1001.70 Board of Governors of the State University System.--
(1) Pursuant to s. 7(d), Art. IX of the State Constitution, the Board of Governors is established as a body corporate comprised of 17 members as follows: 14 citizen members appointed by the Governor subject to confirmation by the Senate; the Commissioner of Education; the chair of the advisory council of faculty senates or the equivalent; and the president of the Florida student association or the equivalent. The appointed members shall serve staggered 7-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments, 4 members shall serve 2-year terms, 5 members shall serve 3-year terms, and 5 members shall serve 7-year terms.
(2) Members of the Board of Governors shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061.
(3) The Board of Governors, in exercising its authority under the State Constitution and statutes, shall exercise its authority in a manner that supports, promotes, and enhances a K-20 education system that provides affordable access to postsecondary educational opportunities for residents of the state to the extent authorized by the State Constitution and state law.
History.--s. 1, ch. 2003-392; s. 75, ch. 2007-217.

1001.705 Responsibility for the State University System under s. 7, Art. IX of the State Constitution; legislative finding and intent.--
(1) LEGISLATIVE FINDINGS.--
(a) Definitions.--For purposes of this act, the term:
1. "Board of Governors" as it relates to the State University System and as used in s. 7, Art. IX of the State Constitution and Title XLVIII and other sections of the Florida Statutes is the Board of Governors of the State University System which belongs to and is part of the executive branch of state government.
2. "Institutions of higher learning" as used in the State Constitution and the Florida Statutes includes publicly funded state universities.
3. "Public officer" as used in the Florida Statutes includes members of the Board of Governors.
4. "State university" or "state universities" as used in the State Constitution and the Florida Statutes are agencies of the state which belong to and are part of the executive branch of state government. This definition of state universities as state agencies is only for the purposes of the delineation of constitutional lines of authority. Statutory exemptions for state universities from statutory provisions relating to state agencies that are in effect on the effective date of this act remain in effect and are not repealed by virtue of this definition of state universities.
(b) Constitutional duties of the Board of Governors of the State University System.--In accordance with s. 7, Art. IX of the State Constitution, the Board of Governors of the State University System has the duty to operate, regulate, control, and be fully responsible for the management of the whole publicly funded State University System and the board, or the board's designee, has responsibility for:
1. Defining the distinctive mission of each constituent university.
2. Defining the articulation of each constituent university in conjunction with the Legislature's authority over the public schools and community colleges.
3. Ensuring the well-planned coordination and operation of the State University System.
4. Avoiding wasteful duplication of facilities or programs within the State University System.
5. Accounting for expenditure of funds appropriated by the Legislature for the State University System as provided by law.
6. Submitting a budget request for legislative appropriations for the institutions under the supervision of the board as provided by law.
7. Adopting strategic plans for the State University System and each constituent university.
8. Approving, reviewing, and terminating degree programs of the State University System.
9. Governing admissions to the state universities.
10. Serving as the public employer to all public employees of state universities for collective bargaining purposes.
11. Establishing a personnel system for all state university employees; however, the Department of Management Services shall retain authority over state university employees for programs established in ss. 110.123, 110.1232, 110.1234, 110.1238, and 110.161, and in chapters 121, 122, and 238.
12. Complying with, and enforcing for institutions under the board's jurisdiction, all applicable local, state, and federal laws.

(c) Constitutional duties of the Legislature.---In accordance with s. 3, Art. II of the State Constitution, which establishes the separation of powers of three branches of government; s. 1, Art. III of the State Constitution, which vests the legislative power of the state in the Legislature; s. 8, Art. III of the State Constitution, which provides the exclusive executive veto power of the Governor and the exclusive veto override power of the Legislature; s. 19, Art. III of the State Constitution, which requires the Legislature to enact state planning and budget processes and requirements for budget requests by general law; s. 1, Art. VII of the State Constitution, which requires that the authority to expend state funds be by general law enacted by the Legislature; and s. 1, Art. IX of the State Constitution, which requires the Legislature to make adequate provision by law for the "establishment, maintenance, and operation of institutions of higher learning," the Legislature has the following responsibilities:
1. Making provision by law for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.
2. Appropriating all state funds through the General Appropriations Act or other law.
3. Establishing tuition and fees.
4. Establishing policies relating to merit and need-based student financial aid.
5. Establishing policies relating to expenditure of, accountability for, and management of funds appropriated by the Legislature or revenues authorized by the Legislature. This includes, but is not limited to, policies relating to: budgeting; deposit of funds; investments; accounting; purchasing, procurement, and contracting; insurance; audits; maintenance and construction of facilities; property; bond financing; leasing; and information reporting.
6. Maintaining the actuarial and fiscal soundness of centrally administered state systems by requiring state universities to continue to participate in programs such as the Florida Retirement System, the state group health insurance programs, the state telecommunications and data network (SUNCOM), and the state casualty insurance program.

7. Establishing and regulating the use of state powers and protections, including, but not limited to, eminent domain, certified law enforcement, and sovereign immunity.

8. Establishing policies relating to the health, safety, and welfare of students, employees, and the public while present on the campuses of institutions of higher learning.

(2) LEGISLATIVE INTENT.--It is the intent of the Legislature to reenact laws relating to the Board of Governors of the State University System, the university boards of trustees, the State Board of Education, and the postsecondary education system in accordance with the findings of this act.

1001.706 Powers and duties of the Board of Governors.--

(1) GENERAL PROVISIONS.--

(a) For each constituent university, the Board of Governors, or the board's designee, shall be responsible for cost-effective policy decisions appropriate to the university's mission, the implementation and maintenance of high-quality education programs within law, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.

(b) The Board of Governors shall adopt rules pursuant to chapter 120 when acting pursuant to statutory authority derived from the Legislature. The Board of Governors may adopt rules pursuant to chapter 120 when exercising the powers, duties, and authority granted by s. 7, Art. IX of the State Constitution.

(2) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.--

(a) The Board of Governors, or the board's designee, shall develop guidelines and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(b) The Board of Governors shall develop guidelines relating to divisions of sponsored research, pursuant to the provisions of s. 1004.22, to serve the function of administration and promotion of the programs of research.

(c) The Board of Governors shall prescribe conditions for direct-support organizations and university health services support organizations to be certified and to use university property and services. Conditions relating to certification must provide for audit review and oversight by the Board of Governors.

(d) The Board of Governors shall develop guidelines for supervising faculty practice plans for the academic health science centers.

(e) The Board of Governors shall ensure that students at state universities have access to general education courses as provided in the statewide articulation agreement, pursuant to s. 1007.23.

(f) The Board of Governors shall approve baccalaureate degree programs that require more than 120 semester credit hours of coursework prior to such programs being offered by a state university. At least half of the required coursework for any baccalaureate degree must be offered at the lower-division level, except in program areas approved by the Board of Governors.

(g) The Board of Governors, or the board's designee, shall adopt a written antihazing policy, appropriate penalties for violations of such policy, and a program for enforcing such policy.

(h) The Board of Governors, or the board's designee, may establish a uniform code of conduct and appropriate penalties for violations of its rules by students and student organizations, including rules governing student academic honesty. Such penalties, unless
otherwise provided by law, may include reasonable fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal.

(3) POWERS AND DUTIES RELATING TO FINANCE.--
(a) The Board of Governors, or the board's designee, shall account for expenditures of all state, local, federal, and other funds. Such accounting systems shall have appropriate audit and internal controls in place that will enable the constituent universities to satisfactorily and timely perform all accounting and reporting functions required by state and federal law and rules.
(b) The Board of Governors shall prepare the legislative budget requests for the State University System, including a request for fixed capital outlay, and submit them to the State Board of Education for inclusion in the K-20 legislative budget request. The Board of Governors shall provide the state universities with fiscal policy guidelines, formats, and instruction for the development of individual university budget requests.
(c) The Board of Governors, or the board's designee, shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26.
(d) The Board of Governors, or the board's designee, is authorized to secure comprehensive general liability insurance pursuant to s. 1004.24.

(4) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.--
(a) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university.
(b) The Board of Governors shall develop an accountability plan for the State University System and each constituent university.
(c) The Board of Governors shall maintain an effective information system to provide accurate, timely, and cost-effective information about each university. The board shall continue to collect and maintain, at a minimum, the management information databases as such databases existed on June 30, 2002.
(d) If the Board of Governors of the State University System determines that a state university board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations.

(5) POWERS AND DUTIES RELATING TO PERSONNEL.--
(a) The Board of Governors, or the board's designee, shall establish the personnel program for all employees of a state university, including the president.
(b) The Department of Management Services shall retain authority over state university employees for programs established in ss. 110.123, 110.1232, 110.1234, 110.1238, and 110.161 and in chapters 121, 122, and 238. Unless specifically authorized by law, neither the Board of Governors nor a state university may offer group insurance programs for employees as a
substitute for or as an alternative to the health insurance programs offered pursuant to chapter 110.
(c) Except as otherwise provided by law, university employees are public employees for purposes of chapter 112 and any payment for travel and per diem expenses shall not exceed the level specified in s. 112.061.
(6) POWERS AND DUTIES RELATING TO PROPERTY.--
(a) The Board of Governors shall develop guidelines for university boards of trustees relating to the acquisition of real and personal property and the sale and disposal thereof and the approval and execution of contracts for the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by it. Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein. Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.
(b) The Board of Governors shall develop guidelines for university boards of trustees relating to the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound. The authority provided the board of trustees in this subsection includes the prioritization of the use of space, property, equipment, and resources and the imposition of charges for those items.
(c) The Board of Governors, or the board's designee, shall administer a program for the maintenance and construction of facilities pursuant to chapter 1013.
(d) The Board of Governors, or the board's designee, shall ensure compliance with the provisions of s. 287.09451 for all procurement and ss. 255.101 and 255.102 for construction contracts, and rules adopted pursuant thereto, relating to the utilization of minority business enterprises, except that procurements costing less than the amount provided for in CATEGORY FIVE as provided in s. 287.017 shall not be subject to s. 287.09451.
(e) Notwithstanding the provisions of s. 253.025 but subject to the provisions of s. 1010.62, the Board of Governors, or the board's designee, may, with the consent of the Board of Trustees of the Internal Improvement Trust Fund, sell, convey, transfer, exchange, trade, or purchase real property and related improvements necessary and desirable to serve the needs and purposes of the university.
1. The Board of Governors, or the board's designee, may secure appraisals and surveys. The Board of Governors, or the board's designee, shall comply with the rules of the Board of Trustees of the Internal Improvement Trust Fund in securing appraisals. Whenever the Board of Governors, or the board's designee, finds it necessary for timely property
acquisition, it may contract, without the need for competitive selection, with one or more appraisers whose names are contained on the list of approved appraisers maintained by the Division of State Lands in the Department of Environmental Protection.

2. The Board of Governors, or the board's designee, may negotiate and enter into an option contract before an appraisal is obtained. The option contract must state that the final purchase price may not exceed the maximum value allowed by law. The consideration for such an option contract may not exceed 10 percent of the estimate obtained by the Board of Governors, or the board's designee, or 10 percent of the value of the parcel, whichever is greater, unless otherwise authorized by the Board of Governors or the board's designee.

3. This paragraph is not intended to abrogate in any manner the authority delegated to the Board of Trustees of the Internal Improvement Trust Fund or the Division of State Lands to approve a contract for purchase of state lands or to require policies and procedures to obtain clear legal title to parcels purchased for state purposes. Title to property acquired by a university board of trustees prior to January 7, 2003, and to property acquired with funds appropriated by the Legislature shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

(f) The Board of Governors, or the board's designee, shall prepare and adopt a campus master plan pursuant to s. 1013.30.

(g) The Board of Governors, or the board's designee, shall prepare, adopt, and execute a campus development agreement pursuant to s. 1013.30.

(h) Notwithstanding the provisions of s. 216.351, the Board of Governors, or the board's designee, may authorize the rent or lease of parking facilities provided that such facilities are funded through parking fees or parking fines imposed by a university. The Board of Governors, or the board's designee, may authorize a university board of trustees to charge fees for parking at such rented or leased parking facilities.

(7) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND REQUIREMENTS.--The Board of Governors has responsibility for compliance with state and federal laws, rules, regulations, and requirements.

(8) COOPERATION WITH OTHER BOARDS.--The Board of Governors shall implement a plan for working on a regular basis with the State Board of Education, the Commission for Independent Education, the university boards of trustees, representatives of the community college boards of trustees, representatives of the private colleges and universities, and representatives of the district school boards to achieve a seamless education system.

(9) The Board of Governors is prohibited from assessing any fee on state universities, unless specifically authorized by law.

History.--s. 76, ch. 2007-217.
1001.71 University boards of trustees; membership.--
(1) Pursuant to s. 7(c), Art. IX of the State Constitution, each local constituent university shall be administered by a university board of trustees comprised of 13 members as follows: 6 citizen members appointed by the Governor subject to confirmation by the Senate; 5 citizen members appointed by the Board of Governors subject to confirmation by the Senate; the chair of the faculty senate or the equivalent; and the president of the student body of the university. The appointed members shall serve staggered 5-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments by the Governor, 2 members shall serve 2-year terms, 3 members shall serve 3-year terms, and 1 member shall serve a 5-year term and of the initial appointments by the Board of Governors, 2 members shall serve 2-year terms, 2 members shall serve 3-year terms, and 1 member shall serve a 5-year term. There shall be no state residency requirement for university board members, but the Governor and the Board of Governors shall consider diversity and regional representation.
(2) Members of the boards of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061.
(3) University boards of trustees are a part of the executive branch of state government.
1001.72 University boards of trustees; boards to constitute a corporation.--
(1) Each board of trustees shall be a public body corporate by the name of "The (name of university) Board of Trustees," with all the powers of a body corporate, including the power to adopt a corporate seal, to contract and be contracted with, to sue and be sued, to plead and be impleaded in all courts of law or equity, and to give and receive donations. In all suits against a board of trustees, service of process shall be made on the chair of the board of trustees or, in the absence of the chair, on the corporate secretary or designee.
(2) The corporation is constituted as a public instrumentality, and the exercise by the corporation of the power conferred by this section is considered to be the performance of an essential public function. The corporation is subject to chapter 119 and s. 24, Art. I of the State Constitution, subject to exceptions applicable to the corporation, and to the provisions of chapter 286; however, the corporation shall be entitled to provide notice of internal review committee meetings for competitive proposals or procurement to applicants by mail or facsimile rather than by means of publication. The corporation is not governed by chapter 607, but by the provisions of this part. The corporation shall maintain coverage under the State Risk Management Trust Fund as provided in chapter 284.

History.--s. 84, ch. 2002-387; s. 78, ch. 2007-217.
1001.73 University board empowered to act as trustee.--
(1) Whenever appointed by any competent court of the state, or by any statute, or in any will, deed, or other instrument, or in any manner whatever as trustee of any funds or real or personal property in which any of the institutions or agencies under its management, control, or supervision, or their departments or branches or students, faculty members, officers, or employees, may be interested as beneficiaries, or otherwise, or for any educational purpose, a university board of trustees is hereby authorized to act as trustee with full legal capacity as trustee to administer such trust property, and the title thereto shall vest in said board as trustee. In all such cases, the university board of trustees shall have the power and capacity to do and perform all things as fully as any individual trustee or other competent trustee might do or perform, and with the same rights, privileges, and duties, including the power, capacity, and authority to convey, transfer, mortgage, or pledge such property held in trust and to contract and execute all other documents relating to said trust property which may be required for, or appropriate to, the administration of such trust or to accomplish the purposes of any such trust.
(2) Deeds, mortgages, leases, and other contracts of the university board of trustees relating to real property of any such trust or any interest therein may be executed by the university board of trustees, as trustee, in the same manner as is provided by the laws of the state for the execution of similar documents by other corporations or may be executed by the signatures of a majority of the members of the board of trustees; however, to be effective, any such deed, mortgage, or lease contract for more than 10 years of any trust property, executed hereafter by the university board of trustees, shall be approved by a resolution of the Board of Governors; and such approving resolution may be evidenced by the signature of either the chair or the secretary of the Board of Governors to an endorsement on the instrument approved, reciting the date of such approval, and bearing the seal of the Board of Governors. Such signed and sealed endorsement shall be a part of the instrument and entitled to record without further proof.
(3) Any and all such appointments of, and acts by, the Board of Regents as trustee of any estate, fund, or property prior to May 18, 1949, are hereby validated, and said board's capacity and authority to act as trustee subject to the provisions of s. 1000.01(5)(a) in all of such cases is ratified and confirmed; and all deeds, conveyances, lease contracts, and other contracts heretofore executed by the Board of Regents, either by the signatures of a majority of the members of the board or in the board's name by its chair or chief executive officer, are hereby approved, ratified, confirmed, and validated.
(4) Nothing herein shall be construed to authorize a university board of trustees to contract a debt on behalf of, or in any way to obligate, the state; and the satisfaction of any debt or obligation incurred by the university board as trustee under the provisions of this section shall be exclusively from the trust property, mortgaged or encumbered; and nothing herein shall in any manner affect or relate to the provisions of s. 1013.78; and any mortgage, lease, or other agreement entered into pursuant to this section is subject to the provisions of s. 1010.62.


1Note.--Abolished by s. 3, ch. 2001-170.
1001.74 Powers and duties of university boards of trustees.--

(1) GENERAL PROVISIONS.--
(a) Pursuant to s. 7(c), Art. IX of the State Constitution and except as otherwise provided by law, the Board of Governors shall establish the powers and duties of the university boards of trustees.

(b) To the extent delegated by the Board of Governors pursuant to s. 1001.706, the boards of trustees shall be responsible for cost-effective policy decisions appropriate to the university's mission, the implementation and maintenance of high-quality education programs within law and guidelines of the Board of Governors, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.

(c) Each board of trustees is vested with the authority to govern its university as necessary to provide proper governance and improvement of the university in accordance with law and with guidelines of the Board of Governors.

(d) Each board of trustees shall perform all duties assigned by law or by the Board of Governors.

(e) Each board of trustees shall adopt rules pursuant to chapter 120 when acting pursuant to statutory authority derived from the Legislature. Each board of trustees may adopt rules pursuant to chapter 120 when exercising the powers, duties, and authority granted by s. 7, Art. IX of the State Constitution.

(2) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.--

(a) Each board of trustees constitutes the contracting agent of the university. Each university shall comply with the provisions of s. 287.055 for the procurement of professional services and may approve and execute all contracts for planning, construction, and equipment. For the purpose of a university's contracting authority, a "continuing contract" for professional services under the provisions of s. 287.055 is one in which construction costs do not exceed $1 million or the fee for study activity does not exceed $100,000. Contracts executed pursuant to this paragraph are subject to the requirements of s. 1010.62.

(b) Each board of trustees shall submit to the Board of Governors, for approval, all new campuses and instructional centers.

(c) Each board of trustees has responsibility for requiring no more than 120 semester hours of coursework for baccalaureate degree programs unless approved by the Board of Governors. At least half of the required coursework for any baccalaureate degree must be offered at the lower-division level, except in program areas approved by the Board of Governors.

(d) Each board of trustees has responsibility for ensuring that students have access to general education courses as provided in the statewide articulation agreement, pursuant to s. 1007.23.
(e) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall adopt a written antihazing policy, appropriate penalties for violations of such policy, and a program for enforcing such policy.

(f) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall establish a uniform code of conduct and appropriate penalties for violations of its rules by students and student organizations, including rules governing student academic honesty. Such penalties, unless otherwise provided by law, may include reasonable fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal.

(g) Each board of trustees is authorized to create divisions of sponsored research pursuant to the provisions of s. 1004.22 and guidelines of the Board of Governors to serve the function of administration and promotion of the programs of research.

(h) Each board of trustees may develop and produce work products relating to educational endeavors that are subject to trademark, copyright, or patent statutes pursuant to s. 1004.23.

(i) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall develop guidelines and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(j) Each board of trustees shall govern traffic on its campus pursuant to s. 1006.66.

(k) A board of trustees has responsibility for supervising faculty practice plans for the academic health science centers pursuant to guidelines of the Board of Governors.

(l) Each board of trustees may certify direct-support organizations and university health services support organizations to use university property and services in accordance with guidelines of the Board of Governors.

(m) Each board of trustees may establish educational research centers for child development pursuant to s. 1011.48.

(3) POWERS AND DUTIES RELATING TO FINANCE.--

(a) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall account for expenditures of all state, local, federal, and other funds. Such accounting systems shall have appropriate audit and internal controls in place that will enable the university to satisfactorily and timely perform all accounting and reporting functions required by state and federal law and rules.

(b) Each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, and an operating budget to the Board of Governors for approval in accordance with guidelines established by the Board of Governors.

(c) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26.
(d) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees is authorized to secure comprehensive general liability insurance pursuant to s. 1004.24.
(e) Each board of trustees may provide for payment of the costs of civil actions against officers, employees, or agents of the board pursuant to s. 1012.965.
(f) Each board of trustees may enter into agreements for, and accept, credit card payments as compensation for goods, services, tuition, and fees.

(4) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.--
(a) Each board of trustees shall develop a strategic plan specifying institutional goals and objectives for the university for recommendation to and approval by the Board of Governors.
(b) Each board of trustees shall develop an accountability plan pursuant to guidelines established by the Board of Governors.
(c) Each board of trustees shall maintain an effective information system to provide accurate, timely, and cost-effective information about the university pursuant to guidelines of the Board of Governors.

(5) POWERS AND DUTIES RELATING TO PERSONNEL.--
(a) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall establish the personnel program for all employees of the university, including the president.
(b) The Department of Management Services shall retain authority over state university employees for programs established in ss. 110.123, 110.1232, 110.1234, 110.1238, and 110.161 and in chapters 121, 122, and 238. Unless specifically authorized by law, neither the Board of Governors nor a state university may offer group insurance programs for employees as a substitute for or as an alternative to the health insurance programs offered pursuant to chapter 110.
(c) Except as otherwise provided by law, university employees are public employees for purposes of chapter 112 and the payment for travel and per diem shall not exceed the level specified in s. 112.061.

(6) POWERS AND DUTIES RELATING TO PROPERTY.--
(a) Each board of trustees shall have the authority to acquire real and personal property and contract for its sale and disposal and approve and execute contracts for the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, contractual services, leases of real and personal property, and construction in accordance with law and guidelines of the Board of Governors. The acquisition may include purchase by installment or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price. Title to all real property acquired prior to January 7, 2003, and to all real property acquired with funds appropriated by the Legislature shall be vested in the Board of Trustees of the Internal Improvement Trust Fund and shall be transferred and conveyed by
it. Notwithstanding any other provisions of this subsection, each board of trustees shall comply with the provisions of s. 287.055 for the procurement of professional services as defined therein. Any acquisition pursuant to this paragraph is subject to the provisions of s. 1010.62.

(b) Each board of trustees shall have responsibility for the use, maintenance, protection, and control of university-owned or university-controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the university pursuant to guidelines of the Board of Governors. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound. The authority vested in the board of trustees in this subsection includes the prioritization of the use of space, property, equipment, and resources and the imposition of charges for those items.

(c) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall administer a program for the maintenance and construction of facilities pursuant to chapter 1013.

(d) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall ensure compliance with the provisions of s. 287.09451 for all procurement and ss. 255.101 and 255.102 for construction contracts, and rules adopted pursuant thereto, relating to the utilization of minority business enterprises, except that procurements costing less than the amount provided for in CATEGORY FIVE as provided in s. 287.017 shall not be subject to s. 287.09451.

(e) Each board of trustees may exercise the right of eminent domain pursuant to the provisions of chapter 1013. Any suits or actions brought by the board of trustees shall be brought in the name of the board of trustees, and the Department of Legal Affairs shall conduct the proceedings for, and act as the counsel of, the board of trustees.

(f) Notwithstanding the provisions of s. 253.025 but subject to the provisions of s. 1010.62, each board of trustees may, to the extent delegated by the Board of Governors pursuant to s. 1001.706 and with the consent of the Board of Trustees of the Internal Improvement Trust Fund, sell, convey, transfer, exchange, trade, or purchase real property and related improvements necessary and desirable to serve the needs and purposes of the university.

1. To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees may secure appraisals and surveys. The board of trustees shall comply with the rules of the Board of Trustees of the Internal Improvement Trust Fund in securing appraisals. Whenever the board of trustees finds it necessary for timely property acquisition, it may contract, without the need for competitive selection, with one or more appraisers whose names are contained on the list of approved appraisers maintained by the Division of State Lands in the Department of Environmental Protection.

2. To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees may negotiate and enter into an option contract before an appraisal is obtained. The option contract must state that the final purchase price may not exceed the maximum value allowed by law. The consideration for such an option contract may not exceed 10 percent of the estimate obtained by the board of trustees or 10 percent of the value of the parcel, whichever is greater, unless otherwise authorized by the board of trustees.
3. This paragraph is not intended to abrogate in any manner the authority delegated to the Board of Trustees of the Internal Improvement Trust Fund or the Division of State Lands to approve a contract for purchase of state lands or to require policies and procedures to obtain clear legal title to parcels purchased for state purposes. Title to property acquired by a university board of trustees prior to January 7, 2003, and to property acquired with funds appropriated by the Legislature shall vest in the Board of Trustees of the Internal Improvement Trust Fund.

(g) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall prepare and adopt a campus master plan pursuant to s. 1013.30.

(h) To the extent delegated by the Board of Governors pursuant to s. 1001.706, each board of trustees shall prepare, adopt, and execute a campus development agreement pursuant to s. 1013.30.

(i) Notwithstanding the provisions of s. 216.351 and to the extent delegated by the Board of Governors pursuant to s. 1001.706, a board of trustees may authorize the rent or lease of parking facilities, provided that such facilities are funded through parking fees or parking fines imposed by a university. With authorization from the Board of Governors, a board of trustees may charge fees for parking at such rented or leased parking facilities.

(j) Each board of trustees shall adjust property records and dispose of state-owned tangible property in the university's custody in accordance with procedures established by the board of trustees in accordance with the provisions of chapter 273. Notwithstanding the provisions of s. 273.055(5), all moneys received from the disposition of state-owned tangible personal property shall be retained by the university and disbursed for the acquisition of tangible personal property and for all necessary operating expenditures. The university shall maintain records of the accounts into which such moneys are deposited.

(7) COMPLIANCE WITH LAWS, RULES, REGULATIONS, AND REQUIREMENTS.--Each board of trustees has responsibility for compliance with state and federal laws, rules, regulations, and requirements.

(8) OTHER POWERS AND DUTIES.--A board of trustees shall perform such other duties as are provided by law or at the direction of the Board of Governors.

(9) DELEGATION OF POWERS AND DUTIES.--If the Board of Governors has the power to, and does, delegate a power or duty to a university board of trustees as the designee, the rulemaking authority of the Board of Governors for that power or duty is included in the delegation.