



The Foundation for The Gator Nation

<p style="text-align: center;">BOARD OF TRUSTEES RESOLUTION</p>
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Number: R07-37

Subject: Resolution on Presidential Authorizations

Date: June 15, 2007 (Amended March 14, 2008)

The University of Florida Board of Trustees hereby adopts the following resolutions at a duly called meeting on June 15, 2007:

I. Authorization of the President

RESOLVED: That, effective as of June 15, 2007, any individual while holding the office of President of the University of Florida ("University") is hereby authorized, in the name and on behalf of The University of Florida Board of Trustees ("Board") and the University, to exercise the following authorities and to take the following actions, all as the President deems appropriate, advisable and in the interests of the University:

- A) General Requirement. To exercise any and all authorities granted to the President by the Board subject to, and with accountability to the Board as required by, any applicable resolutions, regulations, operating memoranda and policies of the Board and the Florida Board of Governors ("BOG") (which Board and BOG documents may provide additional authority as well as imposing additional restrictions), and in accordance with applicable law; and

The Vice President and General Counsel of the University from time to time as necessary, shall prepare, update and provide to the Board, the President, his delegates and their delegates on file in the Office of the Vice President and General Counsel, a schedule listing the principal Board and

BOG resolutions, regulations, operating memoranda, and policies that govern the authorities granted by the Board's resolutions;

- B) General Limitation. To exercise any and all of the authorities granted by the Board to the President within the overall, total spending limitations imposed by the University's Board and BOG-approved capital and operating budgets;
- C) General Authority of the President. To manage and administer the University and to exercise all of the powers, duties and authorities of the University, except to the extent that such powers, duties and authorities are required to be exercised by the Board or the BOG according to their respective resolutions, regulations, operating memoranda and policies and/or applicable law; and the fact that some actions are specifically authorized shall not derogate from this general authorization;
- D) Academic and Research Authorities of the President.
 - 1) Joint Governance. In the exercise of authorities related to relevant academic affairs, to effect and determine appropriate joint governance with the faculty;
 - 2) Masters and Undergraduate Programs. (i) To develop, approve and recommend to the Board for its final approval (and, if and as required by law in connection with limited access programs and undergraduate programs requiring more than 120 credits for graduation, for the Board's recommendation to the BOG for its final approval), the creation and termination of masters and undergraduate degree-granting programs of the University; (ii) To implement and govern or terminate such programs as approved by the Board and, as applicable, the BOG; and (iii) To develop, approve, implement and govern the curriculum and academic and administrative terms, policies, procedures and systems for any such approved programs consistently with their approvals;
 - 3) Doctoral and Graduate Professional Programs. (i) To develop, approve and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation to the BOG for its final approval), the creation and termination of doctoral and professional graduate degree-granting programs of the University; (ii) To develop, approve and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation to the BOG for its approval and recommendation to the Legislature for its final approval), the creation of any new college, school or functional equivalent offering a program leading to a degree that is a credential for a specific license issued under a

state statute or the state constitution; (iii) To implement and govern or terminate such programs, schools and colleges as approved by the Board and, as applicable, the BOG and/or the Legislature; and (iv) To develop, approve, implement and govern the curriculum and academic and administrative terms, policies, procedures and systems for any such approved programs, schools and colleges consistently with the Board's and, as applicable, the BOG's and/or the Legislature's approvals;

- 4) Other Programs. (i) To develop, approve, implement and govern non-degree granting educational programs of the University; and (ii) To develop, approve, implement and govern student exchange programs, including without limitation those that are ancillary to the degree and non-degree granting programs of the University;
- 5) Student Evaluations. To develop, approve, implement and govern grading, other academic performance criteria, and student evaluation criteria, policies, procedures and systems for all relevant programs of the University;
- 6) Awarding Degrees. To award degrees and certificates or other evidence of satisfying the graduation criteria approved by the Board for degree-granting programs or of satisfying the completion criteria approved by the President for non-degree granting programs; To initially approve and recommend to the Board for its final approval all honorary degrees; and To develop, approve, implement and govern the administrative and academic terms, policies, procedures and systems for awarding such degrees and certificates consistently with the Board's approval as applicable;
- 7) Admissions. (a) To develop, approve, implement and govern the *academic criteria* for admitting students to *degree-granting* programs of the University; (b) To develop, approve, and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation of related regulations to the BOG for its final approval), the *non-academic* criteria for admitting students to such *degree-granting* programs; (c) To implement and govern such Board and BOG-approved *non-academic criteria* for admitting students to such *degree-granting* programs, and to develop, approve, implement and govern the related administrative terms, policies, procedures and systems; (d) To consider an applicant's misconduct in the admissions process and/or prior to applying to the University, in determining whether to admit the applicant; (e) To develop, approve, implement and govern the admissions *process*; and (f) To develop, approve,

implement and govern all of the criteria for admitting students to *non-degree granting* programs;

- 8) Enrollment. (i) To develop, approve, implement and govern student enrollment goals, programs and implementation strategies for the University consistently with the Board-approved strategic goals of the University, provided that the President shall report to the Board concerning any decision of the President to change enrollment goals, programs or strategies that will significantly affect the strategic goals of the University; and (ii) The President shall report annually to the Board concerning the status of enrollment as it relates to the University's strategic goals;
- 9) Articulation. To provide for and recommend to the Board for its approval of related regulations (subject to the BOG's final approval of such regulations, if and as required by law), the University's participation in state-wide programs that advance articulation, access, financial assistance and accountability in and concerning the State of Florida's higher education system; and To develop, approve, implement, and govern the associated terms, policies, procedures and systems consistently with such regulations and the University's strategic goals;
- 10) Academic Calendar. To establish the academic calendar for the University;
- 11) Financial Aid. (i) To develop, approve, implement and govern financial aid goals, programs and strategies for students of the University consistently with the Board-approved strategic goals of the University, provided that the President shall report to the Board concerning any decision of the President to create a new, or make any substantial change in any existing, financial aid goal or program that will significantly affect the University's strategic goals; and (ii) The President shall report to the Board annually concerning the adequacy of financial aid to meet the University's strategic goals;
- 12) Tuition and Student Fees. (i) To develop, approve and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation to the BOG for its final approval) the determination of tuition charges and the types and amounts of student fees, subject to appropriation by the Legislature if and as required by law; (ii) To develop, approve, implement and govern the administrative terms, policies, procedures and systems for assessing and collecting tuition and fees consistently with the Board's approval, including without limitation by accepting credit

card payments for tuition and fees; and (iii) To develop, approve, implement and govern the application of tuition and fees to the needs of the University within the approved budgets and any required Legislative appropriations;

- E) Research, Intellectual Property and Technology Authorities of the President. (i) To develop, approve, implement and govern the University's research programs and agreements, terms, policies, procedures and systems, including without limitation, the solicitation, negotiation, and administration of contracts, grants and other awards by, to, with and from the University, the federal and state governments, foreign governments, and/or private individuals and entities, and the fixing, collection and use of associated direct and indirect cost recovery terms and fees; (ii) [a] To develop, approve, implement, and govern the programs and agreements, terms, policies, procedures and systems for the acquisition, development, sale, disposition, transfer, management, accounting, use, access to, and administration of work products, technology, and intellectual property interests by or of the University, including without limitation, licenses, leases, assignments, and other agreements relating to such work products, technology, and intellectual property; and [b] To impose fees and other charges, collect, expend, dispose of, manage, administer and utilize funding and any revenues associated with such work products, technology and intellectual property interests; and (iii) The President shall report to the Board periodically, at least annually, concerning the status and adequacy of the University's research program and intellectual property programs, and their funding and associated costs and cost recovery, in relation to the University's strategic goals and funding needs;
- F) Student Affairs Authorities of the President. (i) To develop, approve, implement and govern programs, terms, policies, procedures and systems for student curricular and co-curricular affairs of the University, including without limitation [a] establishing a committee with at least half of the members being students appointed by the student body president to periodically review and evaluate the student judicial system; [b] approving the internal purchasing, contracting, budgetary and other procedures for student government, [c] prohibiting hazing, [d] creating a code of conduct and academic honesty for students and student organizations, [e] providing for reasonable accommodation of religious observance and belief in connection with admissions, class attendance, and scheduling examinations and work, [f] protecting the privacy of student education records, and [g] concerning other student affairs such as student services, activities, organizations, housing, discipline, and government; (ii) The Board shall have final approval of the code of conduct through its adoption of University regulations; and (iii) The President shall report periodically, at least annually, to the Board concerning the status of

student affairs at the University as they relate to the University's strategic goals;

- G) Human Resources Authorities of the President. (i) To develop, approve, implement and govern human resources and employment programs of the University, and the related terms, policies, procedures and systems, including without limitation those relating to the administrative and academic structure and organization of the University (subject to ratification by the Board of the organization of Vice Presidents as provided below), the creation of positions, recruiting, hiring, appointment and promotion (other than the granting of tenure to faculty), terms and conditions of employment, and discipline, demotion, termination of employment, compensation (subject to the requirements set forth below for compensation of Direct Reports to the President); (ii) To negotiate, enter into, amend, implement, terminate and govern related contracts and related collective bargaining agreements and relations with employee unions, subject to the Board's retained authority to ratify collective bargaining agreements if and as required by applicable law and to resolve impasses in collective bargaining; (iii) To develop programs for, and approve and recommend to the Board for its final approval of, the granting of tenure to faculty of the University; (iv) To implement and govern tenure once approved by the Board; and (v) The President shall report to the Board concerning his or her decisions on those human resources matters that will significantly affect the strategic goals of the University, and the President shall report annually to the Board concerning the status of any human resources matters that significantly affect the strategic goals of the University; and (vi) As changes are approved by the Chair of the Board, and no less than once annually, the President shall provide a list to the Governance Committee of the Board setting forth the compensation of Direct Reports to the President and any changes thereto; and
- G-1) Certain Human Resources Authorities of the President Concerning Senior Executives. In addition to the authorities under Part I.G relating to all employees of the University:
- (i) To approve, and forward to the Governance Committee of the Board for final ratification, the organizational structure of the *Vice Presidents* of the University regarding their reporting relationship to the President;
 - (ii) To determine and adjust compensation of *Direct Reports* to the President, provided that [a] the President shall have market justification for any such compensation determination or adjustment (based on all relevant factors for each such determination including, without limitation, market data on comparable positions (if any), unique skills and contributions, marketability of the individual, relevant discipline, experience of the individual, and other relevant factors) and [b] the President shall discuss with and obtain the approval of the Chair of the Board

- (or his or her designee) regarding any such compensation determination or adjustment before implementing it; *and*
- (iii) For purposes of the resolutions in Part I.G and I.G-1, the following terms shall have the following meanings: [a] “Vice President” shall mean any senior executive employed by the University who reports to the President and has responsibility for managing a line function or significant service area of the University and any person with the title of full "Vice President" who has such senior executive responsibility but reports to a senior Vice President, and shall *not include* “*Staff Executives*” or “*Affiliate Executives*”; [b] “Staff Executive” shall mean any senior executive employed by the University who reports to the President in a staff role in the Office of the President, and who is not managing a line function or significant service area of the University; [c] “Affiliate Executive” shall mean any senior executive or other key position who is employed by a separate but affiliated entity of the University, whether or not such person jointly reports to the governing board of the affiliated entity and the President of the University, and shall include, without limitation, the athletic director and coaches of the University Athletic Association, Inc. and the executives of the University of Florida Investment Company; and [d] “Direct Report” shall mean any Vice President and any Staff Executive;

H) Financial and Asset Management and Debt Authorities of the President.

- (i) Accountability to the Board: The President shall report to the Board at each of its regular meetings on the status, performance and adequacy of the operating and capital budgets, investments, debts, finances, assets, and facilities construction activities of the University;
- (ii) Operating Budget, Capital Budget and Plan, Campus Master Plan, and Investment Policy: [a] To develop, approve and recommend to the Board for its approval (and, if and as required by law, for the Board’s recommendation to the BOG for its final approval and for the BOG’s recommendation to the Legislature for appropriation) the University’s annual operating budget and capital plan and budget (including without limitation, facilities capital plan); [b] To develop, approve and recommend to the Board for its final approval the University’s campus master plan, development agreement, and investment policy; [c] To develop, approve, implement, govern and make investments, and to take actions under the budgets, capital and campus master plans, and development agreement, for the University consistently with their Board approvals (and any additional authority and requirements imposed in related Board operating memoranda or University regulations) and, as applicable, consistently with their BOG approvals; and [d] To develop, approve, implement and govern the

associated administrative programs, terms, policies, procedures and systems for, to impose fees and other charges for, and to expend funds under, such budgets, plans, agreement and policy, consistently with their Board approvals and, if applicable for the operating and capital budgets, consistently with their BOG approval;

(iii) Administration of Real and Personal Property and Other Assets:

[a] To develop, approve, implement and govern the programs, terms, policies, procedures and systems for, and to manage, account for, administer, impose charges for, determine and restrict the use of and access to, and govern all of the real, personal, tangible and intangible property, intellectual property, trademarks and other assets of the University; [b] To serve as the custodian of all property and assets of the University; [c] To develop, approve, implement and govern appropriate accounting and operational controls and systems for such assets and property of the University; [d] To approve and recommend to the Board for its final approval (and, if and as required by law, for the Board's recommendation to the BOG and/or Legislature for its final approval in connection with living individuals), the name of any building, college, school, department, institute, center, park, bridge, recreational complex or road of the University when named for any individual, corporation or other entity; and [e] To approve [i] the name of any building, college, school, department, institute, center, park, bridge, recreational complex or road of the University when not named for an individual, corporation or other entity, [ii] the names of any space within a building or other facility, and [iii] any name of any other area or program of the University and the names of endowed chairs, which shall not require Board approval;

(iv) Land, Facilities and Equipment Construction and Operations:

To develop, approve, implement and govern the programs, terms, policies, procedures and systems for the operation, use, maintenance and construction of land, facilities, furnishings and equipment to meet the needs of the University, subject to any parameters established in the Board-approved campus master plan, budgets and development agreement; and To impose fees and other charges and collect, expend, dispose of, manage, administer and utilize funding and any revenues associated with such property;

(v) Real Property Acquisitions and Dispositions:

[a] To approve and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation to the Florida State Internal Improvement Trust Fund for its final approval), all acquisitions, dispositions and other transactions involving real property interests, including without limitation interests held in trust (other than donations of real property interests to the University, non-financing leases, easements, and licenses which

shall not require Board or Trust Fund approval, and leases of any kind which shall not require Trust Fund approval, unless Trust Fund approval is required under any applicable master lease between the University and the Trust Fund); and To implement and govern such transactions consistently with their Board and/or Trust Fund approvals, as applicable, and to develop, approve, implement and govern all associated programs, terms, policies, procedures and systems consistently with such approvals; [b] To approve and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation to the BOG for its final approval) all real estate lease purchases; and To implement and govern such transactions consistently with their Board and, as applicable, BOG approvals, and to develop, approve, implement and govern all associated programs, terms, policies, procedures and systems consistently with such approvals; [c] To develop, approve, implement and govern all non-financing leases, easements, licenses, and donations of real property interests (unless Trust Fund approval is required under any applicable master lease between the University and the Trust Fund), and all associated programs, terms, policies, procedures and systems; and [d] To collect, expend, dispose of, manage, administer and utilize funding and any revenues associated with such property;

(vi) Personal Property Acquisitions and Dispositions: [a] To develop, approve, implement and govern all personal property acquisitions and dispositions for the University and all associated programs, terms, policies, procedures and systems; and [b] To collect, expend, dispose of, manage, administer and utilize funding and any revenues associated with such property;

(vii) Depository Accounts and Disbursements: To take the following actions, and to develop, approve, implement and govern all related programs, policies, procedures, terms, systems and dealings: [a] establish, manage, control, amend, and terminate all University depository accounts at State of Florida-qualified depository institutions, subject to ratification by the Board if and as required by law, [b] deposit, transfer, withdraw and control funds and other assets to, from and among any University depository accounts, and [c] sign checks and authorize and control disbursements and electronic and other forms of transfers, provided that there shall be no further delegation of the authority to withdraw funds or other assets from a University account at a depository institution given to any position other than the Controller or a Vice President of the University, except to transfer funds or other assets among University accounts or as permitted by the delegation criteria in Attachment A to these resolutions, by operating memoranda of the Board, by University regulations or by resolutions of the Board;

(viii) Debt: [a] To approve and recommend to the Board for its approval (and, if and as required by law, for the Board's recommendation to the BOG for its final approval), all debt proposed to be incurred by the University or its Direct Support Organizations, *other than* debt for which neither Board nor BOG approval is required (i.e., equipment and software leases and debt secured solely by gifts and donations that satisfy any applicable term limitations, refunding to reduce debt service without extending debt terms, and fully collateralized lines of credit for temporary cash flow which do not require Board or BOG approval and shall be authorized by the President); [b] In connection with revenue bonds and other specialized debt if and as required by law, the President's recommendation and the Board's approval are for the BOG's recommendation to the Legislature for its final approval; [c] To implement and govern all authorized debt consistently with the relevant Board and, as applicable, BOG and/or Legislative approvals; and [d] To develop, approve, implement and govern all associated programs, terms, policies, procedures and systems;

- I) Insurance and Indemnification Authorities of the President. (i) To develop, approve, implement and govern insurance programs, terms, policies, procedures, systems and coverages, including without limitation the procurement of insurance contracts and the establishment of self-insurance programs, for the property, exposures and liabilities of the University, its affiliates and contractors, and their respective trustees, directors, officers, employees, students, and agents, as deemed appropriate by the President; and (ii) To develop, approve, implement and govern programs, terms, policies, procedures and systems providing for the civil indemnification of the University's trustees, directors, officers, employees, students, agents and contractors in connection with their scope of activities for, or in furtherance of the interests of, the University and its affiliates, as deemed appropriate by the President; and (iii) The President shall report annually to the Board concerning the status and adequacy of such insurance programs and coverages, and on any uninsured indemnification provided by the University to any such trustees, directors, officers, employees, students, agents or contractors;
- J) Compliance Responsibilities of the President. To develop, approve, implement and govern the programs, terms, policies, procedures and systems to support the University's compliance with applicable federal, state and local laws and regulations;
- K) Contracting for Commodities, Good and Services, and Travel and Purchasing Authorities of the President. To negotiate, enter into, implement, amend, terminate and govern all programs, terms, policies, procedures, systems and contracts for procuring commodities, goods and

services for the University, including without limitation outside professional and attorneys services and services of collection agencies; and To develop, approve, implement and govern the University's travel and purchasing programs, terms, policies, procedures and systems;

- L) Information Systems and Dissemination, and Recordkeeping Authorities of the President. (i) To develop, approve, implement and govern the programs, systems, terms, policies, procedures and strategies for obtaining, managing, maintaining and disseminating information for, about and of the University to support its undertakings and the University's Board-approved strategic goals; (ii) To develop, approve, implement and govern the recordkeeping systems, terms, policies and procedures for the University; and (iii) The President shall report periodically, at least annually, to the Board on the status and adequacy of the University's information systems and on the strategies for disseminating information about the University in furtherance of its strategic goals;
- M) President's Authority for Research Centers for Child Development. To establish, and to develop, approve, implement and govern the programs, terms, policies, procedures and systems for the establishment of, educational research centers for child development for the purpose of providing child care services for members of the University community as well as providing research and internship opportunities;
- N) Athletics Program Authority of the President. To develop, approve, implement and govern the inter- and intra- collegiate athletics programs, policies, and procedures of the University;
- O) Authorities of the President Concerning Affiliated Organizations. (i) To approve and recommend to the Board for its final approval, the creation and certification, as well as the decertification and dissolution, of Direct Support Organizations and University Health Services Support Organizations (and any other affiliated organization of the University whose authorizing legislation, bylaws or agreement with the University permits University approval), and the creation and dissolution of Faculty Practice Plans of the University, in order to serve the needs or in furtherance of the interests of the University; (ii) To develop, approve, implement and govern the programs, terms, policies, procedures, and systems for the University's interactions with and oversight of such affiliates, consistently with the Board's approvals; (iii) To serve, or to appoint one or more appointees to serve, on the governing boards and executive committees of such affiliates; (iv) To review the budgets, audit reports, and mission of all such affiliates, to approve the budgets, review the audit reports and approve the mission of Direct Support Organizations, University Health Service Support Organizations, and Faculty Practice

Plans (and any other affiliates whose authorizing legislation, bylaws or agreement with the University permits University approval of budgets and mission), and to review the performance of all affiliates; (v) To ratify or approve the appointment of the members of the governing boards, of members of the board committees, and of the chief executive officers of Direct Support Organizations, Health Services Support Organizations, and Faculty Practice Plans (and any other affiliate whose authorizing legislation, bylaws or agreement with the University permits University approval of such appointments) based on the recommendations of their governing boards, to ratify or approve the charters of such affiliates' audit committees, and to remove any such affiliate's board members, committee members and/or chief executive officer for cause and its chief executive officer for unacceptable performance; (vi) To require the chief executive officers of Direct Support Organizations, Health Services Support Organizations, and Faculty Practice Plans (and any other affiliate whose authorizing legislation, bylaws or agreements with the University permits such University oversight or supervision) to report to the University's President or his or her delegee, as well as to the affiliates' governing boards; (vii) To monitor Direct Support Organizations' and University Health Services Support Organizations' compliance with applicable laws, and to monitor and control such affiliates' use of the University's resources, name and trademarks; (viii) To accomplish any of the programs or undertakings of the University through agreements with its affiliates, provided that the President shall develop, approve, implement and govern appropriate oversight and controls to support achievement of the University's objectives for programs or undertakings operated by its affiliates; and (ix) The President shall report to the Board periodically, at least annually, concerning the purpose, budget, financial performance and material audit results of each affiliate, and shall make the audit report and budget available to the Board;

- P) Authorities of the President Regarding Regulatory Development. To develop, approve and recommend to the Board for its final approval all regulations of the University; and To implement and govern such Board-approved regulations, and to develop, approve, implement and govern the academic and administrative programs, terms, policies, procedures and systems for the implementation, application and administration of such regulations, consistently with the Board's approval;
- Q) Ancillary Authorities of the President. To negotiate, enter into, implement, amend, terminate and govern any and all contracts and other documents and to take any and all other actions in furtherance of the authorities granted to the President on June 15, 2007.
- R) Reporting. Wherever reporting to the Board is required by the foregoing resolutions, reporting may be made to the Board, to a relevant Committee

of the Board, to the Chair of the Board, or to the relevant Committee Chair, as determined appropriate for the matter by the Chair of the Board and the President.

II. Retained Authorities of the Board.

RESOLVED: That the Board hereby confirms that it has retained the following authorities, which the Board shall exercise as a full Board or through any Board committees it may authorize and in accordance with applicable laws and Board and BOG resolutions, regulations, operating memoranda and policies; and the President shall exercise his or her authorities granted under resolutions of the Board consistently with the Board's retention of these authorities:

- A) Strategic Oversight. The responsibility to establish (subject to BOG approval as applicable, and with the benefit of the President's advice as hereby deemed appropriate by the Board), and to oversee and govern the strategic goals of the University and to review the performance of the University against such goals, which the Board will exercise by requiring periodic reporting on strategic matters delegated to the President and/or by direct resolution or operating memoranda;
- B) Masters and Undergraduate Programs. After considering the recommendation of the President as hereby deemed appropriate by the Board, to approve the creation and termination of masters and undergraduate degree-granting programs of the University, subject to BOG final approval of limited access programs and undergraduate programs requiring more than 120 credits for graduation if and as required by law;
- C) Doctoral and Professional Graduate Programs. After considering the recommendation of the President as hereby deemed appropriate by the Board and, if and as required by law, subject to BOG final approval: (i) to approve the creation and termination of doctoral and professional graduate degree-granting programs of the University; and (ii) if and as required by law, to recommend and seek final Legislative approval for the creation of new colleges, schools and functional equivalents offering a program leading to a degree that is a credential for a specific license issued under a state statute or the state constitution;
- D) Graduation Criteria and Awarding Honorary Degrees. After considering the recommendation of the President as hereby deemed appropriate by the Board, (i) to establish the criteria that must be satisfied to earn an undergraduate or graduate degree from the University; and (ii) to finally approve the awarding of honorary degrees by the University;

- E) Non-academic Admissions Criteria. After considering the recommendation of the President as hereby deemed appropriate by the Board, to determine and adopt a regulation establishing the non-academic criteria for admission to degree-granting programs of the University and, if BOG approval is required by law, which regulation shall not become effective until the BOG approves the regulation (expressly or by the passage of time without action, as provided in the BOG's regulation development procedure);
- F) Tuition and Student Fees. After considering the recommendation of the President as hereby deemed appropriate by the Board, to approve the creation of tuition and fees by the University; To recommend to the BOG that it grant final approval of such tuition and student fees if and as required by law; and To approve the imposition of such approved tuition and student fees upon appropriation by the Legislature if and as required by law;
- G) Hiring and Evaluating the President. To establish a search committee to make recommendations to the Board of candidates for the University's presidency, and to hire an individual to serve as the University's President after, if and as required by law, recommending such individual as President to the BOG and receiving the BOG's ratification; and To evaluate the President's performance annually against the strategic goals of the University, to approve compensation of the President, and, if and as required by law, to provide a copy of such evaluation to the BOG;
- H) Vice President Organization, Tenure, and Collective Bargaining. (i) Through the Governance Committee of the Board, to ratify the organizational structure of the Vice Presidents of the University regarding their reporting relationship to the President as initially approved by the President for final ratification by the Governance Committee; (ii) After considering the recommendation of the President as the Board hereby deems appropriate, to approve the granting of tenure to faculty; and (iii) To resolve impasses in collective bargaining and, if and as required by law, to ratify collective bargaining agreements;
- I) Operating and Capital Budgets and Plan, Campus Master Plan, and Investment Policy. After considering the recommendation of the President as the Board hereby deems appropriate (i) To approve the University's operating budget and capital budget and plan; (ii) To recommend to the BOG that it grant final approval of such operating budget and capital budget and plan if and as required by law; (iii) To approve the University's campus master plan and development agreement; and (iv) To approve the University's investment policy;

- J) Naming Buildings. After considering the recommendation of the President as the Board hereby deems appropriate (i) to approve the name of any building, college, school, department, institute, center, park, bridge, recreational complex or road of the University for any individual, corporation or other entity; and (ii) if and as required by law in connection with living individuals, to recommend such name to the BOG and/or Legislature for its final approval;
- K) Real Estate Transactions, Other Than Non-financing Leases, Easements and Licenses, And Power Of Eminent Domain. After considering the recommendation of the President as the Board hereby deems appropriate (i) To approve all acquisitions, dispositions and other transactions involving real property interests and, if and as required by law, to seek final approval of such transactions from the Florida State Internal Improvement Trust Fund, [a] *except that* donations of real property interests to the University, non-financing leases, easements, and licenses shall not require Board or Trust Fund approval, and [b] *except that* leases of any kind shall not require Trust Fund approval, and [c] *except that* an applicable master lease between the University and the Trust Fund may require Trust Fund approval for transactions that otherwise do not require such approval; (ii) To seek final approval of the BOG of all lease purchases by the University if and as required by law; and (iii) To acquire real property interests for the University through the exercise of the power of eminent domain;
- L) Serving As Trustee of Trusts of Real and Personal Property. To serve as the trustee of any trust of real and/or personal property; and If and as required by law, to recommend and seek BOG approval of any contracts respecting trust property for terms of more than 10 years (including all contracts conveying full title, permanent easements and other interests that last more than 10 years);
- M) Construction of Facilities Needing State Operations and Maintenance Funding. After considering the recommendation of the President as the Board hereby deems appropriate, to approve the commencement of construction of any facility that requires and has not yet received state funding by the Legislature for facility operating and maintenance costs;
- N) Depository Accounts. After considering the recommendation of the President as the Board hereby deems appropriate, and if and as required by law, to approve the University's depository accounts with depository institutions.
- O) Debt. After considering the recommendation of the President as the Board hereby deems appropriate, (i) To approve and, if and as required by law, to recommend to the BOG for its final approval, the issuance or incurrence

of debt by the University or its Direct Support Organizations, except for equipment and software leases and debt secured solely by gifts and donations that satisfy any applicable term limitations, refunding to reduce debt service without extending debt terms, and fully collateralized lines of credit for temporary cash flow, which do not require Board or BOG approval; and (ii) if and as required by law, to recommend the issuance of any revenue bonds and other specialized debt to the Legislature for its final approval;

- P) Affiliated Organizations. (i) After considering the recommendation of the President as the Board hereby deems appropriate, [a] to approve the creation and certification, decertification, and dissolution of Direct Support Organizations, and University Health Services Support Organizations (and other affiliated organizations of the University whose authorizing legislation or agreement with the University permits University approval), and the creation and dissolution of Faculty Practice Plans of the University, and [b] to approve the construction of additional space for Faculty Practice Plans and Health Services Support Organizations on campus and the construction of any such affiliate's off-campus facilities that will require state operating funding; (ii) To appoint a representative to the governing boards of each affiliate if desired by the University's Board; and (iii) To receive and review reports of the President on the budgets and audits of each affiliate;
- Q) Regulation Development. After considering the recommendation of the President as the Board deems appropriate, to adopt the regulations of the University including, without limitation, those relating to participation in state-wide programs for articulation, access, and accountability, the non-academic criteria for admissions (which, if and as required by law, shall not become effective until receiving BOG approval), the code of student conduct, and those relating to human resources.

III. Delegation Authority.

RESOLVED: That any individuals while holding the offices of President and Senior Vice President for Administration of the University are, and either one of them acting singly is, hereby authorized, in the name and on behalf of the Board and the University, as he or she deems appropriate, advisable and in the interests of the University:

- (1) [a] To delegate electronically or in writing to any employee of the University who--
- (i) is a Vice President with responsibility in an area relating to the subject matter of the resolution or

- (ii) is a manager with responsibility in an area relating to the subject matter of the resolution who reports directly to a position at or above the level of Vice President, or
- (iii) 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 Senior Vice President for Administration or the Vice President for Human Resource Services of the University, and
- (iv) is deemed to have appropriate capabilities by the President or the Senior Vice President for Administration, the authority (but not further delegation authority except as provided in the next resolution) granted to the President under that resolution, and

[b] provided that the delegation shall--

- (i) specify the date of the delegation, the name and title of the delegee, the particular resolution and the authority or portion of authority thereunder being delegated, as permitted by this resolution on delegations as well as the particular resolution relating to the delegated authority, and
- (ii) a copy of such delegation shall be filed with the delegee, in the records of the Board and with the Vice President and General Counsel of the University;

and

- (2) To terminate electronically or in writing any such delegation of authority, provided that such termination shall specify the effective date of the termination and shall be filed with the delegee, in the records of the Board and with the Vice President and General Counsel;

and

- (3) The delegation and termination of delegation filing requirements shall also apply to any further delegation authorized under the next resolution.

RESOLVED: That any such delegee of the President or the Senior Vice President for Administration under the immediately preceding resolution may further delegate electronically or in writing the authority delegated by the President or the Senior Vice President for Administration, or a portion thereof, to any employee of the University whom the President's or the Senior Vice President for Administration's direct delegee deems appropriate, provided that such employee and the authority being delegated satisfy the criteria set forth in any relevant Board resolution or operating memorandum, in any relevant University regulation or in Attachment A to the Board's June 15, 2007 resolutions, as applicable, and also satisfy the filing requirements in the immediately preceding resolution.

IV. Authorization and Incumbency Certificates Issued by the President and Certain Other Officers.

RESOLVED: That any individuals while holding the offices of the President, the Senior Vice President for Administration of the University, and the Vice President and General Counsel of the University are, and each of them acting singly is, hereby authorized to certify as to the substance, date and continuing effectiveness of any Board authorization and any permitted related delegation (whether that authorization and/or delegation are given before, simultaneously with, or after this resolution) under which the President or any other individual or position is authorized, as to the incumbent of the office of President or other position, as to the individual authorized, and that a true copy of the authorization and any permitted related delegation are attached to the certification; and such certification shall be conclusive for any person receiving and relying on it as to the authority of the President or other position and individual.

RESOLVED: That, in making such a certification, the President, the Senior Vice President for Administration, and the Vice President and General Counsel are, and any one of them acting singly is, hereby authorized to certify as to his or her own authority under any Board authorization and any permitted related delegation.

V. Authorization and Incumbency Certificates Issued by the Secretary or Assistant Secretary.

RESOLVED: Without derogating from the authority of the Secretary or any Assistant Secretary of the Board under law in the absence of a specific authorization by the Board, it is hereby confirmed:

That any individuals while holding the positions of Secretary and Assistant Secretary of the Board are, and any one of them acting singly is, authorized, in connection with any authorization given by the Board and any permitted related delegation (whether that authorization and/or delegation are given before, simultaneously with or after this resolution) under which an individual or position is authorized, as to the authorization's and any permitted related delegation's substance, date and continuing effectiveness, as to the incumbent of the position authorized, as to the individual authorized, and that a true copy of the authorization and any permitted related delegation are attached to the certification; and such certification shall be conclusive for any person receiving and relying on it as to the authority of the position and individual; and

That any individuals while holding the position of Assistant Secretary of the Board, and any one of them acting singly, may provide an incumbency and/or authority certificate for the Secretary of the Board and/or for any other Assistant Secretary of the Board, and the Secretary of the Board may provide an incumbency and/or authority certificate for any Assistant Secretary of the Board.

VI. Ratifying Prior Actions

RESOLVED: That any action taken before June 15, 2007 by any person who, at the time the action was taken, held a position authorized to take the action under any resolution adopted by the Board on or before June 15, 2007, or under a delegation authorized by and given under such resolution, is hereby ratified as authorized by the Board.

VII. Effective Date

RESOLVED: That the foregoing resolutions will become effective on June 15, 2007 with the following exceptions. The authority to make those particular further delegations of authority that are subject to parameters to be specified in Attachment A, shall become effective upon the Board of Trustees' adoption of Attachment A at a subsequent meeting. Any delegation authority provided in other existing resolutions and operating memoranda shall continue to be effective unless and until the Board takes separate action to rescind such authority. Any delegations of authority that have been previously made to Vice Presidents or employees of the University, and any delegations of authority that are later made, under any delegation authority conferred by other resolutions or operating memoranda of the Board, under University regulations, or under applicable law, shall remain in effect unless and until further action to rescind such other delegation authority is taken by the Board or the President.

ATTACHMENT A
To University of Florida Board of Trustees Resolution
Of June 15, 2007 (R07-37)

Delegation Authority by Vice Presidents, Deans or their
Direct Reports to Other Employees

Pursuant to Part III of the above-referenced resolution, the President and the Senior Vice President for Administration are each authorized singly to delegate authority to Vice Presidents and their direct reports in the areas of their responsibility and capability, subject to the additional controls in Part III of the resolution and to the limitations on delegation of authority for disbursements and transfers of assets under Part I.H(vii).

A. **Sub-Delegations – Generally Applicable Controls.** In addition, (i) the President or Senior Vice President for Administration may singly delegate to Deans and their direct reports authority that is properly delegated to Vice Presidents and their direct reports under the same terms and conditions as apply in Part III of the resolution and (ii) Vice Presidents, Deans and their direct reports to whom authority is properly delegated under this Part A of Attachment A or Part III of the resolution (“direct delegee”) may further delegate limited authority to any individual who is an employee of the University (“sub-delegee”), subject to the following additional limitations:

1. The direct delegee must determine that the sub-delegee has responsibility in the relevant area and appropriate capabilities and the direct delegee shall retain responsibility for appropriate oversight of the sub-delegee’s activities.
2. The delegation to the sub-delegee must also satisfy (a) the filing requirements of Part III of the resolution, (b) all requirements of any applicable laws, University regulations, and Board resolutions and operating memoranda, and (c) any limitations established in the delegation made to the direct delegee.
3. The President or Senior Vice President for Administration may directly delegate or give any approval that a direct delegee may delegate or give, under any part of this Attachment.
4. If relating to making purchases of goods and services or imposing on the University financial obligations to third parties, then, unless the authority of (or delegation of authority to) an employee is authorized by any other Board resolution or operating memorandum or by any applicable University regulation or law, any delegation to a sub-delegee must satisfy all of the criteria set forth in Part B of this Attachment A and, as applicable, all of the criteria set forth in Part C or D.

B. **Sub-delegations for All Not Otherwise Authorized Purchases and Financial Obligations.** If relating to making a purchase of goods or services from a third party or imposing on the University financial obligations to a third party, *unless otherwise*

authorized in a relevant Board resolution or operating memorandum, University regulation or applicable law, a direct delegee may authorize a sub-delegee to make purchases of goods and services on behalf of the University or otherwise to incur or contractually bind the University to financial obligations only subject to the following limitations:

1. Such delegation to a sub-delegee shall be made to a named individual while s/he holds a particular position at the University and shall automatically lapse upon the individual's ceasing to be employed by the University or ceasing to hold the relevant position at the University.
2. In addition, such delegation to a sub-delegee may be effective for up to one year, and may be renewed for successive periods of up to one-year each. Renewals must satisfy all requirements applicable to the initial delegation.
3. To the extent applicable, the sub-delegee of purchasing authority shall have acknowledged the University's and the state's conflict of interest regulations, policies and laws and signed the University's and the state's outside activities and financial interests disclosure forms, or certified that s/he has no outside activities or financial interests required to be disclosed, prior to the delegation taking effect and prior to each renewal (and shall have the obligation to update the forms as appropriate and to comply with the underlying policies and laws).
4. In addition, any sub-delegee who authorizes University expenditures internally (under University purchase orders or other obligation documents) shall be a different person than the person who signs any related contract or obligation document with third parties.
5. In addition, the sub-delegee's purchase from third parties or imposition on the University of financial obligations to third parties on any particular occasion must (a) be subject to review and approval of an authorized employee of a University unit that is different than the sub-delegee's unit (such as, without limitation, the central purchasing department's approval of purchase orders or the human resource services department's approval of hiring), or (b) be subject to the direct delegee's approval, or (c) satisfy the requirements and limitations in Part C or D below.

- C. **Sub-delegations to University Purchasing Agents.** If Part B.5(c) applies, a sub-delegee holding the title, authority and responsibility of Purchasing Director, Purchasing Coordinator, Purchasing Agent, Purchasing Assistant Director or Purchasing Associate Director in the University's central purchasing unit (or a position of equivalent responsibility and authority as determined by the President, Senior Vice President for Administration or Vice President for Human Resources) may be authorized by a direct delegee with management or other oversight responsibility for the University's purchasing function to make purchases and incur other financial obligations on behalf of

the University, subject to the following limitation. Any single purchase or contract may not require an expenditure in excess of \$1,000,000.00.

D. **Controls on Certain Purchasing and Financial Obligations That Have No Second Approval.** If Part B.5(c) applies and Part C does not apply, the sub-delegee may be authorized to make purchases and/or incur other financial obligations if the direct delegee determines that the sub-delegee has responsibility for managing or administering the budget or other significant financial affairs of a University unit, subject to the following three limitations:

1. Any single purchase by the sub-delegee in a University fiscal year shall not exceed \$100,000; however, the direct delegee may give prior approval of a higher purchase on a particular occasion.
2. Any contract entered into by the sub-delegee shall not bind the University to financial obligations exceeding \$300,000 over the term of the contract, which term shall not exceed two years; however, the direct delegee may give prior approval of a higher obligation amount or a longer contract term on a particular occasion.
3. Third, the aggregate of all purchases and other financial obligations imposed on the University shall not exceed the funding over which the direct delegee has authority, without the prior approval of the President or Senior Vice President for Administration.

If the sub-delegee is an individual holding a position determined by the direct delegee to not have responsibility for managing or administering the unit's budget or other significant financial affairs, but to have lesser financial responsibilities, the sub-delegee may be authorized to make purchases of goods and services subject to three limitations:

1. Any single purchase in a University fiscal year shall not exceed \$2,000; however, the direct delegee may give prior approval of a higher purchase on a particular occasion.
2. All purchases in a month shall not exceed \$25,000; however, the direct delegee may give prior approval of any particular purchase exceeding such limit.
3. Purchases shall not exceed the funding over which the direct delegee has authority, without the prior approval of the President or Senior Vice President for Administration.

If approved by the President or Senior Vice President for Administration, the dollar limitations in this Part D shall adjust at the beginning of each fiscal year to reflect any increases from the prior year in the "All Items" Consumer Price Index for Urban Consumers, 1982-84=100, compiled by the U.S. Department of Labor, Bureau of Labor Statistics (or its successor index) or to reflect any increase in the dollar limitations imposed in the University's purchasing card policy. Notice

of the adjustment, if any, shall be given annually by the Senior Vice President for Administration or his or her delegee.

The President or Senior Vice President for Administration may approve higher dollar and longer contract term limitations for the delegation authorities under this Part D or Part C if he or she deems such authority to be appropriate for a particular unit of the University or the responsibilities and capabilities of a particular sub-delegee, and to be in the best interests of the University; sets forth the higher limitations in writing; and files the writing in accordance with Part III of the resolution.

This Appendix A shall become effective on July 1, 2008.