



Item: IV. b.

Wednesday, April 26, 2017

SUBJECT: RESOLUTION AUTHORIZING CHAIR TO REQUEST INFORMATION

PROPOSED BOARD ACTION

Approve a Board resolution in substantially the form attached authorizing the Chair to request and receive information on behalf of the Board from Florida Atlantic University Direct Support Organizations ("DSOs") and designating the Chair as the Board's designee for such purposes.

BACKGROUND INFORMATION

Recently, the activities of State University System DSOs have been reviewed by the Florida Board of Governors, the Florida Cabinet, and the Florida Legislature. Pursuant to Florida Statutes Section 1004.28, most records of DSOs are confidential and exempt from public disclosure. However, information requested from a DSO by the Board of Trustees is not. Pursuant to Florida Board of Governors Regulation 9.011(4), the Board or designee may require and receive from a DSO or its independent auditors any records relative to the operation of a DSO.

A resolution designating the Chair as the Board's designee for the purposes of BOG Regulation 9.011(4) and authorizing the Chair to request information on behalf of the Board from any FAU DSO will facilitate the Board's ability to maintain ongoing oversight of FAU's DSOs. Specifically, it will enable the Chair to conduct ongoing or issue-specific reviews of DSO records and data without the need to convene the full Board for a vote authorizing a request each time information is sought.

IMPLEMENTATION PLAN/DATE

The resolution will be effective upon approval by the Board of Trustees.

FISCAL IMPLICATIONS

N/A



Florida Atlantic University Board of Trustees Resolution

April 26, 2017

A RESOLUTION: AUTHORIZING THE FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES' CHAIR AS THE BOARD'S DESIGNEE FOR REQUESTING INFORMATION FROM ANY FLORIDA ATLANTIC UNIVERSITY DIRECT SUPPORT ORGANIZATION

WHEREAS, the Florida Atlantic University Board of Trustees ("BOT") has certified several Florida not-for-profit corporations as Florida Atlantic University Direct Support Organizations ("FAU DSOs") pursuant to Section 1004.28, Florida Statutes, and Florida Board of Governors Regulation 9.011;

WHEREAS, in accordance with Section 1004.28, Florida Statutes, and Florida Board of Governors Regulation 9.011, Florida Atlantic University may provide FAU DSOs numerous benefits, provided that those DSOs comply with certain conditions established by the BOT;

WHEREAS, in accordance with Section 1004.28, Florida Statutes, and Florida Board of Governors Regulation 9.011, the BOT is responsible for ensuring that FAU DSOs are acting in compliance with the BOT's conditions, and for providing oversight and review of FAU DSOs' operating budgets and audits;

WHEREAS, in accordance with Section 1004.28, Florida Statutes, and Florida Board of Governors Regulation 9.011, the BOT or its designee may require and receive from any FAU DSO or its independent auditors any records relative to the operation of the DSO;

WHEREAS, the BOT has determined that authorizing the Chair of the Board to serve as its designee for purposes of requesting and receiving from any FAU DSO or its independent auditors any records or data relative to the operation of the DSO shall enhance the BOT's ability to maintain ongoing and issue-specific oversight and accountability of FAU DSOs;

NOW, THEREFORE, BE IT RESOLVED BY THE FAU BOARD OF TRUSTEES AS FOLLOWS:

The FAU Board of Trustees hereby designates and authorizes the Chair of the Board to serve as its designee for purposes of requesting and receiving from any FAU DSO or its independent auditors any records or data relative to the operation of the DSO. This Resolution shall become effective immediately upon passage.

CERTIFICATE OF THE CORPORATE SECRETARY

The Undersigned, Corporate Secretary of the Florida Atlantic University Board of Trustees, does hereby certify that the attached resolution is a true and accurate copy as adopted by the Florida Atlantic University Board of Trustees on April 26, 2017.

THE FLORIDA ATLANTIC UNIVERSITY
BOARD OF TRUSTEES

Dated: _____

By: _____
Corporate Secretary