

May 9, 2024

**MEMORANDUM**

TO: District Board of Trustees  
Florida State College at Jacksonville

FROM: John Avendano, Ph.D.   
College President

RE: Administrative Procedure Act

The Board Rules shown below are governed by the Administrative Procedure Act and will appear on the agenda for the June 11, 2024, 1 p.m. regular meeting of the District Board of Trustees.

The Board meeting will be held at the College's Administrative Offices, Board Room 405, 501 West State Street, Jacksonville, FL 32202.

Any person requesting to address these items will be given an opportunity to do so by appearing before the Board at this meeting.

**BOARD RULES:**

6Hx7-1.5 – District Board of Trustees – Organization and Operations

6Hx7-2.15 – College Calendars and Official College Holidays and Closings

6Hx7-4.23 – Travel and Per Diem

**Florida State College at Jacksonville  
District Board of Trustees**

**AGENDA ITEM NO. APA 1.**

<b>Subject:</b>	Administrative Procedure Act – Board Rules, Section 1 – General Provisions, Definitions and Governance
<b>Meeting Date:</b>	June 11, 2024

**RECOMMENDATION:** It is recommended that the District Board of Trustees approve the attached revisions to the following Board Rule under Section 1 – General Provisions, Definitions and Governance, effective with this action.

6Hx7-1.5 – District Board of Trustees – Organization and Operations

**BACKGROUND:** The College periodically reviews Board Rules and administrative procedures for currency, accuracy, and to ensure compliance with state and federal law, as applicable. Proposed revisions to a Board Rule or an administrative procedure (APM) are reviewed through the shared governance process after Executive Leadership Team has reviewed and approved unless the proposed changes are non-substantive.

- Edits to Board Rule 6Hx7-1.5 – Recommends modifications to the Rule to reflect appropriate clarifications and updates to College practices.

**RATIONALE:** Approval of this item brings the Rule up to date with Florida Statutes and State Board of Education Rules as depicted within and provides for efficient College business practices.

**FISCAL NOTES:** There is no economic impact as a result of these revisions.



## RULES OF THE BOARD OF TRUSTEES

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6Hx7-1.5

District Board of Trustees – Organization and Operations

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- (1) The corporate name of this organization is the District Board of Trustees, Florida State College at Jacksonville, hereinafter known as the Board. The Board shall exercise all powers and duties set forth in Chapter 1001 of Florida Statutes and all applicable State Board of Education Rules defining the operation of Florida colleges. The District Board of Trustees is responsible for implementing broad cost-effective policies consistent with the Mission of the College. The Board considers recommendations for rules, procedures and policies, submitted by the College President and is responsible to pass those which contribute to the more orderly and efficient operation of the College. The College President is responsible to implement rules which are adopted by the Board and to carry out the day to day operation of the College.
- (2) The principal office of the Board shall be the offices for the College Administration, Jacksonville, Florida. All regular and special meetings of the Board shall be held at the College Administration headquarters unless the Board designates another location. If another location is designated, public notice shall be given at least 7 days prior to the regular or two (2) days prior to a special meeting unless an emergency situation arises which requires immediate action.
- (3) At the annual organizational meeting held at its first meeting of each fiscal year, the Board shall:
  - A. Organize by electing a Chair, a Vice-Chair from Duval County and a Vice-Chair from Nassau County. The tenure of a Board member as Chair shall be limited to four annual terms.
  - B. Establish the meeting date and time for all regular meetings of the Board during the next fiscal year.
- (4) The President of the College shall serve as Corporate Secretary. If a vacancy should occur in the Chair, the Board shall elect a Chair at the next ensuing meeting.
- (5) Duties of the Chair shall be as follows:
  - A. Conduct all meetings of the Board. In the absence of the Chair, a Vice-Chair shall assume this duty.
  - B. Serve as official spokesman for the Board. Any statement released by a Board member shall be as an individual and not for the Board or any other individual member.
  - C. Keep the Board members informed as to statements or speeches made on behalf of the College.
  - D. Appoint committees to review and advise the Board on recommendations submitted by the College President and other matters of interest to the Board. Standing Committees may be appointed to review the Board agenda and other recommendations within their designated areas of responsibility.



## RULES OF THE BOARD OF TRUSTEES

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- E. The Chair shall annually appoint a Board member to serve as a liaison to the Florida State College Foundation.
- F. Appoint Ad Hoc Committees as necessary.
- (6) ~~Five (5) members~~ A majority of the District Board of Trustees duly appointed to membership shall constitute a quorum for all meetings of the Board wherein action is to be taken.
- A. A bona fide emergency of a board member may permit that member's remote attendance at a board meeting via electronic (communications media technology) equipment.
1. As used herein, bona fide emergency means medical treatment or other necessary circumstance(s) beyond the control of the board member which precludes timely physical attendance at a board meeting.
  2. The decision as to what constitutes a bona fide emergency is the responsibility of the Chair. Other members of the District Board of Trustees shall be advised of the remote attendance prior to the time of the meeting.
  3. Any electronic technology utilized pursuant to this section shall provide for open two-way communication.
  4. Under no circumstances shall remote electronic attendance be utilized to constitute a quorum for voting or other purposes.
- (7) Special meetings of the Board may be called on the request of the Chair of the Board, the College President or a majority of the Board. This meeting, when called by the Chair or College President, shall be announced by giving at least two (2) days written notice of the time and purpose to all Board members and the College President. Public notice of the meeting shall be given at least two (2) days prior to the meeting specifying the time, location and purpose of the special meeting. Actions taken at special meetings have the same force and effect as if taken at a regular meeting and the minutes of these meetings must be signed by the Chair or by a majority of the members of the Board.
- (8) All meetings of the Board are open to the public. Prior to any Board action, individuals may address the Board during the designated public comment period or at such other times as may be deemed appropriate by the Board. Any such address shall be limited to three (3) minutes per person and any extension thereto shall be at the discretion of the Board. The provisions of this section are general in scope and are not intended to preempt any other rights and entitlements prescribed by State Law.
- (9) *Robert's Rules of Order Newly Revised* shall be utilized as applicable and appropriate to assist the Board procedurally in the conduct of its business in all regular and special meetings of the Board.



## RULES OF THE BOARD OF TRUSTEES

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(General Authority: F.S. 1001.61, 1001.63, 1001.64, SBE Rule 6A-14-024, 6A-14.060)

(Adopted 04/27/76, Revised 06/23/80, 04/15/81, 03/20/85, 08/21/85, 8/20/86, 06/23/86, 06/23/87, 09/16/87, 12/19/91, 12/16/92, 5/27/93, 05/07/96, 10/07/97, 12/01/98, 04/04/06, 04/07/11, 12/04/12, 06/10/14, 02/09/16, 06/11/24, Formerly 6Hx7-1.14)

(Reviewed: 02/11/14)

**Florida State College at Jacksonville  
District Board of Trustees**

**AGENDA ITEM NO. APA 2.**

Subject:	Administrative Procedure Act – Board Rules, Section 2 – Administration
Meeting Date:	June 11, 2024

**RECOMMENDATION:** It is recommended that the District Board of Trustees approve the attached revisions to the following Board Rule under Section 2 – Administration, effective with this action.

6Hx7-2.15 – College Calendars and Official College Holidays and Closings

**BACKGROUND:** The College periodically reviews Board Rules and administrative procedures for currency, accuracy, and to ensure compliance with state and federal law, as applicable. Proposed revisions to a Board Rule or an administrative procedure (APM) are reviewed through the shared governance process after Executive Leadership Team has reviewed and approved unless the proposed changes are non-substantive.

- Edits to Board Rule 6Hx7-2.15 – Recommends modifications to the Rule to reflect updates to College practices.

**RATIONALE:** Approval of this item brings the Rule up to date with Florida Statutes and State Board of Education Rules as depicted within and current College business practices.

**FISCAL NOTES:** There is no economic impact as a result of these revisions.



## RULES OF THE BOARD OF TRUSTEES

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6Hx7-2.15	College Calendars and Official College Holidays and Closings	2 - 27

- (1) Florida State College at Jacksonville shall operate on a year-round calendar.
- (2) The Administration shall develop and submit at least annually a recommended Academic Calendar to the District Board of Trustees (DBOT) for its review and approval. The approved Academic Calendar for each year shall be a part of the College Catalog and submitted to the State as required.
- (3) The Administration shall develop at least annually an Operating Calendar that is in agreement with the approved Academic Calendar. The College President shall designate one (1) paid holiday in the annual operating calendar to total ten (10) official paid holidays annually and may identify up to five (5) operating days as a part of the designated winter break.
- (4) College approved federal and state recognized holidays, as well as the designated holiday, shall be included in the approved College calendars unless a closing is due to an emergency.
- (5) Official College holidays shall be:
  - New Year's Day
  - Martin Luther King, Jr. Day
  - President's Day
  - Memorial Day
  - Independence Day
  - Labor Day
  - Veterans Day
  - Thanksgiving Day
  - Christmas Day
- (6) The College President, or designee, is authorized to close the College during an emergency to protect the students, staff and property of the College.
- (7) The College President, or designee, is authorized to approve, within the guidelines established by the DBOT, pay for employees who are required to work during holidays and College closings.

(General Authority: F.S. 1001.64, 1001.65, SBE 6A-10.019)

(Adopted 02/13/80, Revised 06/23/80, 06/23/87, 03/11/14, 08/09/16, 02/13/24, 06/11/24, Formerly 6.15)

**Florida State College at Jacksonville  
District Board of Trustees**

**AGENDA ITEM NO. APA 3.**

Subject:	Administrative Procedure Act – Board Rules, Section 4 – Finance
Meeting Date:	June 11, 2024

**RECOMMENDATION:** It is recommended that the District Board of Trustees approve the attached revisions to the following Board Rule under Section 4 – Finance, effective with this action.

6Hx7-4.23 – Travel and Per Diem

**BACKGROUND:** The College periodically reviews Board Rules and administrative procedures for currency, accuracy, and to ensure compliance with state and federal law, as applicable. Proposed revisions to a Board Rule or an administrative procedure (APM) are reviewed through the shared governance process after Executive Leadership Team has reviewed and approved unless the proposed changes are non-substantive.

- Edits to Board Rule 6Hx7-4.23 – Recommends modifications to the Rule to reflect appropriate updates to College practices.

**RATIONALE:** Approval of this item brings the Rule up to date with Florida Statutes and State Board of Education Rules as depicted within and current College business practices.

**FISCAL NOTES:** There is no economic impact as a result of these revisions.





## RULES OF THE BOARD OF TRUSTEES

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6Hx7-4.23	Travel and Per Diem	4-29

- (1) The College President is authorized to establish procedures for employee and student travel and per diem in accordance with Florida Statutes and State Board of Education Rules. ~~A report of travel where air transportation and lodging total more than \$2,000 per meeting will be summarized and presented to the District Board of Trustees (DBOT) on a quarterly basis.~~
- (2) College President's International Travel - When traveling internationally, the College President will notify the Florida State College at Jacksonville District Board of Trustees (DBOT) in writing outlining the period of international travel, purpose, itinerary, source of funding (if other than the College) and how ~~he/she~~ they can be contacted during the travel.

(General Authority: F.S. 112.061, 112.062, 112.29, 1001.64, 1001.65, 1005.08

(Adopted: 07/01/72, Revised 07/01/73, 06/23/80, 07/01/81, 07/22/81, 10/24/84, 09/16/93, 09/04/01, 10/06/09, 06/09/15, 06/11/24, Formerly 6Hx7-5.1)

(Reviewed: 06/13/17)