

By Representative Waters

1 A bill to be entitled
 2 An act relating to postsecondary education;
 3 amending ss. 229.003 and 229.008, F.S.;
 4 revising the membership of state university
 5 boards of trustees; amending s. 229.0082, F.S.;
 6 removing authority of university presidents to
 7 approve internal procedures of student
 8 government organizations; creating s. 240.236,
 9 F.S.; providing requirements for university
 10 student governments; providing requirements
 11 with respect to the adoption and approval of
 12 internal procedures; providing procedures for
 13 suspension and removal of officers; amending s.
 14 240.5275, F.S.; revising the membership of the
 15 Campus Board of the University of South Florida
 16 Sarasota/Manatee; amending s. 240.5277, F.S.;
 17 revising the membership of the Board of
 18 Trustees of New College of Florida; repealing
 19 s. 240.136, F.S., relating to suspension and
 20 removal of elected student government officials
 21 at state universities and community colleges;
 22 providing an effective date.

23
 24 Be It Enacted by the Legislature of the State of Florida:

25
 26 Section 1. Subsection (4) of section 229.003, Florida
 27 Statutes, is amended to read:

28 229.003 Florida education governance reorganization.--

29 (4) The Governor shall appoint for each university in
 30 the State University System a 12-member board of trustees,
 31 which shall be a body corporate with all the powers of a body

1 corporate. In addition to the 12 members, the ~~a~~ student body
2 president elected on the main campus pursuant to s. 240.236
3 shall serve ex officio as a voting member of the board of
4 trustees. There shall be no state residency requirement for
5 university board members, but the Governor shall consider
6 diversity and regional representation. Each appointee is
7 subject to confirmation by the Senate at the regular
8 legislative session immediately following his or her
9 appointment.

10 Section 2. Paragraph (a) of subsection (1) of section
11 229.008, Florida Statutes, is amended to read:

12 229.008 Boards of trustees of the state
13 universities.--

14 (1)(a) Effective July 1, 2001, and no later than
15 November 1, 2001, the Governor shall appoint a 12-member
16 ~~13-member~~ board of trustees for each university in the State
17 University System, each member to be confirmed by the Senate
18 in the regular legislative session immediately following his
19 or her appointment. In addition, the ~~a~~ student body president
20 elected on the main campus pursuant to s. 240.236 shall serve
21 ex officio as a voting member of his or her university board
22 of trustees. There shall be no state residency requirement for
23 university board members, but the Governor shall consider
24 diversity and regional representation. Members of the boards
25 of trustees shall receive no compensation but may be
26 reimbursed for travel and per diem expenses as provided in s.
27 112.061.

28 Section 3. Subsection (15) of section 229.0082,
29 Florida Statutes, is amended to read:

30 229.0082 University presidents; powers and
31 duties.--The president is the chief executive officer of the

1 university, shall be corporate secretary of the state
2 university board of trustees, and is responsible for the
3 operation and administration of the university. Each
4 university president shall:

5 ~~(15) Approve the internal procedures of student~~
6 ~~government organizations and~~ Provide purchasing, contracting,
7 and budgetary review processes for student government ~~these~~
8 organizations.

9 Section 4. Section 240.236, Florida Statutes, is
10 created to read:

11 240.236 University student governments.--

12 (1) A student government is created on the main campus
13 of each state university. In addition, each university board
14 of trustees may establish a student government on any branch
15 campus or center.

16 (2) Each student government shall be organized and
17 maintained by students and shall be composed of at least a
18 student body president, a student legislative body, and a
19 student judiciary. The student body president and the student
20 legislative body shall be elected by the student body;
21 however, interim vacancies and the student judiciary may be
22 filled in a manner other than election as prescribed by the
23 internal procedures of the student government.

24 (3) Each student government shall adopt internal
25 procedures governing:

26 (a) The operation and administration of the student
27 government.

28 (b) The execution of all other duties as prescribed to
29 the student government by law.

30 (4)(a) The qualifications, elections, and returns, the
31 appointments, and the suspension, removal, and discipline of

1 officers of the student government shall be determined by the
2 student government as prescribed by its internal procedures.

3 (b) Any elected or appointed officer of the student
4 government may be removed from office by the majority vote of
5 students participating in a referendum held under this
6 paragraph. Each student government shall adopt internal
7 procedures by which students may petition for a referendum to
8 remove from office an elected or appointed officer of the
9 student government. The grounds for removal of a student
10 government officer by petition must be expressly contained in
11 the petition and are limited to the following: malfeasance,
12 misfeasance, neglect of duty, incompetence, permanent
13 inability to perform official duties, or conviction of a
14 felony. The referendum must be held no later than 60 days
15 after the filing of the petition.

16 (c) Each student government shall adopt internal
17 procedures providing for the suspension and removal of an
18 elected or appointed student government officer following the
19 conviction of that officer of a felony.

20 (5) Each student government is a part of the
21 university at which it is established. The internal procedures
22 adopted by the student government under this section are
23 subject to final approval by the university board of trustees;
24 however, a procedure is deemed approved unless it is
25 disapproved at the next meeting of the board of trustees which
26 is held at least 15 days after the procedure is adopted by the
27 student government and presented to the corporate secretary of
28 the board of trustees.

29 Section 5. Subsection (2) of section 240.5275, Florida
30 Statutes, is amended to read:

31

1 240.5275 The University of South Florida
2 Sarasota/Manatee.--

3 (2) The Board of Trustees of the University of South
4 Florida shall appoint to the Campus Board, from
5 recommendations of the President of the University of South
6 Florida, three residents of Manatee County and two residents
7 of Sarasota County, to serve 4-year staggered terms. In
8 addition, the student body president of the University of
9 South Florida Sarasota/Manatee elected pursuant to s. 240.236
10 shall serve ex officio as a voting member of the Campus Board.

11 If one or more residents of Sarasota County or Manatee County
12 are appointed to the Board of Trustees of the University of
13 South Florida, the board shall, at the next vacancy of the
14 Campus Board, appoint one of those members to serve jointly as
15 a member of the Campus Board. The Board of Trustees may
16 reappoint a member to the Campus Board for one additional
17 term. The Campus Board has the powers and duties provided by
18 law, which include the authority to:

19 (a) Review and approve an annual legislative budget
20 request to be submitted to the Commissioner of Education. The
21 Campus Executive Officer shall prepare the legislative budget
22 request in accordance with guidelines established by the
23 Florida Board of Education. This request must include items
24 for campus operations and fixed capital outlay.

25 (b) Approve and submit an annual operating plan and
26 budget for review and consultation by the Board of Trustees of
27 the University of South Florida. The campus operating budget
28 must reflect the actual funding available to that campus from
29 separate line-item appropriations contained in each annual
30 General Appropriations Act, which line-item appropriations
31 must initially reflect the funds reported to the Legislature

1 for the University of South Florida Sarasota/Manatee campus
2 for fiscal year 2000-2001 and any additional funds provided in
3 the fiscal year 2001-2002 legislative appropriation.

4 (c) Enter into central support services contracts with
5 the Board of Trustees of the University of South Florida for
6 any services that the campus at Sarasota/Manatee cannot
7 provide more economically, including payroll processing,
8 accounting, technology, construction administration, and other
9 desired services. However, all legal services for the campus
10 must be provided by a central services contract with the
11 university. The Board of Trustees of the University of South
12 Florida and the Campus Board shall determine in a letter of
13 agreement any allocation or sharing of student fee revenue
14 between the University of South Florida's main campus and the
15 Sarasota/Manatee campus.

16
17 The Board of Trustees of the University of South Florida may
18 lawfully delegate other powers and duties to the Campus Board
19 for the efficient operation and improvement of the campus and
20 for the purpose of vesting in the campus the attributes
21 necessary to meet the requirements for separate accreditation
22 by the Southern Association of Colleges and Schools.

23 Section 6. Subsection (3) of section 240.5277, Florida
24 Statutes, is amended to read:

25 240.5277 New College of Florida.--

26 (3) BOARD OF TRUSTEES.--The Governor shall appoint 12
27 members to the Board of Trustees, to serve 4-year staggered
28 terms, as follows:

29 (a) Three residents of Sarasota County.

30 (b) Two residents of Manatee County.

31

1 (c) Until the expiration date of the terms of office
2 of the members who are on the board June 30, 2001, seven
3 members selected from the Board of Trustees of the New College
4 Foundation.

5
6 In addition, the ~~a~~ student body president of New College of
7 Florida elected pursuant to s. 240.236 shall serve ex officio
8 as ~~be~~ a voting member of the board.

9 Section 7. Section 240.136, Florida Statutes, is
10 repealed.

11 Section 8. This act shall take effect July 1, 2002.

12
13 *****

14 HOUSE SUMMARY

15 Revises the membership of state university boards of
16 trustees. Transfers authority to approve internal
17 procedures of student government organizations from
18 university presidents to university boards of trustees.
19 Provides requirements for university student governments.
20 Repeals provisions relating to suspension and removal of
21 student government officials at universities and
22 community colleges and establishes new procedures for
23 such discipline at universities.
24
25
26
27
28
29
30
31