

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED AMENDED REGULATION**

DATE: September 20, 2023

REGULATION NUMBER AND TITLE: 1.001, University Board of Trustees Powers
and Duties

SUMMARY: The proposed amendment will recognize institutions in our system that may not be a member of the NCAA or have an athletic program.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(c), Art. IX, Fla. Const.;
History: Resolution 1-07-03, New 3- 26-09, Amended 09-16-10, Amended 08-31-17,
Amended 11-09-22.

**THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED
REGULATION:** Rachel Kamoutsas, General Counsel

**COMMENTS REGARDING THE PROPOSED REGULATION SHOULD BE
SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT
PERSON IDENTIFIED BELOW.** The comments must identify the regulation on which you
are commenting:

General Counsel, Board of Governors, State University System, 325 W. Gaines St.,
Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone),
(850) 245-9685 (fax), or generalcounsel@flbog.edu.

1.001 University Board of Trustees Powers and Duties

(1) Pursuant to Article IX, section 7(c), Florida Constitution, the Board of Governors shall establish the powers and duties of the board of trustees as set forth herein and as may be established in Board of Governors' regulations. This regulation supersedes the delegation of authority to the boards of trustees contained in the Board of Governors' Resolution dated January 7, 2003. The intent of this regulation is to delegate powers and duties to the university boards of trustees so that the university boards have all of the powers and duties necessary and appropriate for the direction, operation, management, and accountability of each state university.

(2) Composition of Boards; Membership and Organization.
Each university shall be administered by a board

Members of the boards of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in section 112.061, Florida Statutes.

Each board of trustees shall establish the powers and duties of the university president.

Each board of trustees shall be a public body corporate with all the powers of a body corporate, including the power to adopt a corporate seal, to contract and be contracted with, to sue and be sued, to plead and be impleaded in all courts of law and equity, and to give and receive donations. In all suits against the board of trustees, service

report 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.

Each board of trustees shall have a policy addressing conflicts of interest for its members.

Each board of trustees shall maintain an effective information system to provide accurate, timely, and cost-effective information about the university, and shall require that all data and reporting requirements of the Board of Governors are met.

Each board of trustees may promulgate regulations and procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

Each board of trustees is authorized to secure comprehensive general liability insurance.

Each board of trustees may provide for payment of the cost of civil actions against officers, employees, or agents of its board.

Each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.

Each board of trustees may govern traffic on the grounds of the university and

uniform student code of conduct and related penalties.
Such regulations or policies shall be consistent with any applicable
Board of Governors' regulations.
Each board of trustees shall establish a committee to periodically
review

for its consideration in confirming the candidate. The candidate selected by the board of trustees shall be required to appear before the Board of Governors at the meeting where confirmation of the candidate will be considered. Such meeting will be held as soon as practicable to ensure a timely transition. Renewals of presidential employment contracts shall be subject to confirmation by the Board of Governors and shall be limited to one-year terms.

In the event that a board of trustees selects an interim president, such selection is subject to confirmation of the candidate by the Board of Governors. If it is determined by the board of trustees to be in the best interests of the university, the interim president selected by the board may be delegated full authority to serve as th

Each board of trustees shall 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.

Each board of trustees may enter into agreements for, and accept, credit card payments as compensation for goods, services, tuition, and fees.

Each board of trustees shall

Division of State Lands in the Department of Environmental Protection.

The board of trustees may negotiate and enter into an option contract before an appraisal is obtained. The option contract must state that the final purchase price may not exceed the

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trust. Nothing herein shall be construed to authorize a board of trustees to contract a debt on behalf of, or in any way to obligate, the state; and the satisfaction of any debt or obligation incurred by the board as trustee under the provisions of this section shall be exclusively from the trust property, mortgaged or encumbered.

Each board of trustees shall prepare and adopt a campus master plan pursuant to section 1013.30, Florida Statutes.

Each board of trustees shall prepare, adopt, and execute a campus development agreement pursuant to section 1013.30, Florida Statutes.

Each board of trustees may authorize the rent or lease of parking facilities, provided that such facilities

limitation, provisions that take into account the contributions of university personnel in the development of work products and that require any proceeds from such work products be used to support the research and sponsored training programs of the university. Each board of trustees is responsible for compliance with all applicable laws, rules, regulations, and requirements. Each board of trustees shall perform such other duties as provided by the Board of Governors, or as each board of trustees may determine are necessary or appropriate for the administration of the university so