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Tab 1

Regulation of



Florida A&M University

(Substantially Reorganized and Reworded)

1.021 Authority of the President.

In accordance with s. 7(c), Art. IX of the Florida Constitution, Florida Statutes, and the rules, guidelines, procedures, regulations, and resolutions of the Board of Governors of the State University System of Florida (Florida Board of Governors), the Florida Agricultural and Mechanical University Board of Trustees (FAMU Board of Trustees) hereby delegates to the President, as the Chief Executive Officer and Corporate Secretary of the FAMU Board of Trustees, responsibility for the operation and administration of Florida Agricultural and Mechanical University, the following authority and duties:

(1) Administration and Oversight.

- (a) Organize the University to efficiently and effectively achieve the goals of the University.
- (b) Review periodically the operations of the University in order to determine how effectively and efficiently the University is being administered and whether it is meeting the goals of its strategic plan approved by the FAMU Board of Trustees and adopted by the Florida Board of Governors, and provide reports to the FAMU Board of Trustees.
- (c) Prepare a strategic plan in alignment with the Florida Board of Governors' system wide strategic plan and regulations, and the University's mission for consideration and approval by the FAMU Board of Trustees for submission to the Board of Governors.

(d) Consult with the FAMU Board of Trustees in a timely manner on any matters appropriate to its policy-making and fiduciary functions.

(e) Prepare a multi-year workplan for consideration and approval by the FAMU Board of Trustees for submission to the Board of Governors that outlines the University's top priorities, strategic directions, and specific actions and financial plans for achieving those priorities, as well as performance expectations and outcomes on institutional and system wide goals. The workplan shall reflect the University's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs, as well as national and global needs as applicable to the University's mission.

(f) Maintain an effective information system to provide accurate, timely, and cost-effective information about the University, and require that all data and reporting requirements of the FAMU Board of Trustees and Florida Board of Governors be met.

(g) Take routine administrative actions on behalf of the FAMU Board of Trustees actions related to the development, adoption, amendment or repeal of University regulations or rules, or any action required under the Florida Administrative Procedures Act, Chapter 120, F.S. This authority does not include the final approval of University regulations.

(h) Propose the adoption of regulations, rules, and policies, as appropriate, to the FAMU Board of Trustees to implement provisions of Florida law governing the operation and administration of the University and to approve administrative policies. Such regulations, rules and policies shall be consistent with the mission of the University and the rules, guidelines, procedures, regulations, and resolutions of the Florida Board of

Governors.

- (i) Establish procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.
- (j) Maintain all data and information pertaining to the operation of the University, and report on the attainment by the University of institutional and statewide performance accountability goals.
- (k) Minimize University risk and manage the University's risk management program.
- (l) Securing comprehensive general liability insurance pursuant to Sections 1001.706(4)(d) and 1004.24, F.S.
- (m) Provide for the payment of the cost of civil actions against officers, employees, or agents of the FAMU Board of Trustees pursuant to Section 1012.965, F.S.
- (n) Sign contracts in accordance with University rules, regulations, procedures and policies.
- (o) Govern traffic on the grounds of the University and in other areas in accordance with law and any mutual aid agreements entered into with other law enforcement agencies.
- (p) Establish the program for campus safety and emergency preparedness, including safety and security measures for University personnel, students, and campus visitors.
- (q) Close all or portions of the University campus and cease normal operations and services in the event of an emergency, when, in the President's judgment, such action would protect the safety, health and welfare of the University faculty, students and staff, and the University facilities and grounds. In exercising this authority, the President is authorized to determine and assign those employees who are required to provide essential

services.

(r) Set the agenda for meetings of the FAMU Board of Trustees in consultation with the chair.

(s) Prepare and periodically update a policy addressing conflicts of interest for the FAMU Board of Trustees and University employees.

(t) Perform any powers, duties, and authority that is vested with the University.

(u) Perform such other duties as are not retained by the FAMU Board of Trustees and as may be necessary or appropriate for the administration of the University, in compliance with any applicable laws, FAMU Board of Trustees and Board of Governors' regulations, policies, and resolutions.

(2) Academic Affairs and Student Affairs.

(a) Propose for adoption by the FAMU Board of Trustees, as appropriate, University regulations or policies in areas including, but not limited to:

1. Authorization and discontinuance of degree programs;
2. Articulation and access;
3. Admission and enrollment of students;
4. Minimum academic performance standards for the award of a degree;
5. Student financial assistance;
6. Student activities and organizations;
7. Student records and reports;
8. Anti-hazing, related penalties, and program for enforcement;
9. Reasonable accommodation of religious observances;
10. Textbook and instructional materials affordability; and
11. Uniform Student code of conduct and related penalties.

Such regulations or policies shall be consistent with any applicable Board of Governors' regulations.

(b) Govern admissions, subject to Florida law and rules, guidelines, procedures, regulations, and resolutions or policies of the FAMU Board of Trustees and Florida

Board of Governors.

- (c) Establish the internal academic calendar of the University within general guidelines of the Florida Board of Governors.
- (d) Recommend to the FAMU Board of Trustees the establishment and termination of undergraduate and master's level degree programs within the approved role and scope of the University.
- (e) Award degrees, including posthumous, in memoriam and honorary degrees.
- (f) Develop, approve, and implement student exchange programs, including without limitation those ancillary to the degree and non-degree, including non-college credit, granting programs of the University.
- (g) Enter into agreements for student exchange programs which involve students at the University and students in other postsecondary educational institutions.
- (h) Enter into articulation agreements as encouraged by Section 1007.22, F.S.
- (i) Consult with the Chancellor of the State University System prior to recommending any acquisition, establishment, reclassification, relocation, or closure of additional campuses or special purpose centers to the FAMU Board of Trustees.
- (j) Establish a committee to periodically review and evaluate the student disciplinary system. At least one-half of the members of the committee shall be students appointed in consultation with the student body president.
- (k) Approve or reject the internal procedures of student government organizations.
- (l) Approve the establishment of an educational research center for child development in accordance with the provisions of section 1011.48, Florida Statutes.
- (m) Administer all aspects of the University intercollegiate athletics program, with

periodic reports to the FAMU Board of Trustees on the operations of the program including, but not limited to, finances, audit and compliance, and changes in key personnel.

(3) Personnel.

(a) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, in accordance with Florida law and rules, guidelines, procedures, regulations, resolutions or policies approved by the FAMU Board of Trustees and the Florida Board of Governors.

(b) Consult with the chair of the FAMU Board of Trustees, or other trustee designee, on the hiring, dismissal, and compensation of any person to serve in a Vice President capacity, as the Athletic Director, or as a Head Coach, or other executive direct report position to the President or the FAMU Board of Trustees. The following positions shall also have a reporting relationship to the FAMU Board of Trustees in addition to reporting to the President: the General Counsel, the Chief Audit Executive, and the Chief Compliance Officer.

(c) The President may further delegate, in writing, authority to the Provost, Vice Presidents, Director of Procurement, Controller, Dean of Students, Director of Athletics, and other Presidential direct report positions that are equivalent in seniority and responsibility to a vice president to serve as the President's designee when deemed necessary to effectively and efficiently administer the University. Delegations shall be in writing to the designated employees of the University with responsibility in an area relating to the subject matter of the delegation and is deemed by the President to have the appropriate capabilities. The delegation must specify the date of the delegation, the name

and title of the delegee, the particular authority or portion of authority being delegated and a copy of such delegation is filed with the delegee and with the Vice President and General Counsel of the University. This authority may not be further delegated. A summary table of the delegations shall be provided to the FAMU Board of Trustees. A copy of any and all such delegations shall be retained by the Office of the General Counsel and the summary table of delegations posted on its webpage.

(d) Serve as the University representative with regard to administering collective bargaining matters; appoint members to the collective bargaining teams to negotiate agreements on behalf of the FAMU Board of Trustees; and execute on behalf of the FAMU Board of Trustees final agreements approved by the FAMU Board of Trustees after ratification by collective bargaining units.

(e) Approve travel under Section 112.061, Florida Statutes.

(f) Prepare and submit an annual equity report to the Chancellor of the State University System by September 30 of each year in accordance with the provisions of Florida Board of Governors Regulation 2.003

(4) Financial Management.

(a) Inform the FAMU Board of Trustees of the financial condition of the University and each direct support organizations certified by the FAMU Board of Trustees or any affiliated organizations subject to the oversight of the FAMU Board of Trustees.

(b) In accordance with the provisions of Section 1011.40, F.S., to prepare a budget request, including a request for fixed capital outlay, and an operating budget for approval by the FAMU Board of Trustees and to implement the operating budget of the University as prescribed by Florida law, the provisions of the General Appropriations Act and rules,

guidelines, procedures, regulations, resolutions and policies of the Florida Board of Governors and the FAMU Board of Trustees. The proposed expenditures, plus transfers, and balances shall not exceed the estimated income, transfers, and balances. The budget and each part thereof shall balance. If at any time the unencumbered balance in the education and general fund of the FAMU Board of Trustees approved operating budget goes below 5 percent (5%), the President shall provide written notification to the FAMU Board of Trustees and the Florida Board of Governors.

(c) Preparing a capital outlay budget as a part of the annual budget, based upon and in harmony with the University's capital outlay plan for approval by the FAMU Board of Trustees. This budget shall designate the proposed capital outlay expenditures by project for the year from all fund sources.

(d) Account for expenditures of all state, local, federal, and other funds in accordance with guidelines or regulations established by the Florida Board of Governors, and as provided by state or federal law.

(e) Certify to the Florida Board of Governors or State Department of Education, as requested, a project's compliance with the requirements for expenditure of PECO funds prior to release of funds in accordance with Chapter 1013, F.S.

(f) Establish policies and procedures for the performance of annual internal audits of University's finances and operations. All reports generated from such audits must be submitted to the Florida Board of Governors after review and acceptance by the FAMU Board of Trustees.

(g) Establish policies and procedures to implement appropriate financial controls, with review by the University's internal auditor.

(h) Recommend to the FAMU Board of Trustees a schedule of tuition and fees to be charged by the University, in accordance with the provisions in section 1009.24, Florida Statutes, and within Florida law and rules, guidelines, procedures, regulations, resolutions and policies of the Florida Board of Governors.

(i) Recommend to the FAMU Board of Trustees a regulation for the waiver of tuition and fees pursuant to law and regulations established by the Florida Board of Governors.

(j) Enter into agreements for, and accept, credit card payments as compensation for goods, services, tuition, and fees.

(k) Sign checks to pay legal obligations of the University in accordance with Section 1011.42(7), F.S.

(l) Perform banking transactions, and the President may delegate such authority to the Vice President for Administration and Finance, the University Controller, the University Treasurer, and other positions deemed by the President or senior designee reporting to the President to have responsibility for financial matters.

(m) Employ private attorney services after consulting with the University's General Counsel.

(n) Employ the services of collection agencies when deemed advisable in collecting delinquent accounts and to charge off and settle accounts in such amounts as approved by the FAMU Board of Trustees, when uncollectible pursuant to Section 1010.03, F.S. The President or President's designee will annually report the status of accounts receivable charge-offs to the Board, which may be provided through the University's financial statements or reports.

(o) Ensure the FAMU Board of Trustees is presented with sufficient information for

prudent decision-making for projects subject to the Board of Governors Debt Management Guidelines, Public-Private Partnership Guidelines, and University guidelines.

(p) Provide purchasing, contracting, and budgetary review processes for student government organizations.

(5) Property and Purchasing.

(a) Administer a program for the maintenance and construction of facilities pursuant to Chapter 1013, Florida Statutes; certify to the Board of Governors or Department of Education, as requested, a project's compliance with the requirements for expenditure of Public Education Capital Outlay funds.

(b) In accordance with the provisions of Section 1013.48, F.S., approve change orders in the name of the FAMU Board of Trustees for amounts not exceeding \$250,000 in the aggregate in accordance with the provisions of the FAMU Board of Trustees Policy No. 2005-06.

(c) Regulate the use, maintenance, protection, and control of, and the imposition of charges for, 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.

(d) Comply with the provisions of Section 287.055, F.S., for the procurement of professional services and may approve and execute all contracts on behalf of the FAMU Board of Trustees for planning, construction, and equipment. For the purposes of the President's contracting authority, a "continuing contract" for professional services under the provisions of Section 287.055, F.S., is one in which construction costs do not exceed

\$2 million or the fee for study activity under such continuing contract does not exceed \$200,000.

(e) Ensure that all plans for the construction, renovation, remodeling, or demolition of any educational or ancillary plants conform to the requirements of the Florida Building Code and the Florida Fire Prevention Code. The President is authorized to submit documents to the Florida Board of Governors or State Department of Education, as appropriate, and to award contracts subsequent to and consistent with FAMU Board of Trustees' approval of the scope, timeframes, funding source, and budget of a survey-recommended project.

(f) Propose the naming of buildings to FAMU Board of Trustees for approval in accordance with Board of Trustees Policy No. 2008-05.

(g) Recommend for adoption and promulgation by the FAMU Board of Trustees, regulations establishing basic criteria related to procurement, including procedures and practices to be used in acquiring commodities and contractual services, in accordance with Board of Governors' regulations.

(h) Approve, execute, and administer contracts for and on behalf of the FAMU Board of Trustees for licenses; the acquisition or provision of commodities, goods, equipment, and contractual services; acquisition or leases of real and personal property; and planning and construction to be rendered to or by the University, provided such contracts are in conformance with Florida law and rules, guidelines, procedures, regulations, resolutions or policies of the FAMU Board of Trustees and the Florida Board of Governors, and are for the implementation of approved programs of the University. 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.

(i) Act for the FAMU Board of Trustees as custodian of all University property.

(j) Adjust property records and dispose of state-owned tangible personal property in the University's custody in accordance with procedures established by the FAMU Board of Trustees. Notwithstanding the provisions of Section 273.055(5), Florida Statutes, 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.

(k) In accordance with section 705.18, Florida Statutes, and Florida Board of Governors' regulation, take charge of any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof. If the property is not claimed by the owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the President, the President or his or her may order it to be sold at a public auction after giving notice of the time and place of sale in a publication of general circulation on the campus. The rightful owner of the property may reclaim the property at any time prior to the disposition, sale, or use of the property in accordance with section 705.18, Florida Statutes, and the established procedures of the University. In accordance with the provisions of Florida law, all moneys realized from such sale shall be placed in an appropriate fund and used solely for student scholarship and loan purposes.

(l) Prepare a campus master plan for adoption by the FAMU Board of Trustees, prepare a campus development agreement for execution by the FAMU Board of Trustees,

pursuant to section 1013.30, Florida Statutes, and report on progress under the Master Plan.

(m) Exercise responsibility for the fire safety and sanitation of public educational and ancillary plants.

(n) Perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products and to enforce the University's rights therein in accordance with Section 1004.23, Florida Statutes. Protect, develop, and transfer the work products of University personnel and other University agents and contractors, which authority shall include but not be limited to licensing, assigning, selling, leasing, or otherwise allowing the use of or conveying such work products

(6) Plenary Authority.

(a) In accordance with the provisions of Section 1004.28, Florida Statutes, and Board of Governors' regulations, to recommend to the FAMU Board of Trustees for final approval, the creation and certification, as well as the decertification and dissolution, of direct support organizations, and any other affiliated organization of the University whose authorizing legislation, bylaws or agreement with the University so requires, in order to serve the needs or further the interests of the University.

(b) Serve, or to appoint a designee to serve on the board of directors and the executive committee of each direct-support organization established to benefit the University, or any other affiliated organization of the University, in accordance with the provisions of Section 1004.28, Florida Statutes, and Board of Governors' regulation, and to receive annual budgets and reports of such organizations, including the federal Internal Revenue Service Application for Recognition of Exemption form (Form 1023) and its

federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990). Prior to appointing representatives to the governing boards of direct support organizations or any other affiliated organization of the University, the President shall consult with the chair of the FAMU Board of Trustees, or other trustee designee.

(c) Accept gifts, grants, bequests, and devises on behalf of the University.

(d) In accordance with the terms specified by the donor, to designate the purpose for which, and the location at which, the income and/or principal of a gift shall be used and to make allocations in accordance therewith and/or reallocation to the extent not specified by the donor of a gift.

(e) Establish policies regulating the administration and operation of the University Division of Sponsored Research. The President, or his or her designee, is authorized to negotiate, enter into, and execute research contracts; to solicit and accept research grants and donations; and to fix and collect fees, other payments, and donations that may accrue by reason thereof. The President or his or her designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law.

(f) All purchases of the Division of Sponsored Research shall be made in accordance with the policies and procedures of the University and the purchasing regulations of the Board of Governors; however, upon certification addressed to the President that it is necessary for the efficient or expeditious prosecution of a research project, the President may exempt the purchase of material, supplies, equipment, or services for research purposes from the general purchasing requirement of the Florida Statutes.

(g) Initiate, appeal adverse rulings, and settle lawsuits and claims (in accordance with the provisions of the FAMU Board of Trustees Resolution No. 17-05), when doing so would be in the best interests of the University. Notice and reports referenced below may be oral.

1. For settlement of claims up to \$100,000, the President may take action.

2. For settlement of claims greater than \$100,000 but less than \$250,000, the President may take action after consultation with the Chair of the FAMU Board of Trustees, as appropriate.

3. The President or designee shall obtain approval of the FAMU Board of Trustees for settlements at or in excess of \$250,000.

(h) Nothing in this regulation should be construed as limiting or divesting the FAMU Board of Trustees' right to exercise any authority or responsibility as deemed appropriate

(i) Comply with all applicable laws, rules, regulations, and requirements.

Specific Authority: Article IX, Section 7(c), Florida Constitution, BOG Regulation 1.001. History: New 9-8-07; Amended 12-3-12, - -17.

Tab 2

Regulation of



Florida A&M University

1.021 Authority of the President.

(1) In accordance with s. 7(c), Art. IX of the Florida Constitution, Florida Statutes and the rules, guidelines, procedures, regulations, and resolutions of the Florida Board of Governors, the Florida Agricultural and Mechanical University Board of Trustees (FAMU Board of Trustees) hereby delegates to the President, as the Chief Executive Officer and Corporate Secretary of the FAMU Board of Trustees, responsible for the operation and administration of Florida Agricultural and Mechanical University, the following authority and duties:

(a) To recommend the adoption of regulations, rules and policies, as appropriate, to the FAMU Board of Trustees to implement provisions of Florida law governing the operation and administration of the University. Such regulations, rules and policies shall be consistent with the mission of the University and the rules, guidelines, procedures, regulations, and resolutions of the Florida Board of Governors.

(b) In accordance with the provisions of Section 1011.40, F.S., to prepare a budget request and an operating budget for approval by the FAMU Board of Trustees and to implement the operating budget of the University as prescribed by Florida law, the provisions of the General Appropriations Act and rules, guidelines, procedures, regulations, resolutions and policies of the Florida Board of Governors and the FAMU Board of Trustees. The proposed expenditures, plus transfers, and balances shall not exceed the estimated income, transfers, and balances. The budget and each part thereof shall balance. If at any time the unencumbered balance in the

education and general fund of the FAMU Board of Trustees approved operating budget goes below 5 percent (5%), the President shall provide written notification to the FAMU Board of Trustees and the Florida Board of Governors.

(c) To recommend and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, in accordance with Florida law and rules, guidelines, procedures, regulations, resolutions or policies approved by the FAMU Board of Trustees and the Florida Board of Governors.

(d) To govern admissions, subject to Florida law and rules, guidelines, procedures, regulations, and resolutions or policies of the FAMU Board of Trustees and Florida Board of Governors.

(e) To approve, execute, and administer contracts for and on behalf of the FAMU Board of Trustees for licenses; the acquisition or provision of commodities, goods, equipment, and services; leases of real and personal property; and planning and construction to be rendered to or by the University, provided such contracts are in conformance with Florida law and rules, guidelines, procedures, regulations, resolutions or policies of the FAMU Board of Trustees and the Florida Board of Governors, and are for the implementation of approved programs of the University. The President must comply with the provisions of Section 287.055, F.S., for the procurement of professional services and may approve and execute all contracts on behalf of the FAMU Board of Trustees for planning, construction, and equipment. For the purposes of the President's contracting authority, a "continuing contract" for professional services under the provisions of Section 287.055, F.S., is one in which construction costs do not exceed \$1 million or the fee for study activity does not exceed \$100,000.

1. To sign checks to pay legal obligations of the University in accordance with

Section 1011.42(7), F.S.

2. To perform banking transactions, which authority shall also be delegated to the Vice President for Administration and Financial Services and the University Treasurer.
3. To sign contracts in accordance with University rules, regulations, procedures and policies.
 - (f) To act for the FAMU Board of Trustees as custodian of all University property.
 - (g) To establish the internal academic calendar of the University within general guidelines of the Florida Board of Governors.
 - (h) To administer the University's program of intercollegiate athletics.
 - (i) To recommend to the FAMU Board of Trustees the establishment and termination of undergraduate and master's-level degree programs within the approved role and scope of the University.
 - (j) To award degrees.
 - (k) To recommend to the FAMU Board of Trustees a schedule of tuition and fees to be charged by the University, within Florida law and rules, guidelines, procedures, regulations, resolutions and policies of the Florida Board of Governors.
 - (l) To organize the University to efficiently and effectively achieve the goals of the University.
 - (m) To review periodically the operations of the University in order to determine how effectively and efficiently the University is being administered and whether it is meeting the goals of its strategic plan approved by the FAMU Board of Trustees and adopted by the Florida Board of Governors.
 - (n) To enter into agreements for student exchange programs which involve students

at the University and students in other postsecondary educational institutions.

(o) To provide purchasing, contracting, and budgetary review processes for student government organizations.

(p) To ensure compliance with federal and state laws, rules, regulations, and other requirements which are applicable to the University.

(q) To maintain all data and information pertaining to the operation of the University, and report on the attainment by the University of institutional and statewide performance accountability goals.

(r) To adjust property records and dispose of state-owned tangible personal property in the University's custody in accordance with procedures established by the FAMU Board of Trustees. Notwithstanding the provisions of Section 273.055(5), F.S., 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.

(s) To perform any powers, duties, and authority that is vested with the University.

(t) To take charge of any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof, and if the property is not claimed by the owner within a reasonable period of time as designated by the President or President's designee, to order it sold at public auction after giving notice of the time and place of sale in a publication of general circulation on the campus. In accordance with the provisions of Florida law, all moneys realized from such sale shall be placed in an appropriate fund and used solely for student scholarship and loan purposes.

(u) In accordance with Section 1004.22, F.S., to negotiate, enter into, and execute research contracts; to solicit and accept research grants and donations; and to fix and collect fees, other payments, and donations that may accrue by reason thereof. The President or President's designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law.

(v) To perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products and to enforce the University's rights therein in accordance with Section 1004.23, F.S.

(w) In accordance with the provisions of Section 1004.28, F.S., to serve, or to appoint a designee to serve on the board of directors and the executive committee of any direct-support organization established to benefit the University and to receive annual budgets and reports of such organizations, including the federal Internal Revenue Service Application for Recognition of Exemption form (Form 1023) and its federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

(x) To prepare and submit an annual equity report to the Chancellor of the State University System by April 1st of each year in accordance with the provisions of Section 1012.95, F.S.

(y) To certify to the Florida Board of Governors or State Department of Education, as requested, a project's compliance with the requirements for expenditure of PECO funds prior to release of funds in accordance with Chapter 1013, F.S.

(z) To ensure that all plans for the construction, renovation, remodeling, or demolition of any educational or ancillary plants conform to the requirements of the Florida

Building Code and the Florida Fire Prevention Code. The President is authorized to submit documents to the Florida Board of Governors or State Department of Education, as appropriate, and to award contracts subsequent to and consistent with Board approval of the scope, timeframes, funding source, and budget of a survey-recommended project.

(aa) To approve the establishment of an educational research center for child development in accordance with the provisions of s. 1011.48, F.S.

(bb) To exercise the authority and duties presently delegated by the FAMU Board of Trustees to the President in accordance with University resolutions, regulations, rules, procedures or policies and conditions contained in the FAMU Board of Trustees written delegations of authority, including:

1. Approving travel under Section 112.061, F.S.
2. Taking routine administrative actions on behalf of the FAMU Board of Trustees actions related to the development, adoption, amendment or repeal of University regulations or rules, or any action required under the Florida Administrative Procedures Act, Chapter 120, F.S.
3. Closing all or portions of the University campus and cease normal operations and services in the event of an emergency, when, in the President's judgment, such action would protect the safety, health and welfare of the University faculty, students and staff, and the University facilities and grounds. In exercising this authority, the President is authorized to determine and assign those employees who are required to provide essential services.
4. In accordance with the provisions of Section 1013.48, F.S., approving change orders in the name of the FAMU Board of Trustees for amounts not exceeding \$250,000

in accordance with the provisions of the FAMU Board of Trustees Policy No. 2005-06, delegating such authority.

5. Employing private attorney services pursuant to Section 287.059, F.S.
6. Entering into agreements for and accept credit card payments as compensation for goods, services, tuition and fees pursuant to Section 1001.74(3)(f), F.S.
7. Securing comprehensive general liability insurance pursuant to Sections 1001.74(3) (d) and 1004.24, F.S.
8. Providing for the payment of the cost of civil actions against officers, employees or agents of the FAMU Board of Trustees pursuant to Section 1012.965, F.S.
9. Entering into articulation agreements as encouraged by Section 1007.22, F.S.
10. Employing the services of collection agencies when deemed advisable in collecting delinquent accounts and to charge off and settle accounts in such amounts as approved by the FAMU Board of Trustees, when uncollectible pursuant to Section 1010.03, F.S. The President or President's designee will annually report the status of accounts receivable charge-offs to the Board.
11. Settling lawsuits and claims in accordance with the provisions of the FAMU Board of Trustees Resolution No. 17-05, when doing so would be in the best interests of the University.
12. Preparing a capital outlay budget as a part of the annual budget, based upon and in harmony with the University's capital outlay plan for approval by the FAMU Board of Trustees. This budget shall designate the proposed capital outlay expenditures by project for the year from all fund sources in accordance with Section 1013.62, F.S.
13. Administering a program for the maintenance and construction of facilities

pursuant to Chapter 1013, F.S.

(cc) The President may further delegate, in writing, authority to the Provost, Vice Presidents, Director of Purchasing and Dean of Students to serve as the President's designee when deemed necessary to effectively and efficiently administer the University. This authority may not be further delegated. A copy of any and all such delegations shall be provided to and retained by the Office of the General Counsel. The Office of the General Counsel shall post such delegations on its webpage.

Specific Authority: Article IX, Section 7(c), Florida Constitution, Board of Governors Regulation Development Procedure dated July 21, 2005. Law Implemented Board of Governors Resolution Adopted January 7, 2003. New 9-8-07, Amended 12-3-12.

Tab 3

Regulation 1.021 Comparison Chart

1.021 Authority of the President. (Substantially Reorganized and Reworded)	Comparison to former BOT Regulation 1.021
<p>In accordance with s. 7(c), Art. IX of the Florida Constitution, Florida Statutes, and the rules, guidelines, procedures, regulations, and resolutions of the Board of Governors of the State University System of Florida (Florida Board of Governors), the Florida Agricultural and Mechanical University Board of Trustees (FAMU Board of Trustees) hereby delegates to the President, as the Chief Executive Officer and Corporate Secretary of the FAMU Board of Trustees, responsibility for the operation and administration of Florida Agricultural and Mechanical University, the following authority and duties:</p>	<p>Existing (clarified) Para. (1)</p>
<p>(1) Administration and Oversight.</p>	
<p>(a) Organize the University to efficiently and effectively achieve the goals of the University.</p>	<p>Existing and Amended</p>
<p>(b) Review periodically the operations of the University in order to determine how effectively and efficiently the University is being administered and whether it is meeting the goals of its strategic plan approved by the FAMU Board.</p>	<p>Para. (1)(l) Existing Para. (1)(m)</p>
<p>(c) Prepare a strategic plan in alignment with the Florida Board of Governors' system wide strategic plan and regulations, and the University's mission for consideration and approval by the FAMU Board of Trustees for submission to the Board of Governors.</p>	<p>New Derivative of (1)(m); See also Pres. Goal 6</p>
<p>(d) Consult with the FAMU Board of Trustees in a timely manner on any matters appropriate to its policy-making and fiduciary functions of Trustees and adopted by the Florida Board of Governors, and provide reports to the FAMU Board of Trustees.</p>	<p>New Derivative of Paras. (1), (1)(l) and (1)(m)</p>
<p>(e) Prepare a multi-year workplan for consideration and approval by the FAMU Board of Trustees for submission to the Board of Governors that outlines the University's top priorities, strategic directions, and specific actions and financial plans for achieving those priorities, as well as performance expectations and outcomes on institutional and system wide goals. The work plan shall reflect the University's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs, as well as national and global needs as applicable to the University's mission.</p>	<p>New Practice per BOG Reg. 2.002; See also President's Goals</p>
<p>(f) Maintain an effective information system to provide accurate, timely, and cost-effective information about the University, and require that all data and reporting requirements of the FAMU Board of Trustees and Florida</p>	<p>New</p>

Board of Governors be met.		Derivative of Paras. (1), (1)(l) and (1)(m); Existing
(g) Take routine administrative actions on behalf of the FAMU Board of Trustees related to the development, adoption, amendment or repeal of University regulations or rules, or any action required under the Florida Administrative Procedures Act, Chapter 120, F.S. This authority does not include the final approval of University regulations.		Para. (1)(bb)
(h) Propose the adoption of regulations, rules, and policies, as appropriate, to the FAMU Board of Trustees to implement provisions of Florida law governing the operation and administration of the University and to approve administrative policies. Such regulations, rules and policies shall be consistent with the mission of the University and the rules, guidelines, procedures, regulations, and resolutions of the Florida Board of Governors.		Existing Para. (1)(a)
(i) Establish procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.		New BOT Reg. 5.003; BOT Policy 2008-01 and Policy 2008-01a
(j) Maintain all data and information pertaining to the operation of the University, and report on the attainment by the University of institutional and statewide performance accountability goals.		Existing Para. (1)(q)
(k) Minimize University risk and manage the University's risk management program.		New Insurance and Risk Management Program Policy (Sec. 6 of Comprehensive Health, Safety and Risk Management Program Policy)
(l) Securing comprehensive general liability insurance pursuant to Sections 1001.706(4)(d) and 1004.24, F.S.		Existing
(m) Provide for the payment of the cost of civil actions against officers, employees, or agents of the FAMU Board of Trustees pursuant to Section 1012.965, F.S.		Para. (1)(bb)7. Existing
(n) Sign contracts in accordance with University rules, regulations, procedures and policies.		Para. (1)(bb)8. Existing
(o) Govern traffic on the grounds of the University and in other areas in accordance with law and any mutual		Para. (1)(3)3. New

aid agreements entered into with other law enforcement agencies.	BOT Reg. 2.002; 6C3-3.004, F.A.C.
(p) Establish the program for campus safety emergency preparedness, including safety and security measures for University personnel, students, and campus visitors.	New
(q) Close all or portions of the University campus and cease normal operations and services in the event of an emergency, when, in the President's judgment, such action would protect the safety, health and welfare of the University faculty, students and staff, and the University facilities and grounds. In exercising this authority, the President is authorized to determine and assign those employees who are required to provide essential services.	Para. (bb)(3) Existing Para. (1)(bb)3.
(r) Set the agenda for meetings of the FAMU Board of Trustees in consultation with the chair.	New
(s) Prepare and periodically update a policy addressing conflicts of interest for the FAMU Board of Trustees and University employees.	BOT Operating Procedures Article 3, 3.5 New
(t) Perform any powers, duties, and authority that is vested with the University.	BOT Regs. 1.019 and 10.122; BOT Policy 2005-14; BOT Operating Procedure Articles 5.6, 6.1 Existing
(u) Perform such other duties as are not retained by the FAMU Board of Trustees and as may be necessary or appropriate for the administration of the University, in compliance with any applicable laws, FAMU Board of Trustees and Board of Governors' regulations, policies, and resolutions.	Para. (1)(s) New
(2) Academic Affairs and Student Affairs.	Generally Para. (1)
(a) Propose for adoption by the FAMU Board of Trustees, as appropriate, University regulations or policies in areas including, but not limited to:	New
1. Authorization and discontinuance of degree programs;	Generally, BOT Para. (1)(a), Para. (1)(s);
2. Articulation and access;	BOT Regs. 2.030 & 2.028
3. Admission and enrollment of students;	BOT Reg. 4.105; Textbook and Instructional Material
4. Minimum academic performance standards for the award of a degree;	

		Affordability Report Fall 2016
5.	Student financial assistance;	
6.	Student activities and organizations;	
7.	Student records and reports;	
8.	Anti-hazing, related penalties, and program for enforcement;	
9.	Reasonable accommodation of religious observances;	
10.	Textbook and instructional materials affordability; and	
11.	Uniform Student code of conduct and related penalties.	
	Such regulations or policies shall be consistent with any applicable Board of Governors' regulations.	
(b)	Govern admissions, subject to Florida law and rules, guidelines, procedures, regulations, and resolutions or policies of the FAMU Board of Trustees and Florida Board of Governors.	Existing
(c)	Establish the internal academic calendar of the University within general guidelines of the Florida Board of Governors.	Para. (1)(d) Existing
(d)	Recommend to the FAMU Board of Trustees the establishment and termination of undergraduate and master's level degree programs within the approved role and scope of the University.	Para. (1)(g) Existing
(e)	Award degrees, including posthumous, in memoriam and honorary degrees.	Para. (1)(i) Existing
(f)	Develop, approve, and implement student exchange programs, including without limitation those ancillary to the degree and non-degree, including non-college credit, granting programs of the University.	Para. (1)(j) New
(g)	Enter into agreements for student exchange programs which involve students at the University and students in other postsecondary educational institutions.	Derivative Paras. (1)(f), (1)(n); Pres. Goal. 2.2.3 Existing
(h)	Enter into articulation agreements as encouraged by Section 1007.22, F.S.	Para. (1)(n) Existing
(i)	Consult with the Chancellor of the State University System prior to recommending any acquisition, establishment, reclassification, relocation, or closure of additional campuses or special purpose centers to the	Para. (1)(bb)9. New
		BOT Reg. 4.109

<p>FAMU Board of Trustees.</p>	
<p>(j) Establish a committee to periodically review and evaluate the student disciplinary system. At least one-half of the members of the committee shall be students appointed in consultation with the student body president.</p>	<p>New BOT Reg. 2.012; BOT Operating Procedures 4.2.1</p>
<p>(k) Approve or reject the internal procedures of student government organizations.</p>	<p>New SGA Constitution and Statutes; BOG Reg. 6.014. Existing</p>
<p>(l) Approve the establishment of an educational research center for child development in accordance with the provisions of section 1011.48, Florida Statutes.</p>	<p>Para. (1)(aa) New</p>
<p>(m) Administer all aspects of the University intercollegiate athletics program, with periodic reports to the FAMU Board of Trustees on the operations of the program including, but not limited to, finances, audit and compliance, and changes in key personnel.</p>	<p>BOT Policy 2005-16 BOT Policy 2005-17 BOT Policy 2005-18</p>
<p>(3) Personnel.</p>	
<p>(a) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, in accordance with Florida law and rules, guidelines, procedures, regulations, resolutions or policies approved by the FAMU Board of Trustees and the Florida Board of Governors.</p>	<p>Existing and Amended Para. (1)(c)</p>
<p>(b) Consult with the chair of the FAMU Board of Trustees, or other trustee designee, on the hiring, dismissal, and compensation of any person to serve in a Vice President capacity, as the Athletic Director, or as a Head Coach, or other executive direct report position to the President or the FAMU Board of Trustees. The following positions shall also have a reporting relationship to the FAMU Board of Trustees in addition to reporting to the President: the General Counsel, the Chief Audit Executive, and the Chief Compliance Officer.</p>	<p>New Para. (1)(c) BOT Operating Procedures</p>
<p>(c) The President may further delegate, in writing, authority to the Provost, Vice Presidents, Director of Procurement, Controller, Dean of Students, Director of Athletics, and other Presidential direct report positions that are equivalent in seniority and responsibility to a vice president to serve as the President's designee when deemed necessary to effectively and efficiently administer the University. Delegations shall be in writing to the designated employees of the University with responsibility in an area relating to the subject matter of the delegation and is deemed by the President to have the appropriate capabilities. The delegation must specify the date of the delegation, the name and title of the delegee, the particular authority or portion of authority being delegated and a</p>	<p>Existing and Amended Para. (1)(cc)</p>

	<p>copy of such delegation is filed with the delegee and with the Vice President and General Counsel of the University. This authority may not be further delegated. A summary table of the delegations shall be provided to the FAMU Board of Trustees. A copy of any and all such delegations shall be retained by the Office of the General Counsel and the summary table of delegations posted on its webpage.</p>	
<p>New Para. (1)(c) BOT Operating Procedures</p>	<p>(d) Serve as the University representative with regard to administering collective bargaining matters; appoint members to the collective bargaining teams to negotiate agreements on behalf of the FAMU Board of Trustees; and execute on behalf of the FAMU Board of Trustees final agreements approved by the FAMU Board of Trustees after ratification by collective bargaining units.</p>	
<p>Existing</p>	<p>(e) Approve travel under Section 112.061, Florida Statutes.</p>	
<p>Existing and Amended Para. (1)(x)</p>	<p>(f) Prepare and submit an annual equity report to the Chancellor of the State University System by September 30 of each year in accordance with the provisions of Florida Board of Governors Regulation 2.003.</p>	
	<p>(4) Financial Management.</p>	
<p>New BOT Reg. 11.001 BOT 2005-18 Policy BOT DSO-IMM 2003-01</p>	<p>(a) Inform the FAMU Board of Trustees of the financial condition of the University and each direct support organizations certified by the FAMU Board of Trustees or any affiliated organizations subject to the oversight of the FAMU Board of Trustees.</p>	
<p>Existing Para. (1)(b)</p>	<p>(b) In accordance with the provisions of Section 1011.40, F.S., to prepare a budget request, including a request for fixed capital outlay, and an operating budget for approval by the FAMU Board of Trustees and to implement the operating budget of the University as prescribed by Florida law, the provisions of the General Appropriations Act and rules, guidelines, procedures, regulations, resolutions and policies of the Florida Board of Governors and the FAMU Board of Trustees. The proposed expenditures, plus transfers, and balances shall not exceed the estimated income, transfers, and balances. The budget and each part thereof shall balance. If at any time the unencumbered balance in the education and general fund of the FAMU Board of Trustees approved operating budget goes below 5 percent (5%), the President shall provide written notification to the FAMU Board of Trustees and the Florida Board of Governors.</p>	
<p>Existing and Amended Para. (1)(bb)2.</p>	<p>(c) Preparing a capital outlay budget as a part of the annual budget, based upon and in harmony with the University's capital outlay plan for approval by the FAMU Board of Trustees. This budget shall designate the proposed capital outlay expenditures by project for the year from all fund sources.</p>	
<p>New</p>	<p>(d) Account for expenditures of all state, local, federal, and other funds in accordance with guidelines or regulations established by the Florida Board of Governors, and as provided by state or federal law.</p>	

	Generally BOT Reg. Chaps. 3 and 6; BOT Policy 2006-03
(e) Certify to the Florida Board of Governors or State Department of Education, as requested, a project's compliance with the requirements for expenditure of PECO funds prior to release of funds in accordance with Chapter 1013, F.S.	Existing Para. (1)(y)
(f) Establish policies and procedures for the performance of annual internal audits of University's finances and operations. All reports generated from such audits must be submitted to the Florida Board of Governors after review and acceptance by the FAMU Board of Trustees.	New BOT Operating Procedures-Audit Charter
(g) Establish policies and procedures to implement appropriate financial controls, with review by the University's internal auditor.	New
(h) Recommend to the FAMU Board of Trustees a schedule of tuition and fees to be charged by the University, in accordance with the provisions in section 1009.24, Florida Statutes, and within Florida law and rules, guidelines, procedures, regulations, resolutions and policies of the Florida Board of Governors.	BOT Policies 2005-02 and 2006-03 Existing
(i) Recommend to the FAMU Board of Trustees a regulation for the waiver of tuition and fees pursuant to law and regulations established by the Florida Board of Governors.	New
(j) Enter into agreements for, and accept, credit card payments as compensation for goods, services, tuition, and fees.	BOT Reg. 3.020 Existing
(k) Sign checks to pay legal obligations of the University in accordance with Section 1011.42(7), F.S.	Para. (1)(bb)6. Existing
(l) Perform banking transactions, and the President may delegate such authority to the Vice President for Administration and Finance, the University Controller, the University Treasurer, and other positions deemed by the President or senior designee reporting to the President to have responsibility for financial matters.	Para. (1)(e)1. Existing and Amended
(m) Employ private attorney services after consulting with the University's General Counsel.	Para. (1)(e)2. Existing and Amended
(n) Employ the services of collection agencies when deemed advisable in collecting delinquent accounts and to charge off and settle accounts in such amounts as approved by the FAMU Board of Trustees, when uncollectible pursuant to Section 1010.03, F.S. The President or President's designee will annually report the status of accounts receivable charge-offs to the Board, which may be provided through the University's financial statements or	Existing and Amended Para. (1)(bb)5. Existing Para. (1)(bb)10.

reports.		
(o) Ensure the FAMU Board of Trustees is presented with sufficient information for prudent decision-making for projects subject to the Board of Governors Debt Management Guidelines, Public-Private Partnership Guidelines, and University guidelines.	New BOT Policy 2005-02	
(p) Provide purchasing, contracting, and budgetary review processes for student government organizations.	Existing Para. (1)(o)	
(5) Property and Purchasing.		
(a) Administer a program for the maintenance and construction of facilities pursuant to Chapter 1013, Florida Statutes; certify to the Board of Governors or Department of Education, as requested, a project's compliance with the requirements for expenditure of Public Education Capital Outlay funds.	Existing and Amended Para. (1)(bb)13.	
(b) In accordance with the provisions of Section 1013.48, F.S., approve change orders in the name of the FAMU Board of Trustees for amounts not exceeding \$250,000 in the aggregate in accordance with the provisions of the FAMU Board of Trustees Policy No. 2005-06.	Existing Para. (1)(bb)4.	
(c) Regulate the use, maintenance, protection, and control of, and the imposition of charges for, 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.	New BOT Reg. 10.124, 10.128; Intellectual Prop. Policy	
(d) Comply with the provisions of Section 287.055, F.S., for the procurement of professional services and may approve and execute all contracts on behalf of the FAMU Board of Trustees for planning, construction, and equipment. For the purposes of the President's contracting authority, a "continuing contract" for professional services under the provisions of Section 287.055, F.S., is one in which construction costs do not exceed \$2 million or the fee for study activity under such continuing contract does not exceed \$200,000.	Existing and Amended Para. (1)(e)	
(e) Ensure that all plans for the construction, renovation, remodeling, or demolition of any educational or ancillary plants conform to the requirements of the Florida Building Code and the Florida Fire Prevention Code. The President is authorized to submit documents to the Florida Board of Governors or State Department of Education, as appropriate, and to award contracts subsequent to and consistent with FAMU Board of Trustees' approval of the scope, timeframes, funding source, and budget of a survey-recommended project.	Existing Para. (1)(z)	
(f) Propose the naming of buildings to FAMU Board of Trustees for approval in accordance with Board of Trustees Policy No. 2008-05.	New	
(g) Recommend for adoption and promulgation by the FAMU Board of Trustees, regulations establishing basic	BOT Policy 2008-05	
	New	

<p>criteria related to procurement, including procedures and practices to be used in acquiring commodities and contractual services, in accordance with Board of Governors' regulations.</p>	<p>BOT Reg. Chapter 6</p>
<p>(h) Approve, execute, and administer contracts for and on behalf of the FAMU Board of Trustees for licenses; the acquisition or provision of commodities, goods, equipment, and contractual services; acquisition or leases of real and personal property; and planning and construction to be rendered to or by the University, provided such contracts are in conformance with Florida law and rules, guidelines, procedures, regulations, resolutions or policies of the FAMU Board of Trustees and the Florida Board of Governors, and are for the implementation of approved programs of the University. 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.</p>	<p>Existing Para. (1)(e)</p>
<p>(i) Act for the FAMU Board of Trustees as custodian of all University property.</p>	<p>Existing</p>
<p>(j) Adjust property records and dispose of state-owned tangible personal property in the University's custody in accordance with procedures established by the FAMU Board of Trustees. Notwithstanding the provisions of Section 273.055(5), Florida Statutes, 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.</p>	<p>Para. (1)(f) Existing Para. (1)(r)</p>
<p>(k) In accordance with section 705.18, Florida Statutes, and Florida Board of Governors' regulation, take charge of any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof. If the property is not claimed by the owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the President, the President or his or her may order it to be sold at a public auction after giving notice of the time and place of sale in a publication of general circulation on the campus. The rightful owner of the property may reclaim the property at any time prior to the disposition, sale, or use of the property in accordance with section 705.18, Florida Statutes, and the established procedures of the University. In accordance with the provisions of Florida law, all moneys realized from such sale shall be placed in an appropriate fund and used solely for student scholarship and loan purposes.</p>	<p>Existing and Amended Para. (1)(t)</p>
<p>(l) Prepare a campus master plan for adoption by the FAMU Board of Trustees, prepare a campus development agreement for execution by the FAMU Board of Trustees, pursuant to section 1013.30, Florida Statutes, and report on progress under the Master Plan.</p>	<p>New Practice per 1013.30 Florida Statutes; BOT Policy 2005-07</p>
<p>(m) Exercise responsibility for the fire safety and sanitation of public educational and ancillary plants.</p>	<p>New</p>

Annual Clery Fire Safety Policy; Insurance and Risk Management Program Policy Existing Amended Para. (1)(v)			New BOT DSO- IMM 2003-01	Existing and Amended Para. (1)(w)	New Paras. (1)(u); BOT Policies 2005-08, 2006-01	New Paras. (1)(u); BOT Policies 2005-08, 2006-01; FAMU Foundation Policies	Existing and Amended
	<p>(n) Perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products and to enforce the University's rights therein in accordance with Section 1004.23, Florida Statutes. Protect, develop, and transfer the work products of University personnel and other University agents and contractors, which authority shall include but not be limited to licensing, assigning, selling, leasing, or otherwise allowing the use of or conveying such work products.</p> <p>(6) Plenary Authority.</p> <p>(a) In accordance with the provisions of Section 1004.28, Florida Statutes, and Board of Governors' regulations, to recommend to the FAMU Board of Trustees for final approval, the creation and certification, as well as the decertification and dissolution, of direct support organizations, and any other affiliated organization of the University whose authorizing legislation, bylaws or agreement with the University so requires, in order to serve the needs or further the interests of the University.</p> <p>(b) Serve, or to appoint a designee to serve on the board of directors and the executive committee of each direct-support organization established to benefit the University, or any other affiliated organization of the University, in accordance with the provisions of Section 1004.28, Florida Statutes, and Board of Governors' regulation, and to receive annual budgets and reports of such organizations, including the federal Internal Revenue Service Application for Recognition of Exemption form (Form 1023) and its federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990). Prior to appointing representatives to the governing boards of direct support organizations or any other affiliated organization of the University, the President shall consult with the chair of the FAMU Board of Trustees, or other trustee designee.</p> <p>(c) Accept gifts, grants, bequests, and devises on behalf of the University.</p> <p>(d) In accordance with the terms specified by the donor, to designate the purpose for which, and the location at which, the income and/or principal of a gift shall be used and to make allocations in accordance therewith and/or reallocation to the extent not specified by the donor of a gift.</p> <p>(e) Establish policies regulating the administration and operation of the University Division of Sponsored</p>						

<p>Research. The President, or his or her designee, is authorized to negotiate, enter into, and execute research contracts; to solicit and accept research grants and donations; and to fix and collect fees, other payments, and donations that may accrue by reason thereof. The President or his or her designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law.</p>	Para. (1)(u)
<p>(f) All purchases of the Division of Sponsored Research shall be made in accordance with the policies and procedures of the University and the purchasing regulations of the Board of Governors; however, upon certification addressed to the President that it is necessary for the efficient or expeditious prosecution of a research project, the President may exempt the purchase of material, supplies, equipment, or services for research purposes from the general purchasing requirement of the Florida Statutes.</p>	<p>New</p> <p>BOT Reg. 6.007; BOT Policies 2005-10, 2005-13, 2008-10, 2008-13, 2008-14</p>
<p>(g) Initiate, appeal adverse rulings, and settle lawsuits and claims (in accordance with the provisions of the FAMU Board of Trustees Resolution No. 17-05), when doing so would be in the best interests of the University. Notice and reports referenced below may be oral.</p>	<p>Existing and Amended</p> <p>Para. (1)(bb)11.</p>
<p>1. For settlement of claims up to \$100,000, the President may take action.</p> <p>2. For settlement of claims greater than \$100,000 but less than \$250,000, the President may take action after consultation with the Chair of the FAMU Board of Trustees, as appropriate.</p> <p>3. The President or designee shall obtain approval of the FAMU Board of Trustees for settlements at or in excess of \$250,000.</p>	<p>New</p>
<p>(h) Nothing in this regulation should be construed as limiting or divesting the FAMU Board of Trustees' right to exercise any authority or responsibility as deemed appropriate</p>	<p>New</p> <p>BOT Operating Proc.</p>
<p>(i) Comply with all applicable laws, rules, regulations, and requirements.</p>	<p>New</p> <p>Para.(1)(p)</p>

Tab 4

BOG's DELEGATION BEST PRACTICES AND PRINCIPLES	ACTIONS TAKEN/REQUIRED
<p>All delegations should be in writing, maintained by a central office at the university, and at least a summary should be publicized on the university's website.</p>	<p>Maintained by Office of the General Counsel (OGC) and Delegation Index published on the OGC Website. See attached Index.</p>
<p>Authority for matters that require specific approval of the board of trustees may not be re-delegated. (Note: This determination may require assessment of language as well as Board of Governors' practice, as designee language is not consistently used when allowed. Areas where Board of Trustee approval is required includes, but is not limited to, strategic plans, work plans, debt management, public-private partnerships, new degree programs, budgets, regulations, naming of buildings, educational sites, and establishing direct support organizations.)</p>	<p>Addressed in FAMU Regulation 1.021, FAMU Naming Opportunity Policy 2008-05, FAMU DSO Direct Support Organization IMM 2003-01, FAMU Debt management 2006-02.</p>
<p>Generally, delegations of authority "flow down" through the chain of command. The Board delegates authority to the President, who delegates to a direct report, etc.</p>	<p>Addressed in Delegation Memoranda to specific Vice Presidents, and delegations contained FAMU Regulations, e.g. Purchasing and Student Affairs Regulations.</p>
<p>Each delegated authority should include the source of the delegated authority, a description of or reference to the delegated authority, limitations including restrictions on re-delegation, and a reference to any existing delegations that will be modified, amended, or superseded by the action.</p>	<p>See example of Delegation Memorandum</p>
<p>Delegations should be made to a position (or position and individual while incumbent) not an individual.</p>	<p>See example of Delegation Memorandum</p>
<p>Re-delegated authority must note the original delegation, be consistent with the conditions of the original delegation, and reported to the board of trustees.</p> <p>Delegation or re-delegation is prohibited if the delegate holds a specific or unique individual conflict of interest or the appearance of a conflict (e.g., based on the individual's financial interests), or if such a conflict or appearance of a conflict develops or occurs. If such a conflict of interest or the appearance of a conflict arises once the delegation or re-delegation is in effect, the delegate or the delegate's supervisor must manage the conflict. If the conflict of interest or the appearance of a conflict persists, the delegation or re-delegation should be withdrawn.</p>	<p>Delegation Memoranda states further delegation is not authorized.</p> <p>Consult with the General Counsel and Compliance and Ethics Officer.</p>
<p>Consider whether a delegation should be converted to a role or responsibility and incorporated into an employee's job description.</p>	<p>President or designee shall consult with Human Resources to make necessary revisions.</p>
<p>Establish a deadline for a periodic Board review of all delegations, including benchmarking.</p>	<p>Recommendation: The Governance committee should establish a timeline and add this matter to its calendar.</p>



DELEGATIONS OF AUTHORITY INDEX

Effective Date	Authority Delegated to the Following Position	Authority Delegated	Re-Delegation
DELEGATIONS OF AUTHORITY BY PRESIDENT			
May 6, 2008	Provost and Vice Presidents	Delegation of authority to administer provisions of Chapter 10 of FAMU Regulations, as President's designee, effecting employment and personnel actions.	Not Authorized
September 22, 2016	Rodner Wright Interim Provost and Vice President for Academic Affairs	<ul style="list-style-type: none"> Review and execute contracts and agreements pertaining to academic affairs functions consistent with FAMU Regulations 1.021, 6.001 and 6.005; Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021. 	Not Authorized
December 15, 2016	Wanda Ford Interim CFO and Vice President for Administrative and Financial Services	<ul style="list-style-type: none"> Review and execute contracts and agreements pertaining to construction and facilities planning functions consistent with FAMU Regulations 1.021, 6.001 and 6.005 and FAMU Board of Trustees Policy Nos. 2005-06 and 2005-7A; Approve contracts and contract amendments from \$25,000 to \$100,000 in the aggregate in accordance with FAMU Regulation 6.005; Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021; Execute checks to pay legal obligations of the University in accordance with Section 1011.42(7), F.S., and FAMU Regulation 1.021 as approved by FAMU Board of Trustees; Perform banking transactions in accordance with FAMU Regulation 1.021; Prepare an annual report concerning the status of accounts receivable charge-offs to the FAMU Board of Trustees in accordance with FAMU Regulation 1.021; Acquire any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof; and, if the property is not claimed by the owner within the designated reasonable period of time, ordering it sold at a public auction in accordance with FAMU Regulation 1.021. 	Not Authorized
July 11, 2011	William Hudson, Jr. Vice President for Student Affairs	<ul style="list-style-type: none"> Review and execute contracts and agreements pertaining to student activity functions consistent with FAMU Regulations 1.021, 6.001 and 6.005; Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021; Administer the Student Code of Conduct, including the issuance of final orders regarding student disciplinary matters consistent with FAMU Regulations 2.012 and 2.013; Provide purchasing, contracting, and budgetary review processes for student government organizations in accordance with FAMU Regulation 1.021. 	Not Authorized
June 7, 2012	Richard Givens Vice President for Audit and Compliance	<ul style="list-style-type: none"> Review and execute contracts and agreements pertaining to audit and compliance functions consistent with FAMU Regulations 1.021, 6.001 and 6.005; Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021. 	Not Authorized

Date	Authority Delegated to the Following Position	Authority Delegated	Re-Delegation
January 13, 2015	<p>Timothy E. Moore, Ph.D. Vice President for Research</p>	<ul style="list-style-type: none"> Review and execute contracts and agreements pertaining to research functions consistent with FAMU Regulations 1.021, 6.001 and 6.005; Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021; Negotiate and execute research contracts on a cost-reimbursement basis and provision of temporary financing of such costs prior to the reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law in accordance with FAMU Regulation 1.021; Perform all things necessary to secure letters of patent, copyrights, and trademarks on any work products and enforcement of the University's rights therein in accordance with Section 1004.23, F.S. and FAMU Regulation 1.021. 	Not Authorized
July 22, 2015	<p>George R. Coffton, Sr. Vice President for University Advancement</p>	<ul style="list-style-type: none"> Review and execute contracts and agreements pertaining to the Division of University Advancement consistent with FAMU Regulations 1.021, 6.001 and 6.005; Approve travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021; Serve on the board of directors and the executive committee of the FAMU Foundation and receive annual budgets and reports of the FAMU Foundation consistent with Regulation 1.021. 	Not Authorized
DELEGATIONS OF AUTHORITY BY BOARD OF TRUSTEES REGULATION 1.021			
	University President	<ul style="list-style-type: none"> See the administrative duties outlined in Regulation 1.021. 	See Regulation
DELEGATIONS OF AUTHORITY BY BOARD OF TRUSTEES REGULATION 6.005			
	President	<ul style="list-style-type: none"> Approve contracts and contract amendments up to \$1,000,000. 	Not Authorized
	CFO and Vice President for Administrative and Financial Services (as President's Designee)	<ul style="list-style-type: none"> Approve contracts and contract amendments up to \$100,000. 	Not Authorized
	Director of Purchasing	<ul style="list-style-type: none"> Approve contracts and contract amendments up to \$25,000. 	Not Authorized
DELEGATIONS OF AUTHORITY BY BOARD OF TRUSTEES REGULATION 2.012 and 2.013			
	Dean of Students	<ul style="list-style-type: none"> Examine appeals of decisions from the University Judicial Officer and administrative hearing panels (student disciplinary), Student Supreme Court, Residence Life Conduct Boards, Clubs and Organizations Review Board. 	Per Regulation



Florida Agricultural and Mechanical University

TALLAHASSEE, FLORIDA 32307-3100

OFFICE OF THE PRESIDENT

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MEMORANDUM

TO: Dr. Wanda Ford
Acting CFO and Vice President for Administrative and Financial Services

FROM: Larry Robinson, Ph.D.
Interim President 

SUBJECT: Delegation of Authority

DATE: December 7, 2016

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

1. Effecting employment and personnel actions consistent with Chapter 10 of FAMU Regulations;
2. Reviewing and executing contracts and agreements pertaining to construction and facilities planning functions consistent with FAMU Regulations 1.021, 6.001 and 6.005 and FAMU Board of Trustees Policy Nos. 2005-06 and 2005-7A;
3. Approving contracts and contract amendments from \$25,000 to \$100,000 in the aggregate in accordance with FAMU Regulation 6.005;
4. Approving travel under Section 112.061, F.S., and consistent with FAMU Regulation 1.021;
5. Executing checks to pay legal obligations of the University in accordance with Section 1011.42(7), F.S., and FAMU Regulation 1.021, upon FAMU Board of Trustees' approval;
6. Performing banking transactions in accordance with FAMU Regulation 1.021;

Dr. Wanda Ford Memo

December 7, 2016

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7. Preparing an annual report concerning the status of accounts receivable charge-offs to the FAMU Board of Trustees in accordance with FAMU Regulation 1.021; and
8. Acquiring any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof and, if the property is not claimed by the owner within the designated reasonable period of time, ordering it sold at a public auction in accordance with FAMU Regulation 1.021.

This delegation is effective as of December 15, 2016, and spans all areas under the Division of Administrative and Financial Services.

You are not authorized to further delegate such authority, as expressly prohibited by FAMU Board of Trustees Regulation 1.021(1)(cc). This memorandum supersedes all previous delegations and correspondence on this subject.

Copy: Maria Feeley, Division of Legal Affairs
Joyce Ingram, Assistant Vice President, Human Resources
Carrie Gavin, Director, Equal Opportunity Programs and Labor Relations

Tab 5

Delegation Best Practices and Principles

The following points are best practices and principles gleaned from our review of other universities and university systems and have been included as general parameters for consideration by boards of trustees when undertaking a review of presidential delegations of authority.

- All delegations should be in writing, maintained by a central office at the university, and at least a summary should be publicized on the university's website.
- Authority for matters that require specific approval of the board of trustees may not be re-delegated. (Note: This determination may require assessment of language as well as Board of Governors' practice, as designee language is not consistently used when allowed. Areas where Board of Trustee approval is required includes, but is not limited to, strategic plans, work plans, debt management, public-private partnerships, new degree programs, budgets, regulations, naming of buildings, educational sites, and establishing direct support organizations.)
- Generally, delegations of authority "flow down" through the chain of command. The Board delegates authority to the President, who delegates to a direct report, etc.
- Each delegation should include the source of the delegated authority, a description of or reference to the delegated authority, limitations including restrictions on re-delegation, and a reference to any existing delegations that will be modified, amended, or superseded by the action.
- Delegations should be made to a position (or position and individual while incumbent) not an individual.
- Re-delegated authority must note the original delegation, be consistent with the conditions of the original delegation, and reported to the board of trustees.
- Delegation or re-delegation is prohibited if the delegate holds a specific or unique individual conflict of interest or the appearance of a conflict (e.g., based on the individual's financial interests), or if such a conflict or appearance of a conflict develops or occurs. If such a conflict of interest or the appearance of a conflict arises once the delegation or re-delegation is in effect, the delegate or the delegate's supervisor must manage the conflict. If the conflict of interest or the appearance of a conflict persists, the delegation or re-delegation should be withdrawn.
- Consider whether a delegation should be converted to a role or responsibility and incorporated into an employee's job description.
- Establish a deadline for a periodic Board review of all delegations, including benchmarking.

University President Duties and Responsibilities

The President shall serve as the Chief Executive Officer and Corporate Secretary of the Board of Trustees, and shall be responsible for the operation and administration of the University consistent with the authority delegated as may be made by the Board of Trustees from time to time. In carrying out these duties and responsibilities, the President shall:

(1) University Administration and Oversight.

- (a) Organize the University to efficiently and effectively achieve its goals, and periodically review and provide reports to the Board of Trustees on University operations in order to determine how effectively and efficiently the University is being administered and whether it is meeting the strategic goals of the University, including the goals of its strategic plan adopted by the Board of Governors and other strategic goals for advancement of the University endorsed by the Board of Trustees
- (b) Prepare a strategic plan in alignment with the Board of Governors' system wide strategic plan and regulations, and the University's mission for consideration and approval by the Board of Trustees for submission to the Board of Governors.
- (c) Prepare a multi-year workplan for consideration and approval by the Board of Trustees for submission to the Board of Governors that outlines the University's top priorities, strategic directions, and specific actions and financial plans for achieving those priorities, as well as performance expectations and outcomes on institutional and system wide goals. The workplan shall reflect the University's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs, as well as national and global needs as applicable to the University's mission.
- (d) Prepare and periodically update a policy addressing conflicts of interest for the Board of Trustees and University employees.
- (e) Maintain an effective information system to provide accurate, timely, and cost-effective information about the University, and require that all data and reporting requirements of the Board of Trustees and Board of Governors be met.
- (f) Take routine administrative actions on behalf of the Board of Trustees related to the development, adoption, amendment or repeal of University regulations, or any action required under the Florida Administrative Procedures Act, Chapter 120, Florida Statutes. This authority does not include the final approval of University regulations.
- (g) Propose regulations for approval by the Board of Trustees, when appropriate.
- (h) Establish procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

(i) Secure comprehensive general liability insurance pursuant to sections 1001.706(4)(d) and 1004.24, Florida Statutes.

(j) Provide for payment of the cost of civil actions against officers, employees, or agents of the Board of Trustees.

(k) Govern traffic on the grounds of the University and in other areas in accordance with law and any mutual aid agreements entered into with other law enforcement agencies.

(l) Establish the program for campus safety and emergency preparedness, including safety and security measures for University personnel, students, and campus visitors.

(m) Close all or portions of the University campus and cease normal operations and services in the event of an emergency, when, in the President's judgment, such action would protect the safety, health and welfare of the University faculty, students and staff, and the University facilities and grounds. In exercising this authority, the President is authorized to determine and assign those employees who are required to provide essential services.

(n) Consult with the Chancellor of the State University System prior to recommending any acquisition, establishment, reclassification, relocation, or closure of additional campuses or special purpose centers to the Board of Trustees.

(o) Set the agenda for meetings of the Board of Trustees in consultation with the chair.

(p) Consult with the Board of Trustees in a timely manner on any matters appropriate to its policy-making and fiduciary functions.

(2) Academic Programs and Student Affairs.

(a) Propose for adoption by the Board of Trustees, as appropriate, University regulations or policies in areas including, but not limited to:

1. Authorization and discontinuance of degree programs;
2. Articulation and access;
3. Admission and enrollment of students;
4. Minimum academic performance standards for the award of a degree;
5. Student financial assistance;
6. Student activities and organizations;
7. Student records and reports;
8. Antihazing, related penalties, and program for enforcement;
9. Reasonable accommodation of religious observances;
10. Textbook and instructional materials affordability; and
11. Uniform Student code of conduct and related penalties.

Such regulations or policies shall be consistent with any applicable Board of Governors' regulations.

(b) Develop, approve, and implement non-degree, including non-college credit, granting educational programs of the University.

(c) Award degrees, including posthumous, in memoriam and honorary degrees.

(d) Develop, approve, and implement student exchange programs, including without limitation those that are ancillary to the degree and non-degree, including non-college credit, granting programs of the University.

(e) Establish the internal academic calendar of the University within general guidelines of the Board of Governors.

(f) Establish a committee to periodically review and evaluate the student disciplinary system. At least one-half of the members of the committee shall be students appointed in consultation with the student body president.

(g) Approve the internal procedures of student government organizations.

(h) Approve the establishment of an educational research center for child development in accordance with the provisions of section 1011.48, Florida Statutes.

(i) Administer all aspects of the University intercollegiate athletics program, with periodic reports to the Board of Trustees on the operations of the program including, but not limited to, finances, audit and compliance, and changes in key personnel.

(3) Personnel.

(a) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, in accordance with regulations and policies of the Board of Trustees and the Board of Governors.

(b) Consult with the chair of the Board of Trustees, or other trustee designee, on the hiring, dismissal, and compensation of any person to serve in a Vice President capacity, as the Athletic Director, or as a Head Coach, or other executive direct report position to the President or the Board of Trustees. The following positions shall have a reporting relationship to the Board of Trustees in addition to reporting to the President: the General Counsel, the Chief Audit Executive and the Chief Compliance Officer. **USF Proposal:** The President shall consult with the chair of the Board on an annual basis to review the positions covered by this provision and amend the list based on the mission and strategic priorities of the University. **(Note: Larger institutions may want to consider whether to establish a monetary threshold in connection with the hiring of an Athletic Director and Head Coach that would trigger a requirement to consult with the trustee chair. UF is considering a \$1 million annual compensation threshold that would trigger the requirement to confer with the trustee chair and to notify the trustee vice chair.)**

(c) Approve travel in accordance with section 112.061, Florida Statutes.

(d) Serve as the University representative with regard to administering collective bargaining matters; appoint members to the collective bargaining teams to negotiate agreements on behalf of the Board of Trustees; and execute on behalf of the Board of Trustees final agreements approved by the Board of Trustees after ratification by collective bargaining units.

(4) Financial Management.

(a) Keep the Board of Trustees apprised of the financial condition of the University and any direct support organizations certified by the Board of Trustees or affiliated organizations subject to the oversight of the Board of Trustees.

(b) Prepare an institutional budget request, including a request for fixed capital outlay, and an operating budget for approval by the Board of Trustees.

(c) Recommend to the Board of Trustees a schedule of tuition and fees to be charged by the University in accordance with the provisions in section 1009.24, Florida Statutes.

(d) Recommend to the Board of Trustees a regulation for the waiver for tuition and fees pursuant to law and regulations established by the Board of Governors.

(e) Account for expenditures of all state, local, federal, and other funds in accordance with guidelines or regulations established by the Board of Governors, and as provided by state or federal law. **(Note: This captures existing accounting requirements, as regulatory and professional authorities may amend them over time.)**

(f) In accordance with the provisions of section 1011.40, Florida Statutes, prepare the operating budget of the University as prescribed by law, regulations of the Board of Governors, policies of the Board of Trustees, and provisions of the General Appropriations Act, for approval by the Board of Trustees. The proposed expenditures, plus transfers, and balances shall not exceed the estimated income, transfers, and balances. The budget and each part thereof shall balance. If at any time the unencumbered balance in the education and general fund of the Board of Trustees approved operating budget goes below 5 percent, the President shall provide written notification to the Board of Governors.

(g) Enter into agreements for, and accept, credit card payments as compensation for goods, services, tuition, and fees.

(h) Establish policies and procedures for the performance of annual internal audits of University finances and operations. All reports generated from such audits must be submitted to the Board of Governors after review and acceptance by the Board of Trustees.

(i) Establish policies and procedures for the implementation of appropriate financial controls, with review by the University's internal auditor.

(j) Sign checks to pay legal obligations of the University in accordance with section 1011.42(7), Florida Statutes.

(k) Perform banking transactions, which authority may also be delegated to the Vice President and Assistant Vice President for Administration and Finance, the University Controller and Associate Controller, the University Treasurer, and other positions deemed by the President or senior designee reporting to the President to have responsibility for financial matters.

(l) Employ private attorney services after consulting with the university's General Counsel.

(m) Employ the services of collection agencies when deemed advisable in collecting delinquent accounts and charging off and settling accounts when uncollectible. The President will annually report the status of accounts receivable charge-offs to the Board, which may be provided through the university's financial statements or reports.

(n) Ensure the Board of Trustees is presented with sufficient information for prudent decision-making for projects subject to the Board of Governors Debt Management Guidelines and Public-Private Partnership Guidelines, and University guidelines.

(5) Property and Purchasing.

(a) Administer a program for the maintenance and construction of facilities pursuant to Chapter 1013, Florida Statutes; certify to the Board of Governors or Department of Education, as requested, a project's compliance with the requirements for expenditure of Public Education Capital Outlay funds.

(b) Act for the Board of Trustees as custodian of all University property.

(c) Approve and execute contracts for purchase, sale, lease, license, or acquisition of commodities, goods, equipment, and contractual services, leases of real and personal property, and construction in accordance with Board of Governors' regulations. 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. **(Note: This paragraph groups together categories that are separate and distinct in nature, e.g., goods and services and leases. Monetary thresholds and/or term limitations for contracts for goods and services and leases will vary depending upon the size and complexity of a university. The thresholds and/or term limitations set forth below are examples derived from other universities that vary in size and complexity and are simply intended to help inform the boards of trustees' discussion on this topic.)**

- Examples of monetary and term limitations are:

- Purchases of goods and service not to exceed \$500,000 (Illinois State University);
- Purchases of goods and services not to exceed \$1,000,000 (University of Minnesota);
- All contracts with a total cost or monetary value not to exceed \$1,000,000, including all potential renewals (University of Texas) **(Note: Board of Governors' regulations dealing with construction contracts include a delegation of authority to university presidents to execute contracts for projects up to \$2,000,000);**
- Purchases of goods and services not to exceed \$2,500,000 (University of Texas and this is being increased to \$5,000,000);
- Purchases of goods and services at the University of Michigan, Pennsylvania State and Ohio State have no monetary threshold for President;
- UF is considering requiring approval of the UF Governance Committee for purchases of goods and services that are: \geq \$10,000,000 total value & \geq \$2,000,000 per year average/ or > 10 years with exclusivity.
- USF is considering requiring approval by the Finance Committee Chair of any contracts for goods and services that exceed \$1,000,000. The value of the contract will be determined at the time of execution; however, subsequent amendments within the same fiscal year to the same contract will be added to the original contract amount to determine if an approval threshold is met. Contracts related in scope shall be aggregated for the purposes of approvals and reporting. In the event the Finance Committee Chair has a conflict of interest regarding a proposed contract for goods and services that is submitted for approval, then the chair of the Board shall appoint an individual trustee to review the contract in question. Contracts for goods and services equal to or greater than \$2,000,000 require approval by the Finance Committee. In consultation with the President, the Finance Committee will review approval thresholds for contracts for goods and services on an annual basis and revise the thresholds as needed. The President, or designee, will provide a list of contracts at or exceeding the \$1,000,000 threshold as an informational item to the Finance Committee on a quarterly basis.
- Leases of real property with an annual lease payment not to exceed \$1,000,000 (California State);
- Leases of real property and easements if the amount to be paid by or to the university does not exceed \$1,250,000 (University of Minnesota);
- Leases of real property that do not exceed 10 years or 50,000 square feet (University of Michigan);
- Leases of real property that do not exceed \$10,000,000 (Ohio State);
- The president is authorized to approve and execute real property rental agreements, leases, ground leases, and other documents pertaining to the use of rental property for university-related purposes with a term of not more than 20 years (excluding options when the university is lessee, but including options provided by the university as lessor) (University of California); and
- Lease agreements with a term of 20 or more years or with options that result in a potential term of 20 or more years require board approval (California State);

- UF is considering requiring board approval for leases that exceed 10 years or 50,000 square feet or \$10,000,000 net present value.

(d) In accordance with the provisions of section 1013.48, Florida Statutes, approve change orders in the name of the Board of Trustees for amounts not exceeding \$_____. All such approvals shall be for the purpose of expediting the work in progress and shall be exercised in accordance with the President's further delegation of change order approval authority to the Office of Administration and Finance. The President or designee may make change orders for an amount exceeding \$_____ after consultation and approval of the chair of the Finance Committee. Change orders exceeding \$_____ require the prior approval of the Finance Committee. All change orders shall be reported to the Board and entered in to the official minutes as soon as practicable at a regular meeting of the Board. **(Note: Monetary thresholds for change orders will vary depending upon the size and complexity of the university. The thresholds set forth below are examples derived from other universities that vary in size and complexity and are simply intended to help inform the boards of trustees' discussion on this topic.)**

- Change orders less than \$250,000 (FAMU);
- Change orders not exceeding \$100,000 (UNF)
- Change orders not exceeding 10% of the contract (Penn State)
- UF is considering not exceeding 10% of the Guaranteed Maximum Price, with anything change order exceeding 10% to require approved by the UF Finance and Facilities Committee;
- USF is considering requiring approval by the Finance Committee Chair of change orders exceeding either \$1,000,000 or 10% of the Guaranteed Maximum Price, whichever is less. The value of the change order will be determined at the time of execution; however, subsequent change orders within the same fiscal year to the same project will be combined to determine if an approval threshold is met. Change orders for projects related in scope shall be aggregated for the purposes of approval and reporting. In the event the Finance Committee Chair has a conflict of interest regarding a proposed change order that is submitted for approval, then the chair of the Board shall appoint an individual trustee to review the change order in question. Change orders equal to or greater than \$2,000,000 require approval by the Finance Committee. In consultation with the President, the Finance Committee will review approval thresholds for change orders on an annual basis and revise the thresholds as needed. The President, or designee, will provide a list of change orders at or exceeding the \$1,000,000 threshold as an informational item for the Finance Committee on a quarterly basis.

(e) Regulate the use, maintenance, protection, and control of, and the imposition of charges for, 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.

(f) Adjust property records and dispose of state-owned tangible personal property in the University's custody in accordance with the procedures established by the Board of Trustees. Notwithstanding the provisions of section 273.055(5), Florida Statutes, 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.

(g) Protect, develop, and transfer the work products of University personnel and other University agents and contractors, which authority shall include but not be limited to licensing, assigning, selling, leasing, or otherwise allowing the use of or conveying such work products and securing and enforcing patents, copyrights, and trademarks on such products.

(h) In accordance with section 705.18, Florida Statutes, and Board of Governors' regulation, take charge of any lost or abandoned personal property found on the University campus or on premises owned or controlled by the University or any direct support organization thereof. If the property is not claimed by the owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the President, the President or his or her designee shall dispose of or make use of the property in accordance with established policies and procedures that best meet the needs of the University.

(i) Prepare a campus master plan for adoption by the Board of Trustees, prepare a campus development agreement for execution by the Board of Trustees, pursuant to section 1013.30, Florida Statutes, and report on progress under the Master Plan.

(j) Recommend for adoption and promulgation by the Board of Trustees, regulations establishing basic criteria related to procurement, including procedures and practices to be used in acquiring commodities and contractual services, in accordance with Board of Governors' regulations.

(k) Exercise responsibility for the fire safety and sanitation of public educational and ancillary plants.

(6) Miscellaneous Powers and Duties.

(a) In accordance with section 1004.28, Florida Statutes, and Board of Governors' regulation, recommend to the Board of Trustees for final approval, the creation and certification, as well as the decertification and dissolution, of direct support organizations, and any other affiliated organization of the University whose authorizing legislation, bylaws or agreement with the University so requires, in order to serve the needs or further the interests of the University.

(b) Appoint a representative to the governing boards of each direct support organization or any other affiliated organization of the University. Prior to appointing representatives to the governing boards of direct support organizations or any other

affiliated organization of the University, the President shall consult with the chair of the Board, or other trustee designee. **Note:** In addition to the foregoing, UF is proposing ratification of the President's appointments by the UF Board for direct support organizations or affiliated entities such as the UF Foundation, the UF Research Foundation, the UF Development Corporation, the UF Investment Corporation, the UF University Athletic Association, Shands entities, and the Boosters.

(c) Accept gifts, grants, bequests, and devises on behalf of the university.

(d) In accordance with the terms specified by the donor, to designate the purpose for which, and the location at which, the income and/or principal of a gift shall be used and to make allocations in accordance therewith.

(e) To determine, consistent with any expressed intent of the donor, the purpose for which and the location at which a gift shall be used, to determine whether income and/or principal shall be used, and to make allocations and reallocation in accordance therewith, to the extent not specified by the donor of a gift.

(f) Establish policies regulating the administration and operation of the University Division of Sponsored Research. The President, or his or her designee, is authorized to negotiate, enter into, and execute research contracts; to solicit and accept research grants and donations; and to fix and collect fees, other payments, and donations that may accrue by reason thereof. The President or his or her designee may negotiate, enter into, and execute contracts on a cost-reimbursement basis and may provide temporary financing of such costs prior to reimbursement from moneys on deposit in a sponsored research development fund, except as may be prohibited elsewhere by law.

(g) All purchases of a division of sponsored research shall be made in accordance with the policies and procedures of the University and the purchasing regulations of the Board of Governors; however, upon certification addressed to the President that it is necessary for the efficient or expeditious prosecution of a research project, the President may exempt the purchase of material, supplies, equipment, or services for research purposes from the general purchasing requirement of the Florida Statutes.

(h) Comply with all applicable laws, rules, regulations, and requirements.

(i) Minimize university risk and manage the university's risk management program.

(j) Delegate in writing to any employee of the University who:

1. is a Vice President with responsibility in an area relating to the subject matter of the delegation; or

2. is a manager with responsibility in an area relating to the subject matter of the delegation who reports directly to a position at or above the level of Vice President; or

3. holds a position at the University that is equivalent in seniority or responsibility to a Vice President or such manager, as determined by the President or the Vice President for Human Resources; or

4. is deemed by the President to have the appropriate capabilities,

provided that the delegation specifies the date of the delegation, the name and title of the delegee, the particular authority or portion of authority being delegated and a copy of such delegation is filed with the delegee and with the Vice President and General Counsel of the University, and a summary table of the delegations is provided to the Board of Trustees. Although the president may re-delegate to appropriate officials, the president retains the final authority and responsibility for the administration of the university and may condition, limit, or revoke any delegated signature authorities at any time. Authorities the President reserves may not be exercised by any other person, unless expressly authorized by administrative policy or presidential directive.

(k) Initiate and settle lawsuits and claims and appeal adverse rulings when doing so would be in the best interests of the University. Notice and reports referenced below may be oral. **(Note: settlement ranges are likely to vary depending upon the size and complexity of the university. For discussion purposes, we are including several different thresholds).**

1. For settlement of claims up to \$100,000/\$500,000/\$750,000, the President or designee may take action.

2. For settlement of claims greater than \$100,000/\$500,000/\$750,000, but less than \$250,000/\$750,000/\$1,000,000, the President or designee may take action after consultation with the Chair of the Finance Committee or the Chair or Vice Chair of the Board of Trustees, as appropriate.

3. For claims above \$250,000/\$750,000/\$1,000,000, the President will consult with and seek the approval of the members of the Finance Committee/**or alternatively confer with the Chair and notify the Vice Chair of the Board of Trustees** (Proposed UF language). The President or designee shall notify all Trustees about settlements at or above \$250,000/\$500,000/\$750,000/\$1,000,000.

(l) Perform such other duties as are not retained by the Board of Trustees and as may be necessary or appropriate for the administration of the University, in compliance with any applicable laws, Board of Trustees and Board of Governors' regulations, policies, and resolutions.

(m) Nothing in this regulation should be construed as limiting or divesting the Board of Trustees' right to exercise any authority or responsibility as deemed appropriate.

(n) If any additional contract or other matter of the University, a direct support organization, or other University affiliated entity, beyond ordinary standards and not covered by specific standards, would be considered material to the University and/or a

direct support organization or University affiliated entity, including its resources or reputation, or would generate significant media attention, the President or designee is expected to confer with the chair of the Board and to notify the vice chair of the Board. Also, if any matter is expected to generate significant media attention outside of the ordinary course, the President is expected to notify the full Board of Trustees. The chair of the Board and the President shall collaborate over time to support their mutual understanding of this expectation, recognizing that there are judgments involved for both of them.

BOG Workgroup Documents