

C.F. 7687



THE FLORIDA STATE UNIVERSITY
OFFICE OF THE GENERAL COUNSEL



09 SEP 24 PM 1:00

September 24, 2009

Vikki R. Shirley
General Counsel
Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, Florida

Re: FLORIDA STATE UNIVERSITY
REQUEST FOR APPROVAL OF NAMING EXCEPTION
"Kirby W. Kemper Off-Grid Zero Emissions Building"

Dear Ms. Shirley:

Pursuant to Board of Governors Regulation 9.005, Naming of Buildings and Facilities, and Section 267.062, Florida Statutes, Florida State University revised its Procedures for Naming Florida State University Buildings, etc. which is attached. Consistent with the referenced BOG Regulation, the Procedure requires the approval of the Board of Governors before naming a building for any active State University System member, including faculty.

The Florida State University Board of Trustees approved the naming of the Off-Grid Zero Emissions Building on campus for Dr. Kirby W. Kemper, Professor of Physics and Vice President for Research, at its meeting of September 17, 2009. Dr. Kemper is an "active SUS member". This naming decision meets all requirements of FSU procedure for naming, including approval by the appropriate university committees.

Therefore, we hereby request an exception as referenced in BOG Regulation 9.005.

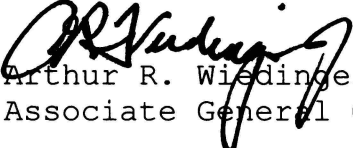
Also, please let me know if this is not the best protocol for submitting the item to the Board of Governors. We will

850.644.4440

try to comply with whatever the Chancellor deems appropriate.

I have attached relevant documents. As always, I am most happy to answer any questions.

Very Truly Yours,


Arthur R. Wiedinger Jr
Associate General Counsel

/aw

Enclosure

THE FLORIDA STATE UNIVERSITY BOARD OF TRUSTEES MEETING

THURSDAY, SEPTEMBER 17, 2009

8:00 A.M. – 12:00 NOON

FSU FOUNDATION BOARDROOM ~ ROOM 269, 2ND FLOOR
2010 LEVY AVENUE ~ BUILDING B ~ TALLAHASSEE, FLORIDA

CALL-IN NUMBERS:

Long Distance: 1-800-210-4771

Local: 850-645-9020

A G E N D A

CONTINENTAL BREAKFAST

I. CALL TO ORDER AND WELCOME

Mr. Jim Smith, Chair

II. APPROVAL OF MINUTES (ACTION)

- June 17, 2009, Meeting
- July 21, 2009, Meeting

III. FSU'S GOT BRAINS: TOP STUDENT RESEARCHERS

- Sarah Diesburg, Doctoral Student, College of Arts & Sciences
- Marlee McCleary, Undergraduate Student, College of Social Sciences
- Jeremy Bary, Undergraduate Student, College of Arts & Sciences

IV. UPDATES & REPORTS

A. Comments, Faculty Senate

Dr. Jayne Standley, Past President of Faculty Senate

B. Comments, Student Government Association

Ms. Lauren Robertson, Vice President of Student Government Association

- C. Legal Update
Ms. Betty Steffens, University General Counsel
 - 1. Columbarium Committee
 - 2. Status of Legal Issues

- D. University Relations & Advancement Update
Ms. Lee Hinkle, Vice President for University Relations & Advancement
 - 1. Capital Campaign Update
 - 2. BOT Selection Process

V. CONSENT ITEMS – ONE MOTION

- A. Request for Approval of 2009-1010 Work Plan for the Office of Audit Services
- B. Request for Approval of Status Report on Purchase Orders over \$1 Million and 5 year+ Service Contracts for Fiscal Year 2008-2009
- C. Request for Approval of Status Report on Construction Projects over \$1 Million for Fiscal Year 2008-2009
- D. Request for Final Approval after Notice of FY 2009-2010 Tuition Policy and Administrative Action
- E. Request for Approval of Wellness Center Revenue Bonds/Security Pledged for Repayments
- F. Request for Approval of SGA Bills and Resolutions
- G. Request for Approval of Five (5) Year Enrollment Plan
- H. Request for Approval of ACC Certification

VI. ACADEMIC AFFAIRS

Information Items:

- A. Academic Affairs Update
Dr. Lawrence Abele, Executive Vice President for Academic Affairs & Provost
- B. Contracts & Grants Update
Dr. Kirby Kemper, Vice President for Research

VII. FINANCE AND BUSINESS

Information Items:

- A. Status of Fee to Offset Administrative Costs Associated with Drop/Add Courses
Mr. John Carnaghi, Senior Vice President for Finance and Administration

Agenda Items (ACTION):

B. Finalization of the following Budgets (tentatively approved June 17, 2009)

1. 2009-2010 Operating Budget
2. 2009-2010 Direct Support Organizations Operating Budget
3. 2010-2011 Fixed Capital Outlay Budget Request

Mr. John Carnaghi

C. Off-Grid Zero Emission Building Naming

Mr. John Carnaghi

VIII. STUDENT AFFAIRS

Information Items:

A. H1N1 Update

Dr. Mary Coburn, Vice President for Student Affairs

B. Athletics Update

Mr. Randy Spetman, Director of Athletics

IX. CHAIRMAN'S REPORT

Mr. Jim Smith, Chair

X. PRESIDENT'S REPORT

Dr. T.K. Wetherell, President

BREAK

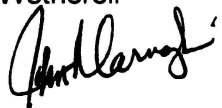
XI. PRESIDENTIAL SEARCH UPDATE

Mr. John Hicks, Consultant

XII. OPEN FORUM FOR BOARD MEMBERS

XIII. ADJOURNMENT

**MEMORANDUM**

TO: President T. K. Wetherell
FROM: John Carnaghi 
DATE: August 25, 2009
SUBJECT: Naming of the Off-Grid Zero Emission Building
Request for Approval

Florida State University has been asked to consider the naming of the Off-Grid Zero Emissions Building, Building 4114, in honor of Dr. Kirby Kemper, Vice President for Research at Florida State.

The Energy and Sustainability Center (ESC) at Florida State University was set up to address the most challenging energy issues related to the use of alternative energy through the development of innovated solutions for consumers and industry. Their most recent project, the Off-Grid Zero Emission Building, was completed earlier this year and serves as a prototype for the development and implementation of cutting-edge, alternative energy technologies in building design. The 1000 square foot building provides space for two bedrooms, offices, and other living and working spaces. This arrangement and the technology used in its design, makes the Off-Grid Zero Emission Building a model for future campus designers.

A fixture in the University's Physics Department for over 40 years, Dr. Kemper is a trusted and highly respected researcher, teacher, and administrator. His contributions to the science of physics, as well as the Department of Physics and the University are too numerous to detail. Since joining the Physics faculty at Florida State in 1968, Dr. Kemper has served as both the Associate Chair and Chair of the Physics Department. He has also served as the Director of that department's graduate studies program. In 2003, he was awarded the Robert O. Lawton Distinguished Professor recognition, the University's highest faculty honor.

In that same year, Dr. Kemper was appointed Vice President for Research, a position he still fills today, overseeing the University's varied and highly successful research programs.

It is fitting, therefore, that the University consider naming a building as significant as the Off-Grid Zero Emissions Building after a person like Dr. Kirby Kemper, whose contributions to science, education, and research are so noteworthy.

The Committee on Naming Campus Buildings and Facilities has endorsed this request, as evidenced by the attached memo.

If approved, this item will be submitted to the Board of Governors for their consideration, as required by Florida Statute 267.062 and Board of Governor's Regulation 9.005.

I recommend your approval.

Attachment

Approved

214 Westcott Building, Florida State University, P.O.Box 3061320, Tallahassee, FL 32306-1320
Telephone 850.644.4444, Fax 850.644.4447



MEMORANDUM

TO: John Carnaghi
Vice President for Finance and Administration

FROM: Anne E. Rowe *ASR*
Dean of the Faculties and Deputy Provost

DATE: August 27, 2009

RE: Subcommittee on Naming Campus Buildings and Facilities

The Subcommittee on Naming Campus Buildings voted unanimously to support the request to name the newly constructed sustainable energy building after Kirby Kemper.

There were a total of 7 "yes" votes, with no abstentions.

It is my understanding that the building will be named The Kirby W. Kemper Off-Grid Zero Emissions Building. Please let me know if additional information is needed.

AER/cd

Procedures for the Naming of any Florida State University Building, Road, Bridge, Park, Recreational Complex, or Other Similar Facility (Buildings and Facilities), and for Naming Rooms and Spaces

- (1) **The naming** of any building or facility must be approved by the Board of Trustees as a noticed, non-consent agenda item.
- (2) **Gift-related naming** of buildings or facilities requires a donation which makes a significant contribution to the cost of the building or facility as established by the Board of Trustees policy.
- (3) **Non-gift related naming** should be reserved for individuals who have made significant contributions to the university or to the State of Florida or to the fields of education, government, science or human betterment and who are of recognized accomplishment and character.
- (4) **Naming Buildings and Facilities for Deceased Persons.** A campus building or an identifiable exterior facility, such as a sports complex, may be named for a deceased person when recommended by the President and approved by the Florida State University Board of Trustees. Naming proposals originating with campus units are submitted with detailed supporting documentation through the unit's division Vice President to the Chair of the University Campus Development and Space Committee (Vice President for Finance and Administration). Academic Departments submit proposals through their Dean and Vice President.
- (5) **Naming Buildings and Facilities for Living Persons.** A campus building or an identifiable exterior facility, such as a sports complex, may be named for a living person. Honorary naming for buildings and facilities is not allowed for an active State University System member, including staff, faculty, students, or trustees. Exceptions require Board of Governors approval. Naming proposals originating with campus units are submitted with detailed supporting documentation through the unit's division Vice President to the Chair of the University Campus Development and Space Committee (Vice President for Finance and Administration). Academic Departments submit proposals through their Dean and Vice President.
- (6) **Naming Rooms and Campus Spaces.** Rooms in campus buildings and exterior spaces on the campus not identified as facilities may be named for deceased or living persons upon approval by the President. Naming proposals originating with campus units are submitted with detailed supporting documentation through the unit's division Vice President to the Chair of the University Campus Development and Space Committee (Vice President for Finance and Administration). Academic Departments submit proposals through their Dean and Vice President.
- (7) **Procedures.** Naming proposals received by the Chair of the University Campus Development and Space Committee originating with campus units or other interested parties are referred to the **Subcommittee on Naming Campus Buildings and Facilities**, which is composed of the Dean of the Faculties (Chair), the Senior Vice President for Finance & Administration, the Provost & Executive Vice President for Academic Affairs, the Vice President for Student Affairs, the Vice President for University Relations, a President's appointee, the Associate Vice President for Facilities, and the President of the Student Body,

or the designee of any of the foregoing. The Subcommittee determines the appropriateness of proposals and prepares recommendations to be considered by its parent committee for submission to the President. After approval by the President, proposals are noticed for the Board of Trustees as a non-consent agenda item. Implementation of recommendations approved by the Board of Trustees is the responsibility of the Vice President for Finance and Administration. After final approval, the name is conferred by the President at a naming ceremony arranged by the Office of Special Events. Questions about naming procedures may be referred to the Dean of the Faculties or the Vice President for Finance and Administration.

(8) Supporting Documentation.

- a. Where no gift is involved:
 - (i) A biographical summary should be included, along with a rationale articulating the proposed honoree's significant contributions to the university or to the State of Florida or to the fields of education, government, science or human betterment and describing the honoree's recognized accomplishment and character. Consideration will be given to the fact that many outstanding persons are deserving of recognition, yet few naming opportunities are available.
- b. Where a gift is involved:
- c. Consideration will be given to the significance and amount of the proposed gift.
- d. Consideration will also be given to the person and work of the donor to determine the donor's compatibility with the core values of the University as reflected in its mission statement.

(9) Duration.

- a. The name given under this policy to a campus building, identifiable exterior
 - (i) facility, room in a campus building, or exterior space on the campus not identified
 - (ii) as a facility shall continue for the life of the campus building, facility, room, or
 - (iii) space except as set forth in the paragraph below.
- b. Reservations. The University reserves the right to rename any campus building,
 - (i) facility, room, or space named for an honoree when it discovers information about
 - (ii) the honoree's conduct or actions that it determines is incompatible with the core
 - (iii) values of the University, regardless of when such conduct or actions occurred.
 - (iv) The University reserves the right, but does not have the obligation, to continue the
 - (v) use of the name of the honoree for a new building, facility, room, or space that
 - (vi) replaces the original.