

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
BOARD
14 NOVEMBER 2008**

SUBJECT: PRESIDENTIAL AUTHORITY

PROPOSED BOARD ACTION:

WHEREAS, by resolution dated January 7, 2003, the Board of Governors delegated to each university board of trustees and university presidents those powers previously granted to the trustees in the Florida Statutes, and

WHEREAS, many of the Florida Statutes referenced in the Board of Governors' 2003 Resolution have been repealed or amended, and

WHEREAS, this Board has the authority to determine the powers of the President, and

WHEREAS, this Board desires to delegate to the president of the university ("the President") those powers and duties previously provided in the Florida Statutes and further delegates to the President the authority necessary to carry out the duties as the chief executive officer of the University,

THEREFORE, BE IT RESOLVED that, the FIU Board of Trustees hereby delegates to the President, in addition to any existing delegations, the following authority and duties (the authority and duties are to be exercised and performed in accordance with applicable laws, regulations, and guidelines):

- (1) To organize the University to efficiently and effectively achieve the goals of the University.
- (2) To periodically review 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.
- (3) To have the powers, duties, and authority that is vested with the University.

- (4) To recommend the adoption of regulations and policies, as appropriate, to this Board, and to take routine administrative actions on behalf of this Board related to the regulation development process or related to the rulemaking process.
- (5) To ensure compliance with federal and state laws, rules, regulations, and other requirements which are applicable to the University.
- (6) 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.
- (7) To govern admissions.
- (8) To recommend to this Board the establishment and termination of undergraduate and masters-level degree programs within the approved role and scope of the University.
- (9) To award degrees.
- (10) To enter into agreements for student/faculty exchange programs which involve students/faculty at the University and students/faculty in other postsecondary educational institutions.
- (11) To enter into articulation agreements.
- (12) To establish the internal academic calendar of the University.
- (13) To close all or portions of the University campuses 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 designate those employees who are required to provide essential services during the closing.
- (14) To prepare a budget request and an operating budget for consideration and approval by this Board, and to implement the operating budget of the University.

- (15) To prepare 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 FIU Board of Trustees.
- (16) To approve, execute, and administer all contracts that are typical for a University CEO to execute, for and on behalf of the FIU Board of Trustees, including, but not limited to, the acquisition or provision of commodities, goods, equipment, and services; the license or lease of real or personal property to or from the University; and the planning and construction of facilities.
- (17) To perform banking transactions, as necessary.
- (18) To recommend to the FIU Board of Trustees a schedule of tuition and fees to be charged by the University.
- (19) To enter into agreements for and accept credit card payments as compensation for goods, services, tuition and fees.
- (20) To employ the services of collection agencies for collecting delinquent accounts and to charge off and settle accounts when uncollectible. The President will report the status of accounts receivable charge-offs to the Board on an annual basis.
- (21) To secure comprehensive general liability insurance.
- (22) To provide purchasing, contracting, and budgetary review processes for student government organizations.
- (23) To act as custodian of all University property.
- (24) To adjust property records and dispose of state-owned tangible personal property in the University's custody and deposit, disburse, and account for all moneys received from the sale of such property.
- (25) 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 designee, to order it sold at public outcry, after giving notice of the time and place

of sale in a publication of general circulation on the campus, and deposit the moneys realized from the public sale in the appropriate fund.

(26) 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 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 prohibited by law.

(27) 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 .

(28) To serve, or to appoint a designee to serve, on the board of directors and the executive committee of any University direct-support organization and to receive annual budgets and reports of such organizations.

(29) To administer a program for the maintenance and construction of facilities.

(30) To certify to the appropriate authority, as requested, a project's compliance with the requirements for expenditure of PECO funds for release of funds.

(31) 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 take all steps necessary to carry out the projects.

(32) To approve the establishment of an educational research center for child development.

(33) To provide for the payment of the cost of civil actions against officers, employees or agents of the FIU Board of Trustees.

(34) To further delegate to divisional vice presidents and other appropriate University personnel the authority as described herein so long as: such delegation is in writing, such delegation specifies whether the authority can be further delegated and the conditions for same, and a copy of such delegation is filed in the Office of the General Counsel.

