct you may be individually liable for intentional torts.
  - Assault and Battery;
  - False Imprisonment;
  - Intentional/Negligent Infliction of Emotional Distress;
  - Invasion of Privacy; and
  - Defamation.



# Consequences of Individual Liability

- Named individually in lawsuit;
- Obtain own legal counsel – individual costs and legal fees.
- Difficult claims to have dismissed before trial because of factual disputes;
- Personal records and information subject to discovery;
- Negative publicity from lawsuit and public records filed in Court.





# What is Harassment?

- Two General Categories:
  - Intangible Job Action (“Hostile Work Environment”); and
  - Tangible Job Action (“Quid Pro Quo”)



# Hostile Work Environment

- Unwelcomed and Offensive Conduct
- Based on a person's:
  - Sex
  - Race
  - National Origin
  - Religion
  - Age
  - Handicap
  - Disability



# Hostile Work Environment

- Conduct is:
  - Unwelcome
  - Based on sex (or other protected category)
  - Severe or pervasive
  - Abusive working environment
- Not all conduct, even though crude or offensive, is unlawful
- EEOC stated that “Title VII does not proscribe all conduct of a sexual nature in the workplace.”



# FAMU REGULATION 10.103

- NON-DISCRIMINATION and HARASSMENT and COMPLAINT PROCEDURE
- Discrimination Prohibited against:
  - Students, employees, applicants, vendors, independent contractors, visitors and others who conduct business with the University;
  - Also includes sexual orientation, gender identity, gender expression and veteran status;



# FAMU REGULATION 10.103

- HARASSMENT PROHIBITED:

- DEFINITION: Any slurs, innuendos or other verbal or physical conduct...which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment ... or unreasonably interferes with the individual's work or school performance or participation or an individual's employment or educational performance;
- SEXUAL HARASSMENT: Also includes sexual misconduct, sexual exploitation, relationship or domestic violence and stalking behavior;



# FAMU REGULATION 10.103

## • COMPLAINT PROCEDURE:

- Any individual who believes that he/she is a victim of discrimination or harassment seek guidance from the Equal Opportunity Programs (EOP) Officer;
  - A formal complaint SHALL be filed on the Charge of Discrimination /Harassment Form and submitted within 60 days of the incident;
  - EOP will conduct and investigation;
  - If cause is found, a University hearing board will conduct an investigatory interview;
  - Appeals may be brought to the President or designee;
  - Discipline may include expulsion or termination;
  - Retaliation is prohibited;
  - Election of remedies if CBA grievance procedures are pursued.



# FAMU REGULATION 10.112

- COSENSUAL RELATIONSHIPS:

- Not illegal, but pose significant risks because of conflicts of interest, favoritism, exploitation and bias;
- Between Employees: All employees are responsible to avoid any apparent or actual conflict of interest and may require a Romance Agreement.
- If supervisor-subordinate employee relationship: University prohibits.
- As to Students: University prohibits even if consensual.
- Failure to comply: discipline up to and including termination



# Facts Regarding Harassment

- Unlawful harassment may occur even without economic injury or even without the victim being discharged from his/her job;
- To be considered unlawful harassment, the harasser's conduct must be unwelcome
- The sexual harassment victim does not have to be of the opposite sex.
- 15,000 sexual harassment charges of discrimination filed with the EEOC each year (almost 42 per day).





# Facts Regarding Harassment

- The harasser can be the victim's supervisor, a colleague or co-worker or a non-employee.
- The victim does not have to be person being harassed, but anyone affected by the offensive conduct.
- Harassment does not have to be intentional - does not have to be directed at a particular individual.



# Farragher Defense

- An employer may avoid liability under this defense if:
  1. It exercised reasonable care to prevent and correct promptly any sexually harassing behavior and
  2. The employee unreasonably failed to take advantage of any preventative or corrective opportunities provided

*Farragher v. City of Boca Raton*, 524 U.S. 775, 807 (1998)

- Response to complaints is vital for determining employer liability in HWE Sexual Harassment cases
- A quick, appropriate response, along with a comprehensive policy goes a long way toward avoiding liability



# Is It Harassment?

- Male Supervisor "constantly" watched female employee
- Followed her in the workplace
- Looked her "up and down" on two or three occasions while making a sniffing sound
- Rubbed his hand against her hip while touching her shoulder as she walked by on one occasion
- Once told employee he was getting "fired up" when she entered his office



# Is It Harassment?

- ANSWER: NO!
- The Court held that none of the conduct was severe or physically threatening or humiliating.
  - *Mendoza v. Borden*, 195 F.3d 1238 (11th Cir. 1999)
- Acceptable under your policy?



# Is It Harassment?

- Female employee was subjected daily to profane language that permeated the workplace
- The profane and sexually offensive language was not directed toward her, but was hostile towards women in general
- Employee complained to supervisors several times, but nothing was done and profane language continued



# Is It Harassment?

- ANSWER: YES!
- Court troubled by complaints falling on deaf ears
- Highlights the importance of supervisors acting on employee complaints
  - *Reeves v. C.H. Robinson Worldwide, Inc.* (11th Cir. 2010)
- Acceptable under FAMU policy?



# Discrimination

- Different than Harassment.
- Disparate Treatment – treating one group of people more favorably than another group.
  - Inconsistent discipline
  - Inconsistent policy application
  - Inconsistent evaluations
  - Inconsistent or unexplained “exceptions”
- Disparate Impact – a neutral policy has a discriminatory effect on a minority group



# Reasonable Accommodation under Americans with Disabilities Act

- Prohibits discrimination on the basis of disability and requires covered employers (15+ employees) provide reasonable accommodations to employees with disabilities.
- Reasonable accommodation
  - "any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities."





# Reasonable Accommodation under Americans with Disabilities Act

- Do not have to provide an accommodation if doing so would cause undue hardship.
  - Occurs where an accommodation would be too difficult or too expensive to provide, in light of the employer's size, financial resources, and the needs of the business.
- Undue hardship factors:
  - Amount of/frequency of leave requested
    - Indefinite leave will constitute an undue hardship
  - Impact of the employee's absence on coworkers
  - Impact on the employer's operations and its ability to serve customers/clients



# Reasonable Accommodation under Americans with Disabilities Act

- May obtain reasonable documentation that an employee has a mental disability and needs an accommodation.
- May require that documentation of the existence of an impairment come from a health care professional.



# Retaliation

- Retaliation is an employer taking some sort of adverse employment action in response to an employee participating in or voicing their opposition to a violation of anti-discrimination laws or other applicable statutes.
- Types:
  - **Opposition:** Opposing an unlawful employment practice such as discrimination or harassment.
  - **Participation:** Making a charge, testifying, assisting, or participating in any manner of an investigation, proceeding or hearing.



# Retaliation

- The law protects the alleged targets of unlawful harassment from retaliatory conduct and
- Anyone who complains of unlawful actions or discrimination.
- An employer can be held liable for retaliation even if it is not liable for the underlying harassment of which the employee complains.



# Retaliation

- It is not uncommon for employees to file suits alleging both harassment and retaliation, and to lose on harassment but win on retaliation.
- Retaliation claimant must have good faith, reasonable belief that the employer actually engaged in an unlawful employment practice.



# FAMU REGULATION 10.103

- (a). Complainants who feel that they have been retaliated against for exercising their rights under this Regulation shall have the right to file a retaliation complaint with the EOP officer.
- (b). Retaliation complaints shall be handled in the same manner and utilizing the same procedures as the Discrimination and Harassment Complaint Procedure.



# First Amendment Retaliation

- First Amendment Protections:
  - “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”
  - This provision of the Constitution is made applicable to the states and their political subdivisions by the Fourteenth Amendment.



# First Amendment Retaliation

- First Amendment Protections:
  - General Rule: Freedom of speech in the public employment context is not unrestricted.
  - Analysis: “statements by public officials on matters of public concern must be accorded First Amendment protection despite the fact that the statements are directed at their nominal superiors.” *Pickering v. Board of Education*, 391 U.S. 563, 574 (1968).





# First Amendment Retaliation

- Three General Guidelines: *Garcetti v. Ceballos*, 547 U.S. 410, 418 (2006):
  1. Did the employee speak as a private citizen (not as an employee)?
  2. Was the speech a matter of public concern (not a personal or employment issue)? If not, the employee has no First Amendment Protection.
  3. If yes, the Court weighs the employee's First Amendment interest against the interest of the State as an employer, in promoting the efficiency of the public services it performs or avoid disruptive speech in workplace.



# First Amendment Retaliation

- First Amendment Retaliation Elements:
  1. Employee engages in protected First Amendment Activity.
  2. Suffers adverse employment action (likely to deter others from doing same thing); and
  3. Substantial and motivating factor between activity and adverse action – a “but for” test.
- Defense: Employer shows it would have reached same decision in the absence of protected conduct.



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# Is The Policy Constitutional?

- City has a social media policy prohibiting “negative comments” about the agency.
- Two employees posted comments on Facebook criticizing other younger employees’ lack of qualifications and other internal operations.
- The agency disciplined the employees and were placed on probation for six months, and were therefore unable to participate in applications for promotions.



# First Amendment Retaliation

- ANSWER: NO.
- *Liverman v. City of St. Petersburg*, No. 15-2207 (4th Cir. Dec. 15, 2016)
- The Court held that the department's social media policy prohibiting negative comments about the agency was unconstitutional.
- Also held that disciplinary action taken against two employees, whom were found to have violated the policy due to Facebook postings, violated their First Amendment rights.



# Florida Public-Sector Whistleblower's Act

- What is a Whistleblower?
  - In general, any employee/person who refuses to engage in and/or reports illegal or wrongful activities of his/her employer or fellow employees.
- Purpose
  - Protects employees and non-employees from retaliation
  - Includes independent contractors



# Florida Public-Sector Whistleblower's Act

- Activities Protected/Disclosures protected include:
  - Any violation/suspected violation of any law, rule or regulation that creates a danger to the public's health, safety or welfare; or
  - Any act/suspected act of gross mismanagement, malfeasance, misfeasance, nonfeasance, gross waste of funds or neglect of duty.



# Florida Public-Sector Whistleblower's Act

- To be Protected, employee/person must also:
  - Disclose information in a signed complaint;
  - Request to participate in an investigation;
  - Refuse to participate in an adverse act; or
  - Initiate a complaint with Inspector General, Office of Governor, or Office of Public Counsel.



# Florida Public-Sector Whistleblower's Act

- Employers are prohibited from retaliating against a whistleblower either by:
  - Dismissal;
  - Discipline; or
  - Any other adverse employment action
    - Transfer, demotion, reduction in salary/benefits.





# Florida Public-Sector Whistleblower's Act

- Remedies

- Reinstatement to same or equivalent position;
- Reinstatement of benefits and seniority;
- Lost wages and benefits; and
- Costs and attorney's fees.



# EEOC's Work Regarding Protections for the LGBT Community

- EEOC tasked with interpreting and enforcing Title VII's prohibition of sex discrimination
- EEOC includes discrimination based upon gender identity or sexual orientation in its definition.
  - Title VII applies to all federal, state, and local government agencies in their capacity as employers, and to all private employers with 15 or more employees.
  - Protections also apply regardless of any contrary state or local law.
- Though current federal case law does not recognize a cause of action for discrimination based upon sexual orientation, the legal landscape seems to be trending towards recognition



# Things to Remember

- Use Correct Pronouns – supervisors and coworkers should use the name and pronouns that corresponds with an employee's gender identity.
- Be sensitive to stereotypes and misconceptions that can escalate into discrimination or harassment.
- Respect privacy and maintain confidentiality.



# Transgender Individuals

- U.S. Transgender Population
  - As of June 2016, estimated as 1.4 million adults.
  - “Transgender” term defined as individuals whose gender identity is different from the sex they were assigned at birth.
- Target’s Solution
  - Facing a boycott regarding its restroom usage policy, Target decided to add a single-user restroom to each of its 1800 stores nationwide, which will necessitate a cost of \$20 million dollars.



# When is an Employee Considered Transgender?

- Hypothetical: An employee notifies you, that she is transgender. You may have questions and want to know whether the employee had gender reassignment surgery or legally changed her name.
  - These questions are irrelevant and in some cases, illegal to ask an employee.
- For most jurisdictions, an employee is considered transgendered as soon as he or she identifies with a gender that is different from the one he or she was assigned at birth.



# Bathroom Access for Transgender Individuals

- EEOC & OSHA Support Transgender Rights
  - OSHA's Guide to Restroom Access for Transgender Workers
    - All employees/students must have access to restrooms that correspond to their gender identity.
    - Failure to provide ready access could constitute a violation of OSHA's Sanitation Standard (29 C.F.R. 1910.141), which prohibits employers from imposing unreasonable restrictions on employee use of restroom facilities.



**Thank you**

**Questions?**

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Florida A&M University

2017 MANAGEMENT SEMINAR

HR At-A-Glance





# *HR Mission/Vision Statements*

## **HR Mission**

To continually improve and sustain the University's ability to attract, develop and retain excellent and diverse talent in a compliant and inclusive environment.

## **HR Vision Statement**

To become the undisputed high performing center of excellence for talent management, diversity, and stakeholder engagement.



# *HR Core Values*

## **Core Values**

**Diversity and Inclusion** – Understanding, respecting and leveraging the differences of individuals and their respective cultures through active participation and stakeholder engagement.

**Performance** – Achieving the best results through ownership and successful completion of our work, on time and within budget, for the greater good of the team and the University.

**Respect** – Showing kindness and regard for the dignity and contributions of others in a diplomatic, tempered and compassionate manner.

**Service Excellence** – Delivering services, systems and tools to all stakeholders with the highest level of professionalism, integrity, competency and honesty.

**Teamwork** – Working together toward a common purpose and goal through collaboration and partnering with all stakeholders for the greater good of the team and the University.



# *HR Guiding Principles*

Communications

Ethical Behavior

Give and Receive Feedback

Manage Conflict

Understand our Roles and Responsibilities as Team Members

Make Decisions

Problem Solve and Process Improvement



# *HR At-a-Glance*

## **Areas of Responsibility**

- Benefits and Retirement
- Classification, Recruitment and Employment
- Diversity and Inclusion
- Employee Relations and Records Management
- Organizational Development and Training
- Payroll
- Time and Labor
- Workforce Administration

## **Strategic Imperatives**

- Diversity and Inclusion
- Operational Effectiveness and Efficiency
- Talent Management

## **HR Administration/Key Projects**

- Strategic Planning and Alignment
- SACSCOC (Ongoing)
- Diversity and Inclusion
- Talent Review and Career Development
- Leveraging Technology
- Executive Recruitment and Onboarding
- Organizational Assessments and Realignment



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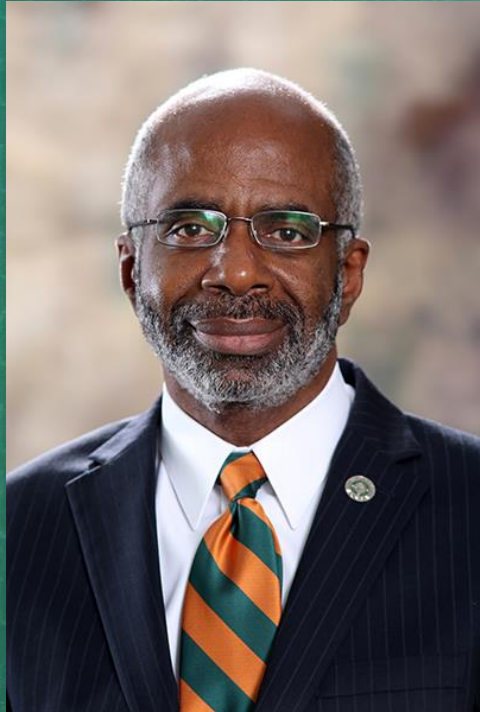
Florida A&M University

2017 MANAGEMENT SEMINAR

Overview of Diversity & Inclusion (D&I)



# *FAMU is fully committed to diversity and inclusion.*



FAMU has always embraced diversity and inclusion as it relates to understanding and valuing differences, as well as leveraging the differences and similarities of all of our University constituents and key stakeholders for the greater good of our University.

We will be celebrating 130 years of Excellence with Caring in October of this year. What I do know to be true is that it took everyone working together to get us where we are today, and it will take everyone working together to get us to where we need to be.

~LARRY ROBINSON, Ph.D.  
Interim University President  
Florida Agricultural and Mechanical University



# *FAMU is fully committed to diversity and inclusion.*

*Our culture is fueled by our diversity;  
Strengthened by inclusion;  
Upheld by tradition;  
Propelled by innovation...and...research;  
Infused with courage; and  
Sustained by our willingness to own our mistakes as we learn from them and move forward...*

*We own our success, because it generates excitement;  
We pursue our destiny because it is where we are meant to be;  
We fulfill our purpose because society demands it...*

*We want you for all you have to offer;  
We want you to want us because of what we have to offer...  
An affordable, high quality education; the opportunity to engage in deliberate research; and, noble service.*

*We will make you a better you and will provide you with a direct path to life long success beyond the boundaries of our locations and into the global communities...*

*Why.....*

*Because we are Florida Agricultural and Mechanical University....*

*Because we are FAMU!*

*~JOYCE A. INGRAM, J.D.  
Associate Vice President and Chief HR and Diversity Officer, Florida Agricultural and Mechanical University*



# So What is Diversity and Inclusion at FAMU?





# Diversity & Inclusion: Strategic Alignment

Office of Vice President for Strategic Planning, Analysis and Institutional Effectiveness

University Strategic Plan “FAMU Rising” was approved by BOT.

**Mission:** FAMU is an 1890 land-grant institution dedicated to...**FAMU embraces persons of all races, ethnic origins and nationalities as life-long members of the university community.**

**Vision:** FAMU will be recognized as a premier land-grant, doctoral-research university that produces globally competitive graduates.

**Core Values:** Scholarship, Excellence, Openness, Fiscal Responsibility, Accountability, Collaboration, **Diversity**, Service, Fairness, Courage, Integrity, Respect, Collegiality, Freedom, Ethics and Shared Governance.

**University Strategic Priorities 1, 2 and 5:** Exceptional Student Experience, Excellent and Renowned Faculty and First-Class Business Infrastructure.

Source: FAMU FORWARD Online newsletter



# *Diversity & Inclusion (D&I)*

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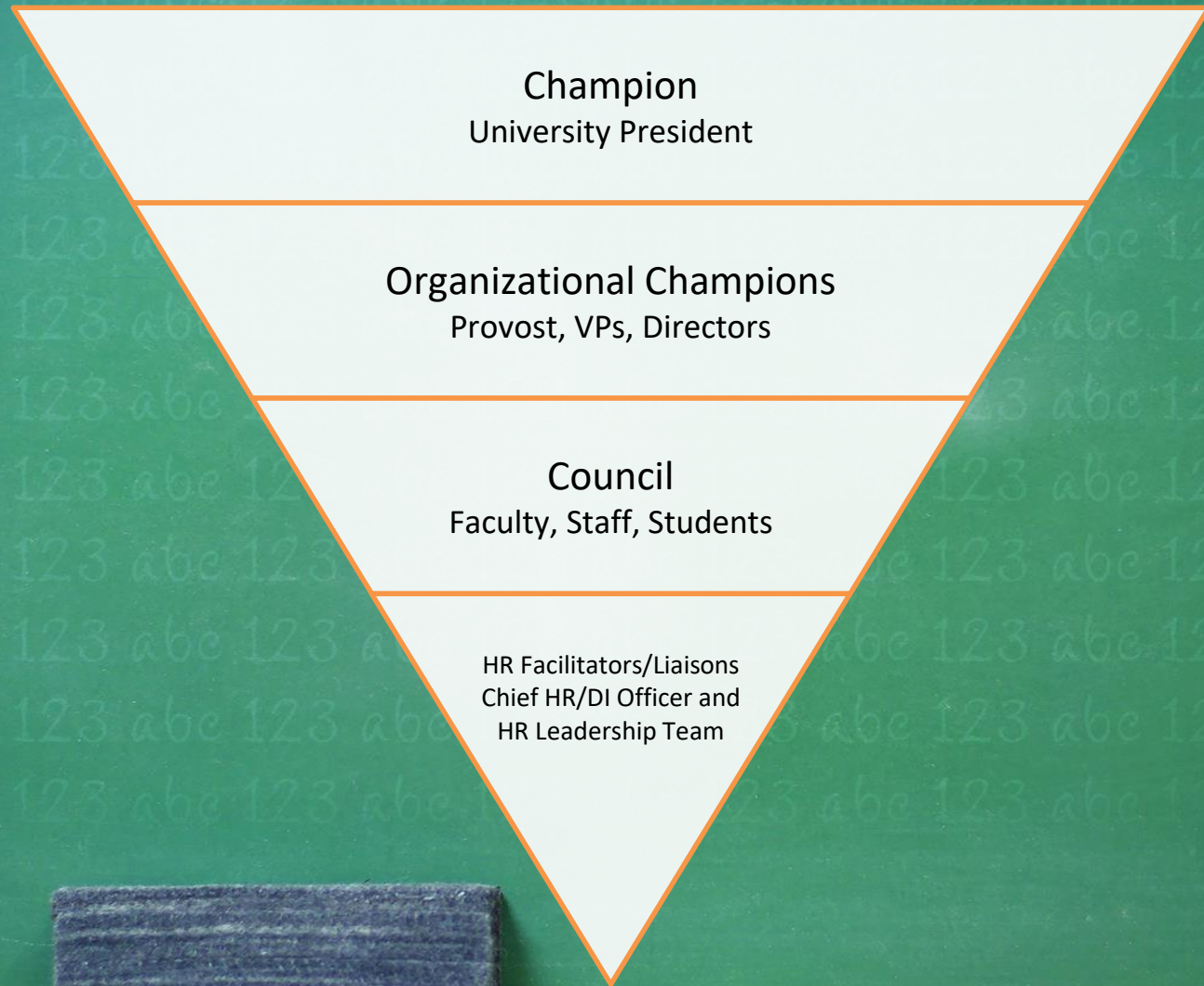


# *Diversity & Inclusion Framework*

- Diversity & Inclusion Executive Summary
  - ✓ Hired Assistant Director, Diversity & Inclusion - February 2016
  - ✓ Developed a culture survey timeline for implementation
  - ✓ Benchmarked other Universities' Diversity Initiatives/Programs
  - ✓ Identified consultant for culture survey to faculty and staff
- Diversity & Inclusion Framework with Seven (7) Key Focus Areas
- University Champion – President
- Organizational Champions – Provost and VPs, Directors & Council Members
- Solicitation for Council Members



# Diversity and Inclusion Structure



# Diversity & Inclusion Council

## Seven (7) Key Focus Areas

Faculty, Students, Staff  
Engagement

Organizational Development  
and Training

Recruitment Development and  
Retention

Communication

Community and Global  
Engagement

Policy and Program  
Development

Measurement and  
Reporting

General Diversity and  
Inclusion Initiatives

Strategic Plan

Culture Survey

HR Projects:

- D&I website
- Training



# Next steps:



6) Ongoing development & implementation of the framework

4) Create a University-wide Diversity & Inclusion Council



5) Create Subcommittees to support the seven key focus areas.

### Seven (7) Key Focus Areas

- Faculty, Students and Staff Engagement;
- Organizational Development and Training;
- Recruitment, Development & Retention;
- Community and Global Engagement;
- Communication;
- Policy and Program Development;
- Measurement and Reporting

3) Share Survey results with University Leadership/Campus Community



2) Develop Strategies to address culture opportunities/gaps through the Key Focus Areas



1) Conduct Culture Survey and Internal Assessment



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Florida A&M University

2017 MANAGEMENT SEMINAR

Performance Management for A&P and USPS Employees

Office of Human Resources



# *Policy Review*

- ▶ *Per Florida Statute 110.224 (2), each public employee must have a performance evaluation at least annually, and the employee must receive an oral and written assessment of his or her performance evaluation.*
- ▶ *It is the University Regulation of Florida A&M University to communicate to Administrative and Professional (A&P) and University Support Personnel System (USPS) employee's job performance expectations and management's evaluation of the employee's job performance [University Regulation 10.119].*







# *HR At-a-Glance*

## *A&P Performance Evaluations*

- ▶ Annual
- ▶ Rating Period - July 1 - June 30
- ▶ Two (2) Forms
  - ▶ Evaluation Objectives
  - ▶ Annual Performance Evaluation



# HR At-a-Glance

## A&P Performance Evaluation Forms

**FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY  
A&P AND NON- UNIT FACULTY EVALUATION OBJECTIVES FORM**

Objectives from \_\_\_\_\_ through \_\_\_\_\_

EMPLOYEE: \_\_\_\_\_ TITLE: \_\_\_\_\_

**General Instructions:** The supervisor and employee meet prior to the beginning of the rating period to mutually set the objectives to be met during the next year. List the objectives below. The supervisor and employee both sign this form (and any additional forms used for the setting of objectives) and each retains a copy. At the end of the rating period, the supervisor, using the Evaluation Form will evaluate the employee's efforts in accomplishing these objectives as well as the routine duties and responsibilities and will discuss the evaluation with the employee.

**OBJECTIVES:**

1. Objectives: \_\_\_\_\_

2. Objectives: \_\_\_\_\_

3. Objectives: \_\_\_\_\_

4. Objectives: \_\_\_\_\_

5. Objectives: \_\_\_\_\_

6. Objectives: \_\_\_\_\_

7. Objectives: \_\_\_\_\_

8. Objectives: \_\_\_\_\_

General Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Supervisor's Signature \_\_\_\_\_ Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

**FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY  
A&P AND NON- UNIT FACULTY  
ANNUAL PERFORMANCE EVALUATION FORM**

PART I

EMPLOYEE: \_\_\_\_\_ EMPLOYEE ID NUMBER: \_\_\_\_\_

CLASS TITLE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_

REVIEW PERIOD FROM: \_\_\_\_\_ TO: \_\_\_\_\_

**Ratings: 1= Unsatisfactory, 2= Marginal, 3= Satisfactory,  
4= Above Satisfactory, 5= Outstanding**

PART II

A. **General Responsibilities:** Rating

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

PART III

B. **Specific Objectives:**

1. \_\_\_\_\_

2. \_\_\_\_\_

# *HR At-a-Glance*

## *USPS Performance Evaluations*

- ▶ Probationary - Begins 30 days prior
  - ▶ Six (6) months for USPS employees except for Law Enforcement
  - ▶ Twelve (12) months for Law Enforcement
- ▶ Annual - Anniversary Date - Submit to HR 30 days after
- ▶ Special
- ▶ Three (3) Forms
  - ▶ Performance Standards
  - ▶ Supervisory
  - ▶ Non-Supervisory



# HR At-a-Glance

## USPS Performance Standards Form

PERFORMANCE STANDARDS FORM						
Employee's Name		Employee ID Number		Evaluation Date		
Class Code	Class Title	Position Number	Dept./College/School			
<p><b>INSTRUCTIONS:</b> Please complete at the beginning of the Evaluation Period with 30 days following the employee's evaluation date. Attach a copy to Performance Evaluation Form for inclusion in employee's Personnel File and give a copy to the employee.</p> <p style="text-align: right;"><b>*AUTHORITY LEVELS:</b>            1 - Complete Authority            2 - Act then report            3 - Act after approval            4 - Act after Instructions</p>						
Rank In Priority Order	Major Duties and Responsibilities (Must be taken from position description)	Performance Standards Measurements (Must be expressed in quality, quantity, cost or time)	Authority Level*			
			1	2	3	4
<div style="border-bottom: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> Supervisor's Signature <div style="border-bottom: 1px solid black; width: 80%; margin: 0 auto; height: 20px;"></div> Date		<div style="border-bottom: 1px solid black; width: 100%; height: 20px; margin-bottom: 5px;"></div> Employee's Signature <div style="border-bottom: 1px solid black; width: 80%; margin: 0 auto; height: 20px;"></div> Date				

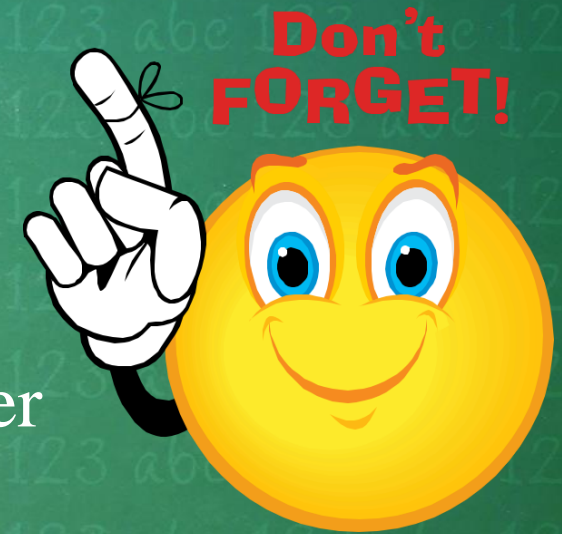




# *HR At-a-Glance*

## *A&P and USPS Performance Evaluations Recap*

- ▶ A&P
  - ▶ Rating Period ends on June 30
- ▶ USPS
  - ▶ Probationary - Begins 30 days prior
  - ▶ Annual - Anniversary Date - Submit to HR 30 days after
  - ▶ Special
- ▶ Don't forget, Don't wait & Call us!
  - ▶ Sandi Smith Anderson, 850.599.3441
  - ▶ Nicola Perry, 840.412.7050



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Florida A&M University

2017 MANAGEMENT SEMINAR

FAMU Supervisory Bootcamp





# *Supervisory Bootcamp*

- Offered through the Office of Organizational Development and Training (Human Resources)
- Targets FAMU frontline supervisors and managers
- Provides management, transactional and leadership skills to help supervisors and managers be more effective at FAMU
- Participants take part as a cohort -Cohorts are limited to 25
- 3- 4 month commitment -approximately 17-22 face to face and online courses (depending on participants) are needed to complete the Bootcamp
- First cohort started in 2016 (25 participants)
- We are on our 4<sup>th</sup> Cohort (Approximately 100 supervisors, managers or aspiring supervisors have participated or are participating)



# Supervisory Bootcamp

## • Benefits:

- *Important skills for managing people*
- *Review of transactional processes to assure good stewardship*
- *Cohort venue helps create broader FAMU networks and community for the participants*
- *Pride in demonstrated knowledge gain and expansion of organizational network*
- *More effective in leadership and meeting the management challenge*

## • Example of Courses

- Hiring and Selection
- Leadership Skills for High Performance
- Payroll
- Non-Harassment Issues, Consensual Relationships, and Title IX
- Ethics and Integrity
- Document Retention
- Team and Group Dynamics
- Effective Communication
- Disciplinary Actions
- Performance Review



# Supervisory Bootcamp

Metrics are used to track participants' current knowledge, knowledge gains and their trending needs as FAMU Supervisors and Managers

- Pre test and post are done

(these are used two ways: 1]to help us understand the level of the participants' knowledge and adjust relevancy of materials as needed; 2] to gauge the knowledge gained by the participants from the program)

- Completion rates

(for assessing our engagement abilities and participant commitment level of learning material)

- Evaluation by participants

(on level of satisfaction and engagement)

## Results so far:

- 37% to 60% knowledge gain of materials (Pre test to Post test)
- 77 to 93% completion rate (supports evaluations and relevancy of materials)
- Consistently high levels of satisfaction (of course delivery on evaluation sheets)
- Baseline data for future surveys and research – Bootcamp effect on applied supervisory skills and retention at FAMU



# *Supervisory Bootcamp*

For more information- 3 ways:

- Call: The Office of Organizational Development and Training (ODT)
  - Shanna Barber (850) 561-2048 shanna.barber@fam.u.edu ,
  - Melvina Paul (850) 412-5149 melvina.paul@fam.u.edu ,
  - Bridget Roberts (850) 412-5145 bridget.roberts@fam.u.edu
- Watch For Emails: “FAMU Training” Listserve- Posted approximately every two weeks
- Visit: [ODT's Training calendar](#)  
[ODT's Training Catalog for other Offerings](#)



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HR's Seven (7) Ps



# HR's Seven (7) Ps

- **Passion**
- **People**
- **Performance**
- **Perseverance**
- **Perspective**
- **Principle**
- **Preference for risk-taking**



Thank you!

Joyce A. Ingram, J.D.

850.412.5146 or [joyce.ingram@famuedu](mailto:joyce.ingram@famuedu)

Mark Palazeski, Ph.D.

850.599.8300 or [mark.palazeski@famuedu](mailto:mark.palazeski@famuedu)

Sandi M. Smith Anderson, M.A.S.S.

850.599.3441 or [sandi.Anderson@famuedu](mailto:sandi.Anderson@famuedu)



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JEANNE CLERY





## What is the Clery Act

- Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986 by another student. Her school had not informed students about 38 violent crimes that occurred on campus in the three years prior to her murder. It is the belief of her parents that Jeanne would have been more cautious or made a different school choice if she had known about other violent crimes at Lehigh. The law enacted in her memory is intended to ensure that students and other campus community members are informed about campus crime so they can make informed decisions.



The Clery Act requires that universities distribute crime statistics to current students and all campus employees by October 1 each year.

Crime statistics must be made available to all perspective students and staff upon request.



# What is included in the report?

- Crime reporting policy, procedure, and responses
- Access to campus facilities and residence halls
- Security considerations used in maintenance
- Enforcement and arrest authority of campus police
- Working relationship with state and local police
- Encouragement of prompt reporting of crimes
- Drug and alcohol abuse prevention information



Campus and community crime statistics

Policies for reporting crimes and emergencies

Campus Security Authorities and Resources

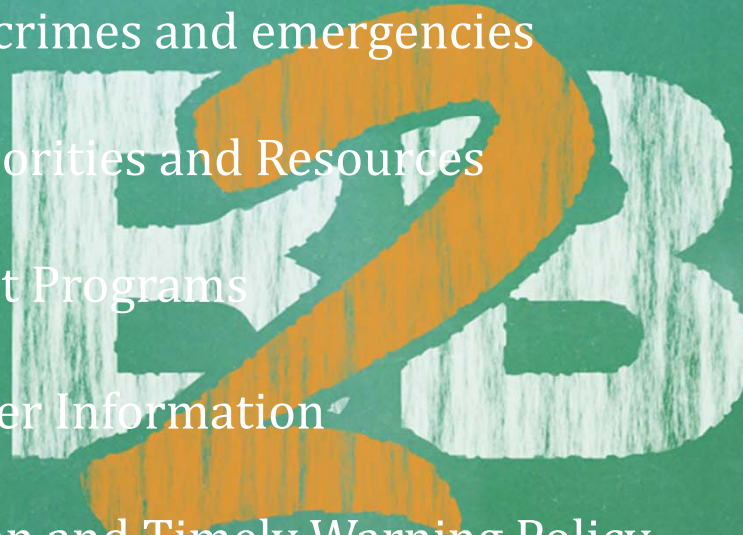
Campus Sexual Assault Programs

Registered Sex Offender Information

Emergency Notification and Timely Warning Policy

Missing Student Notification Policy

Annual Fire Safety Report



# What does this mean to you?

- Many crimes (especially sexual assaults) go unreported to police but may be reported to others.
- Data is collected from **Campus Security Authorities** to get the most accurate crime statistics possible which is where you come in.



# Timely Warnings

- Information provided by Campus Security Authority personnel will assist Public Safety in issuing Timely Warnings to alert the campus to crimes that pose a serious or continuing threat.



# The law defines four categories of Campus Security Authority:

- University Police
- Non-police security staff responsible for monitoring university property
- People or offices designated by our policies as those to whom crimes should be reported
- Officials with significant responsibility for students and campus activities – which is YOU!



# Personnel not considered as Campus Security Authority are:

- Administrative staff not responsible for students (e.g., payroll, facilities)
- Clerical Staff
- Individual faculty who do NOT serve as advisor to a registered student organization





# Who are Campus Security Authorities

- **Examples of CSAs**

- Deans
- Student Housing Staff
- Athletic Coaches
- Student Activities Coordinators
- Officials who oversee a student center
- Student Judicial Officers
- Resident Assistants (RAs)
- Student Advisors
- Faculty Advisors to student organizations

- **NOT CSAs**

- Administrative staff not responsible for student activities (e.g., payroll, facilities)
- Clerical staff
- Individual faculty who DO NOT serve as advisors to registered student organizations
- Doctors in the Student Health Center, or Counselors in the Counseling Center, who only provide care to individual students



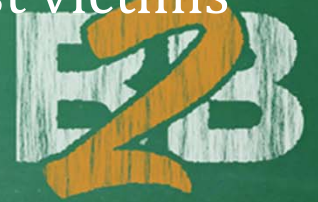
# Who is EXEMPT from reporting requirements?

- Licensed professional mental health counselors
- Pastoral counselors (employed by a religious organization to provide confidential counseling) who are working within the scope of their license or religious assignment at the time they receive the crime report



## As a CSA:

- If someone tells you about a crime or an incident that may be a crime, you must record the information and submit a report to FAMU Police.
- •Just get the facts, experts will determine the crime
- •Fill out the CSA reporting form
- •Tell the victim about options to report and how to do so
- •Offer help by connecting to campus programs that assist victims of sexual assault and other assault



# What must be reported:

- These crimes must be reported:

- •Homicide
- •Sex Offenses
- •Aggravated Assault
- •Robbery
- •Burglary
- •Motor Vehicle Theft
- •Arson



## Continued:

- You must also report:
- •Hate crimes, including any of the seven previously listed crimes, and; Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property if motivated by bias (race, gender, religion, sexual orientation, ethnicity/national origin, disability)
- •Liquor, drug and weapons violations– both arrests AND disciplinary referrals



In March 2013, President Obama signed a bill that strengthened the Violence Against Women Act (VAWA). Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE) that amends the Clery Act to include reporting of the following effective 2014:

- **Dating violence** • **Domestic violence** • **Stalking**
- The 3 new Clery crimes listed above must be tracked for inclusion in the reporting of Clery crime statistics starting with the October 2014 Annual Security Reports. Work with your respective chain of command about any additional reporting of these types of crimes.
- The Annual Security Report must also include updated policy statements to include VAWA requirements addressing Sexual Harassment Policy and Procedures for Responding to Complaints of Sexual Harassment.



**When in doubt -  
report it!**



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Title IX and ACT Health and Security Issues





# Title IX

Carrie Gavin

Director of Equal Opportunity Programs

and

Title IX Coordinator



# Title IX Update

- FAMU statistics
- Responsible Employees
- New NCAA requirements
- Anticipated changes with Title IX



# Reporting Suspected Sexual Violence

Victim may report to:

- Police – campus police or off-campus
- Title IX Coordinator
- For confidential/anonymous reporting
  - Office of Counseling Services
  - Student Health Services
- Victims may also seek services from Refuge House



# Assessment and Care Team

## Membership:

- Angela Coleman, Associate Vice President Student Affairs and Dean of Students
- Antoneia Roe, Director Student Conduct & Conflict Resolution and Associate Dean of Students
- Carrie Gavin, Director EOP and Title IX Coordinator
- Herb Johnson, Resident Director, FAMU Village West
- Anika Fields, Director Office of Counseling Services
- Audrey Alexander, Lieutenant, Campus Safety and Security
- Carl Goodman, Associate Provost for Undergraduate Education
- Tanya Tatum, Director Student Health Services





The Assessment and Care Team acts to intervene in cases where there are concerns with a student's behavior.

Reportable behaviors include:

- Emotional outbursts
- Intimidating/harassing others
- Disruptive behavior on campus
- Threats of self-harm or harm to others
- Concerns of relationship violence
- Other behavioral concerns



# How to Make an ACT Referral

- [www.famu.edu/studentlife](http://www.famu.edu/studentlife)
- Click on tab “Behavioral Intervention Team”
- Click on link BIT Referral Form



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Active Shooter Statistics, Prevention and Response

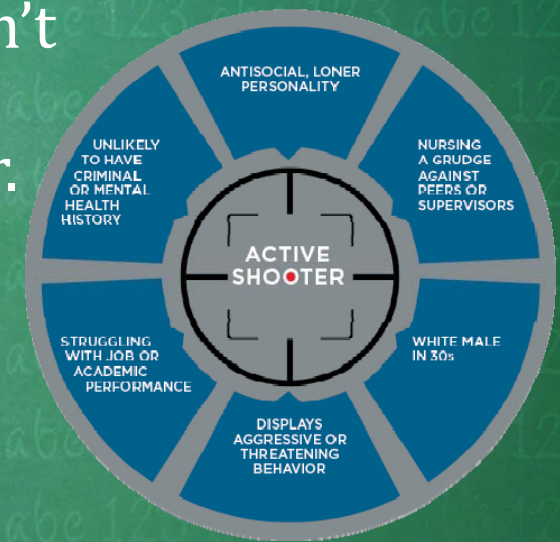




# Active Shooter Profile

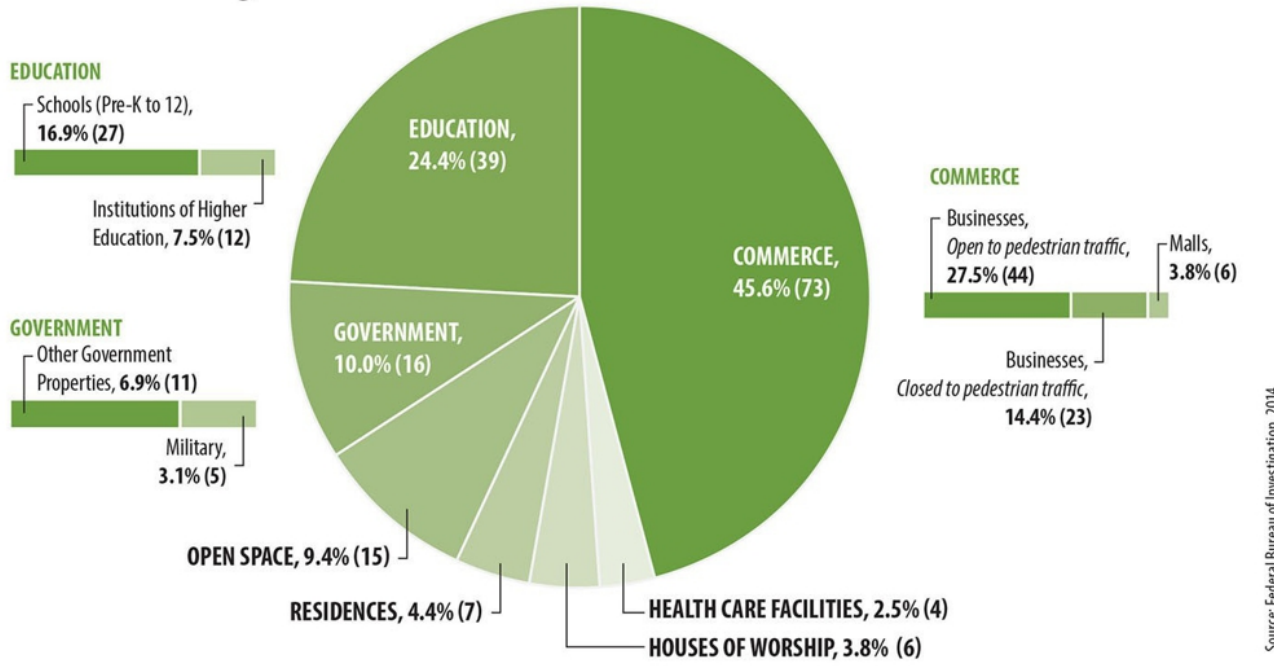
“When you look at the FBI’s database of these incidents, one thing you see is they’re non-descript.” “You can’t pinpoint where or when it’s going to happen, and there’s no telling who could be the shooter. It can be a person of any shape or size, and you can tie it to mental health, a disgruntled employee, ideology, so it’s incredibly unpredictable. All you can do is raise awareness and prepare.”

-Shooter Detection Systems’ Danny Marshall



# Active Shooter Statistics 2012-2013

A Study of 160 Active Shooter Incidents in the United States Between 2000 - 2013:  
**Location Categories**



# Campus Shootings 2014

- 15 Incidents
- 15 Wounded
- 6 Killed



# Campus Shootings 2015

- 23 Incidents
- 26 Wounded
- 18 Killed



# Citizens Crime Commission Report

- Published Oct. 2016
- Shootings on campus or within 2 miles of campus
- 300% increase in people killed in most recent 5 year period studied
- 2001/02 – 2005/06
  - 40 incidents
- 2011/12 – 2015/16
  - 101 incidents
  - 153% increase



# Citizens Crime Commission Report

- 2001/02 – 2005/06
  - 61 casualties
- 2006/07 – 2010/11
  - 168 casualties
  - Increase of 300.97%
- 2011/12 – 2016
  - 208 casualties
  - Increase of 123%



# Citizens Crime Commission Report

- 190 incidents 2001 – 2016
  - 167 killed
  - 270 wounded
    - 290 students
    - 77 not associated
    - 40 employees
    - 5 former students



# Citizens Crime Commission Report

- 145 incidents where institution relationship identified
  - 59% shooter not associated
  - 28% student
  - 9% former student
  - 4% employee



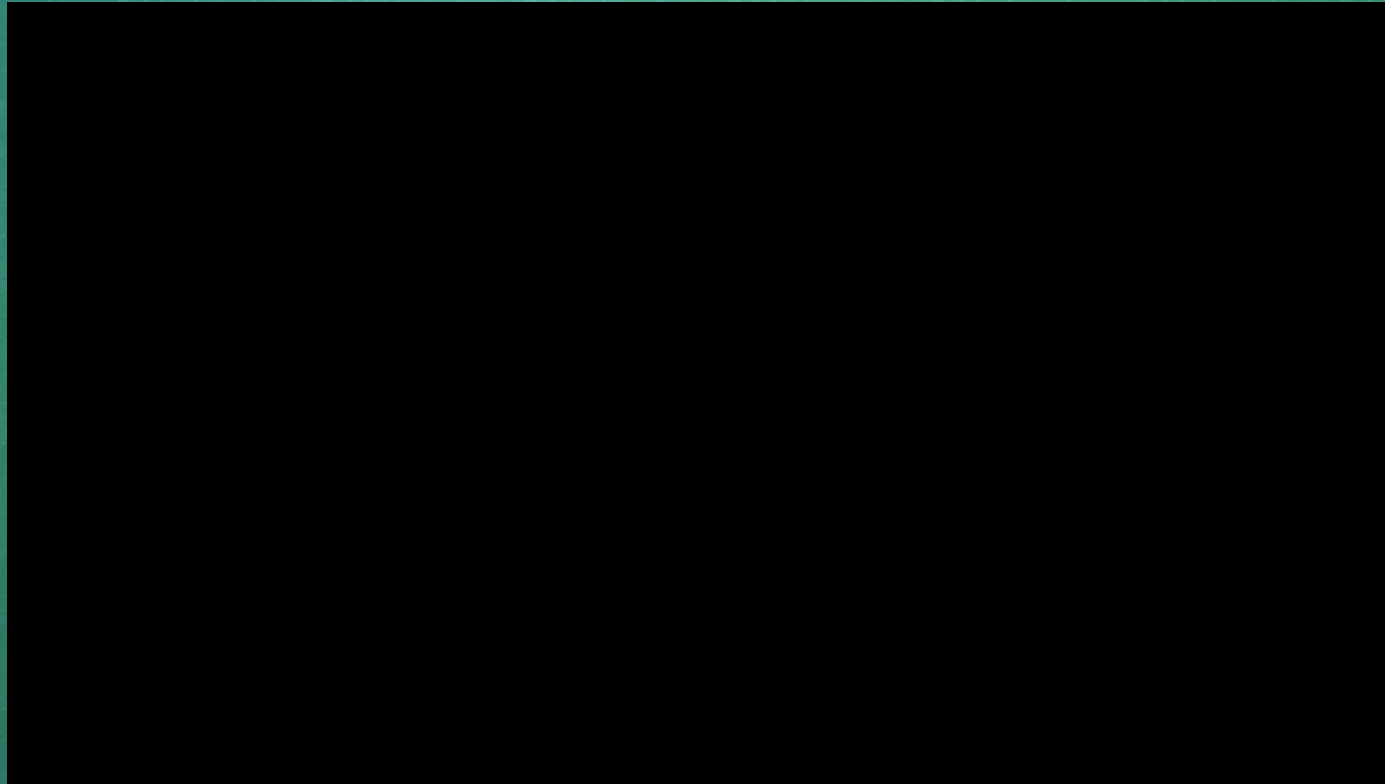


# Citizens Crime Commission Report

- 149 incidents where circumstance of shooting is known
  - 38% dispute
  - 21% robbery
  - 11% targeting specific person (student/employee)
  - 7% domestic violence
  - 5% mass casualty intended (active shooter)
  - 4% denied entry or removed from party
  - 2% other



# Active Shooter Video



# Law Enforcement Response

- Multi-agency response
  - FAMU PD, TPD, LCSO, FSU PD, ABT, FBI, EMS, TFD
- Notification system
  - Web, text, sirens, building alarm systems (if equipped)
- Enter the building on arrival
  - Focus is on ending the threat
  - Rescue will not take place until building has been secured



# Run!

- Know your exits
  - Some exits may not be obvious if trapped or in a hurry
    - Windows, dry wall...
  - Leave belongings behind
  - Keep hands empty for law enforcement response
  - Make contact with loved ones / staff once you are safe
  - Do not make sudden movements towards law enforcement
  - Do not stop law enforcement for directions
  - Call 911 if you have information that can help law enforcement



# Hide!

- Cover
  - Prevents bullets from penetrating
    - Steel, possibly full file cabinets
- Concealment
  - Hides you from being seen, does not stop bullets
    - Dry wall, empty filing cabinets, desks, doors, vehicles
- Barricade and/or secure the door
- Turn off lights
- Cover windows



# Door Lock Technology



# Fight!

- Fight for your life!
- Anything can be a weapon
  - Umbrella
  - Keys
  - Chairs
- Do NOT pick up the weapon used (can be confused as the shooter)



# Preventing Active Shooters

- Well-lit parking areas with good visibility from the facility
- Security team performing visible patrol activity in marked vehicles, bike patrols and foot patrols.
- Classroom doors swing inwards and have commercial-grade locks that can be locked from inside the classroom
- Faculty/Staff members are trained to recognize and respond to potential signs of impending violence/aggression





# Preventing Active Shooters

- Badge audits/key audits are conducted regularly to ensure that all access control credentials to sensitive areas (mechanical, HVAC, labs, etc.) are accounted for.
- Faculty/Staff/Students members are trained and have drilled in RUN/HIDE/FIGHT
- Well-lit campus for nighttime activities to ensure visibility
- Notification systems are in place to alert students/faculty/visitors of potential issues on campus. Students and staff informed on how to use the system



# Preventing Active Shooters

- “See something-say something” is enforced: post signage reminding people of campus safety phone numbers for notification if personnel see something unusual
- Staff conducts regular drills, table top exercises, and “what if” scenarios
- Anonymous text or phone tip solutions adopted to encourage students, parents and staff to report concerning behavior



# Preventing Active Shooters

- Security/Law enforcement is made aware of employee counseling/termination issues
- Security/Law enforcement is aware of any potential LE related student issues (registered sex offenders, restraining orders, mental/behavioral health issues, etc.)
- Security review/assessments are conducted regularly
- RAs/Dorm personnel are trained to recognize potential issues



# Preventing Active Shooters

- Use of security cameras with live video feed
- Almost always a friend / co-worker / relative knew of threats made or the threats were present on social media
- Threats made over the Internet (including social media) are a felony.
- Being that students also live off campus, communication between FAMU and local law enforcement is essential



# Questions?



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## Open Government Overview

Patricia R. Gleason  
Special Counsel for Open Government  
Attorney General Pam Bondi



# Sunshine Law

- Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels. In the absence of statutory exemption, it applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action.





# Scope of the Sunshine Law

- Board members may not engage in private discussions with each other about board business, either in person or by telephoning, emailing, texting or any other type of electronic communication (i.e Facebook, blogs).



## Scope of the Sunshine Law

- While an individual board member is not prohibited from discussing board business with staff or a nonboard member, these individuals may not be used as a liaison to communicate information between board members. For example, a board member cannot ask staff to poll the other board members to determine their views on a board issue.



# Scope of the Sunshine Law

There are three basic requirements:

1. Meetings of public boards or commissions must be open to the public
2. Reasonable notice of such meetings must be provided; and
3. Minutes of the meetings must be prepared and open to public inspection.



# Scope of the Sunshine Law

The Sunshine Law applies to advisory boards created pursuant to law or ordinance or otherwise established by public agencies or officials.



# Scope of the Sunshine Law

- Staff meetings are not normally subject to the Sunshine Law.
- However, staff committees may be subject to the Sunshine Law if they are deemed to be part of the “decision making process” as opposed to traditional staff functions like factfinding or information gathering.



## Scope of the Sunshine Law

- Only the Legislature may create an exemption from the Sunshine Law (by a two-thirds vote). Exemptions are strictly construed.
- An exemption from the Public Records Law does not allow a board to close a meeting. Instead, a specific exemption from the Sunshine Law is required.



# Board meetings

- While boards may adopt reasonable rules and policies to ensure orderly conduct of meetings, the Sunshine law does not allow boards to ban nondisruptive videotaping, tape recording, or photography at public meetings.



# Board meetings

- Section 286.0114, F.S., provides, subject to listed exceptions, that boards must allow an opportunity for the public to be heard before the board takes official action on a proposition. The statute does not prohibit boards from “maintaining orderly conduct or proper decorum in a public meeting.”





# Penalties

- Civil action
- Criminal penalties
- Suspension or removal from office



# Public Records Law

- Florida's Public Records Act, Chapter 119, Florida Statutes, provides a right of access to records of state and local governments as well as to private entities acting on their behalf.
- If material falls within the definition of "public record" it must be disclosed to the public unless there is a statutory exemption.



# The term “public records” means:

- a) All “documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics, or means of transmission” (**includes electronic communications like text messages, emails**).
- b) Made or received pursuant to law or ordinance or in connection with the transaction of official business
- c) By any agency [including a private entity acting ‘on behalf of’ a public agency]
- d) Which are used to perpetuate, communicate, or formalize knowledge.



# Providing Public Records

- a) Public records cannot be withheld at the request of the sender
- b) A requestor is not required to show a “legitimate” or “noncommercial interest” as a condition of access
- c) A request cannot be denied because it is “overbroad”
- d) Unless authorized by another statute, an agency may not require that public records requests be in writing or require the requester to identify himself or herself



# Providing Public Records

- The Public Records Act does not contain a specific time limit (such as 24 hours or 10 days).
- The Florida Supreme Court has stated that the only delay in producing records permitted under the statute is the reasonable time allowed the custodian to retrieve the record and redact those portions of the record the custodian asserts are exempt.



# Providing Public Records

- An agency is not required to comply with a “standing” request for records that may be created in the future.
- An agency is not required to answer questions about the public records (other than information on how to obtain them, like the cost)
- An agency is not required to create a new record



## Fees – Ch. 119

- Chapter 119 authorizes the custodian to charge a fee of up to 15 cents per one-sided copy for copies that are 14 inches by 8 1/2 inches or less. An additional 5 cents may be charged for two-sided copies. For other copies, the charge is the actual cost of duplication of the record. Actual cost of duplication means the cost of the material and supplies used to duplicate the record but does not include labor or overhead cost.



## Fees – Ch. 119

- In addition to the actual cost of duplication, an agency may impose a reasonable service charge for the actual cost of extensive labor and information technology required due to the large volume of a request.





# Retention

- All public records encompassed by Chapter 119, F.S. must be retained in accordance with retention schedules approved by the Department of State
- Even exempt records must be retained



# Penalties for Noncompliance

- A. Criminal penalties
- B. Civil action
- C. Attorney's fees



# Additional Resources

- Office of Attorney General Pam Bondi website:  
<http://www.myfloridalegal.com>
  - Access the Sunshine Manual &
  - Attorney General Opinions
- First Amendment Foundation website:  
<http://www.floridafaf.org>
  - Access legislative information; open government news



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PROCUREMENT SERVICES



# *Procurement Services*

**Florida A&M University**

**Back 2 Basics**

**September 19, 2017**



# *Procurement Services*

- *Acquisitions*
- *Contract Administration*
- *Procurement Card (Pcard) Administration*
- *Procurement Compliance*
- *Supplier (Vendor) Management*
- *Receiving*



# *Procurement Management Team*

- **Stephany Fall, Chief Procurement Officer and Director of Procurement Services**
- **Pamela Lightbourne, Contract Administrator**
- **Don Tolliver, Procurement Compliance Manager**
- **(Vacant), Assistant Director of Procurement Services**





# *Procurement Staff*

## *Acquisitions*

- ❖ Cheryl Sumner
- ❖ Annette Roberts
- ❖ Vacant Position

## *Contracts*

- ❖ Myron Cobbs
- ❖ Melanie Johnson
- ❖ Cheryl Beasley

## *Procurement Compliance*

- ❖ Sam Long
- ❖ Felita Bush

## *Receiving*

- ❖ George Austin
- ❖ Calvin Moore, Sr

## *Supplier Maintenance*

- ❖ Sylvia Blake



# Acquisitions

- Acquire goods and services to support university activities in compliance with BOT Req. 6.005 which requires the following:
  - Three quotes for items > **\$5,000**
  - Three written quotes > **\$10,000 to \$75,000**
  - Competitive Solicitations > **\$75,000**

# *Contract Administration*

- We solicit, negotiate and develop contracts in support of the University activities in compliance with of the following: FAMU BOT Regulation 6.005, Florida Statutes, Federal Regulations and Florida BOG Regulations.
- All contracts for goods and services **MUST** be submitted to Procurement Services before General Counsel's review.



# *P*Card Administration

- The Director of Procurement Services serves as the Pcard Administrator and is responsible for the following:
  - ❖ Pcard Training
  - ❖ Pcard Issuance
  - ❖ Pcard Compliance – review charges to ensure compliance with BOT Regulations, Policy and Procedures.



# *Procurement Compliance*

- Consist of Procurement and Pcard compliance
  - ❖ Review all Pcard purchases
  - ❖ Ensure all purchases are in compliance
  - ❖ Solicit justification of purchases
  - ❖ Recommend suspension or termination of card for non compliance and seek financial retribution



# *Supplier (Vendor) Management*

- Review all Supplier applications
  - ❖ Sunbiz,
  - ❖ Suspended Vendor list, etc.
  - ❖ Human Resources
- Enter vendor application
- Update Supplier information



# Central Receiving

- Responsible to the delivery of all goods shipped to the University



# Questions





THANK YOU



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Travel and Expense Policy and Procedure



# Function of the Travel Office

- The Travel Office is responsible for auditing and processing business-related travel expenses in accordance with procedures outlined in Section 112.061, F.S. which includes processing:
  1. Travel Authorizations
  2. Cash Advances
  3. Expense Reports



# Facts About Travel

- Travel costs must be within budgetary limitations.
- No commitments to travel or to incur travel expenses are to be made without the appropriate approvals.
- As a result of the internal audits, the traveler may receive less reimbursement than requested. Also, additional documentation, justification and/or certification may be required.



# Facts About Travel

- Any Travel over 30 days must be approved by the President.
- Any Foreign Travel must be approved by the President.
- Warrant Distribution will call the Department for check pick-up for (Students and Non-Employee).
- Employees will receive reimbursements by direct deposit. (Account from HR System)



# Types of Travel

- Class A travel-- travel of 24 hours or more away from official headquarters.
- Class B travel-- travel of less than 24 hours which involves overnight absence from official headquarters.
- Class C travel--Travel for short or day trips where the traveler is not away from his or her official headquarters overnight. (NO MEALS)
- Foreign travel--Travel outside the United States.



# Processing Cash Advances

- To receive payment prior to travel, advance request must be in the Travel Office Queue 10 business days before departure date. Only employees may receive a cash advance. Advances will be direct deposit.
- Travelers are not permitted to have more than one advance outstanding at any time.
- Must be settled 10 days after return to official headquarters.
- Are payroll deducted if not processed in 30 days.  
*(employee may not longer receive a cash advance)*



# Processing Travel Advances

- Advance is submitted in T& E Module before travel and along with the Travel Authorization Request.
- Traveler receives 80% of estimated items that can be advanced (100 % for Group Travel with students)
- Receipts must include a completed roster with all required signatures for Group travel. (MUST INCLUDE ROSTER)





# Processing Expense Reports

- Occurs after traveler returns from travel
- Processing time for Reimbursements is 3 to 5 business days after received in the Travel Office.
  - What prevents timely processing:
    - Date document is received in the Travel Office
    - Missing required documents
      - Benefit statement (for conferences/conventions)
      - Receipts (ex. Baggage)
      - Programs/Conference Agenda



# Processing Expense Reports

- Documentation Requirements
  - Lodging receipts must be itemized daily showing single occupancy rate.
  - Copy of Airline Ticket (if purchased by Employee)
  - Copy of Airline Itinerary is required for foreign travel
  - Receipts (i.e. taxi tolls, parking; etc.) (should be attached to ER in iRattler)
  - Itemized Copy of car rental receipt
  - Incidental receipts (i.e. taxi tolls, parking etc)
  - Conference and Convention information if applicable
  - ADA Documentation (if applicable)



# Questions



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# BACK<sup>2</sup> BASICS

Florida A&M University

2017 MANAGEMENT SEMINAR

INTERNATIONAL EDUCATION



# OVERVIEW

- International Agreements
- Faculty-Led Study Abroad
- Latin American And Caribbean Scholarship



# INTERNATIONAL AGREEMENTS

- Submit to OIED
- Export Control
- Reviewed by Office of General Counsel



# FACULTY-LED STUDY ABROAD

- Proposals
  - Logistics
  - Budget
- Review Process
- Health & Safety





# LATIN AMERICAN AND CARIBBEAN SCHOLARSHIP

- Criteria
- Process
- Matching scholarship funds
  - \$500 per semester (\$1,000 per year)
  - 50% must be state or federal funds
  - 50% can be from other funding source



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# BACK<sup>2</sup> BASICS

Florida A&M University

2017 MANAGEMENT SEMINAR

Export Control and Intellectual Property



# Office of Technology Transfer and Export Control

Reis Alsberry, Director

David Teek, Export Control Coordinator



# Technology Transfer

in·tel·lec·tu·al prop·er·ty

/,ɪn(t)əˈlɛk(t)ʃ(əw)əl ˈprɒpərdi/ 

*noun*

1. a work or invention that is the result of creativity, such as a manuscript or a design, to which one has rights and for which one may apply for a patent, copyright, trademark, etc.

Powered by Oxford Dictionaries




# FAMU Technology Transfer

## *Taking your discovery to the global marketplace*

- The Office of Technology Transfer works to protect intellectual property developed through FAMU research and assist in its commercialization.
- Faculty inventions and discoveries are disclosed to Tech Transfer where they are evaluated for commercial potential.
- When market potential is present, work begins on patenting it.
  - This is a lengthy process, so starting early helps!
- Inventions can be commercialized by licensing them to an existing company, or by forming a startup.
- ***While intellectual property developed through university work is owned by FAMU, faculty inventors typically receive 40% of all revenues generated through commercialization.***



# Disclosure and Evaluation

  
CONFIDENTIAL INVENTION DISCLOSURE FORM

<small>FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY DIVISION OF RESEARCH OFFICE OF TECHNOLOGY TRANSFER 116 FOOT-BELLEVILLE ADMINISTRATION CENTER</small>	<small>Date Rec'd PI Name FAMU #</small>
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The Florida A&M University Office of Technology Transfer (OTT) reviews and endeavors to license all inventions received from members of the FAMU Community. The University will share income resulting from the licensing of inventions with FAMU's inventors according to the University's Policy on Intellectual Property.

This form serves to notify the OTT of your inventions, related sponsorship, public disclosure history, and establishes a legal documentation of inventorship. This form should be submitted to the OTT when new inventions are conceived and/or reduced to practice before public disclosure. Invention disclosures will only be accepted if they are submitted on this disclosure form and are complete.

<b>Invention Title</b> <small>Very brief, descriptive &amp; technically accurate</small>	
<b>Description of Invention</b> <small>Starting with the problems addressed, describe the novelty of success, including materials, processes, concepts, algorithms, etc that constitute the invention. Should enable a technically competent person to understand what the invention does and how it works. Attach extra pages &amp; drawings, sketches, data, etc. if necessary.</small>	<small><input type="checkbox"/> Product <input type="checkbox"/> Process <input type="checkbox"/> Method <input type="checkbox"/> Device <input type="checkbox"/> Design <input type="checkbox"/> Material <input type="checkbox"/> New use of known drug, product etc <input type="checkbox"/> Software <input type="checkbox"/> Film; circuit <input type="checkbox"/> Bioreactor related <input type="checkbox"/> Animal, vegetable <input type="checkbox"/> Antibody mark all that apply</small>

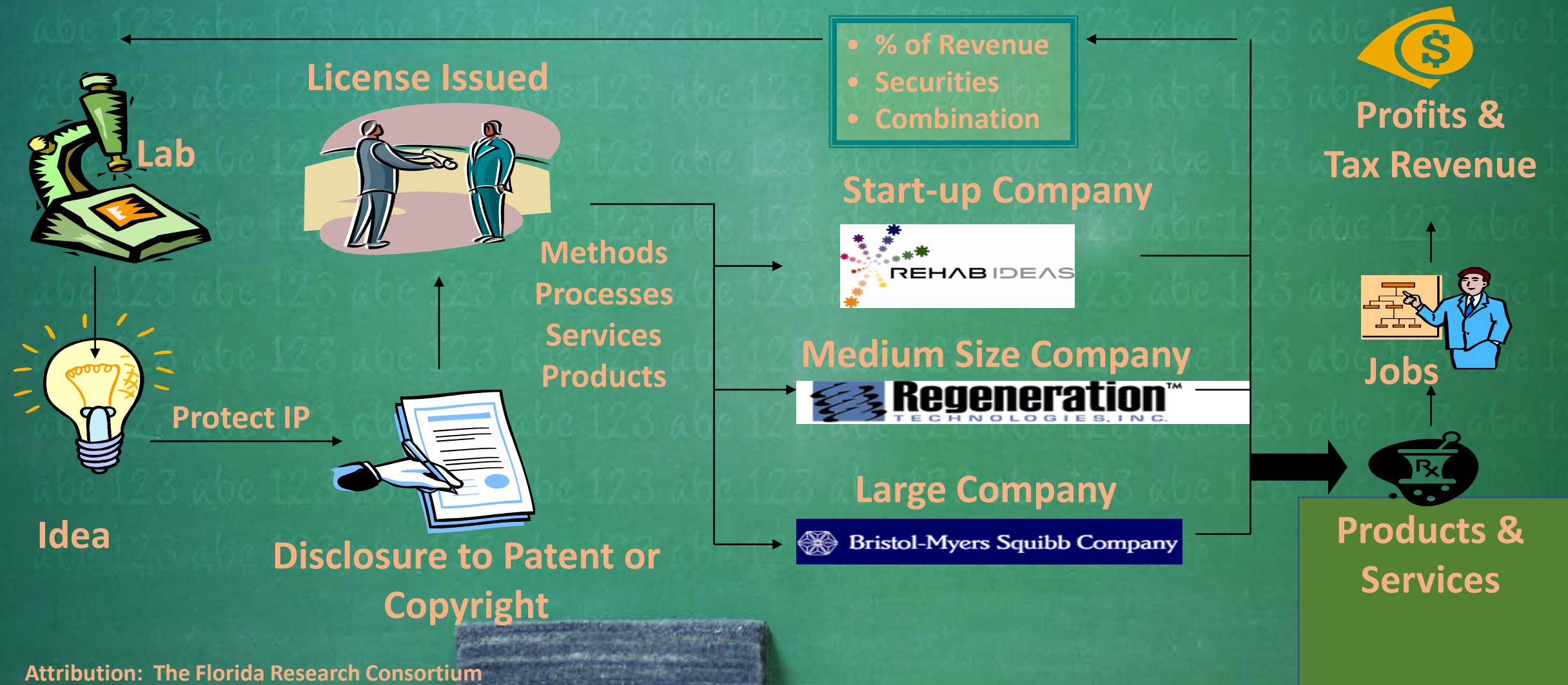
Revised September 2015      FAMU Confidential Invention Disclosure Form      Page 1 of 7

## Technology Evaluation

1. How valuable is it to FAMU?
2. How valuable is it to a potential licensee?
3. Is there a good market for it?
4. How difficult would it be to practice?
5. How long can we protect it / exclude others from practicing?
6. How difficult will it be to secure a royalty bearing license?



# Lab To Market – A Chain of Value





# Expanding Innovation

## *New partnerships and capabilities – team approach*

- Domi Station partnership provides incubator working space and access to mentors, experts and funders.
- Technology Commercialization Accelerator Program (with Domi and Florida Institute) provides commercialization and entrepreneurship training and assistance.
- Assistance in developing and submitting projects for NSF Innovation Corps Team grants.
- Florida Institute for Commercialization of Public Research provides services and access to capital.
- Working with local government and business community to strengthen technology commercialization support network.



# FAMU Export Controls



# Export Controls Basics

- “Export Controls” are various legal restrictions on sharing or allowing access to certain kinds of information or technology to foreign nationals or entities.
- Civil and criminal penalties can apply to violations.
- Sponsored (and unsponsored) research projects, grants and contracts reviewed in post award set up prior to initiation.
  - Fundamental research (open and published) is generally exempt.
  - Licenses / tailored technology control plans may be needed for advanced or proprietary research.
  - **Responsibility for compliance rests with the Principle Investigator.**



# Basics

- Visa applicant screening (database and document review).
- International travel with information and/or data.
- Shipping protocols for international shipments (including to international entities within US territories).



# What does being subject to export controls mean?

1. **Something about the activity is unallowable by law, or**
2. **Something about activity is not public or cannot be made public, and**
  - *Inputs* provided by the sponsor
  - Research *conduct* (i.e. the things you do)
  - *Output* resulting from the activity
3. **Whatever is not public is also identified on a control list**
  - EAR Commerce Control List (CCL)
  - ITAR U.S. Munitions List (USML)
  - NRC List
4. **Technologies on the control list are “off limits” to foreign persons**
  - Things in the lab
  - Information, know-how and technical data
  - Research results
  - IT systems and data



# What is an Export?

## Export

- Actual shipment or transmission (including hand carrying) of something out of the U.S. or release in the U.S. of technology to a foreign person
- Transferring ownership of something to someone outside of the U.S.
- Disclosing (including oral & visual) technical data or know-how to a foreign person abroad or in the U.S.
- Performing a defense service or providing guidance to a foreign person abroad or in the U.S.



# Primary Regulatory Authorities

*State*



*International  
Traffic in Arms  
Regulations*

"ITAR"



*Commerce*



*Export  
Administration  
Regulations*

"EAR"



*Treasury*



*Foreign Asset  
Control  
Regulations*

"OFAC"



*Energy*



*Department of  
Energy  
Acquisition Regs.*

"DEAR"



# FAMU Export Control Policy

## *Faculty and staff responsibilities*

- It is the responsibility of University faculty, officers, staff, students, administration and collaborators to be aware of the export control requirements under the regulations and the compliance program administered by the Export Control Compliance Office.
- For sponsored projects, **it is the responsibility of the principal investigator** to ensure that the sponsored project is consistent with the export control regulations, this policy and applicable University procedures.
- If the export activity is not a sponsored project, it is the responsibility of the exporter to ensure the export is consistent with the export control regulations, this policy and applicable University procedures.





# University Fundamental Research Exemption

## *Export Administration Regulation 734.8*

- Basic and applied research in science and engineering
- Accredited U.S. institution of higher learning
- Resulting information is ordinarily published shared broadly within the scientific community.
- Distinguished from proprietary research and from industrial development, design and production, and product utilization, the results of which are ordinarily restricted for proprietary reasons or specific national security reasons.



# University Activities excluded from export control

## *Publicly Available (EAR)*

- Published information (734.7)
- Fundamental research (734.8)
- University, federal agencies, corporate and research based elsewhere
- Educational information (734.9) – general science & math
- Patent applications (734.10)

## *Public Domain (ITAR)*

- Marketing information on function or purpose
- Published, available at news stand, libraries, conference, meeting, seminar, trade show exhibition, public patent office
- Approved for public release
- Fundamental research



# Travelling abroad

- "Know Before You Go"
- Destination
  - Place-based restrictions and potential required approvals
  - International travel must not involve the export of defense articles, data or performance of defense services, including instruction
- Restricted Parties, Entities, Universities, Persons & Companies
- Purpose of the Trip
- Export of Equipment or Data
  - Need to comply with United States export statutes and regulations taking equipment, computer software or technical data outside of the country.
- Safety and Security while Traveling Abroad



ERB



## FAMU BOT REGULATIONS

- 1.019 University Code of Conduct
- 2.012 Conduct, Student Code of
- 2.028 Anti-hazing
- 5.003 Electronic Connectivity
- 6.001 Purchasing Program
- 6.002 Standard of Conduct (Purchasing)
- 6.005 Purchase of Commodities and Contractual Services
- 10.102 Classification; Compensation (see also attached Policy 2005-15 – Separation and Return of Academic Administrators to Faculty)
- 10.103 Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures
- 10.112 Consensual Relationships
- 10.131 Employee Background Screening and Fingerprinting

Link to all University Regulations

<http://www.famu.edu/index.cfm?a=regulations#>

## FAMU BOT POLICIES

- 2005-15 Separation and Return of Academic Administrators to Faculty**
- 2005-23 Benefits and Leaves**
- 2006-04 Purchasing Cards**
- 2006-05 Motor Pool and Vehicle Use Policy**
- 2008-01 University Communication/Media Policy**
- 2017-02 Student Education Records**

Link to all BOT Policies

<http://www.famu.edu/index.cfm?BOT&Policies>

## FAMU OGC ADVISORIES

- 11-02      Contract Procedures
- 13-01      Subpoenas, Summons, Court Orders, and Other Written Requests for Information
- 2013-01    Risk Management Advisory and Procedures

Link to Office of the General Counsel Advisories

<http://www.famu.edu/index.cfm?a=generalcounsel#>

## ADDITIONAL INFORMATION

1. **FAMU Non-Discrimination Policy Statement Link**  
<http://www.famu.edu/index.cfm?EOP&NON-DISCRIMINATIONPOLICYSTATEMENT>
2. **FAMU Drug-Free Workplace Policy Link**  
<http://www.famu.edu/hr/Drug Free Workplace Policy.pdf>
3. **Links to FAMU Collective Bargaining Agreements Links**  
<http://www.famu.edu/hr/2010-2013%20AFSCME%20Collective%20Bargaining%20Agreement.pdf>  
[http://www.famu.edu/AcademicAffairs/FAMU%20UFF%20CBA\\_Ratified\\_%208\\_15\\_%205.5x8.5.pdf](http://www.famu.edu/AcademicAffairs/FAMU%20UFF%20CBA_Ratified_%208_15_%205.5x8.5.pdf)  
[http://www.famu.edu/AcademicAffairs/uff\\_gradagreement%20-%20020415.pdf](http://www.famu.edu/AcademicAffairs/uff_gradagreement%20-%20020415.pdf)  
<http://www.famu.edu/AcademicAffairs/2012-2015%20FAMU-DRS%20Collective%20Bargaining%20Agreement.pdf>
4. **FAMU Delegations of Authority Index Link**  
<http://www.famu.edu/generalcounsel/delegations%20of%20authority%20index%2006-17%20rev.pdf>
5. **Florida Board of Governors Regulation 3.002 - Penalties for Failure to Report Child Abuse**

**Link to Board of Governors Regulations**

<http://www.flbog.org/about/regulations/>