

# COLLEGE TRUSTEES MANUAL



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## INTRODUCTION

Appointed District Board of Trustees (DBOT) members have been responsible for college governance since the late 1960's. This form of local control in the Florida College System (FCS) has built on a strong system of governance for each college. It is the trustees, collectively, who carry the fiduciary and policy responsibility for their respective on behalf of the citizens of Florida and their local communities.

In addition to the extensive training provided regarding college business to its trustees, it is also imperative that trustees are knowledgeable of the mission, structure, and operations of the Florida College System, its partners, and how it fits into Florida's higher education system. Moreover, issues in trusteeship are vital to making informed decisions and using appropriate processes in to implement the policies, programs, and practices at a college.

This manual is intended to provide an overview of the Florida College System, laws governing trustee roles, trustee education, and other matters related to how colleges operate within the higher education structure in Florida.

### **The Association of Florida Colleges**

The Association of Florida Colleges (AFC), established in 1949, is a 501C-6 organization open to all employees of the Florida College System. Currently, all 28 colleges are institutional members of the AFC, in addition to 6,500 plus individual members. The Association is governed by a Board of Directors, is structured into five Regions, 14 commissions, and 28 Chapters addressing the interests of faculty, professional staff, and administrators among all 28 colleges. The AFC mission focuses on advocacy, leadership, professional development and best practice sharing.

The 14 Commissions of the AFC are: Administration; Campus Safety; Career and Professional Employees; Communications and Marketing; Equity, Diversity and Inclusion; Facilities; Faculty; Healthcare Education; Institutional Effectiveness; Learning Resources; Student Development; Technology; **Trustees**; and Workforce and Adult Education. The AFC Commissions conduct year-round professional development, leadership, and service programs focused on preparing the next generation of college leaders.

The AFC also administers the affairs of the Florida College System Council of Presidents. This includes meeting planning, public records maintenance, project and contract management and communications. More about the Association of Florida Colleges can be found at [www.myafchome.org](http://www.myafchome.org).

### **The AFC Trustees Commission**

The Trustees Commission comprises all currently seated trustees of the Florida College System by virtue of the institutional membership of the college. The Commission is supported by the AFC Chief Executive Officer and governed by an Executive Committee elected annually.

Per the **Trustees Commission Bylaws** the purpose of the commission, "...shall be to promote and enhance the Florida College System of the State of Florida by serving in a liaison capacity with the State Board of Education, by serving as liaison with the general membership of the Association of Florida Colleges (AFC), and by providing trustees within the Florida College System with education opportunities

with regard to their duties and responsibilities, by keeping such trustees informed about matters of concern to all of the community colleges, and by providing a forum for such trustees to discuss the issues common to the Florida College System.”

The Trustee Commission offers an annual **Legislative Conference** in Tallahassee during the yearly Legislative period. This event is usually scheduled just prior or just after the Legislative session begins. It is designed to get as many Trustee “boots on the ground” to help advocate for the annual FCS budget and other vital policy issues impacting the colleges statewide. The program includes updates on the budget and policy issues, as well as guidance using resources provided and the do’s and don’ts of meeting with a legislator.

The Trustees Commission also conducts an annual **Trustee of the Year** awards program in the fall. Trustees nominated by their college are considered for this prestigious recognition. The awards is designed to recognize a current trustee who had a record of exemplary service in the role as a Trustee, and who has significantly contributed in other ways to the college and community. The winner is also submitted to the national Association of Community Colleges Trustees (ACCT) as Florida’s submission for their award.

[Click Here](#) to learn more about the AFC Trustees Commission.

# THE FLORIDA COLLEGE SYSTEM – TIMELINE

## THE BEGINNINGS

**1927**

St. Petersburg Junior College opens – Florida’s first junior college (private)

**1933**

In this era, all colleges were under the governance of the K-12 local system school board

Palm Beach Junior College – first **public** 2-year college

**1947**

St. Petersburg Junior College (converted to public institution)

**1948**

Chipola Junior College

**1948**

Pensacola Junior College

**1939**

Legislature passes law allowing counties to petition for the establishment of public colleges

**1949**

Florida Association of Public Junior Colleges formed.

**1949**

Booker T. Washington Jr. College-Pensacola is established as 1st public black junior college in Florida

## **BIRTH OF A SYSTEM**

**1955** - State Plan for Public Jr. Colleges by Dr. James Wattenbarger is published. From it, the Florida Legislature creates the “Community College Council” to formulate a long -range plan for establishment and coordination of a statewide system of 28 community/junior colleges and a "equitable" system of junior colleges to serve African American students.

**1957** – Under Gov. Collins, the Master Plan for Florida Community College system, based on the Wattenbarger Model, **The Community/Junior College in Florida’s Future**, was implemented.

The model was based on a Junior College being accessible by 99% of population within 50 miles. It also was the beginning of a separate “statutory” existence separate from the K-12 system. However, this did not happen in earnest until the 1967-68 fiscal year when the Legislature approved laws which officially released the colleges from local boards of public instruction and established a locally autonomous District Board of Trustees for each college. Also, the Division of Community Colleges was

established as a separate division within the Florida DOE with **Dr. James Wattenbarger** as the Division Director.

### STATEWIDE GROWTH ERA - BY CURRENT COLLEGE NAME

#### **1957**

Six colleges are established.

- Gulf Coast State College
- College of Central Florida
- Daytona State College
- State College of Florida, Manatee-Sarasota
- North Florida College
- St. Johns River State College
- Gibbs Jr. College is established in St. Petersburg for African American students.

#### **1960**

Four colleges are established

- Eastern Florida State College
- Broward College
- Miami Dade College
- Indian River State College

#### **1962**

Three colleges are established

- Florida SouthWestern State College
- Florida Gateway College
- Lake-Sumter State College

#### **1964**

One college is established

- Northwest Florida State College

#### **1965**

One college is established

- Polk State College

#### **1966**

Five colleges are established

- College of the Florida Keys
- Florida State College at Jacksonville
- Santa Fe College
- Seminole State College of Florida
- South Florida State College

Dr. Wattenbarger announced his resignation as Director of Community/Junior College Division of the Florida Department of Education, and returned to the University of Florida. Dr. Lee G. Henderson was named the new Director.

## 1967

Two colleges are established

- Valencia College
- Tallahassee Community College
- All African-American 2-year public colleges merged with existing "white" institutions

## 1968

One college is established

- Hillsborough Community College

Legislature approves measure allowing community colleges to be governed under local boards

## 1969

**Florida Association of Public Junior Colleges (FAPJC)** changes name to **Florida Association of Community Colleges (FACC)**

## 1972

One college is established

- Pasco-Hernando State College

## THE MODERN ERA

### 1979

**Dr. Lee Henderson** retired and was replaced by **Mr. John Blue** as Interim Director. The Community College Coordinating Board continued to function as the state-wide advisory council for the community college system, however in 1979, the legislature created the Community College Coordinating Board to manage and coordinate the system.

### 1984

After a national search, former state senator and representative **Clark Maxwell, Jr.** became the Board's first Executive Director and the state's first Executive Director of the Community System.

### 1994

**Dr. Harry Albertson** is named Executive Director of the Florida Association of Community Colleges.

### 1997

In December 1997, Clark Maxwell retired as Executive Director of the FL Community College System and was replaced on an interim basis by his Assistant Executive Director, **David Armstrong.**

### 1998

The State Board of Community Colleges selected **David Armstrong** to be the next Executive Director of the State Board of Community Colleges.

Constitutional revisions reduced the elected Florida Cabinet to four, from seven, effective January 2003.

## 2000

Legislature passed HB 2263 (the Florida Education Governance Reorganization Act of 2000) in response to the 1998 Constitutional Amendment. The bill:

- Reorganized the governance structure for all educational delivery systems in the state.
- Created a seven-member State Board of Education appointed by the Governor to oversee K-20.
- The State Board to appoints the Commissioner of Education who then appoints the Chancellors for the K-12 System, the State University System, and the Florida College System

## 2001

**Effective July 1, 2001, SB 1162 abolished the State Board of Community Colleges** and the Board of Regents and included language for a process whereby community colleges could seek authority to **offer baccalaureate degrees**.

With dissolution of the SBCC, and the establishment of the Dept. of Education and the Division of FI Colleges as agencies of the Governor's Office, it became clear to the state's 28 community college presidents that they would need to be more proactive in terms of advocacy and the System's legislative agenda.

### **COP alignment with the FACC - formerly the FLAPJC**

The Council of Presidents lost its "home" under the State Board of Community Colleges as a result of the 1998 constitutional revision. The Florida Association of Community was tasked to provide administrative support for the COP in exchange for adequate institutional support for staffing. The FACC would use its individual member dues and other non-dues revenue to provide advocacy and governmental relations services. The FACC created the standing Policy and Advocacy Committee under its umbrella which includes all college presidents and the association Executive Director (ex-officio). The COP and the FACC Board of Directors entered into a formal MOU in 2001 clarifying the relationship between FACC and the COP and revising COP by-laws to **establish a COP Policy and Advocacy** Committee under the umbrella of FACC. The MOU was ratified and extended in 2010 and 2016.

## 2001

The COP and the FACC then executed a Memorandum of Understanding on July 27, 2001 codified their relationship for the Association and its Executive Director to administer and coordinate the work of the Council of Presidents. A similar administrative support model is implemented in 23 other states. The COP-AFC MOU and relationship was re-affirmed in 2010 and again in 2016.

## 2004:

Dr. Harry Albertson retired as Executive Director of FACC and was replaced by **Mr. Mike Comins** who served until November 2008.

## 2005-06

The state's colleges continued to expand, particularly in developing programs to address the state's teacher shortage, and workforce-related baccalaureate degrees.

## 2007

In June 2007, **David Armstrong** left the position of Chancellor to become president of Broward College. Executive Vice Chancellor **Dr. Judith Bilsky** is appointed to serve as acting Chancellor. Dr. Bilsky served as acting Chancellor for a total of 20 months between 2007-2011, in a unique capacity of sharing

position responsibility with **Dr. Will Holcombe**, President Emeritus of Broward College, who was appointed interim Chancellor in October 2007.

## **2008**

In January 2008, Commissioner Eric Smith named **Dr. Holcombe** as Chancellor, eliminating the “interim” tag. Dr. Holcombe served until October 2011. During his tenure he provided critical, steady oversight of the development of “state colleges”. Additionally, he facilitated the appropriate approval process for the expansion of Bachelor’s degree offerings. He was also a respected liaison between the Colleges, the Legislature and the Governor’s office in navigating the impact of the economic recession in this period.

**Mr. Michael Brawer** is named CEO and Executive Director of the FACC. His challenge was to focus the Association on its core missions, i.e., serving members and administering the Council of Presidents. He also provides legislative advocacy support on systemwide issues affecting college faculty and professional staff, while expanding membership and improving providing professional development opportunities for individuals throughout the FCS.

## **2010**

The Florida Association of Community Colleges changes its name to the **Association of Florida Colleges** in recognition of colleges expanding their missions to include baccalaureate degrees and changing names by dropping “community”. Currently, only two colleges retaining the word community in their name.

## **2011**

**Mr. Randy Hanna**, former Chair of the State Board of Community Colleges, was named Chancellor of the Division of Florida Colleges. He remained in that position until 2015. Mr. Hanna led the System through the growth of numerous baccalaureate programs and an increasing emphasis on workforce preparation programs.

## **2015**

In 2015, **Ms. Madeline Pumariega** was appointed as Hanna’s successor and currently served as Chancellor of the Division of Florida Colleges until late 2018. During her tenure the system was dealing with major challenges including budget shortfalls, performance measure goal attainment, governance, and system mission issues.

## **2019**

**Ms. Kathy Hebda** is named Chancellor by Commissioner Richard Corcoran. Hebda is a long-time Department of Education leader having served as Deputy commissioner under Pam Stewart. She has brought significant policy and data focus to the system to strengthen accountability.

**For a historical reference regarding the development of community colleges in America, please use the link below.**

<https://education.stateuniversity.com/pages/1873/Community-Colleges.html>

## COLLEGE TRUSTEES IN THE FLORIDA COLLEGE SYSTEM

The continuing success of the Florida College System depends in large measure on an effective system of local college governance, and it is the trustees who have the greatest responsibility to assure that local governance works as it should. This section contains several statements, mostly adapted from statements of the Association of Community College Trustees, which describe the essential responsibilities of trustees. The **Florida Sunshine Law** is also described in this section as is a brief overview of the Florida College System budget process.

The following sections are from the Association of Community College Trustees – *Basics of Community College Governance* - [Trusteeship 101](#)

<https://www.acct.org/article/basics-community-college-governance>

### GOVERNING BOARD ROLES AND RESPONSIBILITIES

Community college boards of trustees are responsible for ensuring that their colleges are integral parts of their communities and serve their ever-changing needs. Boards are accountable to the community for the performance and welfare of the institutions they govern.

Effective boards consist of people who come together to form a cohesive group to articulate and represent the public interest, establish a climate for learning and monitor the effectiveness of the institution. Boards of trustees do not do the work of their institutions; they establish standards for the work through the policies they set. Their specific responsibilities are to:

#### 1. Act as a Unit

The Board is a corporate body. It governs as a unit, with one voice. This principle means that individual trustees have authority only when they are acting as a board. They have no power to act on their own or to direct college employees or operations.

For boards to be cohesive and well-functioning units, trustees must work together as a team toward common goals. Boards should have structures and rules for operating that ensure they conduct their business effectively and efficiently, board agendas are clear and informative, and board meetings are run in an appropriate manner.

The power of governance is expressed through one voice. As individuals, trustees make no commitments on behalf of the board to constituents, nor do they criticize or work against board decisions. To be effective boards must:

- Integrate multiple perspectives into board decision-making
- Establish and abide by rules for conducting board business
- Speak with one voice, and support the decision of the board once it is made
- Recognize that power rests with the board, not individual trustees

## **2. Represent the Common Good**

Boards of trustees exist to represent the general public. They are responsible for balancing and integrating the wide variety of interests and needs into policies that benefit the common good and the future of their region.

Therefore, board members learn as much as they can about the communities they serve. They gain this knowledge by studying demographic, economic and social trends, by being aware of issues facing the community, and by talking with other community leaders and members of other boards. They use what they learn to make decisions that respond to community interests, needs and values.

Boards discuss multiple viewpoints and issues in public, and have strategies to include the public in the policy-making process. Effective trustees and boards:

- Know community needs and trends
- Link with the community
- Seek out and consider multiple perspectives when making policy decisions
- Debate and discuss issues in public
- Serve the public good

## **3. Set the Policy Direction**

Governing boards establish policies that provide direction and guidance to the president and staff of the College. A major board responsibility is to define and uphold a vision and mission that clearly reflect student and community expectations. This responsibility challenges boards to think strategically, concentrate on the "big picture," and focus on the future learning needs of their communities. It requires that boards consult widely with community groups as well as the administration, faculty, staff, and students of the college. Trustees engage in exciting, creative, thoughtful discussions as they explore the future and envision what they want their communities to be. They:

- Are proactive, visionary and future-oriented
- Learn about and communicate with many different groups
- Focus on community needs and trends
- Establish the vision, mission and broad institutional goals as policy

## **4. Employ, Evaluate and Support the Chief Executive Officer**

Successful governance depends on a good relationship between the board and the chief executive officer (CEO). The chancellor or president is the single most influential person in creating an outstanding institution. Therefore selecting, evaluating and supporting the CEO are among the board's most important responsibilities.

The CEO and board function best as a partnership. The CEO implements board policies, while the board depends on the CEO for guidance and educational leadership. This occasionally paradoxical relationship works best when there are clear, mutually agreed-on expectations and role descriptions. The partnership thrives on open communication, confidence, trust, and support. To be effective, trustees and boards must:

- Select and retain the best CEO possible
- Define clear parameters and expectations for performance
- Conduct periodic evaluations; provide honest and constructive feedback
- Act ethically in the relationship with the CEO
- Support the CEO; create an environment for success

## **5. Define Policy Standards for College Operations**

Successful boards of trustees adopt policies that set standards for quality, ethics and prudence in college operations. Once policy standards are established, boards delegate significant authority to the CEO, allowing the CEO and staff the flexibility they need to exercise professional judgment. The policies:

- Define expectations for high quality educational programs
- Define expectations for student achievement and fair treatment of students
- Require wise and prudent use of funds and management of assets
- Set parameters to attract and retain high quality personnel and ensure fair treatment of employee

## **6. Create a Positive Climate**

Boards set the tone for the entire system or institution. Through their behavior and policies, successful boards establish a climate in which learning is valued, professional growth is enhanced, and the most important goals are student success and adding value to the community. Alternatively, boards fail their institutions when they act in such a way that they create a stifling, negative, or dysfunctional atmosphere.

Boards of trustees create a positive climate when they look to the future, act with integrity, support risk-taking, and challenge the CEO and college staff to strive for excellence. Effective boards and trustees:

- Model a commitment to learning for students
- Focus on outcomes
- Support professional growth
- Seek consultation in developing policy
- Are ethical and act with integrity

## **7. Monitor Performance**

Boards are responsible for holding colleges accountable for serving current and future community learning needs. The board adopts the college direction and broad goals as policy, and then monitors the progress made toward those goals. For instance, if a board adopts a policy goal that the college programs will result in skilled employees for area business, then the board should ask for periodic reports on how that goal is being met.

Boards also monitor adherence to their policies for programs, personnel, and fiscal and asset management. They receive periodic reports from staff and review reports by and for external agencies, such as accreditation, audit, and state and federal accountability reports. All monitoring processes culminate in the evaluation of the CEO as the institutional leader.

A board's ability to monitor its institution is enhanced when it defines the criteria and standards to be used well in advance of when reports are required, so that the CEO and staff are clear about what is expected. Effective boards and trustees:

- Monitor progress toward goals
- Monitor adherence to operational policies
- Use pre-established criteria for monitoring
- Schedule a timetable for reports

## **8. Support and Be Advocates for the College**

Trustees are essential links with their communities. They govern on behalf of the public and ensure that the College meets the needs of external constituents. They are also advocates and protectors of the College. They promote the College in the community, and seek support for the college from local, state, and national policymakers. They support the college foundation in seeking community contributions.

Competent boards protect the College from undue pressure on the institution from political and special interests. They support the professional freedom of administrators and faculty to create quality learning environments that incorporate many different perspectives. They protect the ability of the College to fulfill its mission and promise to their communities. Effective trustees and boards:

- Promote the College in the community
- Foster partnerships with other entities in the community
- Advocate the needs of the College with government officials
- Support the foundation and fundraising efforts
- Protect the College from inappropriate influence

## **9. Lead as a Thoughtful Educated Team**

Good trusteeship requires the ability to function as part of a team, and a team functions best when all members are encouraged to contribute their unique strengths and are committed to working together.

Effective boards are thoughtful and educated. Trustees on those boards listen well, ask good questions, analyze options, think critically, and clarify their most important values and priorities. They explore issues thoroughly and make policy decisions based on thorough deliberation and comprehensive understanding.

The best boards are future oriented. They recognize that today's world requires flexible institutions and personnel who are willing to adapt and grow in response to the changing needs of society. Trustees who act with vision, with intelligence, with curiosity and with enthusiasm create a board that is an agent for positive change. Effective boards and trustees:

- Engage in ongoing learning about board roles and responsibilities
- Are curious and inclusive
- Are positive and optimistic
- Support and respect each other

## 10. Ethical Governance

Governing boards function better when the [ethical standards](#) for trustee behavior are clear. ACCT recommends that boards explore and adopt a set of standards, often called a "code of ethics" or "[standards for good practice](#)." In fact some regional accrediting commissions for community colleges require that boards have a code of ethics or similar statement.

ACCT has developed the following model code. Boards of trustees are encouraged to use it as a starting point for discussion in developing a code or policy. It is important for trustees to explore together expectations for their own behavior.

*As a governing board member, I am responsible to:*

- Devote time, thought and study to the duties and responsibilities of a college board member, so that I may render effective and creditable service;
- Work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debates of points of issue;
- Base my personal decision upon all available facts in each situation; vote my honest conviction in every case, un-swayed by partisan bias of any kind; and abide by and uphold the final majority decision to the board;
- Remember at all times that as an individual I have no legal authority outside the meetings of the board, and to conduct my relationships with the college staff, the local citizenry, and all media of the community on the basis of this fact;
- Resist every temptation and outside pressure to use my position as a college board member to benefit myself or any other individual or agency apart from the total interest of the community college district;
- Recognize that it is as important for the board to understand and evaluate the educational program of the community college as it is to plan for the business of college operation;
- Bear in mind under all circumstances that the primary function of the board is to establish the policies by which the community college is to be administered;
- Welcome and encourage active cooperation by citizens, organizations, and the media of communication in the district with respect to establishing policy on current college operations and proposed future developments;
- Support the state and national [community] college trustees associations;
- Finally, strive step by step toward ideal conditions for the most effective college board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and the perpetuation of our representative democracy.

## **11. Self-Assessment**

### **Why Should Boards Engage In Self-Assessment?**

- a) In order to identify where they are performing well as a board, and where they might improve.
- b) Discussion about board roles and responsibilities can strengthen communication and understanding among board members. The discussions can lead to stronger, more cohesive working groups.
- c) A board's willingness to engage in self-assessment is a model for the rest of the institution. It indicates that board members take their responsibilities very seriously.
- d) Their interest in self-improvement sets a tone for others in the college to engage in an ongoing review of how education is delivered.

### **What Should We Expect From a Self-Assessment?**

Well-conducted board self-assessments lead to better boards. The results include:

- a summary of board accomplishments
- a better understanding of what it means to be an effective board
- clarification of what trustees expect from each other and themselves
- improved communications among trustees and between the board and CEO
- identification of problems, potential issues, and areas to improve
- an opportunity to discuss and solve problems that may hurt board performance
- identification of strategies to enhance board performance
- renewed dedication to the board
- agreement on board roles and trustee responsibilities
- board goals and objectives for the coming year

Evaluating the performance of the board is not the same as evaluating individual trustee performance. The purpose of the evaluation is to look at the board as a whole, although a side benefit may be that individual board members gain appreciation for the roles and responsibilities of trusteeship.

### **How Should Boards Evaluate Themselves?**

The process generally involves the use of self-assessment instruments. The results of the survey instruments then become the basis for discussion. Third-party interviews of each board member, the CEO and others named by the board can provide the basis for discussion and improvement.

### **Who Should Be Involved In The Evaluation?**

Each and every board member should participate in the self-evaluation by completing a board self-assessment instrument (if used), and be involved in the discussion. The CEO is also an important resource. Varying levels of involvement by the CEO are appropriate, from being a full participant in the process, to contributing advice and support for the process, to providing comments on the board/CEO relationship. Most boards conduct the board and CEO evaluations in tandem, since the success of one entity depends on the effectiveness of the other.

In addition, boards may consider inviting comments from those who are part of the management team. Their perspectives can add valuable insight to the board process. However, evaluations that involve

others need to be carefully designed so that the information is based on a board established criteria of effectiveness.

### **Should the Board and CEO Evaluations be Linked?**

The board and CEO work together in leading the institution - the board governs, and the CEO leads and administers on a day-to-day basis. It is difficult to evaluate the board without reference to the CEO's contributions, and vice versa. No matter the process, boards should recognize that when evaluating the CEO, their support of the CEO is an important contribution to the success of the CEO. Conversely, when conducting self-assessments, the CEO's support and advice contributes to board success.

### **How Often Should Boards Evaluate Themselves?**

Formal self-assessments should occur annually. Getting into the habit of regular evaluations makes the process part of the board and college culture, and lessens resistance to self-assessment.

New boards, or boards with a significant number of new members, may wish to hold sessions more often as the members are learning to work together as a team.

### **What Criteria Should We Use?**

A basic self-assessment question is: "Are we doing what we said we will do?" If the purpose of the evaluation is to answer that question the criteria used in the self-assessment process includes what the board has defined as its roles and the policies the board has for its own operations and behavior. Another question is: "How does the board rank itself against commonly accepted standards of boardmanship?" In this case, the criteria used may be those established by national and state associations. In either case, some possible categories and sample questions are listed below.

- Community Representation
- Policy Direction
- Board-CEO Relations
- College Operations
- Monitor Institutional Performance
- Board Behavior
- Advocacy
- Board Education
- Board Organization

### **How Do We Design an Instrument?**

The first step in designing an instrument is to identify what the board wants to get from the evaluation. If the major question is "Are we doing what we said we will do?" then whoever is designing the instrument needs to review board policies, practices and other statements that set out the board's expectations for itself. For instance, if the board has a policy or practice that the board represents the community in its policy discussions, the evaluation instrument or checklist may include items that read:

- a) The board has a comprehensive understanding of community educational needs.
- b) The board considers the interests and needs of the community in its policy discussions.

On the other hand, if the major question is "How do we compare with state or national standards for governing boards?" then the instrument will be based on other standards, including the ACCT code of ethics and Standards for Effective Governance.

### **Sample Structures**

#### *Rating Scales*

Trustees and others doing the evaluation will rate statements on an instrument according to how well they perceive the board performing. Every college has staff members who can assist with setting up rating scales. Following are a few examples of rating a statement on the effectiveness of the board self-assessment process. Respondents would be asked to circle or write the letter of the response.

*Agreement* - Respondents rate how strongly they agree or disagree with a statement

*Performance* - Respondents rate the quality of a particular item (i.e. excellent, fair, poor, etc.)

*Meets Standards* - Respondents asked to simply state "yes" or "no" in response to a standard

### **Board Self-Assessment Instrument Item Bank**

The Board Self-Assessment Instrument Item Bank is a composite of sample items that may be used in board self-assessment forms. Self-assessment instruments generally have 30-40 items. Boards should select statements from the item bank that are most useful to them. Possible question topics include:

- Board Organization
- Policy Role
- Community Relations
- Policy Direction
- Board-CEO Relations
- College Operations
- Institutional Performance
- Board Leadership
- Advocating the College
- Board Education
- Open-ended Questions

To see a complete list of sample questions click [here](#).

### **How Should We Use The Results of a Board Self-Assessment?**

The average ratings on a board self-assessment instrument, a summary of interviews, or key points in a group discussion identify the strengths of the board and areas for improvement. The strengths should be celebrated and boards should congratulate themselves on their good work. The strengths are used to help the board improve.

Areas of improvement should be explored to identify the dynamics that contribute to any problems or weaknesses. Strategies to address the issues may include board retreats or workshops on a specific topic, study sessions or reading in an area where knowledge or clarification is needed. Three to six board goals or activities for the coming year may be established, based on the evaluation and performance on prior year goals. These goals become the basis for the board's long-range or annual agenda.

## **12. Selecting a New President**

Selecting a new college president is one of the most important tasks of a District Board of Trustees and there are numerous resources as well as consultants who specialize in guiding this endeavor. Due to the many variations in institutional mission, size, geographic location, state laws, budget, institutional culture and institutional health among other factors, “one size does not fit all searches.” Nonetheless, the following suggestions may be helpful in guiding the search for a college presidency in the state of Florida.

A well-organized and orderly search process can serve as a vehicle of reassurance and revitalization for a college’s internal and external constituents, particularly regarding the circumstances of the transition, i.e., amicable retirement or more fractious separation. Planning is a key element for a Board that involves more than selecting a search firm and screening candidates.

- **“Government in the Sunshine”:** When launching a presidential search in Florida, adherence to “sunshine law” requirements is essential to avoiding any appearance of secrecy, favoritism, or lack of collaboration/consideration of stakeholder feedback in the selection process. The success of a new president can be predetermined by the *perception* that a search was not fair and open, ---irrespective of the fact that the candidate ultimately selected is at the sole discretion of the Board. Executive sessions may be “closed,” open sessions must be publicly noticed in advance, and ad hoc conversations between BOT members are a violation of “sunshine” restrictions.
- **Identifying Needs:** At the beginning of the search process, Board discussions should include a brief review (not a rewrite!) of the institutional mission and goals, including *strengths and weaknesses* that need, in the BOT’s opinion, to be addressed. This clarification will help initiate and refine a sense of the type of qualifications, experience and attributes being sought in candidates, and can actually help in crafting a position description that is less “canned” and more customized to the needs of the institution. It is recommended that the Board next initiate a series of “town hall meetings” prior to beginning the search process, in order to receive and process input from employees and community members regarding what attributes are perceived as of highest importance to the college community. The profile or prospectus should not be written/developed/posted until this information has been collected and taken into consideration.
- **Selecting a Search Firm:** From the onset of search process discussions, the Board should determine the important qualifications and cost factors of search firms to be considered. Most, but not all colleges engage search firms to recruit and screen candidates. Board members should be very clear when working with a search consultant regarding the qualifications and characteristics they are seeking, since many search firms actually have a cadre of applicants that they are trying to place irrespective of specific needs of an institution. Costs for services may also vary widely and colleges typically issue RFP’s before selecting a search firm. Be advised that many “out-of-staters” view Florida colleges as an appealing retirement location for the culmination of their careers.
- **Timeline:** An important task for the Board is setting a realistic timeline for the presidential search, screening, interview, selection and start date process. When a sitting president announces his/her intention to leave, the inclination is to move rapidly to fill any potential void. The danger here is trading speed for quality in selection of the best candidate. Ideally, a Board

should have one year's notice of the impending departure of their president, but various factors may mitigate/impact that timeframe.

Following the selection of a **search firm**, and the posting of the CEO vacancy, the typical search for a college president takes an average of an additional **six (6) months**. Because of this timeframe, Boards frequently use "interim" or acting presidents to serve as temporary CEO during the search process. In fairness to all internal and external candidates, most Boards specify that the interim or acting president **NOT** be eligible/be prohibited from applying for the permanent new president position, however, this varies widely. Specific guidelines for contact with Board members and "lobbying" the community or current employees **by internal candidates for the CEO position** are typically adopted by the Board in order to prevent charges of favoritism, "heir apparent" status, or undue pressure prior to screening and interviewing candidates. The Board should be aware that internal and/or local candidates often have subtle and not so subtle cheerleaders to support their candidacy, much akin to politicians!

- **Selection of Search Committee:** The Board, early on, needs to determine the size and composition of its presidential search committee and how members will be selected. Typically, faculty, staff and community members are included on the committee as well as at least one Trustee and often a student representative. When the institution has an active faculty union, inclusion of a union member on the committee is a must.
- **Ground Rules:** It will be up to the Board with input/assistance from the search consultant, institutional Director of Human Resources, and General Counsel to determine how, when and where the search committee will meet and how records and confidentiality will be maintained. Who will chair the committee and how often will they report to the Chair and/or other Board members regarding progress must be addressed?
- **Transition Plan:** Following the CEO's departure announcement, the Board should develop and communicate a Transition Plan that details in writing the steps and timeline to be followed.

The Transition Plan should also include the Board's expectations for and **"charge" to the outgoing president** regarding expectations for remaining time in office. This step can avoid both a "lame duck" status as well as late attempts by a president to push last minute "legacy" events that could unknowingly be detrimental to the smooth transition for the new leader.

Frequently outgoing presidents "leave" active leadership in advance of their termination date in order to use up accumulations of vacation and/or sick days. The Board should have a clear understanding of this possibility and adjust the start date of an Acting/Interim President accordingly.

The Transition Plan should also **specify the appointment of an interim** and/or acting president to bridge the gap between the exit of the current CEO and the actual start date of a new leader if necessary. Interim/Acting Presidents typically have administrative leadership experience that matches the needs of the institution, but are not current employees in order to avoid internal conflict of interest, however, it is not unusual for a current employee to be tapped to fill an Interim position. The Transition Plan should specify the Board's expectations of the duties and salary of the Interim/acting president, as well as the anticipated length of appointment. The full

Board can delegate the appointment of the interim to the Board Chair, with remote approval by the full Board in order to save face-to-face meeting time.

- **Semi-Finalists/Finalists...**

Working with their Search Firm and/or Search Committee, Boards will typically specify an expected number of semi-finalists and finalists to be selected from qualified candidates. Semi-Finalists are often asked to submit video interviews to the Search Committee to help narrow the field. Videos are typically posted on the College's website for college/community access. The Board may request the Search Committee to provide either ranked or unranked "top candidates," for the Board's consideration. Finalists are typically invited to the College for open forums with faculty, staff and community members prior to being interviewed by the full Board of Trustees. Interviews are frequently broadcast "live" and also made available to the public via the College's website.

Following the Board's selection of their preferred candidate for the President's role, the Board Chair typically makes contact with the selected candidate. The Search Firm and the College's HR Director and General Counsel typically handle contract negotiations with guidance and approval from the Board.

# Florida College System Facts-at-a-Glance

Source: FCS 2019 Factbook, Florida Department of Education

## 1. General Information

- Colleges 28
- Campuses 70
- Sites 179
- Campus Buildings 2,171
- Acres of Land 13,485
- Capital Assets \$8.8 billion

## 2. Employees in Florida's colleges (2019)

- Employees 46,329
- Faculty Members Total 21,409
- Full-time 6,175
- Part-time 15,234

## 3. Funding for Florida's colleges, 2020-21

- General Revenue \$1,076,168,013
- Lottery Funding \$168,247,219
- Student Fees \$750,000,000 (estimated)

## 4. FTE and Headcount Enrollment

- Total FTE all programs (FTE 1A 2019-20) 320,366 FTE students
- Estimated Headcount (2018) 720,000 students (full and part-time)

## 5. Student Profile (Fall 2018 College Credit Students)

- Full-time students 35%
- Part-time students 65%
- Average part-time student age 26 years
- Average full-time student age 19
- Gender 60% female
- Minority enrollment 58%

**6. 2018 Headcount Enrollment by Program (students may enroll in more than one program)**

|  |         |
|--|---------|
| • Baccalaureate Degree (BS)            | 42,268  |
| • Associate in Arts Degree (AA)        | 325,349 |
| • Associate in Science Degree (AS)     | 101,442 |
| • College Credit Certificates (CCC)    | 36,413  |
| • College and Vocational Preparatory   | 57,603  |
| • Adult Education and Basic Secondary  | 28,254  |
| • Continuing Workforce Education       | 57,090  |
| • Life-Long Learning                   | 1,162   |
| • Recreation and Leisure               | 31,533  |
| • Educator Preparation Institute (EPI) | 1,408   |
| • Certificate of Professional Prep     | 139     |
| • Apprenticeship                       | 2,826   |

**7. Performance and Completion (2018)?**

|   |         |
|---|---------|
| • Total Degrees/Certificates Annually Awarded | 115,908 |
| • Baccalaureate Degree                        | 7,491   |
| • AA Degrees                                  | 57,779  |
| • AS Degrees (majority enter the workplace)   | 14,652  |
| • Vocational & College Credit Certificates    | 35,249  |
| • Educator Preparation Institutes (EPIs)      | 666     |
| • Certificate of Professional Prep            | 49      |

## FLORIDA COLLEGE SYSTEM GOVERNANCE

This section contains statutes and information related to the governance of the Florida College System. A brief overview of public higher education is provided along with a listing of current State statutes related to FCS governance and an overview of the statutory provisions related to the future of the Florida College System.

The **Florida College System** is comprised of 28 institutions, including colleges, state colleges, and community colleges. Governed by local boards of trustees, the colleges fall under the jurisdiction of the State Board of Education for legislatively specified activities such as state budget requests and baccalaureate degree approval. The purpose of this document is to give a brief overview of Florida higher education governance as it relates to The Florida College System (FCS).

The **Florida Legislature**, composed of the Senate and House of Representatives, is responsible for Florida Statutes related to public higher education in the state. The K-20 Education Code, specifically chapters 1000-1013, lays out relevant statute. Furthermore, the Legislature annually allocates funding for the FCS under the General Appropriations Act.

The roles and responsibilities of the **State Board of Education (SBOE)** are outlined in section (s.) 1001.01, Florida Statute (F.S.). The SBOE is the chief implementing and coordinating body of public education in Florida (excluding the State University System) with a focus on high-level policy decisions, strategic planning, and budget recommendations, among other responsibilities. Per s. 1001.70, F.S., the Board of Governors is the SBOE's counterpart for the 12 public universities in the State University System.

The **Commissioner of Education** is the chief educational officer in the state of Florida. The Commissioner's responsibilities include functions necessary to support the SBOE. Per s. 1001.10, F.S., these responsibilities include, but are not limited to, strategic planning and budget development, general administration, assessment, and accountability.

Along with the **Chancellor of the State University System**, the Commissioner of Education has the responsibility of appointing members of the **Articulation Coordinating Committee (ACC)**. The ACC makes recommendations related to statewide articulation policies to the **Higher Education Coordinating Council, the State Board of Education, and the Board of Governors** (per s. 1007.01, F.S.). The Chancellor of the State University System, (appointed by the Board of Governors) the Commissioner of Education, (appointed by the Governor) and the Chancellor of The Florida College System (appointed by the Commissioner of Education) – along with other higher education stakeholders – all serve on the Higher Education Coordinating Council (HECC). The purpose of HECC, per s. 1004.015, F.S., is to identify unmet needs and facilitate solutions to disputes regarding the creation of new degree programs and the establishment of new institutes, campuses, or centers and making recommendations to the legislature.

The Chancellor of The Florida College System is housed in **the Florida Department of Education's Division of Florida Colleges** and acts as a liaison between the 28 colleges within the FCS and the Commissioner of Education, the Legislature and the Governor's office.

Each FCS institution is governed by a local board of trustees, per s.1001.61, F.S. The powers of the boards of trustees are outlined in s. 1001.64, F.S. Boards of trustees work closely with college presidents who, per s. 1001.65, F.S., are chief executive officers of their respective FCS institutions. College presidents also constitute the Council of Presidents, an organization designed to promote and represent the interests of the Florida College System. Below is a graphic display of Florida's higher education governance system.

## FLORIDA HIGHER EDUCATION STRUCTURE

### **Florida College System (FCS)**

Florida's colleges remain the primary point of access to higher education in Florida, with 65 percent of the state's high school graduates pursuing postsecondary education beginning at a Florida college, and 82 percent of freshman and sophomore minority students in public higher education attending one of Florida's 28 colleges.

Honors and Early College/Dual Enrollment programs attract some of the best and brightest minds and the colleges' open-door policies allow students who need remediation to get the skills they need for college-level courses. Many FCS students are the first in their families to attend college. Adult learners take college courses for personal and professional development, or to prepare for a new career.

More students enroll at Florida's colleges to retool and retrain during economic downturns. We are more committed than ever to keeping our doors open, and to helping students get the training they need to improve their lives and help boost our state's economy.

To learn more about the Florida College System, visit [www.fldoe.org/schools/higher-ed/fl-college-system](http://www.fldoe.org/schools/higher-ed/fl-college-system)

### **Board of Governors, State University System of Florida**

Florida's public university system includes twelve universities with an enrollment of more than 300,000 students, more than 60,000 faculty and staff, and an annual operating budget of more than \$8.5 billion.

Article IX, Section 7 of the Florida Constitution was amended in 2002 to establish a statewide system of governance for all Florida public universities. As a result, the Florida Board of Governors was created in 2003 to operate, regulate, control, and be fully responsible for the management of the entire system consisting of eleven public universities. Responsibilities include defining the distinctive mission of each university and ensuring the well-planned coordination and operation of the system.

The Board includes seventeen members, fourteen of whom are appointed by the Florida Governor and confirmed by the Florida Senate for a term of seven years. The remaining members include the President of the Advisory Council of the Faculty Senate, the Commissioner of Education, and the Chair of the Florida Student Association. The Board of Governors appoints a Chancellor who serves as the chief executive and administrative officer of the university system.

Assisting the Board Members in their responsibilities is a professional and administrative office created in July 2005 and led by the Chancellor of the State University System. The office includes three major units - the Office of Academic and Student Affairs, the Office of Public Affairs, and the Office of Budget and Finance - as well as the offices of the General Counsel, Corporate Secretary, and Inspector General and Director of Compliance.

### **Commission for Independent Education**

The Commission for Independent Education has statutory responsibilities in matters relating to nonpublic, postsecondary, educational institutions. In keeping with the Florida Department of Education's goal of producing a seamless educational system, some of these functions include consumer

protection, program improvement, institutional policies and administration, data management, and the licensure of independent schools, colleges and universities.

**School District Postsecondary Institutions**

Career and Adult Education is designed to meet the needs of our customers, which include students and business/ industry. This area represents a significant collaboration and partnership across both private and public sectors throughout the state of Florida to improve Florida's workforce. Career and Adult Education is delivered to our customers through a network of service providers, which includes District Technical Centers/Colleges.

**Office of Student Financial Assistance (OSFA)**

The Florida Department of Education, Office of Student Financial Assistance (OSFA) serves as a guarantor for the Federal Family Education Loan Program (FFELP) and the administrator of Florida's scholarship and grant programs. The OSFA mission is to facilitate higher education access and services by providing exemplary customer attention, comprehensive financial aid information, and convenient and efficient products.

# THE FLORIDA "SUNSHINE" LAW

## Overview of Florida Law Relating to Public Meetings and Public Records

### PUBLIC MEETINGS

#### 1. Scope

Section 286.011 F.S. provides a right of access to governmental proceedings at both the state and local level. The law is equally applicable to elected and appointed boards and applies to any gathering of two or more members of the same board to discuss some matter which may foreseeably come before that board for action.

#### 2. Basic Requirements

- Meetings of public boards or commissions must be open to the public.
- Members of the boards or commissions may not discuss matters which may foreseeably come before the board for action with other members of the board except in a properly noticed public meeting of the board.
- Appropriate notice of such meetings must be given.
- Minutes of the meetings must be taken.

#### 3. Application to Various groups

**Advisory Boards** - Advisory boards which make recommendations to the public agency may be subject to the Sunshine Law. Finding committees which make no recommendations generally are not subject to the Sunshine Law.

**Private Organizations** - Private organizations, which perform a public purpose delegated by a public agency, are subject to the Sunshine Law.

**Staff** - Meetings of staff are not ordinarily subject to the Sunshine Law; however when a staff committee performs a function which is delegated authority that normally resides with the public board or commission, the Sunshine Law is applicable.

#### 4. Miscellaneous Issues

- Communications between board member and others
  - Correspondence by one board member to other members may not be a violation of the Sunshine Law if prior to the meeting there is no response or other interaction related to the communication among board members. Such communications should be avoided in an abundance of caution.
  - Communication between board members by telephone, fax, e-mail, etc. are subject to the Sunshine Law limitations.
  - Communication with staff and third parties by board members are not Sunshine Law violations unless the staff of the third parties are used as conduits to communicate information between board members.

- **Exceptions**
  - Collective bargaining discussions subject to certain limitations.
  - Attorney – client discussions regarding litigation under certain circumstances.
  
- **Penalties**
  - Knowingly violating of the Sunshine Law is a misdemeanor of the second degree. (Section 286.011 (3) (b) F.S.)
  - Removal from office may occur after a conviction.
  - Non-criminal fines up to \$500.00 may be imposed along with reasonable attorney’s fees.
  - Injunction or declaration relief may be obtained.

## **PUBLIC RECORDS**

### **1. Documents Which Constitute Public Records**

- Section 119.011 (1) F.S. defines “**public records**” to include: all documents, papers, letters, maps, books, tapes, photographs, films, sound recording, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.
- All public records, as defined above, must be provided to the public promptly upon request.
- Any agency document, however prepared, if circulated for review comment or information, is a public record regardless if whether it is an official expression of policy or marked “preliminary”, “draft”, “confidential”, or otherwise. Notes taken for one’s own use and not to be circulated are not public records.
- Certain records of private entities acting on behalf of a government entity may be subject to public access.
- Certain limited exceptions for copyrighted or “sensitive” software, trade secret information, and certain audit materials are examples of exceptions to the public records access requirements.

### **2. Access to Records**

- No unreasonable delay may be allowed in response to a request for records.
- Anyone may request records.
- Statutory fees may be charged for production of records.

### **3. Penalties**

- Violation is a misdemeanor of the first degree.
- Non-criminal fines of up to \$500.00 may be assessed.
- Attorney’s fees may be assessed.
- Suspension or removal from office may be imposed.

## CURRENT FLORIDA STATUTES REGARDING THE FCS

### **1001.60 Florida College System.—**

(1) **PURPOSES.**—In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state’s employment needs, the Legislature establishes a system of governance for the Florida College System.

(2) **FLORIDA COLLEGE SYSTEM.**—There shall be a single Florida College System comprised of the Florida College System institutions identified in s. 1000.21(3). A Florida College System institution may not offer graduate degree programs.

(a) The programs and services offered by Florida College System institutions in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(b)1. With the approval of its district board of trustees, a Florida College System institution may change the institution’s name set forth in s. 1000.21(3) and use the designation “college” or “state college” if it has been authorized to grant baccalaureate degrees pursuant to s. 1007.33 and has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools.

2. With the approval of its district board of trustees, a Florida College System institution that does not meet the criteria in subparagraph 1. may request approval from the State Board of Education to change the institution’s name set forth in s. 1000.21(3) and use the designation “college.” The State Board of Education may approve the request if the Florida College System institution enters into an agreement with the State Board of Education to do the following:

- a. Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(5).
- b. Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.
- c. Continue to provide outreach to underserved populations.
- d. Continue to provide remedial education.
- e. Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

(c) A district board of trustees that approves a change to the name of an institution under paragraph (b) must seek statutory codification of such name change in s. 1000.21(3) during the next regular legislative session.

(d) A Florida College System institution may not use the designation “university.”

(3) **LOCAL BOARDS OF TRUSTEES.**—Each institution within the Florida College System shall be governed by a local board of trustees as provided in s. 1001.64. The membership of each local board of trustees shall be as provided in s. 1001.61.

### **1001.61 Florida College System institution boards of trustees; membership.—**

(1) Florida College System institution boards of trustees shall be comprised of five members when a Florida College System institution district is confined to one school board district; seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elects; and not more than nine members when the district contains two or more

school board districts, as provided by rules of the State Board of Education. However, Florida State College at Jacksonville shall have an odd number of trustees.

(2) Trustees shall be appointed by the Governor and confirmed by the Senate in regular session.

(3) Members of the board of trustees shall receive no compensation but may receive reimbursement for expenses as provided in s. 112.061.

(4) At its first regular meeting after July 1 of each year, each Florida College System institution board of trustees shall organize by electing a chair, whose duty as such is to preside at all meetings of the board, to call special meetings thereof, and to attest to actions of the board, and a vice chair, whose duty as such is to act as chair during the absence or disability of the elected chair. It is the further duty of the chair of each board of trustees to notify the Governor, in writing, whenever a board member fails to attend three consecutive regular board meetings in any one fiscal year, which absences may be grounds for removal.

(5) A Florida College System institution president shall serve as the executive officer and corporate secretary of the board of trustees and shall be responsible to the board of trustees for setting the agenda for meetings of the board of trustees in consultation with the chair. The president also serves as the chief administrative officer of the Florida College System institution, and all the components of the institution and all aspects of its operation are responsible to the board of trustees through the president.

History.—s. 77, ch. 2002-387; s. 10, ch. 2009-228; s. 18, ch. 2011-5.

**1001.62 Transfer of benefits arising under local or special acts.—**

All local or special acts in force on July 1, 1968, that provide benefits for a Florida College System institution through a district school board shall continue in full force and effect, and such benefits shall be transmitted to the Florida College System institution board of trustees.

History.—s. 78, ch. 2002-387; s. 19, ch. 2011-5.

**1001.63 Florida College System institution board of trustees; board of trustees to constitute a corporation.—**

Each Florida College System institution board of trustees is constituted a body corporate by the name of “The District Board of Trustees of (name of Florida College System institution) , Florida” with all the powers and duties of a body corporate, including the power to adopt a corporate seal, to contract and be contracted with, to sue or be sued, to plead and be impleaded in all courts of law or equity, and to give and receive donations. In all suits against a board of trustees, service of process shall be made on the chair of the board of trustees or, in the absence of the chair, the corporate secretary or designee of the chair.

History.—s. 79, ch. 2002-387; s. 20, ch. 2011-5.

**1001.64 Florida College System institution boards of trustees; powers and duties.—**

(1) The boards of trustees shall be responsible for cost-effective policy decisions appropriate to the Florida College System institution’s mission, the implementation and maintenance of high-quality education programs within law and rules of the State Board of Education, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.

(2) Each board of trustees is vested with the responsibility to govern its respective Florida College System institution and with such necessary authority as is needed for the proper operation and improvement thereof in accordance with rules of the State Board of Education.

(3) A board of trustees shall have the power to take action without a recommendation from the president and shall have the power to require the president to deliver to the board of trustees all

data and information required by the board of trustees in the performance of its duties. A board of trustees shall ask the Commissioner of Education to authorize an investigation of the president's actions by the department's inspector general if the board considers such investigation necessary. The inspector general shall provide a report detailing each issue under investigation and shall recommend corrective action. If the inspector general identifies potential legal violations, he or she shall refer the potential legal violations to the Commission on Ethics, the Department of Law Enforcement, the Attorney General, or another appropriate authority.

(4)(a) The board of trustees, after considering recommendations submitted by the Florida College System institution president, may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of law conferring duties upon it. These rules may supplement those prescribed by the State Board of Education if they will contribute to the more orderly and efficient operation of Florida College System institutions.

(b) Each board of trustees is specifically authorized to adopt rules, procedures, and policies, consistent with law and rules of the State Board of Education, related to its mission and responsibilities as set forth in s. 1004.65, its governance, personnel, budget and finance, administration, programs, curriculum and instruction, buildings and grounds, travel and purchasing, technology, students, contracts and grants, or college property.

(5) Each board of trustees shall have responsibility for the use, maintenance, protection, and control of Florida College System institution owned or Florida College System institution controlled buildings and grounds, property and equipment, name, trademarks and other proprietary marks, and the financial and other resources of the Florida College System institution. Such authority may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, alcoholic beverages, distribution of printed materials, commercial solicitation, animals, and sound.

(6) Each board of trustees has responsibility for the establishment and discontinuance of program and course offerings in accordance with law and rule; provision for instructional and noninstructional community services, location of classes, and services provided; and dissemination of information concerning such programs and services. New programs must be approved pursuant to s. 1004.03.

(7) Each board of trustees has responsibility for: ensuring that students have access to general education courses as identified in rule; requiring no more than 60 semester hours of degree program coursework, including 36 semester hours of general education coursework, for an associate in arts degree; notifying students that earned hours in excess of 60 semester hours may not be accepted by state universities; notifying students of unique program prerequisites; and ensuring that degree program coursework beyond general education coursework is consistent with degree program prerequisite requirements adopted pursuant to s. 1007.25(5).

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(a) Each board of trustees shall govern admission of students pursuant to s. 1007.263 and rules of the State Board of Education. A board of trustees may establish additional admissions criteria, which shall be included in the district interinstitutional articulation agreement developed according to s. 1007.235, to ensure student readiness for postsecondary instruction. Each board of trustees may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant because of misconduct if determined to be in the best interest of the Florida College System institution.

(b) Each board of trustees shall adopt rules establishing student performance standards for the award of degrees and certificates pursuant to s. 1004.68.

(c) Boards of trustees are authorized to establish intrainstitutional and interinstitutional programs to maximize articulation pursuant to s. 1007.22.

- (d) Boards of trustees shall identify their core curricula, which shall include courses required by the State Board of Education, pursuant to the provisions of s. 1007.25(6).
- (e) Each board of trustees must adopt a written antihazing policy, provide a program for the enforcement of such rules, and adopt appropriate penalties for violations of such rules pursuant to the provisions of s. 1006.63.
- (f) Each board of trustees may establish a uniform code of conduct and appropriate penalties for violation of its rules by students and student organizations, including rules governing student academic honesty. Such penalties, unless otherwise provided by law, may include fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal.
- (g) Each board of trustees pursuant to s. 1006.53 shall adopt a policy in accordance with rules of the State Board of Education that reasonably accommodates the religious observance, practice, and belief of individual students in regard to admissions, class attendance, and the scheduling of examinations and work assignments.
- (9) A board of trustees may contract with the board of trustees of a state university for the Florida College System institution to provide college-preparatory instruction on the state university campus.
- (10) Each board of trustees shall establish fees pursuant to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27.
- (11) Each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, and an operating budget to the State Board of Education for review in accordance with guidelines established by the State Board of Education.
- (12) Each board of trustees shall account for expenditures of all state, local, federal and other funds in the manner described by the Department of Education.
- (13) Each board of trustees is responsible for the uses for the proceeds of academic improvement trust funds pursuant to s. 1011.85.
- (14) Each board of trustees shall develop a strategic plan specifying institutional goals and objectives for the Florida College System institution for recommendation to the State Board of Education.
- (15) Each board of trustees shall develop an accountability plan pursuant to s. 1008.45.
- (16) Each board of trustees must expend performance funds provided for workforce education pursuant to the provisions of s. 1011.80.
- (17) Each board of trustees is accountable for performance in certificate career education and diploma programs pursuant to s. 1008.43.
- (18) Each board of trustees shall establish the personnel program for all employees of the Florida College System institution, including the president, pursuant to the provisions of chapter 1012 and rules and guidelines of the State Board of Education, including: compensation and other conditions of employment; recruitment and selection; nonreappointment; standards for performance and conduct; evaluation; benefits and hours of work; leave policies; recognition; inventions and work products; travel; learning opportunities; exchange programs; academic freedom and responsibility; promotion; assignment; demotion; transfer; ethical obligations and conflict of interest; restrictive covenants; disciplinary actions; complaints; appeals and grievance procedures; and separation and termination from employment.
- (19) Each board of trustees shall appoint, suspend, or remove the president of the Florida College System institution. The board of trustees may appoint a search committee. The board of trustees shall conduct annual evaluations of the president in accordance with rules of the State Board of Education and submit such evaluations to the State Board of Education for review. The evaluation must address the achievement of the performance goals established by the accountability process implemented pursuant to s. 1008.45 and the performance of the president in achieving the annual

and long-term goals and objectives established in the Florida College System institution's employment accountability program implemented pursuant to s. 1012.86.

(20) Each board of trustees is authorized to enter into contracts to provide a State Community College System Optional Retirement Program pursuant to s. 1012.875 and to enter into consortia with other boards of trustees for this purpose.

(21) Each board of trustees is authorized to purchase annuities for its Florida College System institution personnel who have 25 or more years of creditable service and who have reached age 55 and have applied for retirement under the Florida Retirement System pursuant to the provisions of s. 1012.87.

(22) A board of trustees may defray all costs of defending civil actions against officers, employees, or agents of the board of trustees pursuant to s. 1012.85.

(23) Each board of trustees has authority for risk management, safety, security, and law enforcement operations. Each board of trustees is authorized to employ personnel, including police officers pursuant to s. 1012.88, to carry out the duties imposed by this subsection.

(24) Each board of trustees shall provide rules governing parking and the direction and flow of traffic within campus boundaries. Except for sworn law enforcement personnel, persons employed to enforce campus parking rules have no authority to arrest or issue citations for moving traffic violations. The board of trustees may adopt a uniform code of appropriate penalties for violations. Such penalties, unless otherwise provided by law, may include the levying of fines, the withholding of diplomas or transcripts pending compliance with rules or payment of fines, and the imposition of probation, suspension, or dismissal. Moneys collected from parking rule infractions shall be deposited in appropriate funds at each Florida College System institution for student financial aid purposes.

(25) Each board of trustees constitutes the contracting agent of the Florida College System institution. It may when acting as a body make contracts, sue, and be sued in the name of the board of trustees. In any suit, a change in personnel of the board of trustees shall not abate the suit, which shall proceed as if such change had not taken place.

(26) Each board of trustees is authorized to contract for the purchase, sale, lease, license, or acquisition in any manner, including purchase by installment or lease-purchase contract which may provide for the payment of interest on the unpaid portion of the purchase price and for the granting of a security interest in the items purchased, subject to the provisions of subsection (38) and ss. 1009.22 and 1009.23, of goods, materials, equipment, and services required by the Florida College System institution. The board of trustees may choose to consolidate equipment contracts under master equipment financing agreements made pursuant to s. 287.064.

(27) Each board of trustees shall be responsible for managing and protecting real and personal property acquired or held in trust for use by and for the benefit of such Florida College System institution. To that end, any board of trustees is authorized to be self-insured, to enter into risk management programs, or to purchase insurance for whatever coverage it may choose, or to have any combination thereof, in anticipation of any loss, damage, or destruction. A board of trustees may contract for self-insurance services pursuant to s. 1004.725.

(28) Each board of trustees is authorized to enter into agreements for, and accept, credit card, charge card, and debit card payments as compensation for goods, services, tuition, and fees. Each Florida College System institution is further authorized to establish accounts in credit card, charge card, and debit card banks for the deposit of sales invoices.

(29) Each board of trustees may provide incubator facilities to eligible small business concerns pursuant to s. 1004.79.

- (30) Each board of trustees may establish a technology transfer center for the purpose of providing institutional support to local business and industry and governmental agencies in the application of new research in technology pursuant to the provisions of s. 1004.78.
- (31) Each board of trustees may establish economic development centers for the purpose of serving as liaisons between Florida College System institutions and the business sector pursuant to the provisions of s. 1004.80.
- (32) Each board of trustees may establish a child development training center pursuant to s. 1004.81.
- (33) Each board of trustees is authorized to develop and produce work products relating to educational endeavors that are subject to trademark, copyright, or patent statutes pursuant to chapter 1004.
- (34) Each board of trustees shall administer the facilities program pursuant to chapter 1013, including but not limited to: the construction of public educational and ancillary plants; the acquisition and disposal of property; compliance with building and life safety codes; submission of data and information relating to facilities and construction; use of buildings and grounds; establishment of safety and sanitation programs for the protection of building occupants; and site planning and selection.
- (35) Each board of trustees may exercise the right of eminent domain pursuant to the provisions of chapter 1013.
- (36) Each board of trustees may enter into lease-purchase arrangements with private individuals or corporations for necessary grounds and buildings for Florida College System institution purposes, other than dormitories, or for buildings other than dormitories to be erected for Florida College System institution purposes. Such arrangements shall be paid from capital outlay and debt service funds as provided by s. 1011.84(2), with terms not to exceed 30 years at a stipulated rate. The provisions of such contracts, including building plans, are subject to approval by the Department of Education, and no such contract may be entered into without such approval.
- (37) Each board of trustees may purchase, acquire, receive, hold, own, manage, lease, sell, dispose of, and convey title to real property, in the best interests of the Florida College System institution.
- (38) Each board of trustees is authorized to enter into short-term loans and installment, lease-purchase, and other financing contracts for a term of not more than 5 years, including renewals, extensions, and refundings. Payments on short-term loans and installment, lease-purchase, and other financing contracts pursuant to this subsection shall be subject to annual appropriation by the board of trustees. Each board of trustees is authorized to borrow funds and incur long-term debt, including promissory notes, installment sales agreements, lease-purchase agreements, certificates of participation, and other similar long-term financing arrangements, only as specifically provided in ss. 1009.22(6) and (9) and 1009.23(11) and (12). At the option of the board of trustees, bonds issued pursuant to ss. 1009.22(6) and (9) and 1009.23(11) and (12) may be secured by a combination of revenues authorized to be pledged to bonds pursuant to such subsections. Revenue bonds may not be secured by or paid from, directly or indirectly, tuition, financial aid fees, the Florida College System Program Fund, or any other operating revenues of a Florida College System institution. Lease-purchase agreements may be secured by a combination of revenues as specifically authorized pursuant to ss. 1009.22(7) and 1009.23(10).
- (39) Each board of trustees shall prescribe conditions for direct-support organizations to be certified and to use Florida College System institution property and services. Conditions relating to certification must provide for audit review and oversight by the board of trustees.
- (40) Each board of trustees may adopt policies pursuant to s. 1010.02 that provide procedures for transferring to the direct-support organization of that Florida College System institution for administration by such organization contributions made to the Florida College System institution.

(41) The board of trustees shall exert every effort to collect all delinquent accounts pursuant to s. 1010.03.

(42) Each board of trustees shall implement a plan, in accordance with guidelines of the State Board of Education, for working on a regular basis with the other Florida College System institution boards of trustees, representatives of the university boards of trustees, and representatives of the district school boards to achieve the goals of the seamless education system.

(43) Each board of trustees has responsibility for compliance with state and federal laws, rules, regulations, and requirements.

(44) Each board of trustees may adopt rules, procedures, and policies related to institutional governance, administration, and management in order to promote orderly and efficient operation, including, but not limited to, financial management, budget management, physical plant management, and property management.

(45) Each board of trustees may adopt rules and procedures related to data or technology, including, but not limited to, information systems, communications systems, computer hardware and software, and networks.

(46) Each board of trustees may consider the past actions of any person applying for employment and may deny employment to a person because of misconduct if determined to be in the best interest of the Florida College System institution.

(47) A board of trustees may not enter into an employment contract that requires the Florida College System institution to pay a Florida College System institution president an amount from state funds in excess of 1 year of the president's annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of leave and benefits accrued by the president in accordance with the Florida College System institution's leave and benefits policies before the contract terminates.

History.—s. 80, ch. 2002-387; s. 75, ch. 2004-357; s. 4, ch. 2005-146; s. 74, ch. 2007-217; s. 1, ch. 2008-163; s. 2, ch. 2009-60; s. 21, ch. 2011-5; ss. 4, 12, ch. 2011-177.

**1001.65 Florida College System institution presidents; powers and duties.—**

The president is the chief executive officer of the Florida College System institution, shall be corporate secretary of the Florida College System institution board of trustees, and is responsible for the operation and administration of the Florida College System institution. Each Florida College System institution president shall:

(1) Recommend the adoption of rules, as appropriate, to the Florida College System institution board of trustees to implement provisions of law governing the operation and administration of the Florida College System institution, which shall include the specific powers and duties enumerated in this section. Such rules shall be consistent with law, the mission of the Florida College System institution, and the rules and policies of the State Board of Education.

(2) Prepare a budget request and an operating budget pursuant to s. 1011.30 for approval by the Florida College System institution board of trustees at such time and in such format as the State Board of Education may prescribe.

(3) Establish and implement policies and procedures to recruit, appoint, transfer, promote, compensate, evaluate, reward, demote, discipline, and remove personnel, within law and rules of the State Board of Education and in accordance with rules or policies approved by the Florida College System institution board of trustees.

(4) Govern admissions, subject to law and rules or policies of the Florida College System institution board of trustees and the State Board of Education.

- (5) Approve, execute, and administer contracts for and on behalf of the Florida College System institution board of trustees for licenses; the acquisition or provision of commodities, goods, equipment, and services; leases of real and personal property; and planning and construction to be rendered to or by the Florida College System institution, provided such contracts are within law and guidelines of the State Board of Education and in conformance with policies of the Florida College System institution board of trustees, and are for the implementation of approved programs of the Florida College System institution.
- (6) Act for the Florida College System institution board of trustees as custodian of all Florida College System institution property and financial resources. The authority vested in the Florida College System institution president under this subsection includes the authority to prioritize the use of Florida College System institution space, property, equipment, and resources and the authority to impose charges for the use of those items.
- (7) Establish the internal academic calendar of the Florida College System institution within general guidelines of the State Board of Education.
- (8) Administer the Florida College System institution's program of intercollegiate athletics.
- (9) Recommend to the board of trustees the establishment and termination of programs within the approved role and scope of the Florida College System institution.
- (10) Award degrees.
- (11) Recommend to the board of trustees a schedule of tuition and fees to be charged by the Florida College System institution, within law and rules of the State Board of Education.
- (12) Organize the Florida College System institution to efficiently and effectively achieve the goals of the Florida College System institution.
- (13) Review periodically the operations of the Florida College System institution in order to determine how effectively and efficiently the Florida College System institution is being administered and whether it is meeting the goals of its strategic plan adopted by the State Board of Education.
- (14) Enter into agreements for student exchange programs that involve students at the Florida College System institution and students in other institutions of higher learning.
- (15) Approve the internal procedures of student government organizations and provide purchasing, contracting, and budgetary review processes for these organizations.
- (16) Ensure compliance with federal and state laws, rules, regulations, and other requirements that are applicable to the Florida College System institution.
- (17) Maintain all data and information pertaining to the operation of the Florida College System institution, and report on the attainment by the Florida College System institution of institutional and statewide performance accountability goals.
- (18) Certify to the department a project's compliance with the requirements for expenditure of PECO funds prior to release of funds pursuant to the provisions of chapter 1013.
- (19) Provide to the law enforcement agency and fire department that has jurisdiction over the Florida College System institution a copy of the floor plans and other relevant documents for each educational facility as defined in s. 1013.01(6). After the initial submission of the floor plans and other relevant documents, the Florida College System institution president shall submit, by October 1 of each year, revised floor plans and other relevant documents for each educational facility that was modified during the preceding year.
- (20) Establish a committee to consider requests for waivers from the provisions of <sup>1</sup>s. 1008.29 and approve or disapprove the committee's recommendations.
- (21) Develop and implement jointly with school superintendents a comprehensive articulated acceleration program, including a comprehensive interinstitutional articulation agreement, for the students enrolled in their respective school districts and service areas pursuant to the provisions of s. 1007.235.

(22) Have authority, after notice to the student of the charges and after a hearing thereon, to expel, suspend, or otherwise discipline any student who is found to have violated any law, ordinance, or rule or regulation of the State Board of Education or of the board of trustees of the Florida College System institution pursuant to the provisions of s. 1006.62.

(23) Submit an annual employment accountability plan to the Department of Education pursuant to the provisions of s. 1012.86.

(24) Annually evaluate, or have a designee annually evaluate, each department chairperson, dean, provost, and vice president in achieving the annual and long-term goals and objectives of the Florida College System institution's employment accountability plan.

(25) Have vested with the president or the president's designee the authority that is vested with the Florida College System institution.

History.—s. 81, ch. 2002-387; s. 22, ch. 2011-5.

<sup>1</sup>Note.—Repealed by s. 21, ch. 2009-59.

## **AMENDMENT 7 to the FLORIDA CONSTITUTION**

In November 2018, Florida voters had the opportunity to vote on several constitutional amendments included on the general election ballot. Among the proposals was Amendment 7. This amendment did three things related to education and higher education.

First, it provided education benefits to family members of first responders and military members killed in the line of duty. Additionally, it required state university boards of trustees to have a 2/3 majority to raise tuition and fees.

The key element of **Amendment 7 was unique to Florida colleges**. It provided the voters an opportunity to formally recognize our state and community colleges in the Florida Constitution. The Florida College System was the only entity of public education not included, even though the K-12 system and the State University System were included some time ago.

Most importantly it strongly provided that the local board of trustees provides oversight and direction specific to each college. Although the foundation of the Florida College System's success has been local control historically, this constitutional codification makes it unequivocal. Combined with the assuring continued oversight by the State Board of Education, as it currently exists, it will strengthen the seamless K-16 system as we know it.

The Amendment's emphasis on preserving local control is key to the success of the system. District Boards of Trustees ensure that colleges can remain responsive to the academic and workforce needs of their communities, and are important to the continued relevance of the system. The professionals who comprise these boards know the college, the community-based businesses, and can guide their institution toward a serving their needs.

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### DIVISION OF FLORIDA COLLEGES

The Division of Florida Colleges is a dynamic and responsive Department of Education team who act as a support system for Florida College System institutions. The division provides leadership and advocacy for the 28 institutions in an effort to promote continuous improvement and education innovation within the Florida College System. For more information, visit <http://www.fldoe.org/fcs/>.

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# FLORIDA STATE BOARD OF EDUCATION

## Mission

Increase the proficiency of all students within one seamless, efficient system, by providing them with the opportunity to expand their knowledge and skills through learning opportunities and research valued by students, parents, and communities, and to maintain an accountability system that measures student progress toward the following goals:

- Highest student achievement
- Seamless articulation and maximum access
- Skilled workforce and economic development
- Quality efficient services

The Board is a committee of 7 [members](#) and the Commissioner of Education, which are all appointed by the Florida Governor [to direct](#) public K-12 & Community College education.

Before 2003, the Commissioner of Education was originally a Cabinet-level position filled by an election. But by a 1998 voter-approved revision to the [Florida Constitution](#), the Commissioner of Education became an appointed position. The revised constitution also created the new Florida Board of Education.

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## 2020 Colleges' Board of Trustee Chairs (# of Board Members)

Contact via President's Office

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Board Chair: Thomas Lassmann (9)

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Board Chair: Robert Durrance (7)

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### **Daytona State College**

Board Chair: Randy Howard (9)

### **Eastern Florida State College**

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Board Chair: Danny Nix (8)

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### **State College of Florida, Manatee-Sarasota**

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Board Chair: Sam Garrison (7)

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### **Tallahassee Community College**

Board Chair: Frank Messersmith (7)

### **Valencia College**

Board Chair: Tracey Stockwell (9)

## A Succinct History of the Florida Community College System

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Written by: Dr. James L. Wattenbarger, Distinguished Service Professor Emeritus University of Florida; Dr. Harry T. Albertson, Chief Executive Officer, Florida Association of Community Colleges (1992-2004); Dr. Willis Holcombe, Former DFC Chancellor and President Emeritus, Broward Community College; Mr. Andrew Treadwell, Administrative Director of Legislative and Executive Communications, Indian River State College; Michael Brawer, Chief Executive Officer, Association of Florida Colleges

The community college is uniquely American. Its roots can be traced to William Rainey Harper, the president of the University of Chicago, and a few others who believed that the substantial academic resources of the nation's universities could be better utilized if they were not burdened with the tasks of teaching the basic learning and thinking skills taught during the freshman and sophomore years. Instead, these pioneers suggested that there should be a different kind of institution which could bridge the gap between high school and higher education. From these thoughts, the nation's first publicly supported junior college, Joliet Junior College in Joliet, Illinois, was born in the year 1901.

However, even before the birth of Joliet Junior College, there existed several private two-year colleges. Perhaps in response to financial pressures, or perhaps as a means to accommodate the flood of new high school graduates, many of these private two-year colleges were originally small four-year institutions that discontinued the junior- and senior-year programs.

Similarly, the birth of Florida's Community College System can be traced to the private sector. In 1927, St. Petersburg Junior College was founded as a private, two-year college on Florida's central, Gulf Coast. Shortly thereafter, several other private two-year colleges including Jacksonville Junior College, Orlando Junior College, Casements Junior College, and Edison Junior College were organized. All of these early private junior college efforts in Florida failed except for St. Petersburg Junior College.

Florida's first public junior college, Palm Beach Junior College, was established in 1933 by approval of the local Board of Public Instruction. In 1939, the legislature adopted a law which provided that a county or group of counties with a population of 50,000 or more could petition the State Board of Education for the establishment of public junior college. From 1933 until 1947, Palm Beach Junior College remained the only public two-year college in the state. However, in 1947, Dr. Edgar Morphet and Dr. R.L. Johns, who were consultants to the Florida Citizens Committee on Education, included a section on "junior colleges" in their report to the Florida Legislature. Mr. Howell Watkins, the principal of Palm Beach High School and dean of Palm Beach Junior College, was charged with the junior college section of the report, and he assigned the task to a graduate student from the University of Florida, James Wattenbarger, who was also a graduate of Palm Beach Junior College.

Among other things, the Florida Citizens Committee Report on Education to the 1947 Florida Legislature included Wattenbarger's recommendation that junior colleges should become an operational component of the local school systems provided that the County Boards of Public Instruction received approval from the State Board of Education to operate a junior college. This recommendation and many of the other provisions in the Florida Citizens Committee Report on Education were included in the Minimum Foundation Program Law supported by Senator LeRoy Collins and passed by the 1947 Legislature.

Upon passage of the Minimum Foundation Program in 1947, the Pinellas County Board of Public Instruction requested the State Board of Education's approval to make St. Petersburg Junior College a public junior college by incorporating the two-year college into its school system. Likewise, in 1948 the Jackson County School Board joined by the School Boards of Calhoun, Holmes, and Washington Counties received permission to take control of Chipola Junior College which had operated as a private junior college in Marianna for only one year. That same year, the Escambia County School Board (joined later by the Santa Rosa County School Board) requested and received authority to establish a new public junior college, Pensacola Junior College. Thus, by the end of 1948, Florida's emerging community college system included four publicly funded institutions — Palm Beach Junior College, St. Petersburg Junior College, Chipola Junior College, and Pensacola Junior College. These four junior colleges became the focus for Florida's new approach to postsecondary education.

In 1948, Dr. John I. Leonard, who served as both the superintendent of public instruction in Palm Beach County and as president of Palm Beach Junior College, met with Dr. Leon N. Henderson from the University of Florida's College of Education to plan a series of conferences for junior college administrators. The conferences were held in January, May, July, and October 1949 and included the presidents as well as faculty members from the state's four public junior colleges. At the October meeting, the participants formally organized as the Florida Association of Public Junior Colleges (FAPJC), the forerunner of the Florida Association of Community Colleges (FACC).

During the next few years, an increased interest in the expansion of junior colleges developed rapidly in Florida. In 1949, Washington Junior College was authorized as the state's fifth public junior college in connection with Booker T. Washington High School in Pensacola. The Junior College Steering Committee of the State Advisory Council on Education presented a study by Dr. C.C. Colvert and Dr. James W. Reynolds from the University of Texas in 1951 to the State Board of Education. The study recommended the establishment of new junior colleges, a position strongly supported by former Senator and now Governor LeRoy Collins, without specifying where or how many. In 1953, the legislature authorized the Board of Control (the operating/ coordinating board for the state's universities) to establish the Council for the Study of Higher Education, and in the same year the University of Florida Press published its first education-oriented book, *A State Plan for Public Junior Colleges*, by Dr. James L. Wattenbarger, now a faculty member at the University of Florida. In 1955, the Board of Control issued its initial report to the legislature which urged the establishment of a separate study for junior colleges in Florida.

As a result of the Board of Control's report, and at the urging of the members of FAPJC, the 1955 Legislature created the Community College Council to "formulate a long-range plan for the establishment and coordination of community colleges." During the same legislative session, the members of FAPJC also supported a bill that appropriated \$4.2 million for junior college construction funds during the 1955-57 biennium. The funds were appropriated by the legislature to Pensacola Junior College (\$1.25 million), Chipola Junior College (\$.6 million), Palm Beach Junior College (\$1.05 million), and St. Petersburg Junior College (\$1.3 million).

The Community College Council was organized in the fall of 1955, and Dr. James Wattenbarger was granted a leave of absence from the University of Florida to direct the study of the council. After nearly two years the Council issued its report to the 1957 Legislature. The report, titled *The Community Junior College in Florida's Future*, recommended a state plan that would provide twenty-eight junior colleges located within commuting distance of 99 percent of the state's population. The 1957 Legislature accepted the report as the master plan for Florida's community/junior colleges and at the same time approved six new community college districts to begin

implementing the master plan. The six colleges approved by the 1957 Legislature were Gulf Coast Community College, Central Florida Community College, Daytona Beach Community College, Manatee Junior College, North Florida Junior College, and St. Johns River Community College. The 1957 Legislature also approved statutory revisions that permitted the junior colleges to begin a separate existence apart from the K-12 programs, and the Division of Community Colleges was established as a separate division within the Florida Department of Education. Dr. James Wattenbarger was appointed as the Division Director.

During the next ten years, sixteen of the eighteen new public community/junior colleges visualized in the ten-year master plan were opened. They were Brevard Community College (1960), Broward Community College (1960), Indian River Community College (1960), Maimi-Dade Community College (1960), Edison Community College (1962), Lake City Community College (1962), Lake-Sumter Junior College (1962), Okaloosa-Walton Community College (1964), Polk Community College (1965), Florida Keys Community College (1966), Florida Community College at Jacksonville (1966), Santa Fe Community College (1966), Seminole Community College (1966), South Florida Community College (1966), Valencia Community College (1967), and Tallahassee Community College (1967). In 1968, Hillsborough Community College was authorized by the legislature, and in 1972, twelve years after the Community College Council issued its report to the legislature, Pasco-Hernando Community College was opened to complete the twenty-eight community/junior college system in Florida.

In the mid 1960's, Florida faced a period of desegregation in all of education. As part of the state's desegregation plan, the state decided to merge the twelve black community colleges (which had been established in association with local formerly black high schools by their local school boards) with the newly created community/junior colleges in those twelve districts. This limited each district to one community college; but, permitted multiple centers to be created in order to serve the whole population of the district. As such, Booker T. Washington Junior College was merged with Pensacola Junior College, Carver Junior College was merged with Brevard Community College, Collier-Blocker Junior College was merged with St. Johns River Community College, Gibbs Junior College was merged with St. Petersburg Junior College, Hampton Junior College was merged with Central Florida Community College, Jackson College was merged with Chipola Junior College, Johnson College was merged with Lake-Sumter Junior College, Lincoln College was merged with Indian River Community College, Roosevelt College was merged with Palm Beach Community College, Rosenwald College was merged with Gulf Coast Community College, Suwannee River College was merged with North Florida Community College, and Volusia Community College was merged with Daytona Beach Community College.

Although the 1957 legislature approved the Master Plan for the orderly development of Florida's Community College System, as well as several statutory revisions which created the Division of Community Colleges as a separate entity within the Department of Education apart from the K-12 system, the colleges remained under the jurisdiction of local school boards. Many community college advocates questioned the efficacy of this arrangement, and in 1961-62 Dr. Samuel R. Neel, Jr., FAPJC president and president of Manatee Community College, reported on several FAPJC sponsored meetings designed to prepare the way for making community/ junior colleges independent legal entities functioning under their own boards. Finally, during the 1967-68 fiscal year, the legislature approved measures which released the colleges from the jurisdiction of local boards of public instruction and established locally autonomous district boards of trustees to govern and operate each of the state's public community/junior colleges.

Dr. James Wattenbarger announced his resignation as Director of the Community/Junior College Division of the Florida Department of Education during the 1966-67 fiscal year. Dr. Lee G. Henderson, Wattenbarger's assistant, was named the new Director of the Department of Education's Division of Community Colleges. During

the 1969-70 academic year, FAPJC pushed for legislation that would make the terms “community” and “junior” college synonymous in state law. That same year, the FAPJC assembly of delegates, in an effort to represent more adequately the comprehensive nature of the state’s community/junior colleges, voted at their November Annual Convention to change the name of the Association from the Florida Association of Public Junior Colleges (FAPJC) to the Florida Association of Community Colleges (FACC). Similarly, in 1970 the Board of Trustees of Lake-Sumter Junior College changed the college’s name to Lake-Sumter Community College, and over the next few years several other colleges that used “junior” instead of “community” followed suit.

By 1971-72, the Florida Association of Community Colleges has grown to almost two-thousand members and continued to retain the institutional membership of all 28 community colleges in the state. As such, the Board of Directors hired the Association’s first full-time staff assistant, John B. “Jack” Armstrong, who became the Association’s Executive Director and perhaps the main lobbyist for Florida’s community colleges. The Association was provided offices at Tallahassee Community College. Mr. Armstrong continued to serve as the Association’s Executive Director until April 1, 1976, when he resigned to become a candidate for the State’s 2nd Congressional District. The Board of Directors appointed Dr. Jim Burnette, the Executive Vice President for Edison Community College, Interim Executive Director, and he served in that capacity until December of 1976 while the Board conducted a national search for a new Executive Director. At the 1976 Convention, the Board selected a former FACC President and Valencia Community College administrator as its second Executive Director, Dr. James Kellerman. Dr. Kellerman took office in January of 1977.

Through 1979, the Community College Council continued to function as the state-wide advisory council for the community college system. In 1979, however, the legislature created the Community College Coordinating Board in an effort to answer questions regarding the management and coordination of higher education in Florida. The Community College Coordinating Board functioned through 1983 when the legislature replaced the Coordinating Board with the State Board of Community Colleges. The State Board of Community Colleges was charged with “statewide leadership in overseeing and coordinating the individually governed public community colleges” while ensuring that “there shall continue to be maximum local autonomy in the governance and operation of individual community colleges.”

At the same time the Community College Coordinating Board was replaced by the State Board of Community Colleges, Dr. Henderson announced his retirement as director of the Division of Community Colleges. Mr. John Blue, Chairman of the Manatee Community College District Board of Trustees and a member of the Community College Coordinating Board, was appointed interim Director of the Division of Community Colleges while a national search was conducted to find a replacement for Dr. Henderson. In 1984, after an exhaustive search, the State Board of Community Colleges selected a former state senator and representative, Clark Maxwell, Jr., as the Board’s first Executive Director and the state’s first Executive Director of the Community College System.

In late 1981, Dr. James Kellerman announced his plans to resign as FACC’s Executive Director by January 1, 1982 to assume the role of Executive Director of the California Community and Junior College Association. By December of 1981, however, the FACC Board had already selected Dr. Kellerman’s replacement, Mr. L. Frank Casey, a former FACC President and an administrator from Daytona Beach Community College.

Under Mr. Casey’s dynamic leadership the Association grew to just over 4,000 members and embarked on an ambitious plan to build a home for FACC in Tallahassee. In 1991-92, land was purchased across the street from the Education Building. The address was 816 South Martin Luther King Boulevard. By 1993 the plans for the building were completed, and a massive fund raising drive was undertaken by Pasco-Hernando Community College

President, Dr. Milton O. Jones, to raise money to pay off the land and begin construction on the 4,000 square foot, two-story, red-brick building. In December of 1993, Mr. Casey resigned as FACC's Executive Director and the Board of Directors named Dr. William "Bill" Odom as the Interim Executive Director. Dr. Odom served in that capacity until April 1, 1994 when Dr. Harry T. Albertson, an Administrator from Pasco-Hernando Community College, was selected as the Association's fourth Executive Director. Dr. Albertson oversaw the completion of the construction of the new facilities and arranged financing to pay the remaining cost of construction in the amount of almost \$400,000 with the Miami-Dade Community College Foundation. The Association moved into its new home in July and August of 1994, and with the tremendous support of the Association's membership and the College presidents, FACC paid the fifteen-year mortgage off in five years.

Since 1984, the Florida Community College System has continued to evolve as the state's most effective and efficient educational delivery system. The mission of Florida's Community College System has also continued to evolve far beyond the vision of providing the first two years (two-plus-two) of the baccalaureate degree. The system provides over 750 associate in arts and associate in science degrees, and almost 500 certificate programs of varying lengths. It is a national model for the articulation agreement with the state's universities which provides that all community college associate in arts degree graduates can enter a state university at the junior level. In the early 1990's the legislature added economic development as a primary mission of the colleges, and the substantial role of the colleges in workforce development has been addressed by both the 1996 and the 1997 Legislatures. In 1996, the colleges became the first state agency in Florida to embrace performance-based budgeting. During 1996, the state's twenty-eight colleges served nearly one million students in credit and non-credit programs. Based on 1994-95 graduation data, Florida's community college system lead the nation in terms of the number of associate degree awards, seven of the nation's top ten liberal arts and sciences associate degree producers were Florida community colleges, and Florida's community colleges also ranked among the nation's best in terms of degrees awarded to minority and non-traditional students.

In December of 1997, Mr. Clark Maxwell retired as the Executive Director of the Florida Community College System. He was replaced on an interim basis by the Assistant Executive Director of the Florida Community College System, Mr. David Armstrong. Mr. Armstrong served in this capacity while a national search was conducted for a new Executive Director of the system. In May of 1998 the State Board of Community Colleges interviewed three finalists for the position who were recommended by a Search Committee. At the conclusion of the interviews, the Board decided that none of the finalists were as qualified as Mr. Armstrong to lead the system, and even though Mr. Armstrong was not in the applicant pool, the Board unanimously offered the position to Mr. Armstrong who accepted the offer.

In November of 1998, the voters of Florida approved Constitutional revisions reducing the number of elected members of the Florida Cabinet from seven to four effective January of 2003. Specifically, the revisions eliminated the Secretary of State and the Commissioner of Education from the Cabinet and combined the positions of Comptroller and Treasurer. The cabinet also served as the State Board of Education; however the revision approved by the voters eliminated the role of the Cabinet as the State Board of Education and instead established a new board to oversee education which includes seven members appointed by the Governor and confirmed by the Senate.

Despite arguments by both the Community College System and the State University System that the Constitutional revision was aimed at a reorganization of the K-12 system, the 2000 Legislature adopted HB 2263 (the Florida Education Governance Reorganization Act of 2000) which reorganized the governance structure for all educational delivery systems in the State of Florida. The bill delineated that there will be a seven member

“super-board” called the Florida Board of Education” (FBE) appointed by the Governor to oversee all of education in Florida; a Commissioner of Education (Secretary of Education until January of 2003) appointed by the FBE; and, Chancellors for the K-12 System, the University System, and the Community College System appointed by the Commissioner. Pending the recommendations of a “Transition Task Force,” the bill also eliminated the State Board of Community Colleges and the Board of Regents in January of 2003, and very subtly merged the Division of Workforce Development under the Division of Community Colleges, renaming the Division of Community Colleges the Division of Community Colleges and Career Preparation.

The eleven member Transition Task Force, appointed in 2000, was charged with the duty “to identify issues, conduct research, develop necessary procedural and substantive framework, and make recommendations to the legislature for an orderly 3-year phase-in for a seamless education continuum and a single or coordinated kindergarten through graduate school budget in accordance with the policies and guiding principles of s. 229.002, so that the Florida Board of Education may immediately begin its work on January 7, 2003.” The task force was chaired by an Orlando businessman, Mr. Phil Handy, and its recommendations to the legislature were to be completed by March 1st, 2001.

As the work of the Transition Task Force commenced, arguments that the 1998 Constitutional Amendment was aimed at “free public education” and not the state’s system of higher education were pronounced. Nevertheless, most of the work of the Transition Task Force resulted in recommendations to the legislature that restructured the governance of higher education in Florida with few recommendations for the state’s system of “free public education.” Most of the recommendations of the Transition Task Force were incorporated into SB 1162 which was considered by the 2001 Legislature.

Though SB 1162 became the vehicle for the recommendations of the Transition Task Force, it also became a vehicle for some other initiatives which were driven by the proclivities of some powerful legislators, in particular Sen. Donald Sullivan, who Chaired the Senate Education Appropriations Committee in 2001. As a result of a push by the state university system to increase enrollment in undergraduate programs, the state university system began arguing in the late 1990’s that Florida ranked somewhere between 47th and 49th in the number of baccalaureate degrees produced per 100,000 residents. As a result of this argument, access to the baccalaureate degree became an issue for the legislature and a variety of different approaches to address access to the baccalaureate degree were proposed from increasing enrollment funding for undergraduate programs in the university system, to creating a middle-tier of colleges, to authorizing some community colleges to offer “site-determined, limited access, baccalaureate degrees.” Sen. Sullivan favored the later approach and amended onto SB 1162 language from a separate bill he had sponsored which set-up a process for community colleges to seek authority and funding for “site-determined baccalaureate degrees,” and also specifically authorized in statute the changing of the name of St. Petersburg Junior College to St. Petersburg College with specific authority to offer baccalaureate degrees in nursing, education, and applied science.

SB 1162 became a very controversial bill during the waning hours of the 2001 Legislative Session. In fact, it was the last Bill passed by the House during the 2001 Legislative Session partly because a logistical error had been made which did not allow the House to get to its own Education Governance Reorganization Bill. The version of SB 1162 that passed included Sen. Sullivan’s language related to the process for community colleges to seek authority to offer baccalaureate degrees and also included the language renaming St. Petersburg Junior College as St. Petersburg College with authority to offer baccalaureate degrees. However, the bill made it clear that St. Petersburg College and any other community college that received permission to offer the baccalaureate degree would still be considered a community college for funding purposes except for the baccalaureate degree programs. Importantly, SB 1162 also abolished the State Board of Community Colleges and the Board of Regents

effective July 1, 2001, created local boards of trustees for each of the state's universities similar to the community college system model, separated the Division of Community Colleges from the Division of Workforce Development as approved in the previous legislative session, and centralized all of education under one "super board" called the Florida Board of Education with the charge to create a student-centered, seamless, K-20 system of education in Florida. The bill also established the position of "Chancellor" for the state's community college system who would be appointed by the Florida Board of Education but report to the Secretary of Education, who would become the Commissioner of Education in January of 2003. The bill provided that the seven member Florida Board of Education and the Secretary (Commissioner) would be appointed by the Governor with ratification by the Senate. The appointment of the Secretary (Commissioner) by the Governor was a change from previous language passed in 2000 that provided the Florida Board of Education would appoint the Secretary.

For the period 2001 through 2003, the Governor appointed the long-time Chair of the Senate's Appropriations Committee, the Honorable Jim Horne, to serve as the Secretary of the Florida Board of Education. He also appointed a well-known Orlando businessman, Mr. Phil Handy, to serve as the Chair of the Florida Board of Education. In 2003, when the term of the elected Commissioner of Education (the Honorable Charlie Crist) expired, Jim Horne was appointed by Governor Bush as the appointed Commissioner of Education as provided in SB 1162. During 2001 and 2002, three additional Community Colleges petitioned CEPRI (the Council for Education Policy Research and Improvement that replaced PEPC under SB 1162) and the Florida Board of Education for permission to offer the baccalaureate degree. In addition to an appropriation for St. Petersburg College in the amount of \$1 million, an appropriation of \$5 million dollars had been provided in the 2001 Appropriations Act for use by community colleges which were granted authority to offer the baccalaureate degree. The colleges seeking this authority were Edison Community College, Chipola Junior College, and Miami-Dade Community College. The original recommendation from CEPRI in early 2002, denied the requests for all three institutions; however, the Florida Board of Education granted permission to Chipola Junior College and Miami-Dade Community College to offer Baccalaureate Degrees in the field of education and provided start-up dollars for these programs from the \$6 million appropriation included in the 2001 Budget. While not approving the request from Edison Community College to offer the baccalaureate degree, the Florida Board of Education approved a partnership between Edison Community College and Florida Gulf Coast University for baccalaureate degrees to be offered by Florida Gulf Coast University on the Edison Community College campus in Ft. Myers.

Perhaps even more significant than the passage of SB 1162 in 2011, was the passage of CS/SB 20-E in a special session of the legislature (2002-E) held in May of 2002. CS/SB 20-E eliminated all of the old statutes regarding education scattered throughout the volumes of Florida Statutes and created fourteen new chapters, FS 1000 through FS 1013 to address the laws governing a seamless K-20 system in Florida. The new statutes made many changes in the governance of higher education in Florida. In fact, in the eyes of many, it increased local control for the state's community colleges and universities while delegating authority to the State Board of Education to set "policy and guiding principles for the Florida K-20 education system." The State Board of Community Colleges met for the last time at Indian River Community College in May of 2001. Mr. Armstrong was appointed Acting Chancellor of the Florida Community College System from July 1, 2001 until August of 2002. In August of 2002, after an exhaustive national search, Mr. Armstrong was named the first Chancellor of the Florida Community College System by the Florida Board of Education.

With the dissolution of the State Board of Community Colleges as required by SB 1162, and the establishment of the Department of Education, including the old Division of Community Colleges, as an agency of the Governor's office, it became apparent to the state's 28 community college presidents who sit as the Council of Community College Presidents, that changes needed to be made in the way the Council operated. It was

especially apparent that the 28 presidents would need to be much more proactive in terms of the advocacy effort and the community college system's legislative agenda. As such, the Council of Presidents began a national search in January of 2001 for a Director of Governmental Relations to serve at the will of the Council under the auspices of the Florida Association of Community Colleges. In July of 2001, the Council had still not reached consensus on an individual to serve as Director of Governmental Relations, nor could they reach consensus on the duties and responsibilities of the position. As such, the Council of Presidents and the FACC Board of Directors entered into a formal Memorandum of Understanding on July 27, 2001 for the Association and the Association's Executive Director, Dr. Harry Albertson, to assume many of the duties that would have been assigned to the Director of Governmental Relations, and for the Association to provide the staff support for the Council of Presidents. In September of 2001, the Council of Presidents revised their by-laws to reflect this relationship between the Council and the FACC, and also revised their by-laws to establish a Policy and Advocacy Committee under the umbrella of FACC which would include all community college presidents and some members of the FACC Board of Directors. At the Annual Meeting of the FACC in 2001, the Assembly of Delegates approved changes to the FACC By-laws also establishing the Policy and Advocacy Committee as a permanent standing committee of the Association.

Upset with the dissolution of the Board of Regents to govern the State University System, former Florida Governor and Florida's senior United States Senator, the Honorable Bob Graham, collaborated with a former Chair of the Board of Regents, Mr. E. T. York, and others to pass a Constitutional Amendment by voter referendum to re-establish a governing body for the state's university system in the form of a Board of Governors. The Constitutional Amendment was approved overwhelmingly by the voters of Florida in November of 2002 and left in doubt the authority of the boards of trustees at each of the state's universities. The passage of the amendment also left in doubt many of the provisions of SB 1162 passed by the 2000 Legislature and designed to create a seamless, student oriented, K-20 system of education in Florida under one super board, the Florida Board of Education. For Florida's community colleges, the passage of the amendment creating a separate board to govern the state's universities created other concerns with regard to the board's power to affect agreements and other rules and regulations which are the backbone of the nation's best two-plus-two system.

In March of 2003, Okaloosa-Walton Community College used the procedures outlined in SB 1162 to petition CEPRI for authority to offer a baccalaureate degree in nursing and in Project and Acquisition Management. At the March meeting CEPRI recommended a joint baccalaureate degree in nursing with the University of West Florida and tabled the request for a Baccalaureate Degree in Project and Acquisition Management. However, at the April meeting of CEPRI, the proposal for O-WCC to offer the Baccalaureate Degree in Project and Acquisition Management was approved. Subsequently, the State Board of Education approved both the joint project with the University of West Florida for the Baccalaureate Degree in Nursing and the limited access Baccalaureate Degree in Project and Acquisition Management to be offered by O-WCC. The programs were funded by the 2004 Legislature creating the fourth community college in the state with the authority to offer limited access baccalaureate degrees.

During the 2004 Legislative Session two other important events affecting community colleges also occurred. The community colleges sought legislation which would simplify the process for community colleges to gain authority to offer limited access baccalaureate degrees, and provide a consistent funding model for community college baccalaureate degrees (SB 2388 and HB 303). The bills also included language which changed the names of Okaloosa-Walton Community College to Okaloosa-Walton College, Chipola Junior College to Chipola College, and Miami-Dade Community College to Miami Dade College as required by SACS accreditation standards for institutions offering baccalaureate degree. The Senate Bill cleared the Senate unanimously; however, the companion house bill died on the calendar. Fortunately, an implementing bill (HB 1867) was passed by both

houses which included language changing the names of the three colleges to meet SACS accreditation standards. The bill also changed the name of Edison Community College to Edison College even though Edison Community College had not received authority to offer baccalaureate degrees.

It was also during the 2004 Legislative Session that SB 2986 cleared both houses of the legislature and was signed by the Governor. The bill was among the first in the country to provide accredited postsecondary institutions (including community colleges) to seek approval from the Department of Education to create Educator Preparation Institutes for the purpose of providing any or all of the following: professional development instruction to assist teachers in improving classroom instruction and in meeting certification or re-certification requirements; instruction to assist potential and existing substitute teachers in performing their duties; instruction to assist paraprofessionals in meeting education and training requirements; and, instruction for baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for mid-career professionals who hold a baccalaureate degree and college graduates who were not education majors. The bill also requires that each approved Educator Preparation Institute that offers “alternative certification programs” for holders of baccalaureate degrees must “enable program participants to meet the educator certification requirements required in statutes, and that each of the programs authorized for this alternative certification must be “competency-based,” provide field experience, and a certification ombudsman to facilitate the process and procedures required for eventual certification. Succinctly, the passage of the bill allowed community colleges for the first time in the state to provide programs of instruction for baccalaureate degree holders that lead to certification as a classroom teacher.

On August 17, 2004, The State Board of Education appointed Chief of Staff to Commissioner Horne, John Winn, to head Florida’s K-20 Department of Education. Commissioner Jim Horne, who announced his resignation in early August 2004, stepped down August 31, 2004. Winn assumed the role of Commissioner effective September 1, 2004. In June of 2004, Dr. Harry T. Albertson, now the Chief Executive Officer of the Florida Association of Community Colleges, suffered a heart attack and earlier in the year had been diagnosed with what doctors believed to be Parkinson’s disease. At the same time, Dr. Albertson and the Board of Directors of FACC had begun negotiations for a larger facility to house the growing needs of the Association and the Council of Presidents. Several properties were identified in downtown Tallahassee, across the street from the Capitol complex and Dr. Albertson began negotiations for the five-story (four-stories and a basement), 18,000 square foot Florida Medical Association Building and found a potential buyer for the Association’s current facilities. However, in December of 2004, Dr. Albertson informed the Board that his doctor’s thought it best if he retired and he submitted his resignation after twelve years of service to the Association. On February 28, 2005, Dr. Albertson left his duties as CEO inconspicuously and without any fanfare as he had requested, though he agreed to serve as consultant to the Council of Presidents for at least 18 months. The Board of Directors named Mr. Michael Comins, the newly hired Chief Operating Officer for the Association, as interim CEO effective March 1, 2005. Mr. Comins completed the work Dr. Albertson had started on the purchase of the Florida Medical Association Building and the sale of the Association’s current facilities. Mr. Comins’ final negotiations resulted in the sale of the current facilities, located at 816 South Martin Luther King Boulevard, to Okaloosa-Walton College Foundation for \$650,000. Mr. Comins also closed the deal on the Florida Medical Association building, located at 113 East College Avenue, on May 16, 2005 for a purchase price of \$2.1million, significantly less than the \$3.2 million the Florida Medical Association had invested in the building and property.

Florida’s Community College System has become a national and international model for the orderly development of a community college system. Locally controlled by individual district boards of trustees, Florida’s “Great 28” community colleges continue to make a notable contribution in assuring that all of the citizens of

Florida have access to higher education opportunities. As the community college transitions through the implementation of The Florida Education Governance Reorganization Act of 2000, HB 2263, SB 1162, and the most recent education governance bill, SB 20E passed by the 2002 Legislature and referred to as the School Code Re-write Bill, the ability of Florida's twenty-eight community colleges to meet the higher education needs of local communities and the students within those communities will undoubtedly be impacted. Likewise, the mission and purpose of Florida's Community Colleges will be scrutinized by the new Florida Board of Education and, as already is evident by the Board's approval for baccalaureate degrees at four of the state's twenty-eight colleges, the result of this scrutiny will shape the future history of the Florida Community College System. Through all of the history of changes in the organization and governance of the Florida Community College System, there has remained only one constant, the Florida Association of Community Colleges (FACC). With a membership of nearly 8,000 community college faculty and staff and all 28 of the state's community colleges, it is the largest statebased community college organization in the country and one of the largest associations in the State of Florida.

In 2005-06, Florida's economy, fueled by strong real estate and construction industries, boomed. Employment was high and enrollment in Florida's community colleges flattened out, and in many colleges declined slightly. This counter-cyclical relationship between Florida's employment and enrollment in the system had been understood and anticipated by key decision-makers and the state legislature. State financial support for the system remained strong and, on a per student basis, reached record highs in the 2005 and 2006 legislative sessions. Programmatically, the colleges continued to expand. New technology-based associate degrees and certificates were introduced to keep up with the impact of the digital age on virtually every area of work and life. Florida's community colleges also responded to the state's need for teachers, particularly in the critical shortage areas of math, science, reading, and exceptional education in two new ways: 1) Educator Preparation Institutes (EPI's), established at our colleges, were providing teacher certification training for hundreds of people who already held bachelor's degrees and wanted to become K-12 teachers in Florida. 2) By the fall of 2007, the State Board of Education had approved six colleges for baccalaureate education degrees in high demand teaching fields.

Charlie Crist was elected Governor of Florida in November 2006, and 2007 became a year of change in the Department of Education. These changes began with Commissioner of Education John Wynn leaving his position in early March and Jeanine Blomberg becoming the interim Commissioner while the State Board of Education conducted a national search for a permanent successor. In July, David Armstrong left his position as Chancellor of the Community College System to accept the presidency of Broward Community College. Dr. Judith Bilsky served as acting chancellor until Dr. Willis Holcombe, former President of Broward Community College was appointed interim chancellor on Oct. 1 by Commissioner Blomberg. On Nov. 16, 2007, the State Board selected Dr. Eric Smith as Commissioner of Education, and in January 2008, Dr. Smith appointed Dr. Holcombe Chancellor of the Community College System.

Economically, Florida was changing also; the real estate, lending, and construction boom came to an abrupt halt near the end of 2007, and Florida, like the rest of the country, moved toward a deep and long recession. As a result, in the spring of 2008, the state legislature adopted a conservative budget which contained reductions for education as well as many other state agencies. On the policy front, the legislature also passed a bill that renamed and redefined the Florida Community College System. House Speaker designate, Representative Ray Sansom and Appropriations Chair, Representative Joe Pickens, spearheaded the passage of CS/SB 1716, which had four major provisions:

- I. It established the Florida College System, defined as a system of colleges that grant two-year and four-year degrees to meet the employment needs of Florida in a more cost-effective manner to the state and the student than the state university system.

2. It provided criteria and a locally controlled process for the changing of an institution's name consistent with its degree-granting status.
3. It established the Florida College System Task Force to make recommendations regarding the implementation and funding of the new system.
4. It established the State College Pilot Project, consisting of nine colleges, also for the purpose of making recommendations on the implementation and funding of the new system.

The Task Force and the Pilot Project were to coordinate with each other, but submit their reports separately to the legislature and other decision-makers prior to the 2009 legislative session. The Task Force was chaired by Dr. Eric Smith, Commissioner of Education, and was composed of seven community college presidents, one state university president, one independent college and university (ICUF) president, one for-profit college president, and one at-large member. The final report from the Task Force made 27 recommendations on articulation, mission, governance, transition process, program approval criteria, and proposed funding. The report of the Pilot Project had similar recommendations. Both reports were well received by the legislature, and CS/SB 2682, which codified most of the recommendations, was passed in the 2009 session. Specifically, the legislature:

1. Confirmed the open access mission of the college system, to include approved, employment-related baccalaureate degrees
2. Stated the service districts for each of the colleges in the statutes
3. Affirmed the 2 + 2 articulation rights of students who possess associate degrees
4. Strengthened the approval process by requiring more employment needs data, better coordination with other colleges and universities, and a specific time frame for DOE action on proposal
5. Repealed the State College Pilot Project

Apart from the baccalaureate degree issue, the colleges in the new Florida College System came under tremendous enrollment pressure beginning with the 2007-08 academic year. As employment figures dropped around the state, college enrollments rose. At the same time, state revenues declined, and state appropriations to the system decreased as well. In order to provide resources needed by the colleges to serve the growing student body, the legislature authorized student tuition increases. The budget reductions, tuition increases, and enrollment increases continued through the 2008-09, 2009-10, and 2010-11 academic years. Between 2006-07 and 2010-11, credit enrollment grew by 31%, and state funding declined by 7%. During these same years, tuition increased by 34.5%. These tuition dollars partially replaced the missing state dollars and helped the colleges accommodate the increased student enrollment.

In 2010 the legislature established the Higher Education Coordinating Council (HECC) as a vehicle to help assure that all sectors of the higher education community, both public and private, were avoiding duplication and operating efficiently to meet the educational needs of the state. It is anticipated that this group's recommendations will be considered carefully by legislators and other policy makers. Articulation is a key concern of the Council as universities struggle to accommodate the increased numbers of associate degree graduates from the Florida College System.

The recession showed signs of easing in 2011 as the unemployment rate dropped and then hovered around 9% in Florida. Florida College System enrollments continued to grow, but at a slower rate. The combined effects of the recession, lower tuitions than the universities, the open-door admission policy, and expanded degree options had increase the percentage of high school graduates in Florida who enrolled in the Florida College

System to an all-time high. Two-thirds of the 2009-10 graduates who enrolled in higher education enrolled in an FCS institution.

During this same time period there were changes at FACC and the Department of Education that would also impact the Florida College System. In November 2010, the FACC board of directors and the membership adopted a new name for the organization that reflected the mission expansion that had been confirmed by the legislature. The name, "Association of Florida Colleges," (AFC) was unveiled at the annual meeting by CEO Michael Brawer. Mr. Brawer had assumed his office in November of 2008 after Michael Comins resigned. He led the organization through the name change process and conducted a very successful membership campaign, growing the AFC membership to over 7,000 college career and professional staff, and faculty.

At the DOE, Dr. Eric Smith resigned as Commissioner of Education in June 2011, and Mr. Gerard Robinson was selected as the new Commissioner on July 29 by the State Board of Education. In the fall the Council of Presidents appointed Dr. Charles (Chick) Dassance as their first Director of Government Relations to assist in the advocacy effort in Tallahassee. Dr. Dassance had recently retired as President of the College of Central Florida. In November 2011, Dr. Holcombe retired as Chancellor of the Florida College System, and Commissioner Robinson appointed Tallahassee attorney Mr. Randy Hanna as the new chancellor. Mr. Hanna was a former chair of the State Board of Community Colleges, a former college trustee, and an active leader of the Florida College System Foundation.

In December 2011, the first Aspen Prize was awarded to the best community college in the United States. Although the criteria were broad ranging, the data collection focused heavily on colleges that had high graduation rates while serving a diverse student population. Fourteen of the FCS colleges were judged to be in the top 10% of community colleges in the country. No other state had such a strong showing. The ultimate winner was Valencia College, followed closely by Miami-Dade College. This national recognition of the outstanding colleges in the Florida College System helped reaffirm that the system remains committed to its long-standing mission of service to Florida. It also indicates the system has successfully incorporated the baccalaureate degree into its broad array of degrees and certificates without compromising its commitment to open-access admissions.

By the end of 2011, 21 of the 28 colleges had been approved for at least one baccalaureate degree, and these degrees accounted for 2% of the credit enrollment system-wide. While the new mission of expanding access to four-year degrees drew most of the attention during this period of its history, the traditional Florida College System mission of providing access to a quality post-secondary education served Florida well during this turbulent economic time. Serious issues remained, such as: facility funding, tuition affordability, and the restoration of state support and matching money, but the Florida College System had emerged from the recession even more vibrant and important to the state of Florida than before.

In 2011, the Florida College System suffered challenging budget cuts, particularly due to the American Recovery and Reinvestment Act (ARRA) no longer supplementing Florida's state funding. However, 2012 offered a glimmer of hope for funding increases. The Legislative session provided a modest 2.8 percent increase to the colleges amid slashing university budgets by nearly \$300 million and adding Florida Polytechnic University as the 12<sup>th</sup> institution in the State University System. More notably than the funding increase was the Florida Legislature's willingness to approve a five percent tuition increase in statute which would be the last one to date.

In 2012 policies also shifted as a result of numerous Higher Education Coordinating Council recommendations to lawmakers. Most of the language in the higher education omnibus bills (HB 5201 and HB

7135) related to collaborative strategic planning between the FCS and SUS, including a charge to revise system mission, goals, and process to meet regional needs. General Education requirements were also amended reducing semester hours from 36 to 30 and seeking appointment of joint faculty committees to oversee core course options in the areas of communication, mathematics, social sciences, humanities, and natural sciences. Lastly, the bills included several provisions that narrowed the scope of FCS baccalaureate authority, a philosophical shift from just three years earlier and a preview of the next few years ahead.

Over the course of the next year, Governor Rick Scott's interest in the higher education landscape increased. This was most evident in his public challenge to the Florida College System to create and offer baccalaureate degrees for \$10,000 or less. Despite the 22 FCS institutions offering baccalaureate degrees for approximately \$13,000, the Governor received universal support with all colleges creating at least one program tailored to the low-cost threshold. Lawmakers would codify the \$10,000 degree authority in the subsequent session. Around the time the Legislature would convene for session, the Florida College System Council of Presidents conducted an economic impact study in collaboration with EMSI. The final report revealed that, collectively, all 28 colleges contribute \$26.6 billion annually to Florida's economy, and offer a 9.4 percent rate of return on taxpayer investment. While the economic benefit of the FCS was evident, the state's budget once again only reflected modest increases for the system. Moreover, Governor Scott vetoed a three-percent increase in tuition, signaling a hardline stance that would be maintained through the remainder of his term, and through at least the first two years of his successor's tenure.

The 2013 session also came with some major policy additions. Public K-12 School Districts would now have to cover the standard tuition rate of their Dual Enrollment students. Meta-Majors and Pathways were written into statute as tools to improve academic metrics. Developmental Education was reduced greatly through the passage of Senate Bill 1720. High school graduates were empowered to 'opt-out' of developmental education courses and move straight into college credit, and colleges were encouraged to find co-requisite and modular alternative to help students remediate in areas of specific need.

By 2014, 24 of the 28 FCS institutions offered at least one baccalaureate degree, and the Florida State Board of Education (SBOE) had approved 151 proposals, only denying two. This escalated the dissenting noise surrounding FCS workforce baccalaureate authority, largely at the behest of Senate Appropriations Chair and future Senate President Joe Negron. Though the Senate attempted to pass more stringent restrictions, the legislative session only resulted in a "pause" – a 14-month moratorium in which no new proposals could be submitted and no programs could be approved.

The Office of Program Policy Analysis and Government Accountability (OPPAGA), the legislative research arm, would also be charged with carrying out a comprehensive study of FCS baccalaureates. On the heels of the State University System implementing new funding tied to performance metrics, Senate Bill 1076 would ask the SBOE to recommend methodology for allocating performance funding to the colleges. Metrics would include graduates, employment and continuing education of graduates, average entry wages of graduates, and the average cost of a graduate to the State of Florida. The return of performance funding at the FCS level was imminent.

After more than three years as Chancellor, Mr. Randy Hanna stepped down from the leadership post in January 2015. Ms. Kathy Hebda was named the Acting Chancellor while a search could commence for Hanna's successor. The Division had a lot to celebrate early in the year as Indian River State College and Santa Fe College were both named as Top-Ten Finalists for the prestigious Aspen Prize for Community College Excellence. Santa Fe

College would go on to win the 2015 Aspen Prize, making Florida the first state in the nation to hold two of the pinnacle honors for public 2-year degree serving institutions. While the performance of Florida's colleges was being recognized on a national stage, it was also receiving attention as part of the annual budget process. As predicted, the Florida Legislature agreed to FCS performance funding metrics tied to a total of \$40 million in funding - \$20 million proportionately pulled from the 28 colleges operational base, and \$20 million in new funding to be allocated through a model yet to be determined by the Division and State Board of Education. This was settled in a mid-June special session as a result of gridlock during the regular session.

Not long after the dust had settled on the 2015 special sessions, the Florida College System had found its new Chancellor. Madeline Pumariega was appointed the 7<sup>th</sup> Chancellor of the FCS, and she was both the first woman and first Hispanic Chancellor to serve in the role. One of her first tasks was to work with the State Board of Education to pass performance funding methodology with the caveat that there be "winners and losers," an element the Governor had endorsed. This led to an iteration of performance funding with various tiers – colleges that would receive no new funding and have to re-earn their base funds with an improvement plan; colleges that would earn their base and new funding; and finally, colleges that would earn their base, their new funding, and the redistributed funding of those in the bottom tier. The punitive measures in the plan were met with criticism and multiple Presidents, including COP Chair, Dr. Ed Meadows, expressed to the State Board that all of the colleges in the bottom tier widely outperformed national averages in every metric, but were being penalized as a result of the Florida College System's overall strength. The tiered model would see minor adjustments each year from the SBOE, but the concept of "winners and losers" remained central through the end of the Scott Administration.

Over the course of the next two years, the Florida College System was on the defensive in the halls of the state capitol, from working to keep open and concealed carry of firearms off college campuses. Michael Brawer, CEO of the Association of Florida Colleges was integral in battling the campus carry issue. As a result of his successful efforts during that time, he was recognized by the national Campaign to Keep Guns Off Campus as its national higher education awardee in 2016.

Other matters promoted by Negron included being placed under newly created, centralized governing boards. This was most apparent through the House and the Senate passing Senate Bill 374 in the 2017 legislative session. The bill included measures that would create a radically different system; it included provisions to change the system name back to the 'Florida Community College System;' it statutorily authorized the creation of a new governing body – the State Board of Community Colleges – a measure believed to erode the long-time local authority of each college's District Board of Trustees; and it implemented growth caps on baccalaureate programs based on ratios between upper-and lower-division FTE. The bill thankfully was never enacted as law. In June 2017 Governor Scott vetoed SB 374, stating:

*"Each year, hundreds of thousands of students attend one of Florida's 28 state colleges, which are consistently rated amongst the best in the country for providing affordable access to higher education. For the last four years, we have held the line on tuition, keeping higher education affordable for all Florida families. Additionally, our State College System, as it currently functions, provides the flexibility and adaptability to respond to our communities' unique education and workforce needs. This legislation impedes the State College System's mission by capping the enrollment level of baccalaureate degrees and unnecessarily increasing red tape. This interference impedes the ability of state colleges to meet the needs of communities and families they serve."*

Governor Scott's veto message revived a system-wide discussion about how to protect the local control of the District Boards of Trustees, and avoid centralized governance in Tallahassee regardless of what statewide Board maintains oversight of the FCS. One option to address the matter became the Constitutional Revision Commission (CRC), an appointed body convened every 20 years with the task of seeking public input and subsequently approving proposals for the general election ballot. Commissioner Nicole Washington led an effort to codify the Florida College System through a CRC endorsed Constitutional Amendment. The ballot language would preserve the local control of the District Boards and maintain oversight of the FCS under the State Board of Education. Amendment 7 – which included the FCS language along with two other items: Educational Expense Death Benefits for First Responders and Supermajority Approval to Raise University Fees – was approved by Florida at more than 66 percent of the vote. The Florida College System would join its counterparts in Pre-K – 12 Education and the State University System as part of Florida's Constitution, and local District Boards of Trustees would remain protected as the preferred governance over the 28 institutions. The 2018 General Election would also see the election of Ron DeSantis as the 46<sup>th</sup> Governor of the State of Florida.

Prior to the election, Florida was rocked by the most powerful Category 5 hurricane since Hurricane Andrew struck the state in 1992. Hurricane Michael made landfall near Mexico Beach on October 10, 2018 and decimated multiple panhandle colleges, particularly Gulf Coast State College which suffered more than \$50 million in damage as a result of the storm. Hurricane Michael made landfall only a year after Hurricane Irma battered the Florida Keys as a Category 4 and made landfall in southwest Florida near Marco Island as a Category 3.

With 2019 approaching and a new administration in the Governor's mansion, Chancellor Pumariega elected to step down from her post in December of 2018. Governor DeSantis quickly appointed former House Speaker Richard Corcoran as the new Education Commissioner. He then elevated the former Acting Commissioner of the FCS, Kathy Hebda, to become Chancellor in February of 2019. Shortly after being appointed to the role, the Florida College System and Division of Florida Colleges once again had Aspen Prize related news. Three Florida Colleges – Broward, Miami Dade, and Indian River State College – were selected as Top Ten Finalists for the Aspen Prize, a first for any state in the brief eight year history of the high honor. In April, Indian River State College and Miami Dade College were selected as winners of the 2019 Aspen Prize for Community College Excellence. The Aspen Prize had now been awarded to seven colleges around the United States, and four of them are located in Florida (Valencia 2011, Santa Fe 2015, IRSC and MDC 2019). Florida's public state and community colleges remain the bellwether system nationally.

Not long after securing the 2019 Aspen Prize, Dr. Eduardo Padron would announce his retirement from Miami Dade College in August of the same year; Dr. Ed Massey would also make a similar announcement that his 33 year presidency at IRSC would also conclude in August 2020. This maintained a trend of respected, long-term Presidents stepping down over the past half-decade – Dr. Jackson Sasser from Santa Fe in Feb. 2020; Ann McGee from Seminole in July 2018; David Armstrong from Broward in June 2018; Eileen Holden from Polk in July 2017; Bill Law from St. Pete in June 2017; Chuck Mojock from Lake-Sumter State College in Dec. 2015; Dennis Gallon from Palm Beach in June 2015; and Kathy Johnson from Pasco Hernando in June 2015. Since the beginning of 2010, 24 of 28 colleges have appointed at least one new President.

The 2020 Florida Legislative Session was relatively quiet from a policy standpoint, however, a new tiered allocation model made its debut as a way to pool colleges based on relative size, and distribute funding in areas of growth, compression, workforce, and base student allocations. The model was argued for its simplicity over the system's long-embraced funding formula, yet it still received a modest \$23 million investment, most of which was pre-determined in budget proviso language. By early March, there was universal agreement that the 2020-2021

state budget exercise may have been rendered moot by the widespread advancement of COVID-19, a novel coronavirus that commanded unprecedented shut downs of schools, colleges, businesses, and more. Governor DeSantis and Commissioner Corcoran encouraged the Florida College System to shift its instruction and services models to virtual formats, and the 800,000+ students of the FCS would complete their 2020 spring term online.

Updated June 2000

Updated September 2002

Updated October 2004

Updated November 2010 (Dr. Holcombe)

Updated May 2020 (Andrew Treadwell and Michael Brawer)

# ASSOCIATION OF FLORIDA COLLEGES

## BYLAWS OF THE TRUSTEES COMMISSION

### ARTICLE I: NAME

The name of this organization shall be the Trustees Commission of the Association of Florida Colleges.

### ARTICLE II: PURPOSE

The purpose of this organization shall be to promote and enhance the Florida College System of the State of Florida by serving in a liaison capacity with the Florida College System Council of Presidents, the State Board of Education, and by serving as liaison with the general membership of the Association of Florida Colleges (AFC). Additionally, the Commission shall provide trustees within the Florida College System with educational opportunities with regard to their duties and responsibilities, by keeping such trustees informed about matters of concern to all 28 colleges, and by providing a forum for such trustees to discuss the issues common to them.

### ARTICLE III: MEMBERS

Each duly commissioned trustee of a Florida College System institution is a contributing member in good standing of the Association of Florida Colleges and a member of the Trustees Commission.

### ARTICLE IV: OFFICERS

#### SECTION 1

The officers shall consist of a chair, chair-elect, secretary, legislative liaison and the immediate past chair.

#### SECTION 2

The chair shall serve for a one year term and shall be succeeded in office at the completion of said term by the chair-elect. The chair-elect shall be elected for a one year term to this office at the annual meeting of the Trustees Commission. All other officers shall be elected at the annual meeting of the Trustees Commission for a one-year term. No officer may serve in the same office for more than two consecutive terms.

### SECTION 3

Officers shall be elected at the annual meeting of the Trustees Commission at the AFC Annual Meeting and Conference and shall assume office on July 1st following the annual meeting, and serve until June 30 of the following year.

### SECTION 4

The chair shall appoint a nominating committee to present nominees to the membership for the offices subject to election at the annual meeting. There may be nominations from the floor.

### SECTION 5

If a vacancy should occur in the office of chair, the chair-elect shall assume the office of the chair. If vacancies should occur in the offices of both the chair and the chair-elect, the immediate past chair shall assume the office of chair until the next regularly scheduled odd number year annual meeting election. All other vacancies shall be filled by the Executive Board (as defined in Section 6 below) and shall serve until the next annual meeting of the Trustees Commission.

### SECTION 6 Duties of officers:

- a. Chair
  - 1) The chair shall preside at all Commission and Executive Board meetings.
  - 2) The chair shall serve as liaison with the State Board of Education and the Council of Presidents.
- b. Chair-elect
  - 1) The chair-elect shall act in the absence of the chairman or as directed.
- c. Secretary
  - 1) The secretary shall record minutes of the Commission
- d. Legislative Liaison
  - 1) The legislative liaison shall act as a liaison with the Executive Board, the AFC lobbyists, the Council of Presidents, and Policy and Advocacy Committee relating to the community college system.

### ARTICLE V: EXECUTIVE BOARD

The Executive Board shall consist of the chair, chair-elect, secretary, legislative liaison, and immediate past chair, and shall act for the membership between annual and special meetings. The chair shall appoint, with confirmation by the Executive Board, no less than 5 or more than 10 members-at-large who will serve in ex-officio, advisory capacity to the Executive Board. These at-large members shall constitute the Advocacy and Governmental Relations Committee.

## ARTICLE VI: MEETINGS

### SECTION 1

There shall be an annual meeting of the Trustees Commission, which shall be held at the same time as the annual meeting of the Association of Florida Colleges.

### SECTION 2

The Trustees Commission shall meet jointly with the Council of Presidents at least annually to discuss legislative and other matters of mutual concern.

### SECTION 3

Each trustee in attendance shall be entitled to one vote at all meetings of the Trustees Commission.

### SECTION 4

Special meetings of the Commission may be called at the discretion of the chair of the Trustees Commission or by the written request of at least fifteen chairs of the District Boards of Trustees.

### SECTION 5

Representation of eight community colleges at any meeting shall constitute a quorum.

### SECTION 6

The rules contained in the current edition of Robert's Rules of Order shall govern the Commission in all cases to which they are not inconsistent with these bylaws and any special rules of order that the Commission may adopt.

## ARTICLE VII: COMMITTEES

The chair is authorized to establish committees, at his or her discretion, to carry out the purposes of the commission.

## ARTICLE VIII: AWARDS

The chair is authorized to establish a committee for the purpose of selecting the recipient of the Trustees Commission Trustee of the Year award and other awards, and present them annually at the AFC Annual Meeting and Conference.

## ARTICLE IX: AMENDMENTS

These bylaws may be amended at the annual meeting or at a special meeting by a majority of voting members provided the proposed change(s) have been submitted in written form to the Executive Board at least thirty days prior to the meeting.

ARTICLE X: ANTI-CONFLICT PROVISION

Nothing contained herein shall be construed in such manner as to conflict with the bylaws of the Association of Florida Colleges.

Amended:     November, 1993  
                  October, 1995  
                  November, 1996  
                  November, 1998  
                  October, 2003  
                  November, 2009  
                  November, 2010  
                  February 2016