

University of West Florida Regulations

UWF/REG-5.016 Direct Support Organizations.

(1) The President shall recommend to the University of West Florida Board of Trustees that an organization meeting the requirements of Section 1004.28, F.S., be certified as a University of West Florida Direct Support Organization (“DSO”).

(2) To be considered for certification, the Articles of Incorporation and Bylaws of the proposed DSO together must provide:

(a) The DSO is a Florida not for profit corporation under the provisions of Chapter 617, F.S., or the DSO will, upon certification by the UWF Board of Trustees, file for such incorporation with the Department of State.

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

(c) The chief executive officer or director of the DSO shall be selected by the President and shall report to the President or a designee reporting directly to the President.

(d) Any amendments to the Articles of Incorporation or Bylaws shall be submitted by the President to the UWF Board of Trustees for approval prior to becoming effective.

(e) The President or designee(s) shall have the following authority and duties:

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

2. Establish fundraising priorities that are consistent with the University’s mission and ensure coordination of fundraising activities among all DSO’s.

3. Control the use of the University name by the DSO.

4. Monitor compliance of the DSO with federal and state laws.

5. Recommend to the governing board of the DSO an annual budget.

6. Review and approve quarterly expenditure plans.

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

(f) If the DSO is decertified, all assets revert to the University.

(3) Upon approval by the UWF Board of Trustees, a DSO is certified and authorized to use the property, facilities and personal services of the University, to receive, hold, invest or administer assets or property and to make expenditures for the benefit of the University. A DSO is further authorized to issue revenue bonds or other forms of indebtedness upon approval of the UWF Board of Trustees in accordance with Section 1010.60, F.S., and to enter into agreements to finance, design and construct, lease, lease-purchase, purchase, or operate facilities necessary and desirable to serve the needs and purposes of the University.

(4) The Chair of the UWF Board of Trustees shall appoint a representative to the governing body and the executive committee of each DSO. The President or designee shall also serve on the governing body and executive committee of each DSO.

(5) Each DSO shall prepare and submit to the President or designee no later than the first day of each quarter of the DSO’s fiscal year a quarterly expenditure plan that delineates planned actions which would cause a commitment of University resources or represent a significant commitment of the resources of the DSO, including, but not limited to:

(a) Major fund raising events and campaigns and their purpose.

(b) Compensation and benefits to University employees and employees of the DSO.

(c) Capital projects, including land acquisition, construction, renovation or repair.

(6) Each DSO shall conduct its financial operation observing a fiscal year ending on June 30 of each year and shall cause a financial audit of its accounts and records to be conducted by an independent certified public accountant within 180 days of the close of each fiscal year as follows:

(a) Audits shall be conducted pursuant to Section 1004.28, F.S., and in accordance with rules adopted by the Auditor General pursuant to Section 11.45, F.S.

(b) The President of the University shall submit the annual audit report to the UWF Board of Trustees and the Auditor General within nine months after the end of the fiscal year.

(7) The President of the University shall recommend to the UWF Board of Trustees that a DSO be decertified if the President determines that the organization is no longer serving the best interests of the University. In the event that a DSO is decertified, all assets shall revert to the University. The recommendation for decertification shall include a plan for disposition of the organization’s assets and liabilities.

(8) Notwithstanding the above, the West Florida Historical Preservation, Inc. DSO of UWF is also governed by Section 267.173 or 267.1732, F.S. To the extent the requirements above are in conflict with such statutes, West Florida Historical Preservation, Inc. is exempt from complying with those requirements.

Specific Authority 267.1732(5), 1001.74(4), 1004.28(2) FS. Law Implemented 267.173, 267.1732, 1001.74(37), 1004.28 FS. History--New 3-8-04. Converted to UWF/REG 5.016-7/21/05.