

THE FLORIDA POLYTECHNIC UNIVERSITY BOARD OF TRUSTEES

6C13-10.002 University Direct Support Organizations.

(1) The University President (“President”) may recommend to the Florida Polytechnic University (“University”) Board of Trustees (“BOT”) an organization, meeting the definition and requirements of Florida Statutes, Section 1004.28, to be established and certified a Florida Polytechnic University Direct Support Organization (“DSO”). Upon certification by the BOT, a DSO is authorized to use the property, facilities and personal services of the University in accordance with University rules, regulations, policies and procedures.

(2) In order to be considered for certification as a DSO, an eligible organization under Florida Statutes, Section 1004.28, must submit to the BOT proposed Articles of Incorporation and Bylaws which, together, shall provide that:

(a) Any person employed by the organization shall not be considered to be an employee of Florida Polytechnic University by virtue of employment by the DSO.

(b) The organization shall provide equal employment opportunities to all persons regardless of race, color, religion, gender, age, or national origin.

(c) The giving, either directly or indirectly, of any gift to a political committee, as defined in Florida Statutes, Section 106.011, for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the University.

(d) Any subsequent amendments to the Articles of Incorporation or Bylaws of the organization be subject to the approval of the BOT.

(e) The chief executive officer or director of the organization be selected and appointed by the governing board of the organization, subject to prior approval of the President, and the chief executive officer or director shall report to the President or a designee reporting directly to the President.

(f) The President shall have the following powers and duties:

1. Monitor and control the use of University resources by the organization.

2. Control the use of the University name by the organization.

3. Monitor compliance of the organization with federal and state laws.

4. Approve contributions of funds or supplements to support intercollegiate athletics.

(3) The Chair of the BOT may appoint a representative to the governing board and the executive committee of each DSO and the President or designee shall serve on the governing board and the executive committee of each DSO.

(4) Each DSO must prepare, at least annually, a proposed operating budget for review and approval by the organization’s governing board and recommended by the President to the BOT for review.

(5) Significant changes in planned expenditures in the DSO’s approved budget shall be reported to the BOT or designee as soon as practicable, but no later than the end of the quarter in which such changes were proposed.

(6) Each DSO shall cause an annual financial audit to be conducted, in accordance with applicable laws and rules, by an independent certified public accountant upon the close of each fiscal year for submission to the President and the BOT for review and oversight.

(7) The BOT or designee shall submit each DSO’s annual audit report to the Auditor General and the Board of Governors for review no later than nine (9) months after the close of the fiscal year.

(8) Each DSO shall submit its federal Internal Revenue Service application for Recognition from Exemption form (Form 1023) and its federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990) to the President.

(9) The President may recommend and request that the BOT decertify a DSO if the President determines that the organization is no longer serving the best interest of the University. Any recommendation and request for decertification shall include a plan for disposition of the DSO's assets and liabilities.

(10) The DSO shall comply with all other obligations required by law, including those required by Florida Statutes, Section 1004.28, and applicable University rules, regulations, policies and procedures.

(11) In the absence of the Florida Polytechnic University President, any and all authority and responsibility of the President arising out of this rule shall be delegated to the chief operating officer of the University.

Rulemaking Authority 1001.706(2), 1004.28(2)(b) FS. Law Implemented 1001.706(3)(c), 1004.3451, 1004.28 FS.

History: 8.5.14