



### **Resolution on Presidential Authority**

WHEREAS, Article IX, section 7(c), Florida Constitution provides that the Board of Governors shall establish the powers and duties of the university board of trustees as set forth therein and as may be established in Board of Governors’ regulations, and

WHEREAS, the Board of Governors’ amended Regulation 1.001, “University Boards of Trustees Powers and Duties,” at its June 2016 meeting which supersedes the delegation of authority to the boards of trustees contained in the Board of Governors’ Resolution dated January 7, 2003, and

WHEREAS, the regulation delegates 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, and

WHEREAS, the University of West Florida is responsible for cost-effective policy decisions as appropriate to the university’s mission, the implementation and maintenance of high-quality education programs within law, the measurement of performance, the reporting of information and the provision of input regarding state policy, budgeting, and education standards, and

WHEREAS, the University of West Florida Board of Trustees has from time to time updated its delegation of certain authorities to the University President, consistent with state law, regulations and policies of the Board of Governors, and regulations and policies of this Board,

NOW THEREFORE, Be it resolved:

The UWF Board of Trustees hereby delegates to Martha D. Saunders, and all her successors, as University President, Chief Executive Officer and Corporate Secretary of the Board of Trustees, responsibility for the operation and administration of the University of West Florida, consistent with the authority delegated in the Florida Board of Governors' Regulation 1.001, titled "University Boards of Trustees Powers and Duties," and any additional delegation as may be made by the UWF 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 UWF 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 goals of its strategic plan adopted by the Florida Board of Governors.

(b) Prepare a strategic plan in alignment with the Board of Governors' system wide strategic plan and regulations, and the University's mission. University strategic plans shall first be considered and approved by the UWF Board of Trustees and then submitted to the Board of Governors for approval.

(c) Prepare a multi-year work plan for consideration and approval by the UWF Board of Trustees, and for submission to the Board of Governors, that outlines UWF'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 UWF's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs.

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

(e) Maintain an effective information system to provide accurate, timely, and cost-effective information about UWF, and requiring that all data and reporting requirements of the Board of Governors be met.

(f) Take routine administrative actions on behalf of the UWF Board of Trustees related to the development, adoption, amendment or repeal of University regulations, or any action required under the Florida Administrative Procedure Act, Chapter 120, Florida Statutes. This authority does not include the final approval of University regulations.

(g) Propose regulations for approval by the UWF Board of Trustees, when appropriate, and establishing procedures related to data and technology, including information systems, communications systems, computer hardware and software, and networks.

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

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

(j) 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.

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

(l) 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.

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

(2) Academic Programs and Student Affairs.

(a) Propose for adoption by the UWF Board, 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; and
10. 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 and non-college credit educational programs of the University.

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

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

(e) Establish a committee to periodically review and evaluate the student judicial system. At least one-half of the members of the committee shall be students appointed by the President from the UWF Student Government Association.

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

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

(h) Establish policies regulating the administration and operation of the UWF Division of Sponsored Research. The President, or President's 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 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.

(i) Administer all aspects of the UWF intercollegiate athletics program.

(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 UWF Board of Trustees.

(b) Approve travel in accordance with § 112.061, Florida Statutes.

(c) Serve as the University representative with regard to administering collective bargaining matters; appointing members to the collective bargaining teams to negotiate agreements on behalf of the UWF Board of Trustees; and signing final agreements for the UWF Board of Trustees after ratification by collective bargaining units.

(4) Financial Management.

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

(b) Recommend to the UWF Board of Trustees a schedule of tuition and fees to be charged by the University, within law and regulations of the Board of Governors, and regulations and policies of the UWF Board of Trustees. The President may establish the fee schedules for services and equipment provided on a cost recovery basis and which are not a part of the required costs for enrolling in academic coursework or for housing. Examples of

these fees and fines include, but are not limited to, child care services provided to the public, fines or penalties for lost or damaged property and facility rentals.

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

(d) 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.

(e) In accordance with the provisions of § 1011.40, Florida Statutes, prepare the operating budget of the University as prescribed by law, regulations of the Board of Governors, policies of the UWF 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 UWF Board of Trustees approved operating budget goes below 5 percent, the President shall provide written notification to the Board of Governors.

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

(g) 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 UWF Board of Trustees.

(h) Transfer funds from one depository to another, within a depository, to another institution, or from another institution to a depository for investment purposes; transfer funds in a similar manner when the transfer does not represent an expenditure, advance, or reduction of cash assets in accordance with § 1011.42(6), Florida Statutes. All budget transfers related to this delegation will be reported as part of the quarterly report to the Board of Trustees.

(i) In accordance with § 1011.42(6), Florida Statutes authorize budget transfers from reserve accounts other than the President's reserves over which the President shall exercise full discretion.

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

(k) Perform banking transactions, which authority shall also be delegated to the President's designee.

(l) In accordance with the provisions of § 1013.48, Florida Statutes, approve change orders in the name of the UWF Board of Trustees. All such approvals shall be for the purpose of expediting the work in progress and exercised in accordance with the President's further delegation of change order approval authority to the Office of Administration and Finance. All change orders shall be reported to the Board of Trustees and entered into the official minutes as soon as practicable at a regular meeting of the Board.

(m) Employ private attorney services.

(n) Employ the services of collection agencies when deemed advisable in collecting delinquent accounts and to charge off and settle accounts.

(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 PECO funds.

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

(c) Approve and execute contracts for the purchase, sale, lease, license, or acquisition of commodities, goods, equipment, and contractual services, leases of real and personal property, and construction other than material real property transactions which are subject to UWF BOT Policy 10.01-03/13. The acquisition may include purchase by install or lease-purchase. Such contracts may provide for payment of interest on the unpaid portion of the purchase price.

(d) 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.

(e) Adjust property records and dispose of state-owned tangible personal property in the University's custody in accordance with the procedure established by the Board of Trustees. Notwithstanding the provisions of § 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.

(f) 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.

(g) In accordance with § 705.18, Florida Statutes, and the 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 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.

(h) Prepare a campus master plan for adoption by the UWF Board of Trustees, and prepare a campus development agreement for execution by the UWF Board of Trustees, pursuant to § 1013.30, Florida Statutes.

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



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

(k) Recommend naming opportunities to the UWF Board of Trustees in accordance with the University's policy concerning naming opportunities and exercise full authority and discretion for naming opportunities as outlined in UWF BOT Policy 08.03-05/17.

(6) Miscellaneous Powers and Duties.

(a) In accordance with § 1004.28, Florida Statutes and the Board of Governors' Regulation, recommend to the UWF 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 at least one or more representatives to the governing boards of each direct support organization or any other affiliated organization of the University corresponding with the organization(s) bylaws.

(c) In accordance with § 1004.22, Florida Statutes, negotiate, enter into, and execute research contracts; solicit and accept research grants and donations; and fix and collect fees other payments, and donations that may accrue by reason thereof. The President or 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.

(d) All purchases of a division of sponsored research shall be made in accordance with the policies and procedures of the University pursuant to guidelines 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 Florida Statutes.

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

(f) Delegate electronically or 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 specified 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.

(g) Initiate and settle lawsuits and claims, and appeal adverse rulings when doing so would be in the best interests of the University.

(h) Exercise full authority to grant guest admission to University personnel and/or the general public for any University activity for which an admission is charged or a paid ticket is required.


(i) Exercise full authority to display flags on campus and lower the flag on appropriate occasions.


(j) Grant exceptions as applicable to the University Regulation on Alcoholic Beverages on Campus Property.

(k) Designate additional holidays not specifically identified in the University Regulations as appropriate for operational efficiencies.

(l) Perform such other duties as the UWF Board of Trustees may determine are necessary or appropriate for the administration of the University, in compliance with any applicable laws and Board of Governors' regulations and policies.

**NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF WEST FLORIDA, ON THIS 16<sup>TH</sup> DAY OF NOVEMBER IN THE YEAR OF 2017, DOES HEREBY APPROVE THIS RESOLUTION.**

  
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**J. MORT O'SULLIVAN, III, CHAIR  
BOARD OF TRUSTEES  
UNIVERSITY OF WEST FLORIDA**

  
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**DR. MARTHA D. SAUNDERS  
PRESIDENT  
UNIVERSITY OF WEST FLORIDA**