

UNIVERSITY OF WEST FLORIDA
NOTICE OF PROPOSED REGULATION

REGULATION TITLE: UWF/REG 5.018- Florida Endowment Trust Funds for University Major Gifts Challenge Grants

SUMMARY: Florida Board of Governors Regulation 9.019 authorizes university boards of trustees to establish regulations to administer state matching programs for major gifts, call Challenge Grants.

AUTHORITY: Florida Board of Governor's Regulations 1.001 and 9.019.

NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION:

Sherri Pope, Assistant Director, University of West Florida Foundation

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:

James Felder, Associate General Counsel, jfelder@uwf.edu, Phone (850) 474-3420; FAX (850) 857-6058; Bld. 10/Rm 128; 11000 University Parkway; Pensacola, FL 32514-5750. All comments regarding the proposed regulation amendment must be sent in writing to the contact person on or before November 23, 2010 to receive full consideration.

THE DATE THIS NOTICE WAS POSTED ON THE UWF BOARD OF TRUSTEES WEBSITE:

November 8, 2010

THE FULL TEXT OF THE PROPOSED REGULATION IS SET FORTH BELOW:

UWF/REG 5.018- Florida Endowment Trust Funds for University Major Gifts Challenge Grants

- (1) The Trust Funds established in the State Treasury for Eminent Scholars, New Donors, and Major Gifts and administered by the Chancellor of Florida Board of Governors provide the opportunity for the University of West Florida to receive matching funds for challenge grants to enhance specific programs and activities at the University. The University of West Florida shall administer the Endowment Trust Funds for Eminent Scholars and Challenge Grants as prescribed by BOG Regulation 9.019.
- (2) The Vice President for University Advancement and the Executive Director of the University of West Florida Foundation, Inc. shall be responsible for directing the solicitation and acceptance of gifts for Endowment Trust Funds for Eminent Scholars and Challenge Grants at UWF, including: communications to donors; negotiation and execution of Endowed Chair Agreements and other Challenge Grant Agreements; reservation and disbursement of Trust fund challenge grants; and other functions and responsibilities of the Foundation under Florida law and pertinent Endowed Chair Agreements.
- (3) The University President, or his/her designee(s), shall have the right to approve or disapprove the terms of any agreement to establish a Challenge Grant fund, to establish an Endowed Chair for an Eminent Scholar, or to establish a Distinguished Professorship on the Faculty of the University of West Florida.
- (4) Trust Fund Challenge Grants established for the endowment of scholarships, library resources, academic programs and other endowed activities shall be administered as provided by Florida law and the pertinent Endowment Agreements.
- (5) Eminent Scholars and Distinguished Professors
 - a. The recruiting, selection, appointment and reappointment of Eminent Scholars and Distinguished Professors shall be the responsibility of the University President and Provost, with the advice of the appropriate dean and department head.
 - b. The Eminent Scholars and Distinguished Professors shall be individuals outstanding in their fields. The University President shall establish a committee to process each application or nomination. The committee will consist of members appointed in accordance with Florida law and BOG and UWF regulations, pertinent Endowment Agreements, policies and procedures, and shall include, but not be limited to, representatives from the Faculty of the University of West Florida. The committee shall recommend to the President for his/her approval one or more eligible candidates as evidenced by his/her previous achievements in:
 - i. Contributions to the advancement of knowledge in his/her field as demonstrated by research and other creative activities which have resulted in publication or presentation of speeches or papers,
 - ii. Teaching excellence,
 - iii. Ability to attract other kinds of support to the University (e.g., students, scholars, external funding, etc.).
 - c. As part of the annual evaluation of employee performance, the appropriate deans or department heads shall annually provide an evaluation of the performance of Eminent Scholars and Distinguished Professors. This evaluation of performance shall be based on his/her achievements while at the University of West Florida in:
 - i. Contributing to the advancement of knowledge in his/her field as demonstrated by research and other creative activities which have resulted in publication or presentation of speeches or papers,
 - ii. Teaching excellence,
 - iii. Ability to attract other kinds of support to the University (e.g., students, scholars, external funding, etc.).

- d. This annual evaluation will be used as a measure in evaluating each Eminent Scholar and Distinguished Professor in achieving the objectives set forth in Florida law and the objectives set forth in their University assignments.
 - e. The routine daily expenditure of available allotted earnings on Challenge Grant Endowment accounts, and accountability for same, and other ongoing support relative to the functioning of the Endowments shall be approved by the dean or department head in accordance with Florida law, BOG, University, and Foundation regulations, policies and procedures, and the pertinent Endowment Agreements.
- (6) When a prospective donor is identified, the Vice President for University Advancement shall be notified. All further negotiations or matters related to the solicitation of funds for a Challenge Grant Endowment shall then be coordinated with the Vice President, acting on behalf of the Foundation.
- (7) All matters related to the solicitation of the gift shall remain confidential until the gift is secure and the donor grants permission for release of pertinent information, except for such disclosures of information as may be required under Florida law.
- (8) The Vice President for University Advancement, in cooperation with the Office of University Communications, shall coordinate the release of publicity on the establishment of each Challenge Grant Endowment Fund, including notification of key constituent groups.
- (9) The Executive Director of the University of West Florida Foundation, Inc. shall be responsible for communications with the BOG regarding the eligibility of prospective gifts for matching Trust Fund challenge grants, and for the prompt reservation and disbursement of such Trust Fund challenge grants for accepted and executed Endowment Funds. Information concerning requirements for eligibility for matching Trust Fund Challenge grants can be obtained from the University Development office.
- (10) The Vice President for University Advancement, Provost, and the Executive Director of the University of West Florida Foundation, Inc. shall maintain files on each Endowment Challenge Grant fund which may include but is not limited to the following items:
- a. All related correspondence.
 - b. Copies of all cancelled checks relating to the payment of the gift.
 - c. Copies of the appropriate agreement and other related legal documents.
 - d. All related financial statements.
 - e. Eminent Scholar's or Distinguished Professor's vita and other pertinent documents.
 - f. Copies of announcements and press releases pertinent to the Endowment Fund.
 - g. Copies of annual reports submitted to the BOG, donor, and President.
- (11) The Executive Director of the University of West Florida Foundation, Inc. shall be responsible for preparing the Foundation's annual report including the information concerning collection, investment, and audit of all funds for each Challenge Grant program. This report may be included in the supplemental schedules to the annual audited financial statements.
- (12) The Vice President for University Advancement shall be responsible for preparing an annual report to each donor as required by the respective donor agreements.
- (13) The Executive Director of the Foundation shall report the actual or projected earnings from each Challenge Grant Endowment account to the Provost and appropriate deans and department heads prior to the start of each University fiscal year. The UWF Foundation shall transfer or allocate such available funds each year in accordance with the Board approved allocation policy, and authorize expenditure thereof by or under the direction of the dean or department head as with any other academic or research account. The chair and dean or department head shall be responsible for submitting appropriate budget reports on each Challenge Grant Endowment account to the Provost and Executive Director of the Foundation prior to the fiscal year and within 90 days of the close of the fiscal year.

- (14) In cases where the Challenge Grant Endowment has met minimum levels but is not yet fully funded, upon approval from the Provost and Executive Director of the Foundation, and consistent with the pertinent Challenge Grant Endowment agreements and the UWF Foundation policies, the earnings from a Challenge Grant Endowment account may be expended by the dean or department head in the interim. Such expenditures may include: recruiting the Eminent Scholar or Distinguished Professor; engaging consultants; acquiring supporting equipment or facilities; interim employment of an Eminent Scholar or Distinguished Professor in the specific field for which the Endowment is designated; and any other use directly associated with the development and functioning of the Challenge Grant Endowment fund.
- (15) Once all related requirements set forth in the donor agreement and UWF Foundation policies have been met and sufficient earnings are accumulated, the Executive Director of the Foundation shall notify the Provost and appropriate dean and department head so that the approved activities can be initiated. No commitments or obligations shall be made for expenditure of available earnings unless authorized by the Provost upon such notification from the Executive Director of the Foundation.
- (16) The Vice President for University Advancement shall be responsible for coordinating all official recognition of donors of funds for Challenge Grant Endowments. The Vice President shall draft and propose formal acknowledgement and appreciation letters for the President's signature. With the exception of personal correspondence by the President or Vice President, all formal contact with Challenge Grant Endowment should be forwarded through or copied to the University Development office.
- (17) In cooperation with the academic area receiving the Challenge Grant Endowment, the Vice President for University Advancement shall initiate and coordinate all social activities designed to recognize the donors for their contribution. The Vice President shall be responsible for procuring and delivering UWF mementos and tangible forms of recognition.
- (18) All media announcements, press releases, and other public communications relative to the establishment and development of a Challenge Grant Endowment shall be the responsibility of the Division of University Advancement through appropriate staff and support of the Office of University Communications. Each formal public announcement of a gift establishing a Challenge Grant Endowment shall be issued by or through the University President.

Authority: Board of Governors Regulation 9.019. History: New _____.