



State University System Trustee Training

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Better Together.
Together, WE ARE #1.



Mission Statement

The mission of the State University System of Florida is to provide undergraduate, graduate, and professional education, research, and public service of the highest quality through a coordinated system of institutions of higher learning, each with its own mission and collectively dedicated to serving the needs of a diverse state and global society.



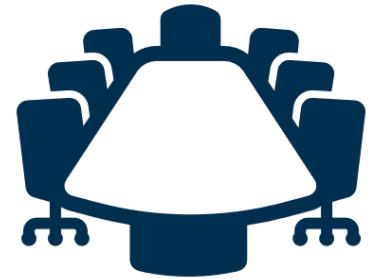
Governance of the State University System of Florida

Article IX, Section 7, Fla. Constitution



Governance

- Board of Governors shall operate, regulate, control and be fully responsible for the management of the whole university system.
- Board of Governors shall establish the powers and duties of the boards of trustees.



Purpose and Governance



Article IX, Section 7, Fla. Constitution

Board of Governors responsibilities shall include, but not be limited to:

- Defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges
- Ensuring the well-planned coordination and operation of the system
- Avoiding wasteful duplication of facilities or programs
- The Board's management shall be subject to the powers of the legislature to appropriate for the expenditure of funds, and the board shall account for such expenditures as provided by law

State University System Overview




Board of Governors

Chancellor

14 Gubernatorial Appointees

3 Designated by Statute

12 UNIVERSITIES

- 
- Commissioner of Education,
 - President of the Advisory Council of Faculty Senates, and
 - President of the Florida Student Association

State University System Overview



University Board of Trustees

President

6 Gubernatorial Appointees

5 Board of Governors Appointees

2 Designated by Statute

UNIVERSITY

- President of Faculty Senate, and
- President of the Student Government Association

Board of Trustees Delegated Powers and Duties

BOG Reg. 1.001



For University Administration and Oversight

The BOT SHALL

- Provide administrative oversight of and in a manner dedicated to the university's mission
- Adopt a university strategic plan
- Prepare a multi-year workplan/report that outlines university priorities
- Establish an effective information system
- Responsible for campus safety
- Adopt a policy addressing conflicts of interest for its members
- Exercise fiduciary oversight of university operations and finances
- Establish degree programs up to and including master's level programs
- Establish university operations and capital legislative budget requests
- Approve university operating and capital budgets

The BOT MAY

- Establish committees to address matters including but not limited to: academic and student affairs, strategic planning, finance, audit, property and construction, budgets, facilities and personnel
- Establish policies and regulations related to data and technology
- Secure comprehensive general liability insurance
- Provide for the cost of civil actions against university agents
- Promulgate university regulations
- Govern traffic on the campus
- Create divisions of sponsored research

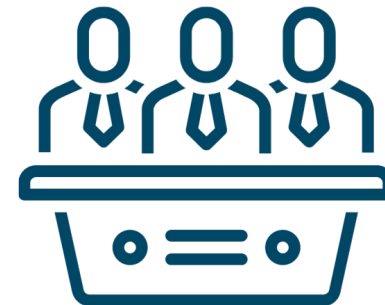
Board of Trustees Powers and Duties

BOG Reg. 1.001



Additional Considerations

- Composition of Board of Trustees – committee membership
- Academic Programs and Student Affairs
- Personnel
- Financial Management
- Property and Purchasing



Board of Trustees | Chair



Board Chair



Duties

- Elected by the Board of Trustees
- Preside at all meetings of the board of trustees
- Authorized to call special meetings of the board of trustees
- Attest to actions of the board of trustees
- Notify the Board of Governors or the Governor when a trustee has 3 consecutive unexcused absences from regular board meetings in any fiscal year



President



Duties

- The President is selected by the board of trustees and confirmed by the Board of Governors.
- The President is the chief executive officer of the university and is responsible for the day-to-day management of the institution.
- The President reports to the board of trustees.



Ethics and Conflicts of Interest

Ethical Considerations

BOG Reg. 1.006 and 112 FS



Conflicts of Interest



Trustees are prohibited from doing business with their universities and cannot sell or lease any property, goods or services to the university or purchase, sell, or lease property, goods or services on behalf of the university.



Trustees are prohibited from holding employment or contractual relationships with the university or an entity doing business with the university, or one that will pose a frequently recurring conflict between private interests and public duties.



If there is a question about any possible conflict, it is recommended to discuss with university counsel, and to seek opinion of Ethics Commission



Conflicts of Interest

- All members of public boards are required to vote except where there is a conflict. As soon as you become aware of a potential conflict, contact the university general counsel for advice on how to handle the conflict.
- Trustees cannot use their official position to secure any special privilege, benefit, or exemption for the trustee or others.
- Trustees cannot solicit or accept anything of value that is being given to influence your vote, actions, or judgment on a board matter.



Best Practices for Governance

Fiduciary Duties of a Board Member



Duty of Care

The fiduciary duty to pursue the interests of the institution with reasonable diligence and prudence

Duty of Loyalty

The fiduciary duty to place the interests of the institution ahead of your own interests

Duty of Obedience

Ensure the institution complies with all the applicable laws and regulations, acts in accordance with its own policies, and carries out its mission appropriately

Generally, the Best Approach and Policy



- Be guided by the **fiduciary duties** of Care, Loyalty and Obedience
- **Board operates as a body** – no one member has authority other than what is specifically prescribed
- **Non-interference provision** – the President operates the university, and other than for purposes of inquiry or information, no board member should give direction to, or interfere with, the actions of any employee
- Avoid the perception that board member is acting in a manner to serve themselves or in any manner outside the duties of care, loyalty and obedience.



Sunshine Law



Public Meetings



- All meetings must be open to the public and noticed in advance.
- All discussions between two or more members related to board business must occur in an open, noticed meeting and actions must be captured in official minutes.

Public Records



- All documents you create or receive as a board member, that is related to the business of the board, are public records (includes emails, texts, memos, letters, etc.) and must be maintained and subject to inspection or copying by the public.
- **Civil and criminal penalties attach to a knowing violation of the Sunshine law.**



Creation and Implementation of Rules and Regulations

Regulation Development



The Board of Governors adopted a Regulation Development Procedure for Boards of Trustees

- **Regulations** are statements of general applicability to guide the conduct or action of universities, constituents or the public.
- **Select regulations** must be reviewed by the Board of Governors' office.
 - Select regulations are those which address tuition and fees, student admissions, and articulation. Select regulations do not become effective until approved by the Board office or after 60 days from receipt if no action is taken by the Board office.
- **Regulations can be challenged** if there was “an invalid exercise of authority.”
- **Emergency Regulations** for an immediate danger to public health, safety or welfare.
 - *Effective for 90 days*

General Procedure



NOTICE

30 days notice before adopting, amending or repealing a Rule.



COMMENT PERIOD

14 day public comment period



CHANGES MADE

Re-notice the Rule



NO CHANGES MADE

BOT votes on final approval of Rule



FINAL REGULATIONS

Post on university website, must be searchable by name, number, and subject matter or key word

Select regulations must be reviewed by the BOG for approval



Tuition and Fees

Tuition - Board of Governors Regulation 7.001



Undergraduate Tuition

- Set in Florida Statute

Graduate / Professional Tuition

- Boards of Trustees may submit a proposal to the Board of Governors to establish tuition or increase tuition for existing programs

Out-of-State Fee (Tuition)

- Boards of Trustees may submit a proposal to the Board of Governors to establish or increase the out-of-state fee (tuition)
- The combination of tuition and the out-of-state fee must be sufficient to offset 100% of the cost of instruction

Fees – Board of Governors Regulation 7.003



Statutory Fees

- Authority is given for a variety of fees
- Many fees do not have a cap, but are set at a sufficient level to offset the cost of the service
- Boards of Trustees set these amounts
- Examples would include:
 - cost of effort to collect overdue charges
 - Library fines
 - Transient student fee capped at a maximum of \$5

New Fees

- Boards of Trustees may submit a proposal to the Board of Governors to establish a new fee

Existing Fees that require Board of Governors Approval

- Security / ID Cards
- Orientation Fee
- Admissions Deposit
- Transcript
- Diploma Replacement
- Service charges
- Audit Registration
- Registration for Zero Hours
- Application
- Late Registration
- Late Payment
- Differential Tuition (preeminent universities only)

All Other Existing Fees only require Board of Trustees Approval

- Athletic
- Health
- Activity and Service
- Transportation
- Lab
- Technology
- Etc.



Educational Plant and University Space Needs

Campus Master Plan



The university BOT shall prepare and adopt a **Campus Master Plan (CMP)** in accordance with Florida Statutes and Board Regulation 21.202. The CMP reflects the university's academic mission and goals in planning for campus educational and infrastructure elements; buildings, land, utilities, roads, open space, etc. The CMP is a 10 to 20-year road map for university development, and it must be every 5 years. It helps guide the Educational Plant Survey.

The BOT shall adopt a CMP for the university, update it every 5 years, and maintain a copy on the university's website.

Educational Plant Survey



At least every 5 years, the university BOT shall arrange for an **Educational Plant Survey (EPS)**, per Florida Statutes, providing an assessment of projected facility space needs to accommodate the university's educational programs, students, faculty, staff and ancillary services. The Board of Governors assists in conducting the EPS, helping ensure the process remains compliant with statutory requirements and established guidelines.



The BOT shall arrange for an EPS to be completed at least every 5 years to assess the university's future educational facilities space needs.



University Operational Budgets

Operating Budgets – Board of Governors Regulation 9.007



Each university president shall prepare an **Education and General (EandG) operating budget** and carryforward spending plan for approval by the university BOT in accordance with instructions, guidelines, and standard formats provided by the Board of Governors.

The approved BOT operating budget and carryforward spending plan shall be approved by the Board of Governors.

Fixed Capital Outlay Budgets – Board of Governors Regulation 14.003



Each university board of trustees shall adopt a Fixed Capital Outlay (FCO) budget for the ensuing year, such that the capital outlay needs may be well understood. The FCO budget is prepared by the university in accordance with instructions, guidelines, and standard formats provided by the Board of Governors.

The BOT-approved fixed capital outlay (FCO) budget shall be approved by the Board of Governors.



Accountability

Accountability Plan



- Section 1001.706(5)(c), Florida Statutes, requires the Board of Governors to develop an **accountability plan** for the System & each university
- Includes metrics from Performance Based Funding & the Board of Governors' Strategic Plan
- Provides outcomes and goals for each university & the System
- Approved by the Board of Trustees & Board of Governors annually

Strategic Plan



- Section 1001.706(5)(b), Florida Statutes, requires the Board of Governors to develop a **strategic plan** specifying goals & objectives for the System
- The Strategic Plan aligns System goals with Florida's highest economic, workforce, and research needs
- The Board's Strategic Plan will be updated in 2024, which will influence university strategic planning

Programs of Strategic Emphasis



- As required by section 1001.706(5)(b)(4), Florida Statutes, the Programs of Strategic Emphasis list is one of several tools for aligning the degree production goals of the State University System with the economic & workforce needs of Florida
- Included in the Performance Based Funding Model & is a valuable resource to help students select a major that will ensue a positive return on investment
- The Board approved the latest methodology & list in November 2023, which goes into effect for the 2024-25 academic year

Academic Program Coordination & Approval



Board of Governors Regulation 8.011, Academic Program Coordination & Approval

New Degree Program Proposals



- New bachelors, masters, & specialist programs may be approved by university board of trustees.
- New doctoral programs require Board of Governor approval.

Academic Program Coordination



- Each university submits a new academic program pre-proposal for review by the Council of Academic Vice Presidents (CAVP) and Academic Coordination Group (ACG)

Reporting Requirements



- The board of trustees of each institution must annually review a list of new academic degree programs the university wishes to implement in the upcoming academic year.
- The board of trustees & the Board office must be notified of any changes to the list during the academic year.

Institutional Accreditation



Board of Governors Regulation 3.006, Accreditation

Institutional Accreditation



- Regulation 3.006 and section 1008.47, Florida Statutes requires institutions to establish & maintain institutional accreditation with an agency or association recognized by the United States Department of Education.

Discipline-Specific Accreditation



- Discipline-specific accreditation is required for academic programs in which graduation from an accredited program is a prerequisite to achieving licensure or certification for professional practice.

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State University System at a Glance



- 12 institutions
- 429,000+ students
- \$14.8 billion total budget
- 100,000+ degrees awarded
- Over \$2.56 billion in research expenditures
- #2 producer of utility patents in Florida



Facilities

Section 9.005 Naming of Buildings and Facilities



The naming of any building, road, bridge, park, recreational complex, other similar facility or educational site, as defined in Board regulation 8.009, (collectively referred to as a “University Facility”) of a state university for individuals or groups who have made significant contributions to the university or the state of Florida is the prerogative and privilege of the State University System of Florida and is vested in the Board of Governors. The Board of Governors hereby delegates such approval authority to each university board of trustees provided that the board of trustees establishes procedures for the naming of such University Facilities to include the following elements:

(a) The naming of any University Facility must be approved by the board of trustees as a noticed, non-consent agenda item.

Section 9.011 University Direct Support Organizations



(1) University boards of trustees may establish direct support organizations (“DSO”) and health services support organizations and certify them to use university property, facilities and personal services. Such support organizations shall be organized and operated to serve the best interests or missions of the university, including a university’s research, education and service missions, and may receive, hold, invest, and administer property and make expenditures to or for the benefit of the university or for the benefit of a research and development park or research and development authority affiliated with a university.

Chapter 14 Construction Program



14.0025 Action Required Prior to Fixed Capital Outlay Budget Request

- (1) No new construction or remodeling project shall be requested by a university for inclusion on the first year of the 3 year, PECO-eligible priority list without being recommended in an educational plant survey.
- (2) The university is responsible for the preparation of the building program. The program shall be consistent with the university strategic plan, academic and facilities master plan, and shall include the project budget and the building codes applicable to the project.
- (3) The university president shall have the responsibility for building program review and approval to assure compatibility with the institution's approved strategic plan, master plan, educational plant survey and with space utilization criteria. Building programs approved by the university president, and budgets approved by the university board of trustees shall serve as the basic planning documents for development of plans and specifications for construction.

Chapter 18 Purchasing



18.001 Procurement Regulation

(1) Authority of the Institutions.

Each university Board of Trustees shall adopt regulations establishing basic criteria related to procurement, including procedures and practices to be used in acquiring commodities and contractual services, as follows:

(a) Removing any contractor from the University's competitive vendor list that fails to fulfill any of its duties specified in a contract with the University(s) and to reinstate any such contractor when satisfied that further instances of default will not occur.

BOT Facility Responsibilities Per Statute



Section 1013.15 F.S. – Lease, rental, and lease-purchase of educational facilities and sites.

Section 1013.171 F.S. – University Lease Agreements (See also SUS Public Private Partnership Guidelines).

Section 1010.62 F.S. – Revenue Bonds and Debt (See also the SUS Debt Management Guidelines).

Section 1013.31 F.S. – Educational Plant Survey and localized need assessment.



Innovation and Online Education

Innovation & Online Education



- In 2014-15, the Boar of Governors developed and adopted a 2025 Strategic Plan for Online Education for the State University System (SUS).
- The Strategic Plan included goals, strategies, and performance indicators for the universities and prioritized Access, Quality, and Affordability for all distance learning academic classes and degree programs.

Innovation & Online Education



- A Board of Governors Innovation and Online Committee was established and was tasked to implement the 2025 Strategic Plan.
- This Board committee established a Steering Committee of university provosts to develop and monitor policies identified in the Plan, as well as an Implementation Committee, made up of university distance learning leaders, to implement the plan.
- Since the 2015 adoption of the Strategic Plan, these System-wide Committees have continued to guide and support the Board's Innovation & Online Committee.



- Each year, the Innovation & Online Committee produces an Annual Report that provides data on the participation and performance of universities and their online students.
- The 2022 Annual Report reviewed the impact of the COVID Pandemic on SUS distance learning and highlighted post-COVID online student participation and performance.
- This year, the Innovation & Online Committee is focusing on “Academic Innovations” and is highlighting workforce partnerships, teaching advancements and efficiencies, and innovative program delivery.



Audit and Compliance

General Audit Coverage



External Coverage	Internal Coverage
<ul style="list-style-type: none">• Auditor General• OPPAGA• Independent CPAs	<ul style="list-style-type: none">• Chief Audit Executives

University Internal Audit Coverage



Board of Governors Regulation 4.002 requires (partial list):

- BOT Audit and Compliance Committee
 - BOT-approved charter
- Chief Audit Executive (CAE)
 - Organizational Independence [Reporting functionally to BOT, administratively to President]
 - Resources and Access
- Board of Governors Regulation 4.002 prohibits:
 - Outsourcing CAE's entire audit or investigative function without BOG approval

Chief Audit Executive Responsibilities



- Internal Audits (Performance, Contract, & IT Audits)
- Management Reviews
- Consultations
- Investigations (including Whistle-blower)
- Adherence to Professional Standards

Complaints of Waste, Fraud, or Financial Mismanagement



Board of Governors Regulation 4.001 requires (partial list):

- Reporting process for waste, fraud, or financial mismanagement allegations to CAE.
- Demonstrating BOT willingness and ability to address significant and credible allegations of waste, fraud, or financial mismanagement.
- Adopting university regulation requiring:
 - notification of certain significant and credible allegation(s) made against university president or board of trustees member; and
 - Articulation of how the university will address certain significant and credible allegation(s) made against its chief audit executive or chief compliance officer.

University Compliance



Board of Governors Regulation 4.003 requires (partial list):

- Compliance and Ethics Programs
 - Charter
 - Program Plans
 - Training
 - External Review
 - Reporting Mechanisms
- BOT Audit and Compliance Committee Oversight
- Chief Compliance Officer (COO)
 - Coordination and management of Compliance & Ethics Program
 - Reporting Lines [Reporting functionally to board & administratively to president]
 - Resources and access
 - Inquiries, investigations, and reviews



National and State Issues in Higher Education

Did you know?



- The State University System (SUS) ranks #1 in the nation by U.S. News and World Report since 2017.
- The State University System has 6 institutions in the Top 100 public institutions in the nation.
- The State University System has 2 institutions in the Association of American Universities (AAU).
- The State University System has the lowest undergraduate tuition in the country for public 4-year institutions.
- The State University System leads the state with 385 utility patents awarded in 2022.
- The State University System makes affordability a priority, offering bachelor's degrees for an average of less than \$3,000 once financial aid is included.
- The State University System 4-year graduation rates are up 18% since 2014.
- With 60% of State University System students graduating in 4 years, we are preparing students for the workforce sooner, which leads to more earnings and less debt.
- More than half of State University System degrees awarded are in Programs of Strategic Emphasis (e.g. STEM and health).
- The State University System is #5 in the country for research expenditures, with five universities in the top 100.
- The State University System has seen a \$420 million increase in research expenditures in the past five years, representing a \$7 billion economic impact.

State University System



Are state universities fully prepared for and ready to recover from a major campus disruption: hurricane, public health emergency, explosion, or terrorist threat or act of violence?

Key Priorities:

- The safety and security of the campus community.
- The continuation of the university's core academic mission and educational delivery system.

State-Level Oversight



- State-level Oversight: To ensure continuity of essential university functions under all circumstances.
- Section 252.365, Florida Statutes, requires every state agency to have an emergency coordination officer and a comprehensive disaster preparedness plan.
- Board of Governors Regulation 3.001 requires each university to develop and maintain a Comprehensive Emergency Management Plan (CEMP) and a Continuity of Operation Plan (COOP).

Academic Continuity



The Goal of Academic Continuity Planning:

- To reduce disruptions in the faculty's ability to provide instruction and the student's ability to receive instruction.
- To strengthen planning and coordination among state universities that will facilitate immediate assistance within the State University System when needed.
- To facilitate communication among all campus entities: academic affairs (faculty), administrative affairs (managers), and student affairs (students).

First Steps



2019 SUS SUMMIT on Academic Continuity and Campus Resiliency

- July 2019 – State University System SUMMIT held at University of Florida, designed to promote preparedness for and resiliency from major campus disruptions.
- Over 100 academic, administrative, and student affairs leaders attended.
- Sessions were conducted by university leaders and were held on emergency management, information technology, online learning, student's needs, faculty's needs, and external partnerships.

Next Steps

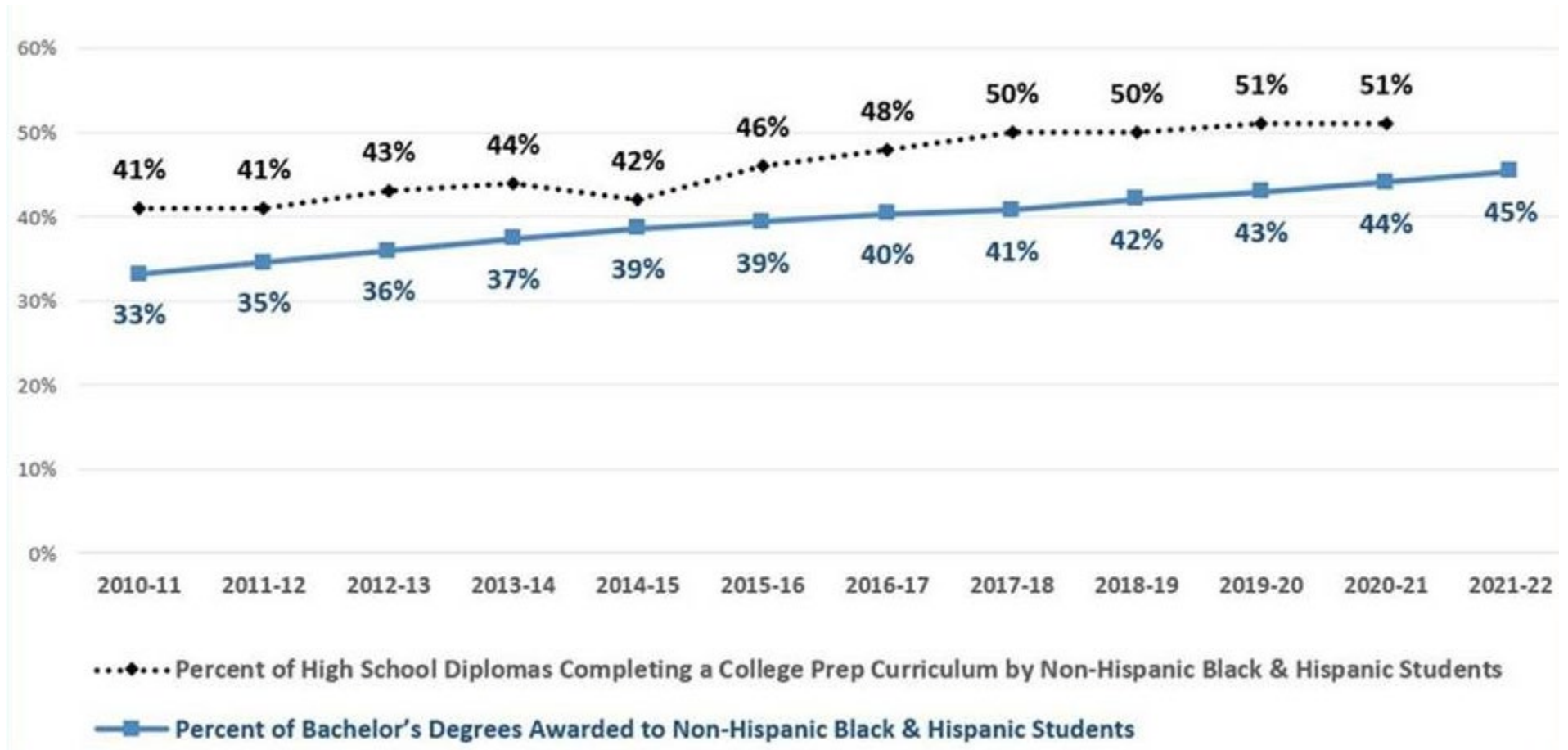


- Feedback from attendees of 2019 SUMMIT to identify and prioritize system-level and university specific issues.
- Seek input from SUS councils: Academic Affairs, Student Affairs, Financial and Administrative Affairs, Emergency Managers.
- Deliver informational session on academic continuity and resiliency to Board of Governors.
- Review existing mutual aid agreements and develop SUS agreements, as appropriate.
- Provide guidance to all universities for development of academic continuity plans.



National Trends in Higher Education

Comparison of Florida Public High School & University Outputs for Non-Hispanic Black & Hispanic Students



FTIC GRAD RATES FOR PUBLIC INSTITUTIONS IN TEN LARGEST STATES



STATES	4YR RATE 2014-18	STATES	6YR RATE 2014-20
FLORIDA	50.6%	FLORIDA	72.0%
PENNSYLVANIA	49.5%	CALIFORNIA	66.5%
NORTH CAROLINA	48.8%	NORTH CAROLINA	68.9%
INDIANA	47.1%	MICHIGAN	63.4%
NEW YORK	47.1%	PENNSYLVANIA	63.7%
MICHIGAN	43.4%	OHIO	68.4%
OHIO	43.0%	NEW YORK	64.6%
CALIFORNIA	42.4%	INDIANA	71.3%
TEXAS	36.1%	TEXAS	57.8%
GEORGIA	31.0%	GEORGIA	54.9%

Source: Board ODA staff analysis of IPEDS data based on four-year, primarily baccalaureate-granting public universities (n=563), extracted 2022-09-08.

Note: Ten largest states is based on the fall 2020 undergraduate headcounts.

TOP TEN STATES IN THE ANNUAL NET PRICE FOR THE FULL COST OF ATTENDANCE



	ANNUAL NET PRICE FOR ALL FULL-TIME, FIRST-TIME DEGREE-SEEKING UNDERGRADS PAYING IN-STATE RATES	ANNUAL NET PRICE FOR FULL-TIME, FIRST-TIME DEGREE-SEEKING UNDERGRADS PAYING IN-STATE RATES WITH FAMILY INCOME LESS THAN \$30K
FLORIDA	\$10,754	\$4,263
ALASKA	\$11,070	\$8,147
NEW YORK	\$11,257	\$7,263
WEST VIRGINIA	\$11,730	\$9,083
NEW MEXICO	\$11,851	\$10,635
WYOMING	\$12,224	\$6,905
INDIANA	\$12,298	\$6,681
NORTH CAROLINA	\$12,825	\$8,602
UTAH	\$12,934	\$9,782
CALIFORNIA	\$13,486	\$8,310

TOP TEN STATES IN TERMS OF PUBLIC UNIVERSITY RESEARCH



STATE	FY2019-20 TOTAL R&D \$BILLIONS	FALL 2019 TENURE/ TENURE-TRACK FACULTY	R&D PER FACULTY
CALIFORNIA	\$7.73	20,672	\$373,910
WASHINGTON	\$1.82	5,182	\$351,910
TEXAS	\$5.63	16,881	\$333,220
FLORIDA	\$2.28	7,772	\$293,380
MICHIGAN	\$2.79	10,718	\$260,710
PENNSYLVANIA	\$2.42	9,632	\$251,500
GEORGIA	\$1.88	7,619	\$246,840
NORTH CAROLINA	\$1.94	8,041	\$241,030
VIRGINIA	\$1.90	8,294	\$229,350
OHIO	\$1.91	8,383	\$227,960

FALL 2021 PERCENT OF TOTAL HEADCOUNTS THAT ARE FEMALE



STATES	TOTAL HEADCOUNT	% FEMALE
CA	784,417	56%
TX	699,771	58%
NY	369,962	57%
FL	369,929	58%
GA	303,659	56%
OH	273,172	55%
MI	262,129	55%
PA	252,839	55%
NC	244,500	59%
IN	241,512	56%
NATION AVG	.	57%

Trustee Training Acknowledgement



I, _____, have read and reviewed the Board of Governors, State University System of Florida Trustee Training in its entirety.

I affirm that I understand my role as a trustee and the content presented:

1. Meeting the statutory, regulatory, and fiduciary obligations of the board.
2. Establishing internal process controls and accountability mechanisms for the institution's president and other administrative officers.
3. Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university's consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.
4. Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.
5. Creation and implementation of institution wide rules and regulations.
6. Institutional ethics and conflicts of interest.
7. Best practices for board governance.
8. Understanding current national and state issues in higher education.

Signature

Date



Thank you for participating in the State University System's Trustee Training!

Please sign and date the "Trustee Acknowledgement Form" on the previous slide and email to: shannon.mcdermott@flbog.edu to record your training.



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