FLORIDA GULF COAST UNIVERSITY
STATEMENT OF AGENCY ORGANIZATION AND OPERATION

I. General Information

Florida Gulf Coast University is a comprehensive public university located in Fort Myers, Florida, awarding associate’s degrees, bachelor's degrees and master's degrees. The University’s functions are to educate students, to perform scholarship and research, and to render service to society. The principal office of the University is located at 10501 FGCU Blvd. South, Fort Myers, Florida, 33965-6565, (239) 590-1000. If you are hearing or speech impaired, the number is (239) 590-1405 (TDD). The University's website is located on the Internet at http://www.fgcu.edu. The University's administrative offices are open from 8:00 AM to 5:00 PM, Monday through Friday, except during University holidays.

II. The Florida Gulf Coast University Board of Trustees

The Florida Gulf Coast University Board of Trustees (“Board of Trustees”) is the governing body of the University and is vested with the authority to administer the University in accordance with Art. IX, § 7, Fla. Const., the Florida Education Code, Sections 1001-1013, Fla. Stat., and delegation of the Florida Board of Governors. The Board of Trustees is a public body corporate with all of the powers of a corporation, including the power to adopt a corporate seal, to contract and be contracted with, to sue
and be sued, to plead and be impleaded in all courts of law or equity, and to give and receive donations. The Board of Trustees acts primarily as an instrumentality of the State of Florida, pursuant to Section 768.28(2), Florida Statutes, for purposes of sovereign immunity.

The Board of Trustees consists of thirteen members appointed as follows: six members appointed by the Governor subject to confirmation by the Florida Senate; five members appointed by the Board of Governors subject to confirmation by the Florida Senate; the chair of the Florida Gulf Coast University Faculty Senate; and the president of the Florida Gulf Coast University Student Government. The corporate officers are the Chair, the Vice-Chair and the University President (“President”) who serves as the chief executive officer and corporate secretary of the board. The Board of Trustees conducts its business in accordance with the Florida Gulf Coast University Board of Trustees Bylaws and Florida Law.

The Board of Trustees has oversight responsibilities for the University’s direct support organizations (“DSOs”), which are the Florida Gulf Coast University Foundation, Inc. and the Florida Gulf Coast University Financing Corporation, in accordance with Florida Gulf Coast University Rule 6C10-1.005, F.A.C. Florida Law requires that the Board of Directors for each DSO operate the entity in a manner consistent with the goals of the University and in the best interests of the State of Florida, as determined by the Board of Trustees and the President. The DSOs are formed as not for profit corporations under the Florida Not For Profit Corporation Act, Chapter 617, Florida Statutes. The Internal Revenue Service has recognized the DSOs as tax-exempt charitable organizations under Section 501(c)(3) of the Internal Revenue Code.
III. The University President

The President, as the chief executive officer and corporate secretary of the University, is responsible for the operation and administration of the University and for setting board-meeting agendas in consultation with the chair. The President is appointed by the Board of Trustees and serves at its pleasure.

In the absence of the President, the order of succession to the administrative authority and responsibility of the President shall be as follows:

1. Provost and Vice President for Academic Affairs
2. Vice President for Administrative Services
3. Vice President for Advancement, and
4. Any other officer responsible to the President as designated by the President in writing.

In the case of death or permanent incapacity of the President, this designee shall assume the authority and responsibility of the President until the Board of Trustees takes further action.

The President exercises his ability to delegate executive authority via delegation memoranda and the approval of official University policies.

IV. Administrative Organization of the University

Chaired by the President, the Executive Group consists of the following senior administrators who are individually and collectively responsible to guide a shared vision and lead institutional operations for the advancement of the University:
The Provost and Vice President for Academic Affairs is the chief academic officer of the University and advises the President on academic matters. The Provost assists the President and exercises the functions of the President in the President's absence. The Provost serves as the President's liaison to the Faculty Senate. The Associate Provost and Associate Vice President for Planning and Institutional Performance share the duties and responsibilities of the Provost and may act as the Provost's designee in his or her absence. The Associate Provost facilitates academic affairs budgeting and faculty issues. The Associate Vice President for Planning and Institutional Performance is responsible for accreditation, evaluation, institutional research, student assessment of teaching, and University data administration.

The organizational structure for the Division of Academic Affairs is as follows:

a) Colleges

Responsible to the President through the Provost and Vice President for Academic Affairs are the deans of the colleges. The college is the basic degree-granting unit of the University and may include departments, programs, centers, and
schools. The college is a unit of the University organized to conduct curricula of study and scholarship/research and to recommend the granting of degrees. The faculty establishes requirements of the college for entrance, graduation, and degrees to be conferred. The faculty determines the arrangement and content of the curricula and recommends to the President, by at least a two-thirds vote, the granting of degrees to those students who have complied with the college's requirements for degrees.

The dean is the chief administrative officer of a college. A school is a unit subordinate to a college organized for a special program of studies. The administrative officer of a school is the director. The colleges and schools at Florida Gulf Coast University are the following: College of Arts and Sciences, College of Business, College of Education, College of Health Professions, College of Professional Studies, School of Nursing and School of Health and Rehabilitation. The two schools report directly to the Dean of the College of Health Professions.

b) The Departments

The department is the fundamental unit of academic and administrative organization. Departments may be found in colleges and schools or they may exist independently and report to the Provost through an associate vice president or administrative dean. The administrative officers of academic departments in a college are chairs. Directors are the administrative officers for units other than academic departments.

Chairs and directors have the authority and responsibility for the administration and supervision of all activities of the department or unit. Chairs and directors are responsible to their deans and to the Provost and Vice President for Academic Affairs.
The faculty conducts the teaching, scholarship/research and service functions of a department or unit.

c) Other Academic Units

The various interdisciplinary centers and institutes at the University are established and abolished by the President according to specific funding and program needs. The director of such a unit may be responsible to the Provost or a college dean.

d) The Dean for Graduate Studies/Continual Learning is responsible to the Provost and Vice President for Academic Affairs for general supervision of the Division of Graduate Studies/Continual Learning, the University’s Service Learning Program, Community Engagement, Renaissance Academy, Institute of Government and Continual Learning, and the Port Charlotte Center. These offices administer short courses, independent study by correspondence courses (credit and non-credit), and international programs. The Dean also has the dual role of serving as the Assistant to the President for Community Engagement.

e) Responsible to the Provost and Vice President for Academic Affairs is the Dean of Instructional Technology and Broadcast Services. Through the Instructional Technology division, this Dean supervises the Director of Course and Faculty Development, the Director of Web/Multimedia Development, and the Director of Technology User Support. In the role of Chief Executive Officer for WGCU Public Media, the Dean supervises the Associate General Manager, Director of Corporate Underwriting WGCU, Director of Major Giving WGCU, and Director of WGCU Engineering.

f) The Dean of Student Affairs is directly responsible to the Provost and Vice President
for Academic Affairs and advises the President and Provost on extracurricular and co-curricular matters relating to students. This Dean formulates, develops, coordinates, implements, and directs University policies and programs relating to matters concerning non-academic aspects of services for students and student life. Reporting to the Dean of Student Affairs either directly or through another administrator are the following areas of responsibility: Center for Academic Assistance and Outreach Programs, College Reach Out Program, Student Support Services, Multicultural Services, International Services, Student Activities and Organization Services, Judicial and Greek Life, Campus Recreation, Counseling and Psychological Services, Student Health Services, Career Development Services, Adaptive Services, Prevention and Wellness, and Testing and Assessment. The Dean also serves as the administrative liaison to Student Government.

g) Under the supervision of the Assistant Vice President for Research, the Office of Research and Sponsored Programs (“ORSP”) is the University department authorized to submit grant proposals, to negotiate grant and contract awards, and to supervise award administration. ORSP reports to the Provost and Vice President for Academic Affairs.

ORSP is responsible for supporting the various compliance committees within the University, such as the Institutional Review Board for the Protection of Human Subjects in Research, the Institutional Animal Care and Use Committee, and the Research Safety Committee. ORSP also is charged with general oversight of overseeing the University’s centers and institutes.

h) The Library is under the direction of the Director of Library Services who is
responsible to the Provost and Vice President for Academic Affairs.

i) The University Gallery is under the responsibility of the Chair of Humanities and Arts and is part of the College of Arts and Sciences.

2. The Vice President for Administrative Services

The Vice President for Administrative Services is the chief fiscal and business officer of the University and is advisor to the President on all fiscal and business matters pertaining to the University. The Vice President also is responsible for the University’s enrollment management program. The Offices reporting directly to the Vice President are Finance and Accounting, University Budget, Physical Plant, Police and Safety, Facilities Planning, Housing and Residential Life, Environmental Health and Safety, Auxiliary Services, Registrar, Admissions, Financial Aid and Scholarships, and First Year Advising and Orientation.

The Associate Vice President for Administrative Services is responsible to the Vice President and directly supervises the Directors of Human Resources, Computing Services, Information Systems, and Telecommunications. The offices are more fully described as follows:

a) The Office of Finance and Accounting is responsible for the management and maintenance of all accounting records and for the control of the funds made available for the operation of the University and for the rendering of financial statements. This unit coordinates procurement services, the processing of all collections and disbursements of University funds and the disbursement of financial aid. This Office maintains an inventory and record of all University property. In addition, this unit is responsible for establishing and maintaining fiscal management and controls over the
annual budget for the University and for the investment of funds.

b) The University Budget Office is responsible for the management, coordination, and allocation control of the operating budget of the institution. Through this process, the Budget Office assists the University leadership in assuring that funds are allocated and monitored in order to meet the institution's objectives.

c) The Office of Human Resources is responsible for providing a coordinated system of personnel management and administration for all Administrative and Professional (A&P) and University Support Personnel System (USPS) employees. The Office of Human Resources also coordinates the processing of payroll, personnel actions, maintains central personnel files, provides retirement counseling, and administers benefits and insurance programs for faculty and staff members.

d) The Computing Services Office provides centralized computing and network support for members of the University community. This includes desktop technical support, computer repair, software training, network and email account services, server administration, network printing support, Internet access, dial-in services, and wireless connectivity and support.

e) The Information Systems Office is responsible for providing administrative computer service to the various divisions of the Office of Finance and Administration. The division coordinates the development of systems, programming, production, scheduling, and operations.

f) The Telecommunication Office is responsible for the operation of the University telephone system, which includes equipment moves, additions, and changes to service. This unit also oversees the University telephone operator and
telecommunications charge backs.

g) The Office of Physical Plant is responsible for grounds maintenance, building maintenance, utility distribution and generation, custodial service, energy conservation, mailroom, and shipping and receiving services.

h) The Environmental Health and Safety Office is the primary contact for federal, state, and local regulatory agencies regarding matters of workplace health and safety issues. The Office is committed to providing a safe and healthy environment for faculty, staff, students, and visitors through the recognition of potential hazards and the continuous evaluation of safety policies and procedures.

i) The University Police Department is responsible for the security of the University’s campus, its people, and its property. The Department also is responsible for enforcement of the criminal laws of the United States and the State of Florida, traffic-related ordinances, and the parking rules of Florida Gulf Coast University.

j) The Facilities Planning Office coordinates the development of all campus facilities through a process of budgeting, programming, design, and construction management. The Office develops, maintains, and updates the University space inventory. The unit also is responsible for the development, refinement and updating of the University Master Plan.

k) The Housing and Residential Life Office provides safe and comfortable on-campus accommodations along with support services and programs that contribute to the academic success of the residents and enhances their connection to the institution. This is accomplished through staffing, programming and student leadership development, developing community among residents, enforcing policies...
and behavior expectations, and collaborating with other University programs and services in support of students.

l) The Office of Auxiliary Services is responsible for the administration of the Alico Arena, the Lee County/FGCU Aquatics Center, and oversight of campus food services, the bookstore, and vending service. This Office also manages the use of all University facilities by campus and community groups.

m) The Office of the Registrar supports the University by maintaining the academic records of all current and former students at FGCU, including grades, majors, minors, degrees, and graduation honors. The Registrar also is designated as the University’s education records custodian and Family Educational Rights and Privacy Act of 1974 (“FERPA”) Compliance Officer.

n) The Office of First Year Advising and Orientation provides academic advising to prospective first-time-in-college students, university freshmen, and high school dual enrollment and early admission program participants. The Office provides initial meetings with academic advisors at the Eagle View Orientation ensuring timely application to the University and assuring articulation of credits is completed prior to orientation.

o) The Office of Financial Aid and Scholarships offers a comprehensive program of financial assistance for both traditional and non-traditional students pursuing undergraduate or graduate degrees and is responsible for helping students secure the necessary funds to pursue their educational goals. The office offers information to enrolled and prospective students about the availability of financial assistance. The Office also administers grants, scholarships, loans, and student employment
programs to assist students in paying educational expenses and processes awards to eligible students.

p) The Office of Admissions is responsible for encouraging applications from all qualified applicants and provides prospective students, parents, and other interested individuals with admissions counseling, presentations, tours, and informational workshops.

3. The Vice President for Advancement

The Vice President for Advancement is responsible for, and directs and coordinates the operations associated with, the raising, receipt, management, investment and administration of gifts and other resources generated for the benefit of the University by the Florida Gulf Coast University Foundation, Inc. This Vice President also is responsible for increasing the involvement and support of alumni donors and other interested individuals, corporations and foundations in Florida Gulf Coast University and its programs. The Vice President also serves as Executive Director of the Foundation. The Associate Vice President for University Advancement reports to the Vice President and is directly responsible for the community relations and marketing functions of the University including communications through press releases, interviews, press conferences, publications and broadcasts. The Associate Vice President manages University advertising, reviews print and electronic publications for consistency with University standards and conducts special projects to promote the positive image of the University. Also reporting to the Vice President for Advancement are the Directors of Major Gifts, Director of Alumni Relations, Director of Planned Giving, Director of Athletic Gifts, and the Director of Foundation Finance.
4. The Special Assistant to the President, and University Spokesperson

The Special Assistant to the President, and University Spokesperson serves as the University and President's spokesperson to the media, and responds to public records requests made of the University by the public and media. In addition, the Special Assistant to the President, and University Spokesperson is responsible for operational matters related to the FGCU Board of Trustees, and she supports the University President in a wide range of duties including speechwriting and special projects.

5. The Director of Intercollegiate Athletics

The Director of Intercollegiate Athletics is responsible for maintaining a quality athletic program that fits within the mission of the University. The Director of Athletics oversees eleven NCAA II sports and is responsible for a number of areas including, but not limited to: budgeting, fund raising, academic and athletic compliance, personnel, facility construction, and public relations. Florida Gulf Coast University's intercollegiate athletic programs include: Men's Baseball, Women's and Men's Cross Country, Women's Softball and Volleyball, Women's and Men's Basketball, Women's and Men's Golf, and Women's and Men's Tennis. The Director also oversees the University's Cheerleading/Dance Program.

6. The General Counsel

The General Counsel serves as the University's chief legal officer and provides all legal advice, counsel and representation necessary to the University. The General Counsel handles the legal aspects of matters such as University policies, rules, intellectual property, business and real estate transactions, contracts, personnel and governance matters. The General Counsel is responsible for hiring outside legal counsel for all units of the University.
Reporting to the General Counsel is the Coordinator, Legal Affairs, who serves as the
Agency Clerk in accordance with Florida’s Administrative Procedures Act, Chapter 120,
Florida Statutes (see page 16 for further details on the Agency Clerk). The General Counsel
also serves as legal counsel to the University’s direct support organizations.

Responsible to the General Counsel is the Director of Internal Audit. The Director
evaluates the adequacy and effectiveness of the University’s system of internal controls
over University funds and assets with the purpose of improving operations and
accountability.

7. The Director of Government Relations.

The Director of Government Relations is responsible for managing the University’s
relationships with local, state and federal government entities.

8. Additional Officers Reporting Directly to the President

In addition to the above-mentioned members of the Executive Group, the following
administrators also report directly to the President:

a) Director of Educational Services and Equal Opportunity Programs, and
   University Ombudsman

The Director is responsible for assisting students in resolving problems and
conflicts and handles discrimination complaints by students, employees or vendors
in accordance with University rules. This Office also is responsible for receiving and
investigating complaints of discrimination and sexual harassment from members of
the University community.
b) Assistant to the President, and Executive Director of the FGCU Financing Corporation

The Assistant to the President, and Executive Director of the FGCU Financing Corporation, is responsible to the President for the oversight of student housing planning, financing, construction, contractor and sub-contractor payment, and for managing the University’s general debt service and other payments. The Assistant also performs other duties and special assignments as directed by the President.

V. Collegial Governance

The University endorses a collegial system of governance, based on a concept of authority and responsibility shared among colleagues. The University’s representative governance bodies are as follows:

1. The Faculty Senate

   Faculty governance at Florida Gulf Coast University provides a structure and process for the faculty to promote a supportive and quality-oriented learning environment for students, staff, community, faculty, and administration, in furtherance of the mission and guiding principles of the University. The faculty governance structure facilitates faculty input to the complementary administrative units of the organizational structure. The Faculty Senate is an autonomous body representing the collective opinion of the faculty of the University to the administration and to the community. The chair of the Faculty Senate is a member of the Board of Trustees. The Provost and Vice President for Academic Affairs serves as the administrative liaison to the Faculty Senate.
2. The Student Government

The Student Government provides an intellectual, social, and cultural environment that maximizes student potential and enhances student success. The purpose of the Student Government is to provide equal representation for all students at Florida Gulf Coast University by maintaining high levels of communication between the student body, faculty, staff, and the community. The president of the Student Government serves as a member of the Board of Trustees. The Dean of Student Affairs serves as the administrative liaison to Student Government.

3. The Staff Advisory Council

The Staff Advisory Council (“SAC”) facilitates effective communication between the staff, the President and the administration. As a proactive partner in the University decision-making processes, SAC provides a forum to address the issues and concerns of the staff at Florida Gulf Coast University and to ensure a campus climate that reflects a strong, enthusiastic and positive quality work life. The SAC consists of sixteen elected members, eight USPS employees and eight A&P employees. The Vice President of Administrative Services serves as the administration liaison to the SAC.

VI. Agency Clerk of the University

The Clerk of Florida Gulf Coast University is located in the Office of the General Counsel at the second floor of the University Library, 10501 FGCU Blvd. South, Fort Myers, Florida, 33965-6565, (239) 590-1122 voice and (239) 590-1010 facsimile. The office is open from
8:00 AM to 5:00 PM, Monday through Friday, except during University holidays. The Clerk is Julie Heuer, Coordinator, Legal Affairs.

1. **Duties of the Clerk.**

   The duties of the Clerk pursuant to Florida’s Administrative Procedure Act, Chapter 120, F.S., include but are not limited to:
   
   a) Receiving and time-stamping all documents filed with the University;
   b) Scheduling hearings;
   c) Maintaining evidence introduced at hearing;
   d) Preparing records for appeal; and
   e) Preparing and indexing final orders;

2. **Petitions.**

   All petitions and/or requests to Florida Gulf Coast University made pursuant to Chapter 120, Florida Statutes, must be filed with the Clerk of the University and in accordance with the Uniform Rules of Procedure, Chapters 28-101 through 28-110, F.A.C. This includes, but is not limited to, the following:
   
   a) Petitions to adopt, amend or repeal a rule;
   b) Requests for copies of a proposed rule;
   c) Requests for advance notice of rulemaking, rule development workshops, and public hearings on proposed rules;
   d) Petitions for declaratory statements;
   e) Petitions for variances and waivers from the University’s rules; and
   f) Petitions for proceedings pursuant to Sections 120.569 and 120.57, F.S.
3. **Electronic Filings.**

Documents can be filed by electronic transmission to (239) 590-1010 under the following conditions, and a party desiring to file by electronic transmission is advised to telephone the Clerk to confirm receipt:

a) A party who files a document by electronic transmission must represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause, and that the party shall produce it upon the request of another party. The party who files the document by electronic transmission must produce the original upon the request of the University or other parties.

b) A party who elects to file a document by electronic transmission shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the Clerk as a result.

c) The filing date for an electronically transmitted document shall be the date the Clerk receives the complete document.

4. **University Rules.**

The rules of Florida Gulf Coast University are contained in Chapter 6C10, Florida Administrative Code. Pursuant to §120.54(5), F.S., the uniform rules of procedure adopted by the Administration Commission (Chapter 28-202 through 28-111, F.A.C.) are the rules of administrative procedure for the University. Rule and meeting notice requirements for the University are set forth in Section 120.81(1), F.S. The form of notices and agendas are set forth in Chapter 28-102, F.A.C.
5. **Variances or Waivers of Rules.**

Information concerning variances from or waivers of University rules previously granted may be obtained from the Clerk. Petitions for variances or waivers must be filed with the Clerk (with a copy to the Administrative Procedures Committee) and shall contain all the information required under Section 120.542, F.S., and Chapter 28-104, F.A.C. Copies of that statute and Chapter 28-104, F.A.C. are available from the Clerk upon request.

Adopted:  

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<tr>
<th>signature</th>
<th>William C. Merwin</th>
<th>August 24, 2004</th>
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<tbody>
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<td>President</td>
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