

December 6, 2023

# SUS History and Governance





Governance is the combination of processes and structures implemented by the board to inform, direct, manage, and monitor the activities of the organization toward the achievement of its objectives.

# Governance Defined



**1905-1965**

**Board of Control**

The original board was statutorily authorized to manage the early university system, which consisted of UF, FSU, and FAMU at the time.



**1965-2001**

**Board of Regents**

The Board of Control was refashioned into the Board of Regents, which was also statutorily authorized to manage a much expanded university system.



# Board of Regents 1998 Restructuring

**Tier 1 – Research I Universities**

**UF, FSU, USF**

**Tier 2 – Research II Universities**

**UCF, FAU, FIU**

**Tier 3 – Comprehensive Universities**

**UNF, UWF, FGCU**

- **Tier 3 (Subcategory) – Comprehensive/Doctoral**
- **FAMU**

**2001-2002**

**Florida Board of Education  
Division of Colleges and Universities**

With a goal toward creating a more seamless K-20 system, the short-lived “Super Board” was created in statute to oversee all levels of education.

**Florida Higher Education Governance**



**2003-Present**

**State University System of Florida  
Board of Governors**

This represents the first time that the governing body was constitutionally authorized to oversee all aspects of the university system and to define the powers and duties of the university boards of trustees.

**The Board of Governors is authorized in Article IX, Section 7(d), Florida Constitution, to “*operate, regulate, control, and be fully responsible for the management of the whole university system.*”**

**Florida Higher Education Governance**



**SECTION 7. State University System.**—(a) **PURPOSES.** In order to achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida’s citizens, their communities and economies, the people hereby establish a system of governance for the state university system of Florida.

(b) **STATE UNIVERSITY SYSTEM.** There shall be a single state university system comprised of all public universities. A board of trustees shall administer each public university and a board of governors shall govern the state university system.

(c) **LOCAL BOARDS OF TRUSTEES.** Each local constituent university shall be administered by a board of trustees consisting of thirteen members dedicated to the purposes of the state university system. The board of governors shall establish the powers and duties of the boards of trustees. Each board of trustees shall consist of six citizen members appointed by the governor and five citizen members appointed by the board of governors. The appointed

These 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, and 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.

(e) **FEES.** Any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, must be approved by at least nine affirmative votes of the members of the board of trustees of the constituent university, if approval by the board of trustees is required by general law, and at least twelve affirmative votes of the members of the board of governors, if approval by the board of governors is required by general law, in order to take effect. A fee under this subsection shall not include tuition.

**History.**—Proposed by Initiative Petition filed with the Secretary of State September 28, 2001; adopted 2002; Am. proposed by Constitution Revision Commission, Revision No. 2, 2018, filed with the Secretary of State May 9, 2018; adopted 2018.

# Article IX, Section 7, Florida Constitution



# The Law Suite



**Strike, Strike, and Strike Again!**

**IN THE SUPREME COURT  
STATE OF FLORIDA**

Supreme Court Case No.: SC11-2453  
DCA Case No. 1D11-384  
Lower Tribunal Case No.: 2007-CA-1818

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BOB GRAHAM; LOU FREY, JR.; TALBOT "SANDY" D'ALEMBERTE;  
JOAN RUFFIER; BRUCE W. HAUPTLI; JAMES P. JONES; HOWARD B. ROCK;  
ERIC H. SHAW; MANOJ CHOPRA; and FREDERICK R. STROBEL,

*Petitioners,*

vs.

MIKE HARIDOPOLOS, President of the Florida Senate; and  
DEAN CANNON, Speaker of the Florida House of  
Representatives, on behalf of the Florida Legislature,

*Respondents.*

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**PETITIONERS' BRIEF ON JURISDICTION**

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# SUS Governance Agreement - 2010

1. Master Planning & Coordinating Florida's Higher Education System
2. SUS Strategic Planning
3. University Governance
4. Financial Aid Programs
5. Administration Procedures Act & BOG Regulations
6. Tuition
7. Fees, Fines, Deposits & Surcharges

**Strike, Strike, and Strike Again!**



JEFF ATWATER  
President of the Senate

THE FLORIDA LEGISLATURE



LARRY CRETUL  
Speaker of the House of  
Representatives

## STATE UNIVERSITY SYSTEM GOVERNANCE AGREEMENT March 24, 2010

This Agreement is entered into by and between the Board of Governors of the State University System of Florida, a Florida public corporation ("BOG"), and the undersigned leaders of the Florida Legislature to provide a framework for the collaborative exercise of joint authority by the BOG and Legislature for Florida's public higher education in accordance with their respective state constitutional responsibilities.

As a result of this Agreement, the BOG will file a notice of dismissal, with prejudice, of their claims as Plaintiffs in Case No. 2007-CA-1818 in the Circuit Court for the Second Judicial Circuit in and for Leon County, Florida, and the presiding officers will cause legislation to be filed in accordance with the framework set forth in this Agreement and will exercise their best efforts to accomplish final passage.

The undersigned acknowledge their shared constitutional authority for the state universities as set forth in the Constitution of the State of Florida, as revised in 1968 and subsequently amended.

***THE FLORIDA LEGISLATURE:** The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require. See Article IX, s. 1.(a).*

***THE BOARD OF GOVERNORS OF THE STATE UNIVERSITY SYSTEM OF FLORIDA:** The board of governors shall be a body corporate consisting of seventeen members. The board shall operate, regulate, control, and be fully responsible for the management of the whole university system. These 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, and 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. See Article IX, s. 7.(d). The Board of Governors is responsible for appointing five citizen members of each university board of trustees and for establishing the powers and duties of the university boards of trustees. See Article IX, s. 7.(c).*

### (1) Master Planning & Coordinating Florida's Higher Education Systems

The undersigned will establish a Higher Education Coordinating Council for the purpose of identifying unmet needs as well as to facilitate solutions to disputes regarding the creation of new degree programs, and the establishment of new institutes, campuses or centers. Members of the Council will include the following:

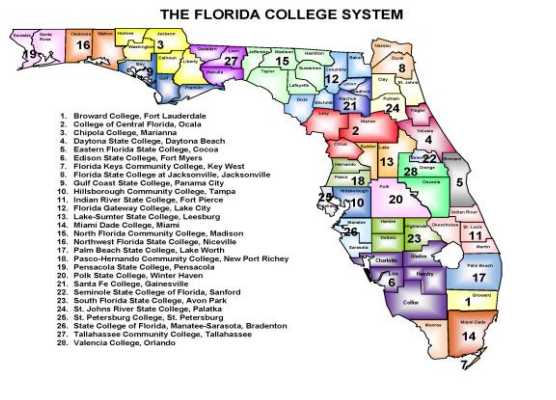


**SUS Board of Governors**  
**12 State Universities**

- Strategic Planning
- Information Systems
- Articulation
- STEM Plan

**State Board of Education**  
**K-12**  
**28 State Colleges**

**Independent Colleges and Universities of Florida**  
**30 Institutions**



Commission on Independent Education

# HE Governance in Florida



- Chapter 1 – Organization, Powers, Duties and Functions of the Board of Governors
- Chapter 2 – Strategic Planning and Performance Monitoring
- Chapter 3 – Uniform Systemwide Procedures and Reporting
- Chapter 4 – Audit and Compliance
- Chapter 5 – Performance Based Funding
- Chapter 6 – Students
- Chapter 7 – Tuition and Fees
- Chapter 8 – Educational Delivery
- Chapter 9 – Property and Finance
- Chapter 10 – Miscellaneous Provisions
- Chapter 14 – Construction Program
- Chapter 17 – Leasing
- Chapter 18 – Purchasing
- Chapter 21 – Campus Master Plans



## Board of Governors – Regulations



# Performance-Based Funding

Fiscal Year	State Investment	Institutional Investment	Total
2014-15	\$100,000,000	\$100,000,000	\$200,000,000
2015-16	\$150,000,000	\$250,000,000	\$400,000,000
2016-17	\$225,000,000	\$275,000,000	\$500,000,000
2017-18	\$245,000,000	\$275,000,000	\$520,000,000
2018-19 - 2022-23	\$265,000,000	\$295,000,000	\$560,000,000
2023-24	\$350,000,000	\$295,000,000	\$645,000,000

**“The Board’s performance funding model continues to drive improvements, with graduation rates up ten percentage points in the past five years and universities now offering a four-year degree for an average of less than \$3,400 after factoring in the state’s investment in Bright Futures and other financial aid.”**

# FAMU Governance Structure

## President

- Chief Executive Officer
- Corporate Secretary
- Operations of University
- Setting BOT Agenda
- Administration –  
Intercollegiate Athletics

BOT

President

## Board of Trustees

- University Oversight
- Collective Authority and Action
- Fiduciary
- Establish Powers and Duties of President
- Selects and Evaluates the President (BOG Confirmation)
- Strategic Planning
- Adopt Regulations and Polices

Chief of Staff/BOT  
Liaison

General Counsel

Chief Audit  
Executive

Chief  
Compliance and  
Ethics Officer

# Shared Governance



## PRINCIPLE:

The institution publishes and implements policies on the authority of faculty in academic and governance matters

Collective  
Bargaining  
Agreement

Faculty  
Handbook

Constitution &  
By-laws

# Fiduciary Duties and Responsibilities

- Duty of Care
- Duty of Loyalty
- Duties to Act Prudently
- Duty to Uphold the Mission
- Duty to Exercise Independent Judgement
- Transparency and Accountability
- Legal and Regulatory Compliance
- Monitoring and Oversight



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Strike, Strike, and Strike Again!



Thank you!



# FLORIDA A&M UNIVERSITY

Founded in 1887 as the State Normal College for Colored Students, Florida Agricultural and Mechanical University (FAMU) is the only historically state supported educational facility for African Americans in Florida. It has always been co-educational. In 1890, the second Morrill Act was passed. This enabled the school to become the Black Land Grant College for the State of Florida. In 1891, the college was moved from its original location west of town to its present location which was once the site of "Highwood," Territorial Governor W.P. Duval's slave plantation. The site is one of the highest hills in Tallahassee. The school was known as Florida A&M College from 1909 until 1953 when it attained university status.