

**FLORIDA BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA**

June 18, 2009

SUBJECT: Public Notice of Intent to Promulgate Amendment to Regulation 9.011 relating to Direct Support Organizations and the Repeal of Regulation 9.020 relating to Health Services Support Organizations

PROPOSED BOARD ACTION

Approve Public Notice of Intent to Promulgate Amendment to Board of Governors' Regulation 9.011 relating to Direct Support Organizations and the Repeal of Regulation 9.020 relating to Health Services Support Organizations

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Section 7(d), Art. IX, Florida Constitution

BACKGROUND INFORMATION

Board of Governors' Regulation 9.011 authorizes universities, subject to approval by the Board of Governors, to establish direct support organizations and to certify such organizations to use university property, facilities, and personal services. Regulation 9.020 is identical except that it relates to university health services support organizations.

These regulations have not been amended to reflect the delegation of authority to boards of trustees to establish such organizations and to certify the organizations' use of university property, facilities, and personal services. The proposed amendments reflect this delegation of authority and provide for trustees to establish conditions for use of university property, facilities, and personal services, together with such additional conditions, controls, and requirements as each board deems appropriate to provide for budget and audit review and oversight. The proposed amendment also provides for decertification of a support organization by a board of trustees when it is determined that the support organization is no longer serving the best interests or mission of the university and decertification is deemed appropriate.

In the interest of streamlining Board regulations, the proposed amendments to Regulation 9.011 encompass both direct support organizations and health services support organization so that two regulations relating to the same subject matter are

unnecessary. Upon Board approval, Regulation 9.020 relating to health services support organizations will be noticed for repeal.

Pursuant to the Regulation Development Procedure adopted by the Board at its March 23, 2006, meeting, the Board is required to provide public notice by publication on its Internet website at least 30 days before adoption of the proposed regulation.

These regulations have been reviewed and discussed with university representatives. Their comments and suggestions have been incorporated into the revised regulation.

Supporting Documentation Included: See information behind Budget Committee tab.

Facilitators/Presenters: Vikki Shirley, General Counsel