

STATE OF FLORIDA

RESOLUTION

WHEREAS, the voters of the State of Florida passed Amendment 11 to Article IX, Section 7 of the Florida Constitution thereby creating the Board of Governors; and

WHEREAS, the Board of Governors shall operate, regulate, control, and be fully responsible for the management of the state university system of Florida; and

WHEREAS, the rules of the Board of Regents were transferred to the Florida Board of Education pursuant to Section 1001.01(5)(a), Florida Statutes; and

WHEREAS, the administrative rules of the Florida Board of Education became the rules of the appointed State Board of Education pursuant to Section 1001.01(5)(d), Florida Statutes; and

WHEREAS, the Board of Governors recognizes the need to revise the rules of the Board of Regents, while recognizing the need for continuity during this time of transition, and there not yet having been opportunity to revise existing rules.

NOW THEREFORE, BE IT RESOLVED that the Board of Governors hereby adopts all existing State Board of Education rules formerly known as rules of the Board of Regents as below described:

- 6C-1.0001 General Description and Address of Agency.
- 6C-3.001 Systemwide Uniform Procedures.
- 6C-3.003 Constitutions of Institutions.
- 6C-3.004 Degrees.
- 6C-3.006 Accreditation.
- 6C-3.007 Management Information System.
- 6C-3.0075 Security of Data and Information Technology Resources.
- 6C-3.009 Student Financial Aid.
- 6C-4.002 Presidential Search, Selection, Appointment and Evaluation.
- 6C-5.900 State University System General Personnel Policy.
- 6C-5.910 Recruitment, Selection, Appointment, and Nonreappointment.
- 6C-5.915 Compensation.
- 6C-5.920 Benefits and Hours of Work.
- 6C-5.925 Evaluation and Recognition.
- 6C-5.930 Learning Opportunities.
- 6C-5.935 Promotion, Change in Assignment, Demotion and Transfer.
- 6C-5.940 Tenure and Permanent Status.
- 6C-5.945 Employee Ethical Obligations and Conflicts of Interest.
- 6C-5.950 Disciplinary Actions, Complaints, and Appeals.
- 6C-5.955 Separations From Employment and Layoff.

6C-6.001 Admissions.
6C-6.002 Entering Freshmen.
6C-6.003 Entering or Transferring Graduate Students and Post-Baccalaureate Professional Students.
6C-6.004 Transfer Students - Undergraduate.
6C-6.005 Acceptance of College Credit by Examination.
6C-6.006 Acceleration Mechanisms for Program Completion.
6C-6.009 Admission of Foreign Students to SUS Institutions.
6C-6.010 Student Affairs.
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6C-6.0115 Observance of Religious Holy Days.
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6C-6.016 Summer Session Enrollment.
6C-6.017 Criteria for Awarding the Baccalaureate Degree.
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6C-6.022 Veterans' Benefits - Inmate Students.
6C-7.001 Tuition, Fee Schedule and Percentage of Cost.
6C-7.002 Fee Assessment and Remittance.
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6C-7.004 Deferred Payment of Fees.
6C-7.005 Student Residency.
6C-7.006 Limitation on Non-Resident Student Enrollment.
6C-7.008 Waiver of Tuition and Materials & Supply Fees.
6C-8.001 University Calendars.
6C-8.002 Continuing Education.
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6C-9.004 Razing of Buildings.
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6C-9.011 University Direct Support Organizations.
6C-9.013 Auxiliary Operations.
6C-9.017 Faculty Practice Plans.
6C-9.018 Charity Racing Day Proceeds.
6C-9.019 Trust Fund for Major Gifts.
6C-9.020 University Health Services Support Organizations.
6C-10.001 Self-Insurance Programs.
6C-10.004 Educational Research Centers for Child Development.
6C-10.009 Smoking in Public Buildings.
6C-11.011 Offices.
6C-11.012 The Council.
6C-11.0125 Powers and Duties.
6C-11.013 The Staff Director.
6C-11.014 Meetings and Agenda.
6C-11.015 Administration, Travel, and Consultants.
6C-12.001 Florida Solar Energy Center Operations.

6C-14.002 Definitions.
6C-14.0025 Action Required Prior to Capital Outlay Appropriation.
6C-14.004 Public Announcement and Qualification Procedure.
6C-14.005 Certification and Competitive Selection of Architects/Engineers.
6C-14.0055 Certification and Competitive Selection for Construction Management Services and Design-Build Services.
6C-14.007 Competitive Negotiation.
6C-14.018 Contracting Authority for Construction Contracts.
6C-14.020 University Supervision of Construction Program.
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6C-14.023 Notice and Protest Procedures.
6C-16.002 Approval.
6C-16.005 Maintenance.
6C-16.006 Aircraft.
6C-17.003 Approval.
6C-17.004 Standard Lease Agreement Form.
6C-17.009 Leases of 3,000 Square Feet or More.
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6C-17.017 Special Facilities for the Physically Disabled - Leased Space.
6C-18.030 Statement of Intent.
6C-18.035 Definitions.
6C-18.040 Purchasing Authority of the Institutions.
6C-18.045 Competitive Solicitations Required.
6C-18.050 Purchase of Commodities or Contractual Services.
6C-18.055 Bonds.
6C-18.060 Contracts.
6C-18.065 Standard of Conduct.
6C-18.070 Purchase of Motor Vehicles.
6C-21.108 Procedures for Petitioning the Board of Regents, Challenging Compliance of the Campus Master Plan or Plan Amendment.
6C-21.109 Procedures for Dispute Resolution.
6C-21.110 Remedial Plan Amendments.
6C-21.201 Purpose of Part II.
6C-21.202 Definitions.
6C-21.203 General Requirements.
6C-21.204 Future Land Use Element.
6C-21.205 Transportation Element.
6C-21.206 Housing Element.
6C-21.207 General Infrastructure Element.

6C-21.208 Conservation Element.

6C-21.209 Recreation and Open Space Element.

6C-21.210 Intergovernmental Coordination Element.

6C-21.211 Capital Improvements Element.

6C-21.212 Optional Elements.

6C-21.213 Campus Master Plan Consistency With the State Comprehensive Plan
and Not in Conflict With Local Government Comprehensive Plans.

PASSED AND ADOPTED by the Board of Governors of the State of Florida at a public
meeting thereof duly called and held this 7th day of January 2003.

6C BOARD OF REGENTS

CHAPTER 6C-1 ORGANIZATION, POWERS, DUTIES, AND FUNCTIONS OF THE BOARD OF REGENTS

6C-1.0001	General Description and Address of Agency.
6C-1.0005	Definitions. (Repealed)
6C-1.001	Offices. (Repealed)
6C-1.002	Service of Process. (Repealed)
6C-1.003	Powers and Duties. (Repealed)
6C-1.004	Officers. (Repealed)
6C-1.005	Meetings. (Repealed)
6C-1.0055	Meetings, Hearings and Workshops by Means of Telephone Conference Calls and Other Communications Media Technology. (Repealed)
6C-1.006	Agenda. (Repealed)
6C-1.007	Appearances before the Board. (Repealed)
6C-1.008	Committees. (Repealed)
6C-1.009	Liaison. (Repealed)
6C-1.010	Chancellor. (Repealed)
6C-1.011	Declaratory Statements. (Repealed) (Repealed)
6C-1.012	Standard Forms of the State University System (Repealed).
6C-1.013	Code of Penalties. (Repealed)
6C-1.014	Inspectors General. (Repealed)
6C-1.015	Interinstitutional Councils and Committees. (Repealed)

6C-1.0001 General Description and Address of Agency.

(1) The Statement of Organization and Operation of the Board of Regents may be obtained upon request from the Office of the Chancellor, Florida Education Center, 325 W. Gaines Street, Tallahassee, Florida 32399-1950.

(2) The public may obtain information or make submissions or requests regarding the Board of Regents by calling the Office of the Chancellor (850)201-7100, or by writing: Office of the Chancellor, Florida Education Center, 325 W. Gaines Street, Tallahassee, Florida 32399-1950.

(3) Service of process on the Board is made by serving the General Counsel, State University System of Florida, Florida Education Center, 325 W. Gaines Street, Tallahassee, Florida 32399-1950.

Specific Authority 240.209(1) FS. Law Implemented 120.54(5)(b)6. FS. History--New 8-3-00.

CHAPTER 6C-2 INTERINSTITUTIONAL ORGANIZATIONS

- 6C-2.001 Council of Presidents. (Repealed)
- 6C-2.002 Interinstitutional Councils and Committees. (Repealed)

CHAPTER 6C-3 UNIFORM SYSTEMWIDE PROCEDURES AND REPORTING

6C-3.001	Systemwide Uniform Procedures.
6C-3.002	Annual Report. (Repealed)
6C-3.003	Constitutions of Institutions.
6C-3.004	Degrees.
6C-3.005	Reporting Enrollment. (Repealed)
6C-3.006	Accreditation.
6C-3.007	Management Information System.
6C-3.0075	Security of Data and Information Technology Resources.
6C-3.008	Planning and Development. (Repealed)
6C-3.009	Student Financial Aid.

6C-3.001 Systemwide Uniform Procedures.

The Chancellor is authorized to issue Chancellor's Memoranda, Interpretive Memoranda, and Standard Practices which shall be the official uniform procedures and internal management memoranda for the State University System as defined in Section 120.52(15)(a), Florida Statutes. These documents will be filed in the office of the Corporate Secretary and copies made available to the presidents of the institutions.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(k), (m), 120.52(15)(a) FS. History—Formerly 6C-2.06, 11-18-70, Amended 7-19-74, Amended and Renumbered 12-17-74, Amended 9-8-77, 8-11-85, Formerly 6C-3.01.

6C-3.003 Constitutions of Institutions.

Constitutions, if any, adopted by the universities shall be consistent with the laws of the State of Florida, the rules of the Board or the provisions of negotiated collective bargaining agreements.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(m) FS. History—Adopted 11-4-74, Revised 12-6-74, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-3.03.

6C-3.004 Degrees.

The president shall submit the names of nominees for honorary degrees for the advice and consent of the Executive Committee of the Board.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(m), 240.227(20) FS. History—Formerly 6C-2.36, 11-31-69, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-3.04.

6C-3.006 Accreditation.

The Board shall be notified by the President of a university at the time an accreditation visitation is requested, and accreditation reports and any supporting data shall be filed with the Chancellor promptly upon receipt by the institution.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(k), (m) FS. History—Formerly 6C-2.57, 11-18-70, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-3.06.

6C-3.007 Management Information System.

(1) The Chancellor shall develop and maintain a computerized management information system to assist the Board in carrying out its statutory responsibilities.

(2) The information system shall include uniform application systems to be implemented by the universities.

(3) Data shall be submitted by the universities according to the prescribed format and scheduled dates specified by the Chancellor in annual instructions to the universities.

(4) Data submissions will be accompanied by a letter of certification, signed by the president of the institution or designated representative, indicating that the data submitted by the university is accurate.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(k), (m) FS. History—Adopted 4-8-74, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-3.07.

6C-3.0075 Security of Data and Information Technology Resources.

(1) The Board of Regents is responsible for assuring an adequate level of security for all data and information technology resources within the State University System.

(2) The Director of Information Resource Management in the Board Office will serve as the Information Security Manager for the State University System, for the purposes of Section 282.318, Florida Statutes.

(3) The Information Security Manager for the State University System shall administer the security program for data and information technology resources, in accordance with the requirements of Section 282.318(3)(a), Florida Statutes, and subparagraphs 2.-5. of Section 282.318(3)(d), Florida Statutes.

Specific Authority 240.209(1), (3)(q), 282.318(3)(b) FS. Law Implemented 282.318(3)(b) FS. History--New 8-19-92.

6C-3.009 Student Financial Aid.

(1) Definition of student financial aid – The terms “financial aid” and “financial assistance” are defined to include programs relating to internal and external scholarships, grants, loans, student employment, and fee waivers.

(2) Each university shall establish by rule a policy relating to the administration, distribution, and use of student financial aid. This rule shall not conflict with existing state or federal law or regulations relating to the award of student financial aid. Such rule shall as a minimum provide:

(a) that a policy level committee shall be established which shall have the responsibility to recommend university policy on matters relating to financial aid, recommend specific financial aid program objectives in support of the university master plan, and facilitate the conduct of financial aid activities;

(b) that a single office shall be designated to coordinate the collection of data for all programs of financial aid for use in university systems and state information systems;

(c) a procedure for the distribution and use of financial aid funds.

This policy shall identify those institutional resources to be available for financial aid and shall provide that financial aid resources be used in a manner that serves the institution’s plan for equalizing educational opportunity. Financial need and academic merit shall be given primary consideration in the award of financial aid funds.

Specific Authority 240.209(1), (3)(d), (k), (m) FS. Law Implemented 240.209(1), (3)(d), (k), (m) FS. History--New 6-10-84, Formerly 6C-3.09.

CHAPTER 6C-4 UNIVERSITY PRESIDENTS

6C-4.001 Powers and Duties of University Presidents. (Repealed)

6C-4.002 Presidential Search, Selection, Appointment and Evaluation.

6C-4.002 Presidential Search, Selection, Appointment and Evaluation.

(1) The Board shall establish committees to assist the Board in selecting presidents of the State University System institutions. The Chairman of the Board shall (a) appoint members of the Board to the Board Presidential Search Committee and, (b) based upon the recommendation of the Chancellor, appoint a university search committee which shall be representative of the university community. The Board Presidential Search Committee shall recommend to the Board a procedure for the conduct of the presidential search and selection.

(2) A president shall be appointed by a majority vote of the Board and shall thereafter serve at the pleasure of the Board.

(3) An evaluation of each president shall be done annually by the Board and the Chancellor. This evaluation shall be based on program goals that have been set jointly by the Board, the Chancellor and the president.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(a) FS. History—New 5-27-75, Amended 12-7-82, 8-11-85, Formerly 6C-4.02.

CHAPTER 6C-5 SYSTEMWIDE PERSONNEL MATTERS

- 6C-5.0001 Purpose of Chapter 6C-5. (Repealed)
- 6C-5.001 Non-discrimination. (Repealed)
- 6C-5.002 University System Professional Classification System. (Repealed)
- 6C-5.003 University System Professional Pay Plan. (Repealed)
- 6C-5.004 Instructional and Research Faculty and Administrative and Professional Staff Selection and Appointment. (Repealed)
- 6C-5.005 Faculty Evaluation and Improvement. (Repealed)
- 6C-5.006 Tenure. (Repealed)
- 6C-5.007 Nonrenewal of Nontenured Faculty Appointments. (Repealed)
- 6C-5.008 Rule of Procedure Governing Faculty Grievances. (Repealed)
- 6C-5.009 Faculty Development Program. (Repealed)
- 6C-5.010 Academic Freedom and Responsibility. (Repealed)
- 6C-5.011 Retirement. (Repealed)
- 6C-5.012 Conflict of Interest. (Repealed)
- 6C-5.013 Outside Employment and Dual Compensation. (Repealed)
- 6C-5.014 Employment of Relatives. (Repealed)
- 6C-5.015 Political Activity. (Repealed)
- 6C-5.016 Use of University Facilities. (Repealed)
- 6C-5.017 Disruptive Conduct. (Repealed)
- 6C-5.018 Fingerprinting. (Repealed)
- 6C-5.019 Travel. (Repealed)
- 6C-5.020 Perquisites and Benefits. (Repealed)
- 6C-5.021 Leave. (Repealed)
- 6C-5.022 Foreign Faculty Service. (Repealed)
- 6C-5.023 Workman's Compensation. (Repealed)
- 6C-5.024 Administrative and Professional Staff Evaluation and Improvement. (Repealed)
- 6C-5.025 Layoff. (Repealed)
- 6C-5.026 Developmental Research School Personnel. (Repealed)
- 6C-5.027 Termination for Cause and Other Actions for Instructional and Research Faculty and Administrative and Professional Staff Members. (Repealed)
- 6C-5.028 Separation of Administrative and Professional Staff. (Repealed)
- 6C-5.029 Promotion. (Repealed)
- 6C-5.030 Personnel Exchange Program. (Repealed)
- PART I ALL SUS GENERAL FACULTY AND ADMINISTRATIVE AND PROFESSIONAL EMPLOYEES
- 6C-5.101 Applicability of Part I. (Repealed)
- 6C-5.103 Non-Discrimination. (Transferred to 6C-5.801)
- 6C-5.105 State University System General Faculty and Administrative and Professional Employees Classification Plan. (Repealed)
- 6C-5.111 State University System General Faculty and Administrative and Professional Employees Pay Plan. (Repealed)
- 6C-5.113 Promotion. (Repealed)
- 6C-5.115 Additional State Compensation. (Repealed)
- 6C-5.116 Overlap in Position. (Repealed)
- 6C-5.120 Spoken English Language Competence of Faculty Members. (Repealed)
- 6C-5.125 Layoff and Recall. (Repealed)
- 6C-5.130 Reclassification or Reassignment of Academic Administrators. (Repealed)
- 6C-5.131 Perquisites and Sale of Goods and Services. (Repealed)
- 6C-5.133 Free Course Enrollment. (Transferred to 6C-5.830)
- 6C-5.135 Retirement. (Transferred to 6C-5.802)
- 6C-5.141 Workers' Compensation. (Transferred to 6C-5.803)
- PART II GENERAL FACULTY AND ADMINISTRATIVE AND PROFESSIONAL EMPLOYEES IN THE GENERAL FACULTY BARGAINING UNIT
- 6C-5.201 Applicability of Part II. (Repealed)
- 6C-5.205 Academic Freedom and Responsibility. (Repealed)
- 6C-5.211 General Faculty Member and Administrative and Professional Employee Selection and Appointment. (Repealed)
- 6C-5.215 Employment of Relatives. (Repealed)
- 6C-5.221 General Faculty Evaluation and Improvement. (Repealed)
- 6C-5.225 Tenure. (Repealed)

6C-5.231 Permanent Status for Developmental Research School Employees. (Repealed)
 6C-5.235 Administrative and Professional Employees Evaluation and Improvement. (Repealed)
 6C-5.245 Conflict of Interest. (Repealed)
 6C-5.251 Use of University Facilities and Services. (Repealed)
 6C-5.255 Political Activity. (Repealed)
 6C-5.261 Leave. (Repealed)
 6C-5.271 General Faculty Foreign Service. (Repealed)
 6C-5.275 Personnel Exchange Program. (Repealed)
 6C-5.285 Disruptive Conduct. (Repealed)
 PART III GENERAL FACULTY AND ADMINISTRATIVE AND PROFESSIONAL EMPLOYEES NOT INCLUDED IN THE GENERAL FACULTY BARGAINING UNIT
 6C-5.301 Applicability of Part III. (Repealed)
 6C-5.305 Leaves. (Repealed)
 6C-5.309 Academic Freedom and Responsibility. (Repealed)
 6C-5.311 Salary Formula for Changing from a Calendar Year to an Academic Year Appointment. (Repealed)
 6C-5.313 Transition from an Administrative to a Faculty Appointment. (Repealed)
 6C-5.315 Executive Service. (Repealed)
 PART IV ADMINISTRATIVE AND PROFESSIONAL EMPLOYEES BOARD - OFFICE
 6C-5.401 Applicability of Part IV. (Repealed)
 6C-5.402 Employee Selection and Appointment. (Repealed)
 6C-5.405 Grievance Procedure. (Repealed)
 6C-5.407 Evaluation. (Repealed)
 6C-5.411 Non-reappointment and Resignation of Board of Regents Administrative and Professional Staff. (Repealed)
 6C-5.415 Discipline, Suspension and Termination for Cause. (Repealed)
 6C-5.417 Employment of Relatives. (Repealed)
 6C-5.420 Employee Assistance Program. (Repealed)
 6C-5.421 Outside Activity and Conflict of Interest. (Repealed)
 6C-5.422 Political Activity. (Repealed)
 6C-5.423 Copyrights and Patents. (Repealed)
 6C-5.425 Administrative and Professional Employee Awards Program. (Repealed)
 6C-5.431 Exchange Program. (Repealed)
 6C-5.435 Sick Leave Pool for Administrative and Professional and Career Service Employees. (Repealed)
 PART V BOARD OF REGENTS OFFICE UNIVERSITY SUPPORT PERSONNEL SYSTEM EMPLOYEES
 6C-5.501 Applicability of Part V. (Repealed)
 PART VI ALL OPS CATEGORIES
 6C-5.601 Applicability of Part VI. (Repealed)
 6C-5.603 General Provisions. (Repealed)
 6C-5.607 Other Personal Services Categories. (Repealed)
 6C-5.609 Administration of the Other Personal Services Program. (Repealed)
 6C-5.611 Terms and Conditions Governing Other Personal Services. (Repealed)
 PART VII ALL USPS CATEGORIES
 6C-5.700 Applicability of Part VII. (Repealed)
 6C-5.710 Recruitment, Selection, and Appointment. (Repealed)
 6C-5.720 Classification Plan. (Repealed)
 6C-5.730 Pay Plan. (Repealed)
 6C-5.740 Attendance and Leave. (Repealed)
 6C-5.750 Performance Appraisal. (Repealed)
 6C-5.760 Disciplinary Actions, Grievances, and Appeals. (Repealed)
 6C-5.770 Separations. (Repealed)
 6C-5.771 Layoff and Recall. (Repealed)
 PART VIII ALL SUS EMPLOYEES
 6C-5.800 Applicability of Part VIII. (Repealed)
 6C-5.801 Unlawful Discrimination. (Repealed)
 6C-5.802 Retirement. (Repealed)
 6C-5.803 Workers' Compensation. (Repealed)
 6C-5.804 Selective Service Registration Requirements. (Repealed)
 6C-5.805 Approval of Perquisites for State University System Employees. (Repealed)
 6C-5.810 Sale of Goods and Services to State University System Employees. (Repealed)
 6C-5.815 Uniforms, Clothing, Laundry Services, and Footwear for State University System Employees. (Repealed)

6C-5.818	Approval of Perquisites/Sale of Goods and Services for State University System Employees. (Repealed)
6C-5.820	Payment of Moving Expense Perquisites for State University System Employees. (Repealed)
6C-5.825	Additional State Compensation for State University System Employees. (Repealed)
6C-5.830	Free University Courses. (Repealed)
6C-5.835	Accommodation of Religious Observances by University Employees. (Repealed)
6C-5.840	State University System Employee Recognition Program. (Repealed)
6C-5.845	Family and Medical Leave. (Repealed)
6C-5.900	State University System General Personnel Policy.
6C-5.910	Recruitment, Selection, Appointment, and Nonreappointment.
6C-5.915	Compensation.
6C-5.920	Benefits and Hours of Work.
6C-5.925	Evaluation and Recognition.
6C-5.930	Learning Opportunities.
6C-5.935	Promotion, Change in Assignment, Demotion and Transfer.
6C-5.940	Tenure and Permanent Status.
6C-5.945	Employee Ethical Obligations and Conflicts of Interest.
6C-5.950	Disciplinary Actions, Complaints, and Appeals.
6C-5.955	Separations From Employment and Layoff.

6C-5.900 State University System General Personnel Policy.

(1) Chapter 6C-5, F.A.C., rules prescribe personnel policy for all State University System (SUS) employees including Faculty, Administrative and Professional employees (A & P), University Support Personnel System employees (USPS), and OPS employees. These rules shall have Systemwide application by authority granted to the Board of Regents (Board) in Chapters 240 and 447, F.S. All rules and policies or procedures arising from these Systemwide rules shall be consistent with the relevant provisions of Federal and State law and the Constitutions of the United States of America and the State of Florida.

(2) The provisions of Rule 6C-5.900, F.A.C., are applicable to and incorporated by reference in all Chapter 6C-5, F.A.C., rules.

(3) These Systemwide rules are supplemented by the following:

(a) State law including the following chapters of Florida Law: Chapter 11, F.S., Legislative organization, procedures, and staffing; Chapter 92, F.S., Witnesses, records, and documents; Chapter 99, F.S., Candidates, campaign expenses, and contesting elections; Chapter 104, F.S., Election code: violations, penalties; Chapter 110, F.S., State employment; Chapter 112, F.S., Public officers and employees, general provisions; Chapter 115, F.S., Leaves of absence to officials and employees; Chapter 119, F.S., Public records; Chapter 121, F.S., Florida Retirement System; Chapter 215, F.S., Financial matters: general provisions; Chapter 216, F.S., Planning and budgeting; Chapter 228, F.S. Public Education: General Provisions; Chapter 240, F.S., Postsecondary education; Chapter 250, F.S., Military affairs; Chapter 295, F.S., Laws relating to veterans: general provisions; Chapter 386, F.S., Particular conditions affecting public health; Chapter 400, F.S., Nursing homes and related health care facilities; Chapter 409, F.S., Social and economic assistance; Chapter 440, F.S., Workers' compensation; Chapter 447, F.S., Labor organizations; Chapter 760, F.S., Discrimination in the treatment of persons; and Chapter 775, F.S., Definitions, general penalties, registration of criminals.

(b) Federal law including The Civil Rights Acts, The Fair Labor Standards Act (FLSA), The Rehabilitation Act of 1973, The Americans with Disabilities Act (ADA), The Family and Medical Leave Act (FMLA), The Uniformed Services and Employment and Reemployment Act of 1994 (USERA), The Age Discrimination in Employment Act (ADEA), and The Omnibus Transportation Employee Testing Act of 1991 (OTETA).

(c) University rules enumerated in Chapters 6C1 through 6C10 and Chapter 6C-19, F.A.C.

(d) The Collective Bargaining Agreements.

(e) Internal management memoranda informing administrators of procedures or guidelines for implementing the policies contained herein, however, these procedures and guidelines shall not change substantive rights of employees or terms and conditions of employment.

(4) Personnel Programs:

(a) The Chancellor, as the Chief Administrative Officer for the Board, and the President, as the Chief Administrative Officer for the University, shall be responsible and accountable for administering the personnel programs. The word "University" shall also denote the Board Office and the word "Chief Administrative Officer" shall include the appropriate individual or his/her designee.

(b) The Chief Administrative Officer shall establish and maintain all policies, procedures, and records which are necessary to substantiate compliance with all laws and rules relating to employment.

(c) Each University shall actively promote its commitment to equal employment opportunity and non-discrimination towards applicants and employees with respect to race, color, religion, age, disability, sex, marital status, national origin, and veteran status consistent with Federal and State law.

(d) The State University System Personnel/Employee Records System (SUPERS) is the automated Systemwide information system containing appointment, budget, position, demographic, definitional, and other information related to employees. This information is available through each University.

(5) The SUS Employment Plan is the Systemwide classification and compensation plan maintained by the Board. Such plan shall consist of the following:

(a) Faculty defines positions assigned the principal responsibility of teaching, research, or public service activities or for administrative responsibility for functions directly related to the academic mission.

(b) A & P defines positions assigned administrative and management responsibilities or professional duties at the department/unit, or above.

1. Employees in A & P positions designated in the Executive Service serve at the will of the Chief Administrative Officer or the Board, do not have tenure, and have no expectation of appointment beyond a 60 days' notice period.

2. Executive Service positions ordinarily report directly to the Chief Administrative Officer with the exception of specified positions which report to the Board, and include Chancellor, vice chancellor, and vice president, and other positions responsible for policy-making at the executive level.

(c) USPS defines positions assigned professional, paraprofessional, administrative, clerical, secretarial, technical, skilled crafts, service, or maintenance duties.

(d) OPS defines at-will temporary employment.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 110.112, 110.131, 228.2001(7), 240.209(1), (3)(f), (m), 240.227(1), (5), (19), 240.253, 447.203(2) FS. History--New 1-24-96, Amended 8-12-96.

6C-5.910 Recruitment, Selection, Appointment, and Nonreappointment.

(1) The following provisions govern recruitment, selection, appointment, and nonreappointment.

(a) Qualified applicants are those who meet the minimum qualifications contained in the SUS class specification and the additional competencies required for the specific position in the class unless appointments are with emergency, provisional, or trainee status. Each University shall determine the equivalent education, training, and experience for that contained in the SUS class specification as appropriate for a specific position.

(b) Any person who has been convicted of a felony involving the sale of or trafficking in, or conspiracy to sell or traffic in, a controlled substance as described in Chapter 893, F.S., is disqualified from employment unless conditions outlined in Section 775.16, F.S., are met. Failure to disclose such conviction is cause for dismissal.

(c) Each University shall ensure the spoken English language competence of all prospective and current Faculty involved in classroom instruction, other than courses conducted primarily in a foreign language. For current Faculty, this competence shall be ascertained during the annual evaluation.

(2) Each University's offer of employment and appointment procedures shall be consistent with the following:

(a) The offer of employment for Faculty and A & P positions shall be conditioned on the return of written acceptance by a specified date.

(b) Each Faculty or A & P employee shall be issued an annual contract or documented appointment. Multi-year contracts, contingent upon funding, are permissible for Faculty and A & P employees.

(c) An offer of tenure is conditioned upon recommendation of the Chief Administrative Officer and approval by the Board.

(3) Each University's nonreappointment notice to nontenured or nonpermanent status Faculty and A & P that further employment will not be offered shall be consistent with the following:

(a) An appointment shall not create any right, interest or expectancy beyond the specific term set forth in the appointment.

(b) Employees appointed for less than one year, appointed with visiting status, or to a multi-year contract are not entitled to notice of nonreappointment.

(c) Employees are not entitled to notice of nonreappointment who are issued an annual contract stating that employment will cease on the date indicated and no further notice of cessation of employment is required.

(4) Each University shall use the following appointment modifiers which defines the conditions of an employee's appointment. Such appointment modifiers apply to the appointment of a qualified employee unless otherwise stated.

(a) Faculty Appointment Modifiers:

1. Regular – A continuing appointment or an original temporary appointment which may be followed by a continuing appointment. The appointment modifier is not included in the title.

2. Acting – A limited time appointment to a position primarily assigned administrative duties.

3. Adjunct – An appointment paid from OPS. Adjunct appointments may not be for more than 50% of the time throughout an academic year or full-time for more than twenty-six weeks of a fiscal year, unless approved by the Chief Administrative Officer. Such appointments are for temporary or part-time employment and the term of employment is only for the period specified in the offer.

4. Provisional – An appointment of a person who is not fully qualified, but who is expected to acquire such qualifications in a short period of time.

5. Visiting – An appointment of a person having professional qualifications, when either the person or the position is not expected to be available for more than a limited period of time.

6. Joint – An appointment when the person is regularly participating in the teaching and/or graduate supervision responsibilities of more than one academic department/unit.

7. Research – An appointment when the person is engaged primarily in research.
8. Clinical – An appointment in conjunction with a professional position in a hospital or other clinical environment.
9. Courtesy – An unpaid appointment which may include special academic privileges such as voting in departmental affairs. Persons appointed with this status may or may not be otherwise affiliated with the University.
10. Honorary/Honoris Causa – An unpaid appointment of an individual having distinction and honor in his/her field, but who does not possess the normal requirements for the position.
11. Emeritus – An honorary title which may be conferred at retirement in recognition of distinguished service.
12. Affiliate – An appointment when a person participates in some functions of other academic departments/units.
13. Joint College – An appointment to a college/unit administered jointly by more than one university. Although appointed and employed by only one of the participating universities, each person so designated is considered an employee of the other participating universities for purposes of carrying out the teaching, research, and service responsibilities of the college/unit.
14. Phased Retirement – An appointment under the provisions of the Phased Retirement Program.
15. Multi-Year – An appointment which extends beyond one academic or fiscal year.

(b) A & P Appointment Modifiers:

1. Regular – A continuing appointment or an original temporary appointment which may be followed by a continuing appointment. The appointment modifier is not included in the title.
2. Provisional – An appointment of a person not fully qualified, but who is expected to acquire such qualifications in a short period of time.
3. Acting – A limited time appointment that includes the assumption of additional or replacement duties.
4. Visiting – An appointment of a person having professional qualifications, when either the person or the position is not expected to be available for more than a limited period of time.
5. Emeritus – An honorary title which may be conferred at retirement in recognition of distinguished service.
6. Multi-Year – An appointment which extends beyond one academic or fiscal year.

(c) USPS Appointment Modifiers:

1. Regular – A continuing appointment after successful completion of the designated probationary period for the class.
2. Probationary – An appointment to a position in a class for the designated period, where the employee meets the minimum qualifications for the position. Continuous successful performance in a class with the appointment modifier of temporary may be counted toward completion of the required probationary period. The decision to count such time toward completion of the probationary period shall be made at the time the employee is initially appointed with probationary status.
3. Trainee – An appointment to a law enforcement position prior to receiving a Certificate of Compliance, except that the employee must, within 180 consecutive days following such appointment, be actively enrolled in the training program to obtain the certificate. Trainee status is also used when the employee has not passed a required examination but meets the minimum qualifications for the position; the employee is not fully qualified but is expected to acquire such qualification in a short period of time; or the appointment is under a cooperative education program, a vocational rehabilitation program, an approved university training program, or an apprenticeship program.
4. Temporary – An appointment to provide a nonpermanent assignment to a vacant position; to replace an employee on leave, temporarily promoted or reassigned; or to overlap one employee with another for training purposes.
5. Emergency – An appointment for no more than 3 months when a vacancy must be filled immediately due to an emergency. Such appointments may be made without regard to the employee's training and experience or other provisions of these rules.
6. Time-limited – An appointment to a position funded by contract and grant, auxiliaries, or local funds, as appropriate, for a particular project, enterprise, or specified period. Such designation must be made to the position at the time of recruitment. A time-limited position shall have the same rights as a position with a regular appointment modifier, except such position shall not have rights provided for layoff and recall.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 240.209(1), (3)(f), 240.246, 775.16 FS. History--New 1-24-96, Amended 8-17-99.

6C-5.915 Compensation.

- (1) Pay actions shall be administered consistent with the following provisions.
 - (2) The Board shall establish and maintain the pay ranges for A & P and USPS. Legislatively approved pay range additives or competitive area differentials (CAD) shall be added to the pay range for those USPS classes within the geographic area specified in the approval. Pay shall not exceed the maximum of the pay range including the CAD without the approval of the Chief Administrative Officer.
 - (3) Base rate of pay is the pay provided employees not including any additives as provided for in paragraph (6)(h), below. Regular rate of pay is an employee's base rate of pay plus any other pay which may be necessary to meet the requirements of the Fair Labor Standards Act (FLSA). Hourly pay is computed based on 2088 work hours annually. A factor of 26.1 is used for annualizing biweekly pay.
- (a) An employee must be in pay status in order to receive a pay increase of any kind.

(b) Employees paid from contracts and grants, auxiliaries or local funds shall be eligible for pay increases provided such increases are permitted and funded by the funding entity. Each University shall strive to have contracts and grants, auxiliaries, and local funds permit and fund such pay increases.

(c) A retroactive effective date for a pay action shall be permitted with the approval of the Chief Administrative Officer; however, such retroactive period shall be the lesser of twelve months or the date stated in the documentation of the intent to increase the pay.

(d) A pay increase may be provided for a temporary in assignment on an acting basis and, upon return to original responsibilities, the pay may be adjusted.

(e) An employee returning from unpaid leave shall receive any increases in the pay range for the class or mandatory pay increases granted during the period of unpaid leave, unless pay implementation instructions provide otherwise. Also, an employee may be considered for discretionary increases.

(f) When a USPS employee is called back to work beyond the employee's scheduled hours of work for that day, the employee shall be credited with the greater of the actual time worked, including time to and from the employee's home to the assigned work location, or two hours.

(4) Pay upon original appointment for A & P and USPS shall be made within the pay range with the following exceptions.

(a) A provisional appointment for A & P may be below the minimum of the pay range. The pay shall be increased to at least the minimum of the pay range upon the employee attaining the minimum qualifications for the class.

(b) A trainee appointment for USPS shall be in accordance with the approved individual training schedule and may be below the minimum of the pay range.

(c) An emergency appointment for USPS may be below the minimum of the pay range.

(5) Annual pay increases shall be in accordance with guidelines issued by the Chancellor.

(6) Other pay increases may be provided under the following categories:

(a) Increased responsibilities.

(b) Market conditions including counter-offers and retention due to specialized or extensive investment or training.

(c) Salary compression or inversion.

(d) Increases to resolve a pay disparity considering education, experience, or duties and responsibilities of other employees.

(e) Lump sum payments to recognize the successful completion of a special project or assignment which is in addition to the employee's regularly assigned duties, or a documented significant increase in productivity or productivity goal achievement including a group incentive program. Such payment for employees subject to the FLSA shall not exceed the greater of ten percent of the employee's annual base pay or \$3,000 (before taxes). For other employees, such payment shall not exceed 15 percent of the employee's annual base rate of pay, unless approved by the Chief Administrative Officer.

(f) Increases to recognize sustained superior performance.

(g) Approved career development/apprenticeship programs.

(h) Pay additives including those for asbestos-related activities, lead abatement activities, leadworker pay, shift differentials, on-call pay, field training officer activities, and other approved activities.

(7) Other pay adjustments.

(a) An employee who is demoted shall receive pay commensurate with the responsibilities assigned. The demotion may be with or without a reduction in base rate of pay.

(b) The removal of pay additives, correction of overpayment, or reduction to the maximum of the pay range do not constitute a reduction in pay action.

(c) When the assignment of Faculty serving in an administrative position such as Vice President, Dean or Director, is changed, the pay and appointment period shall be adjusted to reflect the new responsibilities. If the adjusted pay of an administrator, whose appointment is being changed to a ranked Faculty will be greater than 90 percent of the range of pay for Faculty in the same rank in the college or school in which the employee is to be appointed, the new pay must be approved by the Chancellor or designee. The Chief Administrative Officer shall submit a recommendation for approval to the Chancellor, including a justification for the proposed pay, the employee's experience, qualifications, academic discipline, and other relevant factors. The Chancellor will advise the Board of such approvals.

(d) When an employee's appointment is changed from a calendar year to an academic year appointment with duties remaining the same, the employee's pay shall be adjusted to 81.8 percent of the calendar year base pay. For an employee whose appointment was previously changed from academic year to calendar year where the pay was adjusted other than by 122.2 percent, pay shall be adjusted to the percent which is the reciprocal of the percent previously used. A different pay adjustment percent may be used upon agreement of the employee and the Chief Administrative Officer.

(8) Each University shall be responsible for arranging the work schedule to minimize overtime and shall establish procedures for overtime pay consistent with the FLSA.

(9) Extra State Compensation.

(a) Pay for appointments up to the available established FTE for the position shall be from funds designated as Salaries.

(b) Pay for the portion of an appointment in excess of the available established FTE for the position and for activities of limited duration where no FTE is assigned shall be from funds designated as OPS.

(c) Employment by another State agency shall be processed consistent with its requirements.

(10) Perquisites/Sale of Goods and Services. The Chief Administrative Officer shall approve providing perquisites to employees, the sale of goods and services to employees, and the payment of moving expenses associated with a current or prospective employee. The provision of such items shall be job or class related and documented to demonstrate that the approval is in the best interest of the University.

(a) Approval is not required when sales to employees are at the same rate as they are ordinarily sold to the public.

(b) Moving expenses shall ordinarily be limited to the cost of packing, shipping, and storage of household goods, not to exceed 15,000 pounds, and reasonable expenses incurred for moving an automobile.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 216.011(1)(aa), 240.209(1), (3)(f), 240.283 FS. History--New 1-24-96, Amended 2-1-98, 8-17-99.

6C-5.920 Benefits and Hours of Work.

(1) Benefits made available to Faculty, A & P, and USPS include paid and unpaid leave, holidays, State- and University-sponsored insurance programs, and retirement. Under the FMLA, OPS employees may be eligible for unpaid leave. Benefits and hours of work requirements shall be administered consistent with the following provisions.

(2) Each employee is expected to work the number of hours in the employee's established workweek unless on approved leave. Benefits shall be provided proportionate to the time on the payroll.

(3) The minimum workweek is 40 hours for full-time employees. Holiday pay (maximum of eight hours) and paid leave are not considered overtime and are paid at the employee's regular pay rate. Approved leave may be adjusted to ensure an employee's workweek will not exceed 40 hours.

(4) Compensatory leave shall consist of the following types and such unused leave shall be transferred or paid as follows.

(a) Overtime compensatory leave is provided in lieu of payment for overtime for nonexempt USPS employees at the rate of one and one half times the total hours worked beyond 40.

1. Overtime shall be paid no later than the end of the following pay period, unless accrued as overtime compensatory leave.

2. Unused overtime compensatory leave shall be transferred unless the USPS employee's nonexempt designation changes to exempt and such leave shall be paid at the employee's regular rate of pay.

(b) Regular compensatory leave shall be provided to a USPS exempt employee for work beyond 40 hours on an hour-for-hour basis. The University may transfer or pay for unused regular compensatory leave with the approval of the Chief Administrative Officer.

(c) Special compensatory leave is provided to USPS as follows.

1. Special compensatory leave is provided to compensate an employee for a State holiday when the employee observed the holiday and worked 40 hours the week during which the holiday occurred; the holiday falls on the employee's regularly scheduled day off; or the employee is required to work the holiday.

2. Special compensatory leave is provided to compensate an employee for administrative leave for jury duty or court appearance provided in paragraphs (14)(a) and (b) below when the employee worked 40 hours the week during which the jury duty or court appearance occurred.

3. Special compensatory leave is provided to employees required to perform essential duties during an emergency closing for the hours worked during the closing.

4. The Chief Administrative Officer may elect to pay an employee for a part or all accrued special compensatory leave at any time. If the employee separates or transfers to another University, the employee shall be paid for all unused special compensatory leave at the employee's regular rate of pay.

(5) An employee shall be paid proportionate to the time in pay status for all holidays designated for State employees.

(6) Leave shall be accrued while in pay status and shall be credited on the last day of that pay period or, in the case of separation, on the last day the employee is on the payroll.

(7) During approved unpaid leave for parental, foster care, medical, or military reasons, an employee may use accrued leave to continue the contributions to State benefits and other expenses.

(8) Unless agreed otherwise, an employee shall be employed in the same or similar status upon completion of the approved leave period. While on paid leave, an employee may not be employed elsewhere unless the requirements for outside activity and extra State compensation have been met.

(9) Sick leave accrual for full-time employees shall be as follows with proportionate accrual for less than full-time.

	Hours Accrued During	
	Monthly	Biweekly
Faculty	8.667	4
A & P	8.667	4
Ex. Service	10.883	5
USPS	8.667	4

(a) Sick leave shall be accrued before use unless available through a sick leave pool. There is no maximum on the amount of sick leave that can be accrued. Sick leave accrued prior to October 1, 1973, shall be used prior to any sick leave accrued after that date.

(b) Sick leave is authorized for the following purposes:

1. The employee's personal illness, injury, exposure to a contagious disease, a disability where the employee is unable to perform assigned duties, or appointments with health care providers.

2. The illness, injury, appointments with health care providers, or death of a member of the employee's family.

(c) Notice of absence due to illness, injury, disability, or exposure to a contagious disease, shall be given on the first day of absence.

(d) All unused sick leave accrued in another SUS or State plan for which payment has not been received shall transfer provided no more than 31 days have elapsed between employment or if reemployed by the SUS within 100 days.

(e) An individual who resigns from a governmental entity within Florida and is employed in the USPS within 31 calendar days, may transfer up to 480 hours of accrued unused sick leave. Such leave shall be transferred as follows: 80 hours upon date of hire and 80 hours upon the completion of each succeeding year. Accrued sick leave from a governmental entity for Faculty and A & P shall transfer as provided in reciprocal agreements with other governmental entities.

(f) Upon separation, an employee with 10 or more years of service shall be paid for one-eighth of all unused sick leave accrued prior to October 1, 1973, and for one-fourth of unused sick leave up to a total of 480 hours accrued after October 1, 1973, in accordance with Section 110.122, F.S. Upon reemployment by the SUS within 100 days or upon recall by the University within one year, all unpaid sick leave shall be restored and any sick leave paid at time of separation shall be restored upon repayment. An employee with less than 10 years of service shall not be paid for any unused sick leave and such leave shall be forfeited unless reemployed by the SUS within 100 days or recalled by the University within one year.

(10) Annual leave for full-time employees shall be as follows with proportionate accrual for less than full-time. An academic year (39 weeks) employee, a Developmental Research School employee, and an employee appointed for less than 9 months shall not accrue annual leave. Hours of accrual for USPS is based on years of creditable service and such service shall be awarded as one month of service credit for each calendar month that the employee is on the salaried (non-OPS) payroll of a University or other State agency or during authorized unpaid leave.

	Hours Accrued During Pay Period		Year End	Maximum	Maximum
	Monthly	Biweekly	Maximums	Transferable	Payment
Faculty	14.667	6.769	352	352	352
A & P	14.667	6.769	352	352	352
Ex. Service	20	9.195	480	480	480
USPS (Months of Service)					
0 - 6	8.667	4	240	240	0
7 - 60	8.667	4	240	240	240
61 to 120	10.833	5	240	240	240
Over 120	13	6	240	240	240

(a) Annual leave shall be accrued prior to use unless annual leave is advanced by the Chief Administrative Officer.

(b) Employees may accrue annual leave in excess of the year end maximum during a calendar year. Employees with accrued annual leave in excess of the year end maximum as of December 31, shall have any excess converted to post October 1, 1973 sick leave on an hour-for-hour basis on January 1 of each year. The employee may retain hours in excess of the year end maximum with the approval of the Chief Administrative Officer.

(c) The maximum annual leave, accrued in another SUS University or State plan for which payment has not been received, shall transfer provided no more than 31 days has elapsed between employment.

(d) An individual who resigns from a governmental entity within Florida and is employed in the USPS within 31 calendar days, may transfer up to 240 hours of accrued unused annual leave. Such leave shall be transferred as follows: 40 hours upon date of hire and 40 hours upon the completion of each succeeding year. Accrued annual leave from a governmental entity for Faculty and A & P shall transfer as provided in reciprocal agreements with other governmental entities.

(e) A employee who separates from employment shall be paid for all unused annual leave hours up to the year end maximum allowed for the pay plan. Upon reemployment by the SUS within 100 days or upon recall by the University within one year, all unpaid annual leave shall be restored and any annual leave paid at time of separation shall be restored upon repayment. Upon entering into the Deferred Retirement Optional Program (DROP), employees may elect to be paid up to the year end maximum of their unused annual leave.

(f) Upon transfer from an annual leave-accruing position to a non leave-accruing position, the employee shall be paid for unused annual leave, unless the employee elects to retain all unused annual leave, for up to two years.

(11) Compulsory leave provisions shall be consistent with the following.

(a) Medical certification by an approved health care provider may be required.

(b) Notice shall be provided to the employee identifying duration of the leave, the conditions for return to the position, and whether such leave shall count toward FMLA entitlements.

(c) The employee may be allowed to use paid leave during compulsory leave to continue the contributions to State benefits and other expenses.

(d) Unless agreed otherwise, an employee shall be employed in the same or similar status upon completion of the approved leave period and upon receipt of medical certification.

(e) Employees who fail to meet the conditions of the compulsory leave or who fail to obtain medical certification and are unable to perform duties may be offered part-time employment, placed on unpaid leave or have such leave extended, requested to resign, or be dismissed for inability to perform the duties of the position.

(12) Employees are provided with twelve workweeks of Family and Medical Leave within a 12-month period in compliance with the Family and Medical Leave Act (FMLA) of 1993 (Public Law 103-3) and the Final Regulations of the Family and Medical Leave Act of 1993 (29 CFR Part 825). The 12-month period is defined as the fiscal year (July 1 – June 30). All employees are eligible including OPS employees who have worked at least 12 months (these need not have been consecutive) and who have worked at least 1250 hours in the 12-months prior to the leave. Faculty, A & P, and USPS employees may use paid leave for an FMLA event and such shall be counted toward the entitlement.

(13) Employees shall be provided with up to six months unpaid parental leave during which time the employee may use paid leave when the employee becomes a biological or adoptive parent. Parental leave shall begin two weeks prior to the expected date of the child's arrival unless otherwise approved by the Chief Administrative Officer.

(14) Employees are provided paid administrative leave as follows and shall not cause the full-time employee to exceed 40 hours during the workweek. Administrative leave is not accrued.

(a) Administrative leave for jury duty shall not exceed the number of hours in the employee's normal workday. If jury duty does not require absence for the entire workday, the employee shall return to work immediately upon release by the court. If the jury duty does not coincide with the regular work schedule, the employee shall be granted administrative leave based on the total hours served on jury duty and such leave shall be granted on the next scheduled work shift. Any jury pay shall be retained by the employee.

(b) Administrative leave shall be provided to an employee summoned as a witness in a matter not involving personal interests. Administrative leave shall not be provided to an employee serving as an expert witness. Witness pay shall be retained by the employee.

(c) Administrative leave for athletic competition in Olympic events shall be provided in accordance with Section 110.118, F.S.

(d) Administrative leave up to two days shall be provided to a USPS employee upon the death of a family member.

(e) Administrative leave shall be provided for official emergency closing of University facilities. Special Compensatory leave shall be provided to USPS employees required to perform essential services during the emergency closing. Only employees scheduled to work during the time of the emergency closing shall be provided leave.

(f) The Chief Administrative Officer may provide administrative leave for Florida Disaster Volunteers in accordance with Section 110.120, F.S.

(g) The Chief Administrative Officer may grant up to two days of administrative leave for civil disorder or disaster for an employee who is a member of a volunteer emergency response team.

(h) The Chief Administrative Officer may provide administrative leave up to two hours for voting in public elections.

(i) The Chief Administrative Officer may place an employee under investigation on leave up to the length of the investigation.

(j) The Chief Administrative Officer may place an employee on administrative leave between the notice of reduction in pay, suspension, or dismissal and the effective date of such action.

(k) The Chief Administrative Officer may place an employee on administrative leave when the employee's presence in the workplace may result in damage to property, or injury to the employee or others.

(15) Military leave and reemployment rights shall be provided to Faculty, A & P, and USPS employees consistent with Federal and State laws.

(16) Workers' Compensation benefits for an injury compensable under the Florida Workers' Compensation Law shall be provided consistent with the following.

(a) An employee shall remain in full pay status for a period up to a maximum of forty (40) hours without being required to use accrued leave credits. If, during that period, the employee receives Workers' Compensation benefits then the employee shall reimburse the University the amount of the benefits. Such reimbursement shall not include payments for expenses related to medical, surgical, hospital, or nursing treatment or payments of disability losses.

(b) An employee may elect to use paid leave to supplement Workers' Compensation payments up to the employee's regular salary.

(c) The period of paid or unpaid job-related disability leave shall be in accordance with Chapter 440, F.S.

(d) An employee who was injured in the workplace, may be returned to alternate duty consistent with established University policies or procedures.

(e) If at the end of the leave period, an employee is unable to return from leave to work full-time and perform the duties of the position, the Chief Administrative Officer may offer the employee a part-time appointment, place the employee on unpaid leave or extend the leave status, request the employee's resignation, or terminate the employee from employment.

(17) All eligible Faculty and A & P employees are enrolled in the Optional Retirement Program (ORP) unless employees elect to participate in the Florida Retirement System. All other employees participate in the Florida Retirement System, except those who remain in the State and County Officers and Employees Retirement System or the Teachers Retirement System.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 110.117-110.122, 115.14, 216.011(1)(x), 240.209(1), (3)(f), 250.48, Chapters 121 and 440 FS. History--New 1-24-96, Amended 8-17-99.

6C-5.925 Evaluation and Recognition.

(1) The following provisions govern employee evaluations and performance improvement.

(a) The basic purpose of the evaluation is to acknowledge performance, to communicate performance effectiveness, to aid in improving performance in assigned duties, and if necessary, to develop a performance plan to assist in correcting deficiencies for the employee not meeting performance standards.

(b) Each University shall establish procedures to conduct periodic performance reviews. Each employee shall be evaluated at least once every two years on the basis of total performance in fulfilling assigned responsibilities.

(c) The evaluation should be considered in making personnel decisions.

(2) Each University may also establish an employee recognition program.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 240.209(1), (2), (3)(f), 240.2111, 240.245 FS. History--New 1-24-96, Amended 8-17-99.

6C-5.930 Learning Opportunities.

(1) Faculty, A & P and USPS employee learning opportunities involving professional renewal, planned travel, study, formal education, research, writing, or other experience of professional value may include the following:

(a) Sabbaticals.

(b) Employee development or certification.

(c) Leave to pursue educational goals.

(2) Full-time Faculty, A & P and USPS employees are eligible to enroll in up to six tuition-free credit hours of instruction per semester.

(a) Free university courses shall be on a space available basis.

(b) An employee who is on approved leave or has been involuntarily called to active military service shall retain eligibility to participate.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 115.09, 240.209(1), (3)(f), (7), 240.227(11) FS. History--New 1-24-96.

6C-5.935 Promotion, Change in Assignment, Demotion and Transfer.

(1) Promotion, change in assignment, demotion and transfer shall be administered consistent with the following provisions.

(2) Promotion:

(a) Faculty promotion is the appointment to a higher academic or equivalent rank or class and may also be combined with an application for tenure. The criteria for promotion shall include meeting the minimum qualifications for appointment to the rank or position, increased skill in teaching, increased knowledge in the field of specialty, increased recognition as an authority in the field, and potential for professional growth. Each University shall provide for Faculty participation in developing promotion recommendations and other procedures and criteria for Faculty promotion.

(b) Administrative and Professional promotion is the appointment to another position or class with substantially increased responsibilities, or a permanent assignment of substantially increased responsibilities for the existing classification. An employee must meet the minimum qualifications for the position to which promoted.

(c) USPS promotion is the appointment to a class or position with substantially increased responsibilities. An employee must meet the minimum qualifications for the position to which promoted. Upon promotion, the employee's appointment modifier shall be determined pursuant to paragraph 6C-5.910(4)(c), F.A.C. An employee who has earned permanent status in the class to which promoted shall be promoted with permanent status.

(3) Change in Assignment:

(a) Faculty with administrative responsibilities serve at the will of the Chief Administrative Officer and may, at any time, receive a change in classification or assignment. Employees with tenure or permanent status shall not have such status affected by the change in classification or assignment.

(b) An A & P or USPS change in assignment is the appointment to a different position in the same class or in a different class having the same pay range maximum.

(c) If a USPS employee who has not attained permanent status in the current class receives a change in assignment to a different position in the same class, the employee's status remains the same until the probationary period designated for the class has been successfully completed.

(d) A USPS employee with or without permanent status in the current class who receives a change in assignment to a different position in a different class shall be given probationary status in the new class if the employee meets the minimum qualifications for the position; however, if the employee previously held permanent status in the class to which reassigned, the change in assignment shall be with permanent status.

(4) A demotion is an appointment to a class or position having less responsibility. Upon demotion, a USPS employee's appointment modifier shall be determined pursuant to paragraph 6C-5.910(4)(c), F.A.C.; however, if the employee previously held permanent status in the class to which demoted, the demotion shall be with permanent status.

(5) A transfer is the appointment of an employee from one geographic location within the University to a different geographic location within the same University in excess of 50 miles from the employee's current work location.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 240.209(1), (3)(f), 240.227(1), (5), (19), 240.245 FS. History--New 1-24-96, Amended 8-17-99.

6C-5.940 Tenure and Permanent Status.

(1) Faculty tenure shall be administered consistent with the following provisions:

(a) The award of tenure shall provide annual reappointment until voluntary resignation, retirement, removal for just cause, or layoff.

(b) Tenure is awarded upon demonstration of highly competent performance. Tenure criteria shall address the areas of teaching; research and other scholarly activities; and service to the public, the discipline, and the university including those professional responsibilities consistent with faculty status. These criteria shall take into account the mission and needs of the institution and shall place appropriate emphasis upon teaching and teaching-related scholarship. In this regard, the institution shall ensure that teaching is evaluated broadly, including assessments by peers and students, and that teaching performance is prominently considered in the award of tenure.

(c) Tenure shall be held as ranked Faculty in an academic department/unit and shall not extend to administrative appointments.

(d) Appointments to the ranks of assistant professor, associate professor, and professor are tenure-earning when they do not include the appointment modifier of acting, adjunct, joint, provisional, visiting, research, clinical, courtesy, honorary, or affiliate. Appointments which include the appointment modifier of multi-year, joint, provisional, visiting, research, clinical, or affiliate are ordinarily nontenure-earning, however, employees with these appointment modifiers may earn time toward tenure as determined by the Chief Administrative Officer at the time of appointment. If an employee is initially appointed to the rank of instructor or to a nontenure-earning rank and is subsequently appointed to a tenure-earning position, all or a portion of the prior service in such nontenure-earning position may be counted toward tenure, provided the Chief Administrative Officer agrees to credit such service.

(e) The decision to recommend an employee for tenure shall be made no later than the sixth year of continuous full-time service or equivalent part-time service in a tenure-earning position. Tenure-earning employees not recommended for tenure by the end of six years of continuous full-time, or equivalent part-time services, shall be given notice that further employment will not be offered. Full-time service for the purpose of tenure eligibility shall mean employment at 1.0 FTE during at least 39 weeks of any twelve month or nine month contract. Part-time service shall mean employment during at least one semester of any twelve month period.

(f) At the time of employment, the Chief Administrative Officer may credit an employee with tenure-earning service from another institution of higher education, however, such credit shall be limited to not more than two years of tenure-earning service for an assistant professor, not more than three years for an associate professor, and not more than four years for a professor. All prior SUS tenure-earning service shall be credited toward tenure unless otherwise agreed at the time of employment.

(g) Time spent on a joint appointment or approved personnel exchange program of the university, or a special assignment which benefits the university shall be counted toward tenure eligibility. Time spent away from the University for other purposes shall not be counted toward tenure eligibility.

(h) Time spent on paid leave shall be tenure-earning unless otherwise agreed at the time of such leave. Time spent on unpaid leave shall not be credited as tenure-earning except as approved by the Chief Administrative Officer.

(i) The recommendation of an employee for tenure shall signify that the Chief Administrative Officer is satisfied the employee will continue to make significant professional contributions to the University and the academic community. Upon recommendation by the Chief Administrative Officer and approval by the Board, tenure shall be awarded.

(j) With sufficient justification, tenure may also be recommended by the Chief Administrative Officer and approved by the Board at the time of initial appointment or prior to the sixth year of tenure-earning service.

(k) Transfer of tenure shall be at the discretion of the University to which the employee is transferring.

(2) Permanent status for USPS employees shall be administered consistent with the following provisions.

(a) An employee earns permanent status in the class after successful completion of the designated probationary period and has rights to remain in the class or to contest adverse action taken against the employee while serving in the class.

(b) An employee with permanent status filling a time-limited position shall not have retention rights or other rights provided under layoff and recall provisions.

(c) An employee without permanent status in any class may be terminated at any time without the right to appeal such action.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 240.209(1), (3)(f), 240.227(1), (5), (19) FS. History--New 1-24-96, 1-30-97, 8-17-99.

6C-5.945 Employee Ethical Obligations and Conflicts of Interest.

(1) All employees should be aware of their obligations and responsibilities as public employees of the State University System. No employee shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the full and competent performance of the employee's duties.

(2) Each University shall provide for annual reporting of outside employment activities and require that significant changes to these activities be reported.

(3) All employees are governed by the provisions of Chapter 112, F.S., setting standards of conduct for public officers and employees and mandating the disclosure of certain financial interests.

(4) Each University shall administer the use of University facilities on a space available basis with priority given to those groups and persons whose activities are related to the mission of the University.

(5) Employees who intend to seek election to and hold public office shall notify the Chief Administrative Officer of their intentions and shall adhere to the provisions of Section 104.31, F.S. The Chief Administrative Officer shall determine whether the employee's candidacy for and holding of public office will interfere with the full discharge of the employee's duties and, if appropriate, require the employee to take a leave of absence or submit a resignation.

(6) Academic freedom and responsibility apply to teaching, research, and creative activity, and assigned service.

(a) Faculty shall be free to:

1. Cultivate a spirit of inquiry and scholarly criticism and present and discuss their own academic subjects, frankly and forthrightly, with freedom and confidence.

2. Select instructional materials and determine grades in accordance with University procedure.

3. Engage in scholarly and creative activity and publish the results in a manner consistent with their professional obligations.

(b) Faculty shall have the responsibility to:

1. Objectively and skillfully present a variety of scholarly opinions on the subject matter.

2. Respect students and not exploit students for private advantage.

3. Contribute to the orderly and effective functioning of the academic unit and/or the University and act in a collegial manner in all interactions.

4. Represent themselves as institutional representatives, only when authorized to do so.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 104.31, 112.313, 112.3145, 240.209(1), (3)(f), 240.227(1). (5) FS. History—New 1-24-96, Amended 8-17-99.

6C-5.950 Disciplinary Actions, Complaints, and Appeals.

(1) Each University shall administer standards for performance and conduct to ensure timely and equitable disposition of disciplinary problems. Discipline ranging from written reprimands to dismissal may be imposed for just cause.

(2) Each University shall institute predetermination and appeal procedures for all employees with permanent or tenured status.

(3) The Chief Administrative Officer shall establish procedures for addressing employee complaints consistent with the following:

(a) A tenured or permanent status employee may file a complaint concerning employment or alleging that the University failed to comply with the University complaint procedure with the Chief Administrative Officer and request specific action by the Chief Administrative Officer.

(b) A nontenured or nonpermanent status employee may file a complaint concerning only nondisciplinary matters affecting the employee's terms and conditions of employment with the immediate supervisor and the next level supervisor.

(c) A complaint, for the purpose of this process, is the allegation by the employee that any condition affecting the employee's terms and conditions of employment is unjust, inequitable, or creates a problem. An employee shall not have the right to file a complaint concerning evaluations of performance unless the employee alleges that the evaluation is based on factors other than performance.

(d) Suspensions, reductions in pay, transfers, layoffs, demotions, job abandonment, and dismissals for USPS employees shall proceed directly to review under Section (4) USPS Arbitration Appeal Procedures.

(4) USPS Arbitration Appeal Procedure – An employee who has earned permanent status in his/her current classification shall have the right to appeal to an arbitrator any suspension, dismissal, layoff, demotion, job abandonment, transfer, or reduction in pay, provided that the employee has not signed a statement indicating the action was voluntary. An employee whose position is classified to a lower class shall have the right to appeal only the reduction in pay, if any, which has occurred as a result of the demotion appointment.

(a) Request for Processing:

1. If an employee requests an arbitration, the employee shall, within 14 working days after the receipt of notice of the employment action from the University, file with the Board Office a completed Arbitration Request form. This form is incorporated by reference and is titled Arbitration Request Pursuant to subsection 6C-5.950(4), F.A.C., dated November 1, 1995, and can be obtained from the University Personnel Director. A copy of the form must also be filed with the Chief Administrative Officer and the employee's immediate supervisor.

2. Failure to initiate an arbitration request within the time limits prescribed shall be deemed a waiver of the right to arbitration. In the event of a question regarding timeliness of any notice, the date of receipt if transmitted in person, or the postmark if transmitted by mail, shall be determinative.

3. After the Request for Arbitration has been received, the Chancellor will determine whether the request has been filed in accordance with the provisions of this section and shall notify the employee or his/her representative, the University, and immediate supervisor of this determination. Additionally, the employee will be mailed a copy of this rule.

4. The Chancellor shall select an arbitrator on a rotational basis from an odd-numbered panel of at least seven arbitrators maintained by the Board and shall notify the University representative and the employee or his/her representative of the arbitrator selected. If the parties do not agree on the arbitrator selected, the selection shall be made by alternatively striking names from the panel. The right of first strike shall be determined by a coin toss. The employee will receive notice of the identity of the arbitrator selected and may request disqualification of the arbitrator based on cause within five calendar days of receipt of the notice. Cause is present when it appears the arbitrator was chosen through corruption, fraud, or other undue means.

5. When an action is both appealable under this rule and grievable under a collective bargaining agreement, the employee shall have the option of using either procedure. The filing of the arbitration request form constitutes a waiver of any rights to review of the matter under an applicable collective bargaining agreement, Chapter 120, F.S., or other SUS or University review procedures. If the employee seeks a review of a matter in an alternative forum after requesting arbitration under this rule or fails to appear at the scheduled arbitration hearing, he Board and the University shall have no obligation to proceed further.

(b) Fees and Expenses:

1. All fees and expenses for the arbitrator will be paid by the University. When an employee is represented by an employee organization, the arbitrator's fees and expenses shall be paid by the party who fails to prevail in the arbitration or evenly split if the award sustains the appeal in part and denies it in part.

2. The party desiring a transcript of the arbitration proceedings shall provide written notice to the other party of its intention to have a transcript of the arbitration made at least one week prior to the date of the arbitration and shall be responsible for scheduling a reporter to record the proceedings. The parties shall share equally the appearance fee of the reporter and the cost of obtaining an original transcript and one copy for the party originally requesting a transcript of the proceeding. The requesting party shall, at its expense, photocopy the copy of the transcript received from the reporter and deliver the photocopy to the other party within five calendar days after receiving the copy of the transcript from the reporter.

(c) The employee may self represent or be represented. If the employee elects to be represented, the employee must deliver or send to the Board Office within five working days after filing a Request for Arbitration, a written statement indicating the name, address, telephone number and qualifications of the representative and confirming that the employee as well as the representative will be present during the arbitration hearing, and that the employee agrees to this representation.

(d) If the aggrieved employee participates during working hours in the arbitration, the employee's compensation will not be affected by the time spent at the arbitration hearing. The employee must notify the immediate supervisor seven days in advance of his/her anticipated absence. An employee will not be permitted to prepare the case during working hours.

(e) Hearing:

1. The arbitrator shall hold the hearing at the city where the main campus of the University is located, unless otherwise agreed by the parties. The hearing shall commence within 30 working days of the arbitrator's acceptance of selection, or as soon thereafter as is practicable. Arbitration proceedings shall be conducted in accordance with this rule, supplemented by the Labor Arbitration Rules published by the American Arbitration Association, as Amended and Effective on September 1, 1993.

2. The arbitrator may subpoena witnesses and compel the production of documents pertinent to the appeal. All requests for subpoenas must be made to the arbitrator no later than 10 working days prior to the arbitration date and each party is responsible for providing its own witnesses and documents which it wishes to present.

3. Within 60 calendar days, the arbitrator shall issue to the University and the employee a written order which may affirm, reverse, or alter the decision of the University.

4. The employee and the University agree that the decision of the arbitrator shall be final and binding on both parties. No judicial review of the arbitration order is available except as provided by Chapter 682, F.S.

(f) Jurisdiction of Arbitrator:

1. The arbitrator shall neither add to, subtract from, modify, or alter the provisions of these rules, University rules and policies or procedures, or an applicable collective bargaining agreement. Arbitration shall be confined solely to the application and/or interpretation of those provisions and limited to the matters in the Request for Arbitration Form submitted for arbitration. No statements of opinion or conclusions not essential to the determination of the matters submitted shall be permitted. The arbitrator shall not review managerial decisions other than to ensure that such actions are in accordance with the applicable procedures under review. In the case of suspension, dismissal, and reduction in pay taken as a disciplinary action, the arbitrator shall determine whether there is just cause for such action.

2. The burden of proof shall be on the employee in layoff, demotion, reduction in pay and transfer actions when not taken as a disciplinary action, and in job abandonment. The burden of proof shall be on the employer in suspension, dismissal, demotion, and reductions in pay when taken as disciplinary actions.

3. The arbitrator's order and award may reinstate an employee, with or without back pay. The back pay award shall not exceed the amount of pay the employee would otherwise have earned at the employee's regular rate of pay and shall not be retroactive to a date earlier than the date of the occurrence of the event giving rise to the action at issue and in no event more than fourteen (14) working days prior to initiation of the arbitration request. In no situation will the award exceed the actual loss to the employee or provide attorney fees to either party.

4. Punitive damages are not permitted.

5. The arbitrator may reduce a dismissal to a suspension for such time as the arbitrator may fix, or reduce the period of suspension, which order shall be binding on the University and employee concerned.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.209(1), (3)(f), 240.227(1), (5), 240.261, 447.209 FS. History--New 1-24-96.

6C-5.955 Separations From Employment and Layoff.

(1) Separations from employment shall be administered consistent with the following provisions.

(a) An employee who resigns from employment shall not have any rights of appeal.

(b) An employee who is absent without approved leave for three or more consecutive workdays shall be considered to have abandoned the position.

(c) The Chief Administrative Officer may dismiss an employee for just cause in accordance with University rules, policies or procedures.

(d) OPS and USPS employees without permanent status in any class may be separated from employment at any time without any requirements of notice or reason and without rights of appeal.

(e) Nontenured or nonpermanent Faculty and A & P whose appointments expire after receiving notice of nonrenewal or nonreappointment or whose appointment expires without the requirement of a written notice of nonreappointment may be separated without further notice.

(2) Layoff shall be administered consistent with the following provisions.

(a) Employees may be laid off at any time as a result of adverse financial circumstances; reallocation of resources; reorganization of degree or curriculum offerings or requirements; reorganization of academic or administrative structures, programs, or functions; curtailment or abolishment of one or more programs or functions; shortage of work; or a material change of duties. The Chief Administrative Officer shall notify the appropriate employee organizations when layoffs are to take place.

(b) The layoff unit may be at an organizational level such as a campus, division, college, school, department, area, program, or other level of organization as the Chief Administrative Officer deems appropriate. In designating the makeup of the layoff unit, the Chief Administrative Officer may consider the special qualifications and relevant experience required for specific positions and exclude such positions from layoff. USPS time-limited positions shall be excluded from the layoff unit.

(c) A tenured Faculty or permanent status employee shall not be laid off if there are nontenured/nonpermanent status employees in comparable positions in the layoff unit. Those employees will be retained who, in the judgment of the Chief Administrative Officer, will best contribute to the mission and purpose of the University when taking into account the employee's length of continuous University service and other appropriate factors.

(d) The Chief Administrative Officer shall make a reasonable effort to locate appropriate alternative/equivalent employment for laid-off employees, first within the University and second within the SUS.

(e) The following employees do not have layoff rights.

1. A Faculty or A & P employee appointed for less than one academic year or appointed to a visiting appointment;

2. A Faculty or A & P employee appointed to a position funded from contracts and grants, auxiliaries or local funds;

3. A Faculty or A & P employee whose appointment expires after receiving timely notice of nonrenewal/nonreappointment;

4. A Faculty or A & P employee whose appointment expires without the requirement of a written notice of reappointment, including an employee serving on an appointment without a fixed term or an employee on a multi-year contract;

5. A USPS employee without permanent status in any class;

6. A USPS employee appointed to a contract and grant, auxiliary or local funds position which has been designated time-limited.

7. An OPS employee.

(f) Within the layoff unit, USPS employees with permanent status in the affected class shall be ranked on a layoff list based on retention points derived from length of service and evaluations. Employees who work less than full-time shall have their retention points determined in proportion to the time worked. Layoff rights extend only to employees who meet the specific qualifications and equivalent FTE of the position regardless of their placement on the layoff list. Retention points shall be computed as follows:

1. One point for each month of continuous employment in the USPS including service in the Career Service if employed in the SUS on or before June 30, 1986.

2. One point for each month of service meeting performance standards and two points for each month of service with exemplary performance.

3. The period of leave for active military service in accordance with Chapter 115, F.S., shall count as continuous employment and shall be considered to be at the same level of performance as last evaluated.

4. Any period of service prior to July 1, 1996, not covered by an evaluation including periods of service during which no formal employee evaluation programs existed, shall be computed as meeting performance standards. After July 1, 1996, performance will be computed as previously evaluated in the absence of a current evaluation.

5. No retention points shall be granted for a month in which the employee was not on the payroll.

6. After totaling the retention points, layoff shall be in order, beginning with the employee with the fewest points.

7. When two or more employees have the same total retention points, preference for retention shall follow the order of the longest University service in the class, the longest SUS service, Veterans' preference, and as determined by the Chief Administrative Officer.

(g) Employees are to be informed of layoff as soon as practicable. Where circumstances permit, all employees are to be provided at least 30 calendar days. However, a USPS employee with permanent status shall be given no less than 14 calendar days notice of layoff or in lieu thereof, two weeks pay at the employee's current regular hourly rate, or a combination of notice and pay. A notice of layoff shall be sent to the employee by certified mail, return receipt requested, or delivered in person to the employee.

(h) Within seven calendar days after receiving the notice, the USPS employee shall have the right to request a change in assignment or, if not available or the employee's preference, a demotion in lieu of layoff to a position in a class in which the employee held permanent status, or to a position in a class in which the employee has not held permanent status if the employee has previously held permanent status in a higher or equal level class within the series. Appointment to positions in lieu of layoff is conditioned on the employee meeting the specific qualifications for the position.

(i) Employees with layoff rights who are laid off shall have recall rights at the University from which laid off as follows.

1. Faculty and A & P employees have recall rights for one year following layoff. Employees shall be offered reemployment/recall rights in the same or similar position for which they meet the special qualifications and relevant experience. (For out-of-unit faculty and out-of-unit A & P employees at the New College of the University of South Florida, the offer of reemployment shall be limited to the same or similar position at the New College.)

2. USPS employees have recall rights for one year following layoff. When a vacancy occurs or a new position is established in the same class within the same layoff unit from which the employee was laid off, the employee with the highest number of retention points and who meets the specific qualifications for the position, shall be offered reemployment.

3. Reemployment offers shall be made to USPS employees laid off in the order of their total retention points. Reemployment of such employees may be with permanent status in that class at the discretion of the Chief Administrative Officer.

4. An employee who refuses offer of reemployment shall forfeit further recall rights.

Specific Authority 240.209(1), (3)(f) FS. Law Implemented 240.209(1), (3)(f), 240.227(1), (5), (19), 447.209 FS. History--New 1-24-96, Amended 8-17-99.

CHAPTER 6C-6 STUDENTS

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6C-6.001 Admissions.

(1) Based on minimum standards adopted by the Board, through rule, the Universities shall establish the criteria by rule for the admission of students.

(2) In the admission of students, the universities shall take into consideration the applicant's academic ability, and may also consider creativity, talent, and character. If determined not to be in the best interest of the university to deny admission to an applicant because of past misconduct, the university may do so.

(3) The Board affirms its commitment to equal educational opportunity and to increasing student diversity in each of the state universities.

(4) Applicants denied admission shall be given notice of denial within a reasonable period of time following the decision. Upon the applicant's written request, the university shall provide the reasons for the rejection in writing.

(5) Each student accepted for admission shall, prior to registration, submit on a form, provided by the institution, a medical history signed by the student. Documentation of appropriate immunization for measles and rubella is required. Proof of immunization must be provided. This shall be a minimum requirement, and institutions may require in addition such other evidence of examination as they may determine necessary. Where physician examinations or certificates are required, they must be signed by a doctor of medicine or a doctor of osteopathy. The universities reserve the right to refuse registration to any student whose health record or report of medical examination indicates the existence of a condition which may be harmful to members of the university community.

(6) The universities may return to the applicant without action any application and fees received after the closing date for applications designated by each institution in its official calendar.

(7) False or fraudulent statements – In addition to any other penalties which may be imposed an individual may be denied admission or further registration, and the universities may invalidate college credit for work done by a student at an SUS institution and invalidate the degree based upon such credit if it finds that the applicant has made false or fraudulent or incomplete statements in his application; residence affidavit, or accompanying documents or statements in connection with, or supplemental to, his application for admission to, or graduation from one of the SUS institutions.

(8) Students may be required to have immunizations and to have undergone diagnostic procedures prior to registration.

(9) Each university shall provide registration opportunities for admitted transfer students that allow these students access to high demand courses comparable to that provided to native students.

(10) Each university shall provide orientation programs for first-time-in-college and transfer students.

(11) Enrollment limitations – The Board shall establish a plan for the enrollment of the State University System, consistent with the Strategic Plan.

(a) The Board shall recommend each budget cycle to the Legislature an enrollment plan in which future State University System FTE enrollment shall be specified by level.

(b) The Board will establish an assigned FTE enrollment plan for each university for each fiscal period. This assigned FTE enrollment plan will be based upon the enrollment plan described in (a) and upon the funding decisions of the Legislature.

(c) Each university shall establish, by rule, procedures and criteria to manage enrollments to meet planned enrollment, established pursuant to (b) above. These rules shall not be inconsistent with Board rules.

(d) Programs at the University of Florida and the University of South Florida in the Health Centers receive separate appropriations from the Legislature; therefore, students enrolled in such programs will be excluded from the above enrollment limitations.

(e) Upper level programs registered as limited access programs with the Board and the Articulation Coordinating Committee (competitive admission due to limited space or other resources, or due to higher standards) and rules limiting enrollment as provided in (c) above shall observe the following guidelines in the selection of students for the spaces available in the program:

1. There will be a documented justification for the program to be classified as limited access. This documentation should be submitted by the university requesting limited access to the Board for review and approval at least 6 months prior to the start of limiting access to the program. Annually, each university will reevaluate the need to continue to classify the program as limited access. The university will report to the Board by October 1 of each year a list of all limited access programs, the minimum admissions standards for each program, the reasons the program is designated as limited access, and a copy of the most recent review demonstrating the need for retention of limited access status. Programs assigned limited access status will be reviewed by the Board in the course of its cyclical systemwide program review process.

2. All criteria shall be approved by the Board and registered with the Articulation Coordinating Committee prior to implementation.

3. Any criteria used to select students shall not discriminate against community college transfers with Associate in Arts degrees from Florida public community colleges in favor of SUS students who are applying for admission or plan to continue enrollment after the completion of 60 semester credits at the lower division level.

4. Any criteria used to select students shall be appropriate indicators of academic ability, creativity or talent to perform required work within the program and of the potential for success.

5. Any criteria used shall be publicized in catalogues, counseling manuals, and other appropriate publications in accordance with subsection 6A-10.024(14), F.A.C., with sufficient time for prospective students to adjust programs to meet criteria.

6. Where necessary to achieve established equal access enrollment goals, up to ten percent of the students may be admitted to a limited access program with different criteria.

7. Each university shall advise students who meet the minimum requirements for admission to the upper division of a state university, but are denied admission to limited access programs, of the availability of similar programs at other State University System institutions and the admissions requirements of such programs.

8. Associate in Arts degree graduates from Florida community colleges and university students who have successfully completed 60 or more credit hours of course work and met the requirements of Section 240.107, F.S., shall receive priority over out-of-state students for admission to limited access programs.

(f) The Board may declare certain degree programs as limited access programs, upon request by a university. In the case of programs for which prerequisite courses are required for admission, the prerequisites, and grades for the prerequisite courses determined acceptable by the program, by themselves, will not cause a program to be declared limited access. That is, if all the applicants completing the prerequisite courses, with any specified grade requirement, are admitted to the program, the program need not be designated a limited access program. Associate in Arts graduates from Florida public community colleges and universities who have not completed prerequisite courses for a given major shall be admitted to a university in order to complete those prerequisite courses, after which program admission can be determined. University degree programs may be declared as limited access programs for the following reasons:

1. The number of students who have met all the requirements for admission to the university and to the program is in excess of available resources (examples are: space, equipment or other instructional facilities; clinical facilities; adequate faculty to meet acceptable student-faculty ratios; fiscal or other resource limitations). In the case of such programs, selection for admissions shall be competitive. The selection criteria shall be determined by the program, recognizing that the standards applied to the criteria may vary from term to term depending on the number of student spaces available and the quality of the applicant pool. The selection criteria shall be published in the university catalogue along with the standards used for admissions decisions at the time the catalogue is published.

2. The program is of such a nature (normally in the fine or performing arts) that applicants must demonstrate through an audition or submission of a portfolio that they already have the minimum skills necessary for them to benefit from the program.

3. The program is of such a nature that in order to demonstrate potential for success in the program, applicants must attain a grade point average (GPA) and/or other standard (e.g., standardized test scores) that are above those required for admission to the university offering the program. [Note: Teacher preparation programs are mandated by Section 240.529, F.S., to maintain certain

admission requirements, and, therefore, will be classified and reported as limited access programs only if enrollment is limited for reasons (e.g., limited resources) that exceed statutory requirements. Teacher preparation programs will be monitored for compliance with requirements of subsection 240.529(3), F.S., through a report which is separate from the limited access reports].

4. When an institution has exceeded its upper-level FTE enrollment limit as assigned by the Legislature by more than five percent, programs which have not normally been designated as limited access programs may need to limit enrollment. If the institution's actual student credit hour productivity exceeds the institution's funded enrollment to this extent, the institution may take corrective actions in subsequent terms such as limiting admission of new students into upper level programs, limiting course loads of enrolled students and/or other measures as may be necessary to stay within funded enrollment levels. Florida community college Associate in Arts graduates and university students who have successfully completed 60 credit hours of course work and met the requirements of Section 240.107, F.S., shall receive priority for admission to such limited access programs over out-of-state and transfer students from private institutions.

Specific Authority 240.209(1) FS. Law Implemented 240.209(1), (3)(s), (4), (5)(a), 240.2097, 240.227(8), 240.233, 240.529, 240.271 FS. History-- Formerly 6C-2.41, 11-18-70, Amended and Renumbered 12-17-74, Amended 1-6-76, 7-13-77, 3-21-82, 12-13-83, 8-11-85, Formerly 6C-6.01, Amended 8-31-86, 4-9-87, 1-7-91, 9-15-91, 11-27-95, 8-12-96, 9-19-00.

6C-6.002 Entering Freshmen.

(1) Normally a diploma from a Florida public or regionally accredited high school, from an accredited out-of-state high school or, if foreign, its equivalent, or a diploma pursuant to Section 229.814, F.S., shall be required for admission of beginning freshman students to a state university. Students admitted under acceleration mechanisms in accordance with Rule 6C-6.006, F.A.C., are exempted from this requirement.

(2) Students applying for admission will submit test scores from the Scholastic Assessment Test of the College Entrance Examination Board or from the American College Testing program.

(3) Students may be considered eligible for admission to any of the state universities in one of the following three ways, except as provided in subsection (4) below:

(a) A student applying for admission who has a satisfactory high school record, including at least a "B" average (3.0 on a 4.0 scale) in the required high school academic units normally offered in grades 9 through 12, and who submits other appropriate evidence that the student can be expected to carry out successful academic progress in the university, is academically eligible for admission to any of the universities. In computing the high school grade point average for purposes of admission to a state university, additional weights will be assigned to grades in Honors, International Baccalaureate, and Advanced Placement courses. The high school academic unit requirements are as follows:

English/Language Arts	4
Three of which must have included substantial writing requirements	
Math	3
At the Algebra I and above levels	
Natural Science	3
Two of which must have included substantial laboratory requirements	
Social Science	3
Includes: History, Civics, Political Science, Economics, Sociology, Psychology and Geography	
Foreign Language	2
Both credits must be in the same language.	
(For the purposes of this admission requirement, American sign language will be accepted in place of a foreign language.) An alternative method for students to demonstrate equivalent foreign language competence by examination to meet admissions requirements is described in paragraph 6C-6.004(1)(c), F.A.C.	
Additional Academic Electives as described below	4
TOTAL	19

1. Students who entered as high school freshmen prior to July 1, 2000 may complete the four elective requirements in any combination of courses listed in the Department of Education Course Code Directory, as follows:

a. Up to four credits of Level II courses in English/Language Arts, Mathematics, Natural Science, Social Science, Foreign Language, or Fine Arts; Level III courses in any discipline; grade nine or above courses in Humanities or Computer Science; Dual Enrollment courses for which both high school and post secondary credits are granted; or equivalent courses in any discipline as determined by the Articulation Coordinating Committee.

b. Up to two credits in courses grade nine or above in ROTC/Military Training or in Vocational Education.

c. Up to one credit in courses in Research, Leadership Skills Development, Executive Internship, or Physical Education and Life Management Skills.

2. Students who entered as high school freshmen July 1, 2000 or later may complete the four elective requirements in any combination of courses listed in the Department of Education Course Code Directory, as follows:

a. Up to four credits of Level II courses in English/Language Arts, Mathematics, Natural Science, Social Science, Foreign Language, or Fine Arts; Level III courses in any discipline; or Dual Enrollment courses for which both high school and post secondary credits are granted.

b. Up to two credits in courses grade nine or above in ROTC/Military Training.

c. Up to two credits of equivalent courses in any discipline as determined by the Articulation Coordinating Committee.

(b) A student applying for admission who has less than a "B" average in the required academic units described in (a) above, must present a combination of high school GPA and admission test scores as indicated on the list below. Academic eligibility for admission will be determined according to the following Admissions Scale:

If the High School GPA in the required academic courses equals any entry in this column, the SAT/Recentered SAT I*/ACT Score must equal or exceed the corresponding entry in the appropriate column below.

GPA	SAT	Recentered SAT*	ACT**
T			
2.0	1,050	1140	25
2.1	1,020	1110	24
2.2	990	1090	24
2.3	960	1060	23
2.4	930	1030	22
2.5	900	1010	21
2.6	890	1000	21
2.7	880	990	21
2.8	870	980	21
2.9	860	970	20

* SAT taken after March, 1995

**These ACT scores are effective for Fall, 2001 applicants.

(c) A student applying for admission who does not meet these requirements may be eligible for admission through a student profile assessment which considers additional factors, including but not limited to, the following: family educational background, socioeconomic status, graduate of a low performing high school, international baccalaureate program graduate, geographic location and special talents. These additional factors shall not include preferences in the admissions process for applicants on the basis of race, national origin or sex. The student may be admitted if, in the judgment of an appropriate faculty committee, it is determined from appropriate evidence that the student can be expected to do successful academic work as defined by the institution to which the student applies. The number of first time in college students admitted through profile assessment at each university is determined by the Board; the system is limited each year to ten percent of the total system first-time-in-college students. However, the annual number of applicants enrolled at a university under profile assessment without the equivalent of two high school credits in foreign language must not exceed 5 percent of the total number of freshmen (students who had not completed their first year of college or university) who entered the university the prior year. Upon request by the president, the Board may approve a one year increase in a university's 5 percent limitation as long as the State University System as a whole maintains the 5 percent limit. Any freshman student admitted without meeting the foreign language requirement must earn 8 to 10 semester hours in a foreign language or American sign language, or demonstrate equivalent competence in either a foreign language or American sign language as described in paragraph 6C-6.004(1)(c), F.A.C., prior to completing 60 credit hours at the state university. The university will provide an individual learning plan for each student enrolled who does not meet the normal admissions requirements listed in subsections 6C-6.002(1) and 6C-6.002(3), F.A.C. The Board will review the success of students admitted under the profile assessment process.

(d) In determining eligibility for admission, a university will provide for reasonable substitution for any requirement or high school unit distribution requirement for any student with a disability, as prescribed in Rule 6C-6.018, F.A.C.

(4) A student applying for admission who is participating in a non-traditional program must present credentials equivalent to those described in subsection 6C-6.002(3), F.A.C., as judged by the individual SUS institution to which the student has applied. A student whose educational program is not measured in Carnegie Units must present a test score of at least 1010 on the recentered SAT I, or the equivalent on the ACT, or the SAT taken prior to April, 1995.

(5) A student applying for admission who is a graduate of a public Florida high school, has completed nineteen (19) required high school units as listed in paragraph 6C-6.002(3)(a), F.A.C., ranks in the top 20% of his/her high school graduating class, and who has submitted test scores from the Scholastic Assessment Test of the College Entrance Examination Board or from the American College Testing program shall be admitted to a university in the State University System. The State University System will use class rank as determined by the Florida Department of Education.

(6) The universities have the authority to adopt and promulgate rules which have the effect of increasing the standards for eligibility for admission, as listed in (3)(a) and (b) above, or to provide additional criteria in making admissions decisions. Changes to these institutional rules will be reviewed annually by the Board prior to September 1.

(7) Neither State University System nor individual university admissions criteria shall include preferences in the admissions process for applicants on the basis of race, national origin or sex.

Specific Authority 240.209(1) FS. Law Implemented 240.209(1), (4), (5)(a), 240.227(8), 240.115(4), 240.152, 240.233 FS., Chapter 2000-215, Laws of Florida. History—Formerly 6C-2.42, 11-18-70, Amended 5-27-74, Amended and Renumbered 12-17-74, Amended 6-25-80, 3-21-82, 4-16-84, Formerly 6C-6.02, Amended 4-14-86, 4-20-87, 10-19-88, 1-23-90, 1-7-91, 9-15-91, 8-4-92, 5-17-95, 11-27-95, 9-19-00, 11-27-00.

6C-6.003 Entering or Transferring Graduate Students and Post-Baccalaureate Professional Students.

(1) Each applicant to a graduate degree program or to a post-baccalaureate professional program shall be required to meet minimum systemwide requirements.

(2) Each applicant to a graduate degree program or to a post-baccalaureate professional program must have a bachelor's degree or equivalent from a regionally accredited institution and meet at least one of the following criteria:

(a) Earned a "B" average or better in all work attempted while registered as an upper division student working for a baccalaureate degree, or

(b) A total Quantitative-Verbal Graduate Record Examination score of 1000 or higher or an equivalent score on an equivalent measure approved by the Board, or

(c) A graduate degree from a regionally accredited institution.

(3) Each applicant to a graduate program or a post-baccalaureate professional program shall be required to present his/her score on the Aptitude Test of the Graduate Record Examination, or an equivalent score on an equivalent measure approved by the Board. The university may waive this requirement in individual cases.

(4) Applicants denied admission shall be given notice of denial within a reasonable period of time following the decision. Upon the applicant's written request, the university shall provide the reasons for the rejection in writing. Applicants denied admission who meet the minimum systemwide standards may request reconsideration by written request to the university within thirty days of the date of denial. The request shall contain reasons why reconsideration is warranted. Each university shall establish the method for reconsideration by rule.

(5) The Board encourages each university to impose more restrictive admission requirements than the above established for post-baccalaureate programs. Effective for Fall, 2001 admissions, these requirements shall not include preferences in the admissions process for applicants on the basis of race, national origin or sex. These criteria shall be published, and the university catalog shall give notice where copies of such criteria may be obtained.

(6) In any academic year, up to 10 percent of the graduate students may be admitted as exceptions to these criteria. The university may develop criteria for students admitted as exceptions.

(7) Students who do not meet the systemwide criteria and who wish to enroll in courses but not degree programs at the post-baccalaureate level may enroll under the classification of special post-baccalaureate non-degree students. Universities wishing to admit special post-baccalaureate non-degree students to graduate degree programs after the students have satisfactorily completed a specified number of credits may do so provided that the number so admitted is included as part of the 10 percent exception, as defined in (6) above.

Specific Authority 240.209(1), 240.233 FS. Law Implemented 240.209(1)(4), (5)(a), 240.227(8), 240.233 FS. History—Formerly 6C-2.43, 11-18-70, Amended 11-20-70, Amended and Renumbered 12-17-74, Amended 1-24-77, 2-28-78, 10-17-78, 8-11-85, Formerly 6C-6.03, Amended 9-19-00.

6C-6.004 Transfer Students - Undergraduate.

(1) Each university shall develop admission policies governing the acceptance of undergraduate transfer students. Exceptions may be made on an individual basis when a student, in the judgment of an appropriate university committee, can reasonably be expected to do satisfactory academic work in the program and institution to which admission is sought. Applicants must meet the following minimum requirements.

(a) Be in good standing and eligible to return to the last institution attended as a degree-seeking student,

(b) A grade point average of at least 2.0 on a 4.0 system on all college-level academic courses attempted,

(c) Completed two credits of one foreign language or American sign language in high school, pursuant to paragraph 232.2462(1)(a), F.S., or 8 to 10 semester hours in the undergraduate institution attended. An alternate method for students to demonstrate equivalent foreign language competence is by means of credit awarded on the basis of scores on the foreign language

subject matter examinations in the College Level Examination Program (CLEP) pursuant to paragraph 6A-10.024(5)(b), F.A.C., which shall count toward the 8 to 10 semester hours. The examination, minimum scores for awarding credit, and maximum credit to be awarded are:

Examination	Minimum Score	Maximum Credit
French	50	12
	46	9
	42	6
German	55	12
	52	9
	43	6
Spanish	55	12
	48	9
	45	6

Likewise, students may demonstrate equivalent foreign language competence in Latin by means of a minimum score of 443 on the Latin examination published under the title of MAPS by The College Board, which represents the 1985 national mean of college bound seniors minus one (1) standard deviation. In the case of a student wishing to demonstrate competence by examination in a foreign language other than those identified above, or in American sign language, the standards and methods to be used will be identified by the university. Transfer students are exempt from this admissions requirement if they received an Associate in Arts degree prior to September 1, 1989, or if prior to August 1, 1989, they enrolled in a program of studies leading to an Associate degree from a Florida community college and maintain continuous enrollment until they are admitted to a university. Continuous enrollment will be established if the student enrolls at least one term each twelve month period beginning with the student's first enrollment in a community college and continuing until the student enrolls in a university.

(d) In addition, each university may admit a limited number of freshmen and lower level transfer students who have not met the above foreign language requirement if there is evidence that the applicants will do successful academic work at the admitting university. The number of such applicants enrolled in the University System under this paragraph shall not exceed 5 percent of the total number of freshmen (students who had not completed their first year of college or university) enrolled in the State University System in the prior academic year.

(e) All such lower level students except those exempted in paragraph 6C-6.004(1)(c), F.A.C., above, must satisfy the foreign language requirement prior to admission to the upper division at a state university. All Associate in Arts degree graduates from a public community college or university in Florida, except those exempted in paragraph 6C-6.004(1)(c), F.A.C., above, and all other upper level transfer students admitted without meeting the foreign language admission requirement, must satisfy the foreign language requirement prior to graduation from the university.

(2) Transfer Credit.

(a) Each university shall require applicants for transfer to submit complete academic transcripts from all institutions attended which shall list all courses for which the student was enrolled each term, the status in each course at the end of each term, all grades and credits awarded, and a statement explaining the grading policy of the institution.

(b) Each college-level academic course in which a grade of "D" or better was awarded shall be received, accepted, and retained as part of the transferring student's record by the receiving university in order that the appropriate college may determine the additional courses needed for the baccalaureate degree. This rule does not remove the university's minimum upper division credit requirements for graduation, but it does permit Florida public community college transfer students to satisfy curriculum requirements on the basis of a minimum number of credit courses completed in excess of 64 academic semester hours, when such credits are applicable for the program the student is entering.

(c) College-level academic courses completed by a student at a regionally or nationally accredited collegiate institution prior to graduation from high school may be accepted for transfer by a university provided the courses are applicable to a degree program offered at that institution.

(d) Credit earned in an external degree program shall not be accepted for transfer to a university unless such credit was earned through a collegiate institution accredited by the appropriate regional accrediting association.

(e) College credits earned by high school or college students on the basis of the College Entrance Examination Board's Advanced Placement Program, the International Baccalaureate Program or College Level Examination Program (CLEP) shall be accepted for transfer by a university provided the scores attained by the student on these examinations meet the standards established by the institution for the award of credit to its native students.

(3) AA Degree Graduates from Florida Community Colleges and SUS Universities.

(a) Admission of Associate in Arts degree graduates from Florida Community College and State University System institutions will be governed by the Articulation Agreement between the state universities and public junior colleges of Florida, as approved by the Board and the Board of Education. These Florida Associate in Arts degree graduates shall receive priority for admission to a state university over out-of-state students. Recruitment materials, catalogs, orientation programs, and student handbooks provided to freshmen enrollees and transfer students at state universities must include an explanation of this provision.

(b) Within curriculum, space, and fiscal limitations, admission as a junior to the upper division of a university shall be granted to any graduate of a state approved Florida community college or SUS institution who has completed the university parallel program and received the Associate in Arts degree, provided the degree has been awarded on the basis of the following:

1. At least 60 semester hours of academic work exclusive of occupational courses;
2. An approved general education program of at least 36 semester hours; and
3. A grade point average of at least 2.0 on a 4.0 system on all college level academic courses attempted, provided that only the final grade received in courses repeated by the student shall be used in computing the average.

(c) In addition to the Associate in Arts degree, the student should have completed two years of one foreign language in high school or the equivalent of such instruction at the postsecondary level, as defined in paragraph (1)(c), above. A student who received an Associate in Arts degree prior to September 1, 1989, or who enrolled in a program of studies leading to an Associate degree from a Florida community college prior to August 1, 1989, and maintains continuous enrollment shall be exempt from this admissions requirement. Any other Associate in Arts degree graduate admitted without meeting the foreign language requirement, must earn such credits prior to graduation from a state university.

(4) Transfers who have not received the AA Degree from Florida Community Colleges or SUS Institutions:

(a) In addition to the general requirements described in subsection (1) above, undergraduate transfer students who have not earned the AA degree from an approved Florida public institution and who seek admission to the lower division of a university should satisfy the same admission requirements as beginning freshmen; provided, however, that with approval of the Chancellor and of the Executive Director of the Community College System exceptions may be granted.

(b) In determining eligibility for admissions of undergraduate transfer students who have not earned the AA degree from an approved Florida public institution, a university will provide for reasonable substitution for any requirement or high school unit distribution requirement for any student with a disability as prescribed in Rule 6C-6.018, F.A.C.

(c) Except for special purpose programs approved by the Board, transfer applicants for admission to the upper division of a university shall have completed the following:

1. At least 60 semester hours of transfer credit in college-level academic courses, exclusive of occupational courses; and
2. The prerequisite courses listed by the upper division program to which admission is sought.

(d) Any upper level student admitted who has not completed two years of one foreign language in high school or the equivalent of two years of such high school foreign language in the undergraduate institution attended except those exempted in paragraph 6C-6.004(1)(c), F.A.C., above, shall, prior to graduation from a state university, successfully complete 8 to 10 semester hours of postsecondary level instruction in one foreign language or American sign language. An alternate method for students to demonstrate equivalent foreign language competence is by means of credit awarded on the basis of scores on the foreign language subject matter examinations in the College Level Examination Program (CLEP) or the Latin examinations published under the title of MAPS by the College Board. The scores that evidence equivalent competence are listed under paragraph (1)(c), above. In the case of a student wishing to demonstrate competence by examination in a foreign language other than those identified in paragraph (1)(c), above, or American sign language, the standards and methods to be used will be identified by the university.

(5) Graduation Requirements – Each university shall determine when the student has met requirements for a degree.

(a) Florida community college and state university students who have been certified as having completed an approved general education program prior to transfer will be considered as having met the general education requirements of the receiving university.

(b) Courses in which “D” grades were earned prior to transfer will be treated as if the grades were earned at the receiving university. The department or college in which the student enrolls shall, at its discretion, determine whether or not courses in which a student received “D” grades may be used to satisfy requirements in the student’s major field. The university awarding the bachelor’s degree shall determine the courses in the major taken prior to transfer.

(c) Any student admitted without two years of one foreign language or American sign language in high school or the equivalent of such instruction at the postsecondary level, except those exempted in paragraph 6C-6.004(1)(c), F.A.C., above, must satisfy the admissions requirement, as prescribed in paragraph (1)(c), above, prior to graduation.

(d) The graduation requirements in effect at the receiving university at the time a student enrolls at a Florida community college shall apply to that student in the same manner that graduation requirements of the SUS university apply to its native students, provided the student has had continuous enrollment as defined in the SUS institution’s catalog.

Specific Authority 240.209(1), (3)(r), 240.233 FS. Law Implemented 240.209(1), 240.115, 240.227(8), 240.152, 240.153, 240.233 FS. History—Formerly 6C-2.44, 6C-2.45, 11-18-70, Amended 7-6-72, Amended and Renumbered 12-17-74, Amended 8-1-84, 8-11-85, Formerly 6C-6.04, Amended 4-20-87, 1-6-88, 10-19-88, 1-23-90, 1-7-91, 9-15-91, 11-9-92, 11-27-95.

6C-6.005 Acceptance of College Credit by Examination.

(1) The universities shall accept for credit College Level Examination Program (CLEP) and other State Board of Education approved standardized examinations when presented by students who are admitted and/or enrolled.

(a) In the case of the CLEP and other approved examinations, cut-off scores or percentiles (whichever are appropriate), as well as the minimum amount of credit that will be awarded by universities, are specified in the Articulation Agreement between the Public Universities and Community Colleges found in Rule 6A-10.024, F.A.C.

(b) Credit awarded by universities on the basis of CLEP or other approved standardized examinations shall be fully transferable to all universities in the State University System.

(2) Credits earned through the CLEP or other approved standardized examination programs shall not be included in enrollment data for budget purposes.

Specific Authority 240.209(1), (3)(o) FS. Law Implemented 240.209(1), (3)(o), 240.115(5), 240.116(1), (5) FS. History--Formerly 6C-2.67, 11-5-73, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-6.05, Amended 10-19-88.

6C-6.006 Acceleration Mechanisms for Program Completion.

(1) Each baccalaureate degree program offered by a university shall be designed so that students may complete a minimum of twenty-five percent (25%) of degree requirements through the acceleration mechanism listed below:

(a) Achievement of specified performance levels on appropriate recognized standardized, institutional or departmental examinations;

(b) Recognition of satisfactory performance in secondary school Advanced Placement Programs of the College Entrance Examination Board or International Baccalaureate Program;

(c) Dual enrollment in a community college or university prior to graduation from high school or community college; or

(d) Any combination of the above acceleration mechanisms.

(2) In order to facilitate acceleration, each university must award credit for specific courses for which competency has been demonstrated by successful passage of an exemption or waiver examination. Universities may not exempt students from courses without the award of credit if competencies have been so demonstrated.

(3) Each university shall establish a program of early admission for public school students qualifying for such a program under provisions of subsection 6A-1.095(2), F.A.C., of the regulations of the State Board of Education.

(4) Each university shall describe clearly the various options available for acceleration and the criteria governing such options in its catalog and other appropriate publications or advisement materials.

Specific Authority 240.209(1), (3)(o) FS. Law Implemented 240.209(1), (3)(o), 240.115(4), 240.116(1), (6) FS. History--Formerly 6C-2.69, 1-7-73, Amended and Renumbered 12-17-74, Amended 1-10-78, 8-11-85, Formerly 6C-6.06, Amended 10-19-88, 3-29-89.

6C-6.009 Admission of Foreign Students to SUS Institutions.

(1) Within enrollment, space and fiscal limitations, eligible foreign students may be accepted for admission at the appropriate level to a SUS university. Each SUS university which enrolls foreign students shall develop admission policies for these students which are consistent with the policies of the Board. As a minimum, university admission policies shall require that:

(a) The applicant is academically eligible for admission;

(b) The applicant's proficiency in English is adequate;

(c) The applicant has sufficient financial resources to cover his expenses while enrolled at the university; and

(d) The applicant's physical and mental health are good.

(2) Each university shall require a foreign applicant to furnish a complete chronological record of previous educational experience indicating the schools attended, examinations passed, and certificates or diplomas earned. In addition, each foreign applicant shall be required to furnish official copies of any academic records which may be necessary to ascertain the level and quality of the student's previous education. If a student claims completion of various courses but cannot produce the official documents, departmental examinations may be used to validate the student's claims. In assessing a foreign applicant's eligibility for admission, a university shall determine that the applicant is academically eligible for admission to the program at the level of entrance requested by the applicant, taking into consideration the comparability of the applicant's completed course of study in his own country.

(3) Each university shall require a foreign applicant whose native tongue is not English to furnish satisfactory evidence that the applicant's competency in English is adequate.

(a) In order to assess English proficiency, scores on the Test of English as a Foreign Language (TOEFL) shall normally be required of all applicants except those from countries where English is the only official language.

(b) Unless other satisfactory evidence indicates that the student will be able to perform at an acceptable level, the university shall require that a foreign applicant achieve a score of 500 or above on TOEFL.

(4) Each university shall require foreign applicants to furnish a detailed statement showing specific sources of financial support and the exact amount expected from each source. No university shall issue a Visa Certificate of Eligibility (Form I-20) until an appropriate official at the institution has reviewed the financial statement and determined that the foreign applicant's sources of financial support are adequate to cover his total expenses for the period of time the student is seeking to enroll at the university.

(5) Each university shall require a foreign applicant, determined to be academically and financially eligible for admission, to submit a health history form including dates of immunizations as required by the university.

(6) As of Fall 1992, no foreign student in F-1, F-2, J-1 or J-2 non-immigrant status shall be permitted to register, or to continue enrollment, at a university without demonstrating that he or she has adequate medical insurance coverage for illness or accidental injury. An adequate medical insurance policy will: provide that the insurance proceeds are payable in United States currency; not restrict its use to a specific institution, hospital, clinic, infirmary, or other health care agency; and not restrict its use to a particular locale. A university may require the insurer to have a United States claims agent.

Specific Authority 240.209(1) FS. Law Implemented 240.209(1), 240.227(8), 240.233 FS. History--Adopted 7-6-72, Amended and Renumbered 12-17-74, Amended 6-21-83, 8-11-85, Formerly 6C-6.09, Amended 12-9-91.

6C-6.010 Student Affairs.

(1) The university president shall establish rules and regulations governing student affairs.

(2) Each university shall compile and update annually a student handbook as provided in Section 240.2097(3), F. S.

Specific Authority 240.209(1), (3)(r), 240.2097 FS. Law Implemented 240.209(1), 240.227, 240.2097(3) FS. History--Formerly 6C-2.47, 11-18-70, Amended 7-25-73, Amended and Renumbered 12-17-74, Amended 1-10-78, 2-18-80, 8-11-85, Formerly 6C-6.10, Amended 4-9-87, 11-27-95.

6C-6.0105 Student Conduct and Discipline.

(1) In furtherance of the educational mission of the universities, each university president shall establish university rules that ensure fairness and due process in student disciplinary proceedings and that guarantee the academic integrity of the university. This rule applies to all student disciplinary proceedings conducted by a university under ss. 240.132, 240.1325, 240.133, 240.261, or 240.262, F.S.

(2) Each university shall establish a Student Disciplinary System, including a code of conduct, which shall include, at a minimum:

(a) A written description of the rights and responsibilities of students, standards of conduct expected by the university, a list of specific violations, appropriate penalties or sanctions, and procedures for filing complaints and conducting student disciplinary proceedings, which must be consistently administered by the university. An amendment to the list of specific violations in the university's code of conduct may not be applied retroactively to conduct that occurred before the effective date of the amendment;

(b) Definitions of terms used in the university's code of conduct, such as "student" and "university community," and a description of the specific locations to which the code of conduct generally applies, except in circumstances of certain off-campus conduct as described in the code of conduct;

(c) University hearing committees, panels, or courts, of which students, appointed by the appropriate university process comprise at least one-half of the membership;

(d) A written description of the general procedures to be followed in the initial student disciplinary proceeding which shall include a description of each step of the disciplinary process, the services available to the student for preparing his or her defense, and the availability of impartial advisers for a student charged with a violation;

(e) A written procedure for the disposition of emergency cases that involve the health, safety, or welfare of the student or the university community;

(f) Acknowledgement that the burden of proof in student disciplinary proceedings is on the complainant;

(g) Provision for the requirements as to the burden of proof required in student disciplinary proceedings, which shall, at a minimum, be a preponderance of the evidence;

(h) Provision of a time limit for charging a student with a violation of the university's code of conduct, which may not exceed 1 year from the date the violation was committed or discovered, whichever is later. University administrators may exercise professional discretion when applying the time provision to account for circumstances that warrant a waiver of the one-year time limit from the date of discovery. Such circumstances include but are not limited to: stalking, sexual battery, relationship violence, in which the delay may be related to issues of victimization; and

(i) Provision for an accurate and complete record of each student disciplinary proceeding and the preservation thereof.

(3) Each university shall publish the following information on its Internet website and in its student handbook as described in s. 240.2097, F.S.:

(a) University policies implementing ss. 240.132, 240.1325, 240.133, 240.261, and 240.262, F.S., which govern the conduct and discipline of students, including the university's code of conduct and the procedures for filing complaints and conducting student disciplinary proceedings; and

(b) A description of each step of the disciplinary process, the resources available to a student for preparing his or her defense, and the availability of impartial advisers for a student charged with a violation.

(4) Each university shall comply with s. 228.093, F.S., 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act of 1974, as amended, and other requirements of state and federal law relating to the confidentiality of the records and reports of students.

(5) The due process requirements contained in subsection (6), below, are applicable in all cases involving student discipline, including matters concerning academic dishonesty.

(6) Due process as applied by the universities must include, as a minimum, the following:

(a) The student shall be provided with written notice of the charges against him or her in sufficient detail and in sufficient time to prepare for a hearing before an appropriate committee, panel, or court, as established by each university, or before the appropriate university official or officials. The written notice of the charges shall be accompanied by the forms and information described in paragraph (6)(c), below.

(b) Each university shall establish a minimum number of days before the student disciplinary proceeding within which the university must present to the student the written notice of charges, but in no case will this notice be less than 3 regular business days (excluding legal holidays), except in cases of emergency as specified below or unless waived by the student.

(c) The student shall be entitled to a prompt disciplinary proceeding before an appropriate committee, panel, or court, as established by each university, with allowances for delays due to the unavailability of student members serving on such committee, panel or court. Alternatively, the student has the option to waive the notice requirements in paragraph (b) and request adjudication of the matter by an appropriate university official or officials, as designated by the university. The student's right to a student disciplinary proceeding conducted by a committee, panel, or court composed of at least one-half of students may only be waived by the student in writing on forms provided by the university which include an explanation of the effect of the waiver.

(d) The student may have an adviser of the student's choice present at the student disciplinary proceeding.

(e) The student and his or her adviser, if any, have the right to inspect all of the information that will be presented against the student at least 3 regular business days (excluding legal holidays) before the student disciplinary proceeding. The University also has the right to review any information the student intends to use at least 3 regular business days (excluding legal holidays) before the student disciplinary proceeding.

(f) The student may present information on his or her own behalf.

(g) The student may hear and question adverse witnesses.

(h) The student may not be forced to present testimony that is self-incriminating; however, the university is not required to postpone student disciplinary proceedings pending the outcome of a criminal prosecution, and a penalty or sanction imposed under the university's code of conduct is in addition to any penalty imposed by the courts for the criminal offense.

(i) The decision of responsible or not responsible on the charges of violating the university's code of conduct must be based solely on the information presented at the student disciplinary proceeding.

(j) The decisions of any university committee, panel, or court, or of any university official or officials, must be presented to the student in writing and within a reasonable period of time after the conclusion of the student disciplinary proceeding, as specifically prescribed by the university's rules.

(k) If a university's policies provide that the decision of a university committee, panel, or court in a student disciplinary proceeding constitutes a recommendation to a university official for official action, then the following apply:

1. With respect to a finding of responsible or not responsible on the charges of violating the university's code of conduct, the university official reviewing the recommendation of the university committee, panel, or court may only:

a. Accept the recommendation; or

b. Remand the case for rehearing.

2. With respect to penalties or sanctions, the university official may modify the penalty or sanction recommended by the university committee, panel, or court if the penalty or sanction is inappropriate to the violation.

3. Any differences between the recommendation of the university committee, panel, or court and the university official's final decision, and the reasons therefor, must be based on information from the student disciplinary hearing and presented to the student in writing.

(l) The student may appeal the decision of any university committee, panel, or court, or of any university official or officials, within a period specified by the university, to the president or the president's designee. No person may hear or decide an appeal if he or she participated in the decision to charge the student with the violation or if he or she conducted or participated in the student disciplinary proceeding being reviewed on appeal.

(m) The student's status will remain unchanged pending the university's final decision in the student disciplinary proceeding, except in cases where the president or president's designee determines that the health, safety, or welfare of the student or the university community is involved. A student's enrollment status may be changed only in cases where the president or president's designee determines that an emergency exists, which affects the health, safety or welfare of the student or the university community. If a student's enrollment status is changed under this paragraph, but the student is subsequently found not responsible for the violation, the university must:

1. Correct any record of the change in enrollment status in the student's permanent records and reports in a manner compliant with state and federal laws; and

2. Refund to the student, a pro rata portion of any fees and charges for tuition, other university specific fees and charges as appropriate due to the temporary change in enrollment status and in a manner consistent with university policies and procedures.

(7) At the conclusion of the appeals process, the decision of the president or the president's designee shall be final.

(8) Each university shall include in its list of violations of the university's code of conduct, a description of those types of violations occurring off-campus for which the student may be subject to discipline. The action of the university with respect to any such off-campus conduct shall be taken independently of any off-campus authority. The disciplinary authority of the university for off-campus conduct will not be exercised to merely duplicate the penalties imposed under applicable federal, state, and local laws and ordinances. The university may only take disciplinary action against a student for violations committed off campus if at least one of the following applies:

(a) The off-campus conduct is specifically provided by law or the university's code of conduct as subject to university discipline.

(b) The off-campus conduct demonstrates that the continued presence of the student on campus presents a danger to the health, safety, or welfare of the university community; is disruptive to the orderly conduct processes and functions of the university; or is intimidating or threatening to the university community or an individual within the university community.

(c) The off-campus conduct is of such a serious nature that it adversely affects the student's suitability to remain a part of the university community.

(9) If a student charged with an off-campus violation of the university's code of conduct disputes whether the off-campus conduct is subject to discipline under the university's code of conduct, the university committee, panel, or court, or the university official or officials, shall consider the dispute and review the decision to charge the student with a violation.

(10) Each university's code of conduct shall include a description of the rights of alleged victims in the student disciplinary system. The university shall provide notice to the victim of his or her rights at least 3 regular business days (excluding legal holidays) before the student judicial proceeding is conducted. Each university is encouraged to provide support and assistance programs for victims, as appropriate.

(11) Each university shall establish a committee for the periodic evaluation of its student disciplinary system. At least one-half of the committee members shall be students appointed by the student body president.

(12) At least once every 5 years, the committee created by s. 120.81(1)(g), F.S., shall periodically review and evaluate this rule to determine that it ensures fairness and due process in disciplinary proceedings involving students in the State University System and systemwide accountability for the proper functioning of the student judicial system at each of the universities.

Specific Authority 120.81(1)(g), 240.209(1) FS. Law Implemented 120.81(1)(g), 240.209(1) FS. History--New 2-18-85, Formerly 6C-6.105, Amended 4-29-01.

6C-6.0115 Observance of Religious Holy Days.

(1) Each university shall adopt a policy on the observance of religious holy days in accordance with these minimum requirements and the requirements of Section 240.134, Florida Statutes.

(2) A student who wishes to observe a religious holy day of his or her religious faith will notify all of his or her instructors and be excused from class to observe the religious holy day.

(3) The student will be held responsible for any material covered during the excused absence, but will be permitted a reasonable amount of time to make up any work missed. Where practicable, major examinations, major assignments, and university ceremonies will not be scheduled on a major religious holy day.

(4) Students who are absent from academic or social activities because of religious observances will not be penalized.

(5) Each university shall provide a procedure for students to seek redress in cases where the students believe they have been denied educational benefits because of their religious belief or practice.

(6) The policy on the observance of religious holy days and the applicable procedure shall be included in the student handbook, university catalogue, or other material regularly distributed to university students and faculty members.

Specific Authority 240.209(1), (3)(o), 240.134 FS. Law Implemented 240.209(1), (3)(o), 240.134 FS. History--New 3-29-89.

6C-6.015 Student Records and Reports.

(1) Each university shall maintain records and reports of students in all programs conducted by each university under the authority of the Board.

(2) The president of each university shall designate custodians of student records and reports. The term "records" and "reports" mean those records, files, documents and other materials as defined in Section 228.093(2)(a), F.S., which contain information directly accessible to other professional personnel for purposes of this rule.

(3) Each university shall adopt rules for student records and reports which shall include the right of waiver of access, right to challenge and hearing, right of privacy, directory information, transfer of records and security of records. The rules shall also provide for annual notification of parents and students regarding rights relating to student records and reports and regarding the location and availability of university's rules on student records and reports as outlined in Section 228.093(4), F.S.

(4) Provisions shall be made by each university for permitting the student or the parent or guardian of dependent students as defined in Title 26 U. S. C. Section 152 (Section 152 of Internal Revenue Code of 1954) who is or has been in attendance in the university to inspect and review the student records and reports.

(a) Requests for student lists and for access to student records and reports or for copies or explanation thereof pursuant to Section 228.093, F.S., shall be presented in writing on a form specified by the university.

(b) Access to any report or record requested under Section 228.093(3)(a)2., F.S., will be granted within 30 days after receipt of the request by the institution.

(5) Student records and reports shall be open to inspection only as provided in Section 228.093, F.S., or upon the order of a court of competent jurisdiction.

Specific Authority 240.209(1), (3)(m), 240.237 FS. Law Implemented 228.093(2), (3), (4), 240.209(1), (3)(m), 240.237 FS. History—Formerly 6C-2.67, 6-25-73, Amended and Renumbered 12-17-74, Amended 5-27-75, 5-9-79, 8-11-85, Formerly 6C-6.15.

6C-6.016 Summer Session Enrollment.

All students entering a university in the State University System with fewer than 60 semester hours credit shall be required to earn at least 9 semester hours prior to graduation by attendance at one or more summer sessions. University presidents or their designees may waive the application of this rule in cases of unusual hardship to the individual.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.209(1), 240.227(17) FS. History—New 6-12-75, Amended 6-25-80, Repromulgated 8-11-85, Formerly 6C-6.16, Amended 1-8-92, 8-19-92, 9-23-93, 11-27-95.

6C-6.017 Criteria for Awarding the Baccalaureate Degree.

Prior to receiving a baccalaureate degree from any university in the State University System, a student must satisfy the following requirements in order to be considered eligible for graduation:

(1) Completion of requirements in English and Mathematics as prescribed by the State Board of Education in Rule 6A-10.030, F.A.C.;

(2) Presentation of passing scores on all four subtests of the College-Level Academic Skills Test (CLAST) as required by Rule 6A-10.0314, F.A.C.; unless the student meets the requirements of subsection 6A-10.0311(5), F.A.C., or Sections 240.107(9)(a), (b), or (c), F.S.

(3) Completion of any other degree program requirements as specified by the university.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.209(1), 240.107(9) FS. History—New 8-9-83, Amended 8-11-85, Formerly 6C-6.17, Amended 9-28-86, 10-19-88, 11-27-95.

6C-6.018 Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and for Graduation by Students with Disabilities.

(1) A university shall provide reasonable substitution or modification for any requirement for admission into an undergraduate or graduate program of study, or for entry into the upper division, or for graduation for any student who is hearing impaired, visually impaired, or dyslexic, or who has a specific learning disability where documentation can be provided that the student's failure to meet the requirement is related to the disability, and where the failure to meet the requirement does not constitute a fundamental alteration in the nature of the program.

(2) In determining whether to grant a substitution or modification, a university will consider pertinent documents including, but not limited to, a physician's statement, vocational rehabilitation records, and school records maintained as a result of the exceptional child provisions of Public Law 94-142. The State Board of Education has prescribed in Rule 6A-10.041, F.A.C., the definitions of disabilities to which this Rule 6C-6.018, F.A.C., applies, and each university will provide the student the opportunity to present evidence to support his or her disabilities, and an appeals process.

Specific Authority 240.209(1), (3)(p) FS. Law Implemented 240.209(1), 240.152, 240.153 FS. History—New 4-20-87, Amended 9-15-91.

6C-6.022 Veterans' Benefits - Inmate Students.

No university may certify an inmate student in a correctional facility for Veterans' Administration benefits when the education program is being provided through state funding at no cost to the inmate student.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.209(1), 240.235 FS. History—New 11-7-79, Amended 8-11-85, Formerly 6C-10.11, 6C-10.011.

CHAPTER 6C-7 TUITION AND FEES

6C-7.001	Tuition, Fee Schedule and Percentage of Cost.
6C-7.002	Fee Assessment and Remittance.
6C-7.003	Special Fees, Fines and Penalties.
6C-7.004	Deferred Payment of Fees.
6C-7.005	Student Residency.
6C-7.006	Limitation on Non-Resident Student Enrollment.
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6C-7.009	Uniform Registration and Fee Payment Policy. (Repealed)
6C-7.010	Enrollment for Budget Allocation Purposes. (Repealed)
6C-7.011	Indebtedness to University. (Repealed)
6C-7.012	Free Course Enrollment for Older Residents. (Repealed)
6C-7.013	Enrollment Reporting. (Repealed)
6C-7.014	Good-Gulfstream Trust Fund for Higher Education. (Repealed)

6C-7.001 Tuition, Fee Schedule and Percentage of Cost.

(1) Tuition shall be defined as fees assessed to students for enrollment in credit courses at any of the state universities. Tuition consists of the following fees, depending on whether a student is a resident or a non-resident:

(a) Resident tuition, comprised of the following, shall be defined as the fees charged an enrolled student who qualifies as a Florida resident as defined in Rule 6C-7.005, F.A.C.:

1. Matriculation Fee;
2. Student Financial Aid Fee;
3. Capital Improvement Trust Fund Fee;
4. Building Fee;
5. Health Fee;
6. Athletic Fee;
7. Activity and Service Fee; and,
8. University Matriculation Fee.

(b) Non-Resident tuition, comprised of the following, shall be defined as the fees charged an enrolled student who does not qualify as a Florida resident as defined in Rule 6C-7.005, F.A.C.:

1. Matriculation Fee;
2. Non-Resident Fee;
3. Student Financial Aid Fee;
4. Non-Resident Student Financial Aid Fee;
5. Capital Improvement Trust Fund Fee;
6. Building Fee;
7. Health Fee;
8. Athletic Fee;
9. Activity and Service Fee;
10. University Matriculation Fee; and,
11. University Non-Resident Fee.

(2) Registration shall be defined as consisting of two components:

(a) Formal selection of one or more credit courses approved and scheduled by the university; and,

(b) Tuition payment, partial or otherwise, or other appropriate arrangements for tuition payment (installment payment, deferment, or third party billing) for the courses in which the student is enrolled as of the end of the drop/add period.

(3) Tuition liability shall be defined as the liability for the payment of tuition incurred at the point at which the student has completed registration, as defined above.

(4) The following tuition shall be levied and collected effective the fall semester indicated for each student regularly enrolled, unless provided otherwise in this chapter.

(a) Students enrolled in programs other than the MD, DMD or DVM in the University of Florida College of Medicine, College of Dentistry, or College of Veterinary Medicine, or in the MD program in the University of South Florida College of Medicine will be assessed the following fees per credit hour:

Fall 2001

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$53.02	\$53.02	\$127.58	\$127.58	\$144.99	\$144.99
Matriculation 5% Maximum Differential	\$2.65	\$2.65	\$6.37	\$6.37	\$7.24	\$7.24
Non-Resident		\$238.49		\$369.32		\$384.68
Non-Resident 5% Maximum Differential		\$11.92		\$18.46		\$19.23
Student Financial Aid	\$2.65	\$2.65	\$6.37	\$6.37	\$7.24	\$7.24
Student Financial Aid 5% Maximum	\$0.13	\$0.13	\$0.31	\$0.31	\$0.36	\$0.36
Differential Non-Resident Student Financial Aid		\$11.92		\$18.46		\$19.23
Non-Resident Student Financial Aid 5% Maximum		\$0.59		\$0.92		\$0.96
Differential Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service	Varies by University per Rule 6C-7.003, F.A.C.					
Health	Varies by University per Rule 6C-7.003, F.A.C.					
Athletic	Varies by University per Rule 6C-7.003, F.A.C.					
Total ^a	\$60.43	\$310.84	\$138.71	\$526.49	\$156.99	\$560.90
Total ^{ab}	\$63.21	\$326.13	\$145.39	\$552.55	\$164.59	\$588.69

^a Excludes fees that vary by university per Rule 6C-7.003, F.A.C.

^b Total including the maximum differential charges.

Fee	Undergraduate		Graduate		Law	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$49.33	\$49.33	\$118.68	\$118.68	\$134.88	\$134.88
Matriculation 5% Maximum Differential	\$2.46	\$2.46	\$5.93	\$5.93	\$6.74	\$6.74
Non-Resident		\$221.86		\$343.56		\$357.85
Non-Resident 5 % Maximum Differential		\$11.09		\$17.17		\$17.89
Student Financial Aid	\$2.46	\$2.46	\$5.93	\$5.93	\$6.74	\$6.74
Student Financial Aid 5% Maximum Differential	\$0.12	\$0.12	\$0.30	\$0.30	\$0.34	\$0.34
Non-Resident Student Financial Aid		\$11.09		\$17.17		\$17.89
Non-Resident Student Financial Aid 5% Maximum Differential		\$0.55		\$0.86		\$0.89
Capital Improvement Trust Fund	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44	\$2.44
Building	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32	\$2.32
Activity and Service		Varies by University per Rule 6C-7.003, F.A.C.				
Health		Varies by University per Rule 6C-7.003, F.A.C.				
Athletic		Varies by University per Rule 6C-7.003, F.A.C.				
Total ^a	\$56.55	\$289.50	\$129.37	\$490.10	\$146.38	\$522.12
Total ^{ab}	\$59.13	\$303.72	\$135.60	\$514.36	\$153.46	\$547.98

^a Excludes fees that vary by university per Rule 6C-7.003, F.A.C.

^b Total including the maximum differential charges.

(b) Students enrolled in the MD, DMD and DVM programs in the University of Florida College of Medicine, College of Dentistry, and College of Veterinary Medicine, or in the MD program in the University of South Florida College of Medicine will be assessed the following fees per student for the academic year as defined by each university:

Fall 2001

Fee	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$10,410.26	\$10,410.26	\$9,052.42	\$9,052.42	\$7,603.98	\$7,603.98
Matriculation 5% Maximum Differential	\$520.50	\$520.50	\$452.62	\$452.62	\$380.18	\$380.18
Non-Resident		\$18,974.86		\$16,499.86		\$13,859.90
Non-Resident 5% Maximum Differential		\$948.74		\$824.98		\$692.98
Student Financial Aid	\$520.50	\$520.50	\$452.62	\$452.62	\$380.18	\$380.18
Student Financial Aid 5% Maximum Differential	\$26.02	\$26.02	\$22.62	\$22.62	\$19.00	\$19.00
Non-Resident Student Financial Aid		\$948.74		\$824.98		\$692.98
Non-Resident Student Financial Aid 5% Maximum Differential		\$47.42		\$41.24		\$34.64
Capital Improvement Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60
Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service	Varies by University per Rule 6C-7.003, F.A.C.					
Health	Varies by University per Rule 6C-7.003, F.A.C.					
Athletic	Varies by University per Rule 6C-7.003, F.A.C.					
Total ^a	\$11,121.16	\$31,044.76	\$9,695.44	\$27,020.28	\$8,174.56	\$22,727.44
Total ^{ab}	\$11,667.68	\$32,587.14	\$10,170.68	\$28,361.74	\$8,573.74	\$23,854.24

^a Excludes fees that vary by university.

^b Total including the maximum differential charges.

Fee	Medical		Dental		Veterinary	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Matriculation	\$9,683.98	\$9,683.98	\$8,420.86	\$8,420.86	\$7,073.48	\$7,073.48
Matriculation 5% Maximum Differential	\$484.18	\$484.18	\$421.04	\$421.04	\$353.66	\$353.66
Non-Resident		\$17,651.04		\$15,348.72		\$12,892.94
Non-Resident 5% Maximum Differential		\$882.54		\$767.42		\$644.64
Student Financial Aid	\$484.18	\$484.18	\$421.04	\$421.04	\$353.66	\$353.66
Student Financial Aid 5% Maximum Differential	\$24.22	\$24.22	\$21.04	\$21.04	\$17.68	\$17.68
Non-Resident Student Financial Aid		\$882.54		\$767.42		\$644.64
Non-Resident Student Financial Aid 5% Maximum Differential		\$44.12		\$38.38		\$32.22
Capital Improvement Trust Fund	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60	\$97.60
Building	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80	\$92.80
Activity and Service		Varies by University per Rule 6C-7.003, F.A.C.				
Health						
Athletic						
Total ^a	\$10,358.56	\$28,892.14	\$9,032.30	\$25,148.44	\$7,617.54	\$21,155.12
Total ^{ab}	\$10,866.95	\$30,327.20	\$9,474.38	\$26,396.32	\$7,988.88	\$22,203.32

^a Excludes fees that vary by university.

^b Total including the maximum differential charges.

(c) Pursuant to Section 240.124, F.S., each student enrolled in the same undergraduate course more than twice, shall be assessed an additional \$185.34 per credit hour charge in addition to the fees outlined above in paragraph 6C-7.001(4)(a), F.A.C., for each such course.

(d) Pursuant to Section 240.117, F.S., each FAMU student enrolled in the same college-preparatory class, more than twice shall be assessed an additional \$191.55 per credit hour charge in addition to the fees outlined above in paragraph 6C-7.001(4)(a), F.A.C., for each such class.

(e) Pursuant to CS/CS/HB 1567, 2000 Legislature, a university may use a plan, approved by the Board, for a differential out-of-state tuition fee for students who are residents of another state that borders the university's service area.

(5) Pursuant to Section 240.209(3)(e), Florida Statutes, the following process shall be used to determine the percentage of cost paid by students for setting the matriculation and non-resident fees.

(a) The most recent expenditure analysis, developed in compliance with Section 240.271(4), Florida Statutes, will be used as the base for the full expenditure by level of instruction. Fundable credit hours estimated by the Board of Regents, for the year prior to the effective date of the fees, will be used for the enrollment base for each level. Expenditures for each level of instruction will be adjusted by using the percentage change in the total expenditures reported in the expenditure analysis as compared to the estimated total expenditures for the year prior to the effective date of the fees.

(b) The adjusted expenditures for each level of instruction will be divided by the credit hours to obtain the full expenditure per credit hour. The percentage of cost paid by students will be determined by finding the percentage the Matriculation Fee is of the full expenditure per credit hour, by level, for resident students; and by finding the percentage the sum of the Matriculation Fee and the Non-Resident Fee is of the full expenditure per credit hour, by level, for non-resident students.

Specific Authority 240.209(1), (3)(e) FS. Law Implemented 240.117, 240.124, 240.209(3)(e), (h), 240.235(1) FS., General Appropriations Act, 2001-02, Conference Committee Report on General Appropriations Act, 2000, CS/CS/HB 1567, 2000 Legislature. History--Adopted 4-8-79, Renumbered 12-16-74, Amended 6-28-76, 7-4-78, 8-6-79, 9-28-81, 12-14-83, 7-25-84, 10-2-84, 10-7-85, Formerly 6C-7.01, Amended 12-25-86, 11-16-87, 10-19-88, 10-17-89, 10-15-90, 9-15-91, 1-8-92, 11-9-92, 7-22-93, 8-1-94, 11-29-94, 4-16-96, 8-12-96, 9-30-97, 12-15-97, 8-11-98, 9-30-98, 8-12-99, 8-3-00, 8-28-00, 8-12-01.

6C-7.002 Fee Assessment and Remittance.

(1) The Matriculation Fee, Non-Resident Fee, Application Fee, 50 percent of the Late Payment Fee, and 50 percent of the Late Registration Fee shall be remitted to the appropriated Student Fee Trust Funds.

(2) The Building Fee and Capital Improvements Fee shall be remitted to the appropriate fund in the Office of the Board of Regents and utilized as provided in Section 18, Chapter 94-292, Laws of Florida, and Section 240.531, Florida Statutes.

(3) Student Financial Aid Fees – The Student Financial Aid fees shall be remitted to the appropriate fund at the university. Each university may use up to 15 percent of the fees collected to pay for administrative costs associated with administration of financial aid programs.

(4) Independent and/or external degree programs – All independent and/or external degree programs must be approved by the Board of Regents. Any credit instruction undertaken through such programs shall be charged and funds remitted in the same manner as other credit instruction.

(5) Course Classification – Resident and Non-Resident tuition shall be assessed on the basis of course classification: courses numbered through 4999 shall be assessed at the undergraduate level, courses numbered 5000-8999 shall be assessed at the graduate level, and those courses identified by the University of Florida and the University of South Florida as medical shall be assessed as outlined in paragraph 6C-7.001(4)(b), F.A.C.

(6) Each university shall establish by rule, procedures for the payment of tuition. Such rules shall provide that a student's course schedule is cancelled if payment, or appropriate arrangements for payment, has not occurred by the deadline set by each university, which shall be no later than the end of the second week of classes. Provision for reinstatement of cancelled course schedules may be included. The president, or the president's designee, may extend the deadline for fee payment when payment by the student is delayed due to university actions. However, the president may choose to temporarily suspend further academic progress in lieu of cancelling a student's course schedule in those cases where the student has partially paid tuition and the university guarantees full payment from an authorized and existing fund before the submission of the final student data course file or the end of the semester, whichever is later; otherwise, the student credit hours shall not be counted for state funding purposes. Suspension of academic progress shall preclude students from receiving grades, transcripts, or a diploma and shall deny registration for future terms until the student's account has been settled in full.

(7) All or any part of the tuition may be waived by the university when deemed appropriate provided that provisions for such waiver are included in Florida Statutes or the rules of the Board of Regents.

(8) Installment Payments – The university president may establish a procedure for the payment of tuition in installments. Such procedure shall require the payment of at least 50 percent of the tuition liability by the end of the tuition payment deadline set by each university and the remaining tuition shall be paid no later than the beginning of the second half of the academic term. Such procedure may include a fee of \$10.00 which shall be deposited into the appropriated Student Fee Trust Funds, as required by Section 240.235(6), Florida Statutes.

(9) Tuition Refund/Release of Liability – Each university shall establish, by rule, procedures for the refund or release of liability of tuition assessed and paid pursuant to this Rule. As a minimum, such rule shall provide for the refund/charge adjustment of the following:

(a) Refund 100 percent of the tuition assessed, adjusted for waivers, if official withdrawal from the university occurs prior to the end of drop/add period.

(b) Refund 25 percent of the tuition assessed, adjusted for waivers, if official withdrawal from the university occurs prior to the end of the fourth week of classes, or as designated by the university for summer sessions.

(c) 100% refund of the tuition assessed, adjusted for waivers, if a student withdraws or drops one or more credit courses due to circumstances determined by the university to be exceptional and beyond the control of the student, including but not limited to:

1. Illness of a student of such severity or duration, as confirmed in writing by a physician, to preclude completion of the course(s).

2. Death of the student or death in the immediate family (parent, stepparents, spouse, child, sibling, or grandparents).

3. Involuntary call to active military duty, or

4. A situation in which the university is in error. The amount of a payment in excess of the adjusted assessment will be refunded.

(10) A written appeal for a refund or other appeal action must be submitted to the university within six (6) months of the close of the semester to which the refund or other appeal action is applicable.

Specific Authority 240.209(1), (3)(e) FS. Law Implemented 240.209(1), (3)(e), 240.227(20), 240.233(1)(b), 240.235(7), 240.2805, 240.291, 240.531 FS. History—Adopted 4-8-74, Amended 7-19-74, Amended and Renumbered 12-17-74, Amended 6-26-75, 2-28-76, 11-1-76, 3-21-77, 9-28-81, 12-13-83, 10-2-84, Formerly 6C-7.02, Amended 4-9-87, 9-15-91, 11-9-92, 8-1-94, 10-2-94, 5-17-95, 4-16-96, 12-28-97, 8-3-00.

6C-7.003 Special Fees, Fines and Penalties.

The Board must authorize all fees assessed. Accordingly, the specific fees listed in this section, and the tuition defined in Rule 6C-7.001, F.A.C., are the only fees that may be charged without the specific approval of the Board, except as authorized in Rule 6C-8.002, F.A.C. For purposes of clarification, the term “at cost” or “cost” as used in this rule includes those increased costs that are directly related to the delivery of the goods or services.

(1) Audit Registration Fees – Audit registration assures a course space for the student; however, no grade is awarded. This fee is the same as the Resident tuition provided in Rule 6C-7.001, F.A.C. Depositing of fee proceeds shall be the same as that provided for tuition.

(2) Registration of Zero Hours – Such registration provides for examinations, graduations, use of facilities, etc., when deemed appropriate by the institution. The student is assessed Resident tuition for one credit hour. The Zero Credit Fee shall be distributed in the same manner as tuition.

(3) Application Fee – Individuals who make application for admission to universities within the State University System shall pay a non-refundable Application Fee of \$20.00. The fee shall be remitted to the appropriated Student Fee Trust Funds. This fee may be waived for applicants who can document that they have received a fee waiver because of economic need as determined by the College Board or the American College Testing Program.

(4) Late Registration Fee – Universities shall assess a Late Registration Fee against students who fail to initiate registration in the regular registration period. The fee shall be not less than \$50 nor more than \$100 with 50 percent remitted to the appropriated Student Fee Trust Funds and 50 percent retained by the university. Provisions may be made to waive the Late Registration Fee as specified by the university.

(5) Late Payment Fee – Universities may assess a Late Payment Fee to students who fail to pay, or make appropriate arrangements for payment (installment payment, deferment, or third-party billing), of tuition by the deadline set by each university, which shall be no later than the end of the second week of classes. The fee shall be not less than \$50 nor more than \$100 with 50 percent retained by the university. Provisions may be made to waive the Late Payment Fee for minor underpayment as specified by the university.

(6) Health Fee – The student Health Fee shall be set pursuant to subsection 240.235(1), Florida Statutes. The university president shall submit requests to change the student Health Fee, to be effective the following Fall semester, to the Board for approval at its first meeting of the calendar year. In addition, the university president, or designee, is authorized to establish miscellaneous health-related charges for services provided at cost by the health center which are not covered by the Health Fee.

(7) Athletic Fee – The Athletic Fee shall be set pursuant to subsections 240.235(1) and 240.533(4), Florida Statutes. The university president shall submit requests to change the Athletic Fee, to be effective the following Fall semester, to the Board for approval at its first meeting of the calendar year.

(8) Activity and Service Fee – The Activity and Service Fee shall be set pursuant to subsection 240.235(1), Florida Statutes. The university president shall submit requests to change the Activity and Service Fee, to be effective the following Fall semester, to the Board for approval at its first meeting of the calendar year.

(9) Developmental Research School Fees:

	Fund	Amount
(a) Activities Fee – discretionary with each institution	Agency	Varies
(10) Library Fines – per book or unit, per day	app. SFTF	\$.25
(11) Overdue Reserve Library Books – per book, per library hour	app. SFTF	\$.25
(12) Late Equipment Fee, Physical Education – per item, per day	app. SFTF	\$.25
(13) Security/Access/ Identification Card, Duplicate Security/Access/ Identification Card, Fee Card, or Passbook:	aap. SFTF	\$.25
(a) Annual	Varies	Cost up to \$10.00
(b) All duplicates		up to \$15.00
(14) Duplicating/Photocopying fee for personal use only	Varies	Cost
(15) Standardized Tests – the fee for all standardized tests, (GRE, URE, etc.) will consist of the direct costs of administering the tests.	Varies	Cost
(16) Binding Fee – Thesis and Dissertation	Agency	Cost
(17) Microfilm Fee – Thesis and Dissertation	Agency	Cost
(18) Copyright Fee – Dissertation	Agency	Cost
(19) All breakage and lost library materials	Expense Refund	Cost
(20) Lost Keys – (includes cylinder change)	Expense Refund	Cost
(21) Equipment Damage and Loss	Expense Refund	Cost
(22) Interlibrary Loans/ Literature Searches	Varies	Cost
(23) Facilities/Equipment Use Charge	Varies	Cost
(24) Orientation Fee	Agency	Up to \$25
(25) Admissions Deposit, the University of Florida, College of Dentistry	appropriated Student Fee Trust Funds	\$200

(26) Transcript Fee – Per item up to \$5.00. The fee shall be retained by the university.

(27) Diploma Replacement Fee – Per item up to \$5.00. The fee shall be retained by the University.

(28) The Board may authorize additional fees in order to meet specific higher education needs of the State when special circumstances result in specific, identifiable increased costs to a university. These fees will be in addition to the regular Student Credit Hour fees charged to students enrolling in these courses on-campus. The additional fees charged shall be sufficient to recover all increased costs. Each university shall remit the regular Student Credit Hour fees collected for these courses to the appropriated Student Fee Trust Funds. Each university shall use the additional fees collected to cover the increased cost of these courses and reimburse the appropriate Educational and General fund, or the appropriate other fund if the costs are incurred in other than Educational and General funds.

(29) Off-Campus Educational Activities – Each university president is authorized to establish fees for off-campus course offerings when the location results in specific, identifiable increased costs to the university. These fees will be in addition to the regular Student Credit Hour fees charged to students enrolling in these courses on-campus. The additional fees charged are for the purpose of recovering the increased costs resulting from off-campus vis-a-vis on-campus offerings. As used herein, “off-campus” refers to locations other than regular state-funded main campuses, branch campuses, or centers. The university shall remit the regular Student Credit Hour fees collected for these courses to the appropriated Student Fee Trust Funds. Each university shall use the additional fees collected to cover the increased cost of these courses and reimburse the appropriate Educational and General fund, or the appropriate other fund if the costs are incurred in other than Educational and General funds.

(30) Material and Supply Fees – Each university president is authorized to assess Material and Supply Fees not to exceed the amount necessary to offset the cost of materials or supply items which are consumed in the course of the student’s instructional activities, excluding the cost of equipment and equipment repairs and maintenance. Revenues from such fees shall be deposited into the Auxiliary Trust Fund. The Chancellor shall prescribe guidelines for establishing or increasing the fee.

(31) Housing Rental Rates – Basic rates for housing rental shall be set by the university president with concurrence of the Chancellor. The Chancellor shall prescribe the reporting requirements for housing rental rate increases. In the event of a dispute of the university decision, the Board shall make a final determination. In addition, the university president is authorized to establish miscellaneous housing charges for services provided by the university at the request of the student.

(32) Parking Fines and Decals – Each university shall establish a schedule of parking fines pursuant to the provisions of Sections 240.264 through 240.267, Florida Statutes. Each university is authorized to establish a charge for parking decals.

(33) Transportation Access Fee – Each university is authorized to adopt by rule a transportation access fee, with appropriate input from students, to support the university’s transportation infrastructure and to increase student access to transportation services.

(34) Returned Check Fee – Each university shall assess a service charge as authorized by Section 832.07(1), Florida Statutes, for unpaid checks returned to the university.

(35) Collection Costs – Each university is authorized to assess a charge representing reasonable cost of collection efforts to effect payment for overdue accounts. Collection costs may be assessed to the student for collection of debts owed the university not secured by a promissory note or contract. Amounts received for collection costs shall be retained by the university.

(36) Service Charge – Each university is authorized to assess a service charge on university loans in lieu of interest and administrative handling.

(37) Educational Research Center for Child Development Fee – Each center shall submit a request to establish or change child care and service fees to the Board by November 1 of each year, to become effective the subsequent Fall Semester.

(38) Each university shall establish by rule procedures for the payment, waiver and refund of fees, fines and penalties appropriately assessed.

Specific Authority 240.209(1), (3)(e), (h), (r), 240.235, 240.531(3) FS. Law Implemented 240.209(1), (3)(e), (h), 240.2097, 240.227(20), 240.235(1), 240.264-267, 240.531(3), 240.533(4)(a), 832.07(1) FS., CS/CS/HB 1567, 2000 Legislative Session. History—Derived from 6C-2.74 and 6C-2.76, Amended and Renumbered 12-17-74, Amended 2-22-76, 6-22-76, 6-28-76, 11-1-76, 9-8-77, 2-14-79, 9-28-81, 12-7-82, 12-13-83, 10-2-84, Formerly 6C-7.03, Amended 1-8-86, 8-11-86, 12-25-86, 6-2-87, 10-17-89, 4-10-90, 1-7-91, 7-2-91, 9-15-91, 8-4-92, 11-9-92, 4-12-93, 5-30-93, 9-23-93, 8-1-94, 1-24-96, 4-16-96, 12-15-97, 8-28-00, 8-12-01.

6C-7.004 Deferred Payment of Fees.

The university president or designee may approve deferred payment when financial aid is delayed in being transmitted to the student through circumstances beyond the control of the student or formal arrangements have been made by the student with the university for payments. Each university shall adopt procedures and terms for such deferment.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 120.53(1)(a), 240.209(1), (3)(e), 240.235(2) FS. History—Formerly 6C-2.73, 7-19-74, Amended and Renumbered 12-17-74, Amended 1-10-78, 9-28-81, 8-11-85, Formerly 6C-7.04, Amended 4-16-96, 12-15-97.

6C-7.005 Student Residency.

(1) For the purpose of assessing tuition, residency and nonresidency status shall be determined as provided in Section 240.1201, Florida Statutes, and the Florida State University System Residency Policy and Procedure Manual (Revised Effective March 5, 1993), incorporated by reference herein.

(2) An individual shall not be classified as a resident for tuition purposes and, thus, shall not be eligible to receive the resident tuition rate, until the individual has provided satisfactory evidence as to his or her legal residence and domicile to appropriate university officials. In determining residency, the university shall require evidence such as a voter registration, driver’s license, automobile registration, location of bank account, rent receipts or any other relevant materials as evidence that the applicant has maintained 12 months residence immediately prior to qualification as a bona fide domicile, rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher learning. To determine if the student is a dependent child, the university shall require evidence such as copies of the aforementioned documents. In addition, the university may require a notarized copy of the parent’s IRS return. “Resident student” for tuition purposes classification shall also be construed to include students to whom an Immigration Parolee card or a Form I-94 (Parole Edition) was issued at least one year

prior to the first day of classes for which resident student status is sought, or who have had their resident alien status approved by the United States Immigration and Naturalization Service, or who hold an Immigration and Naturalization Form I-151, I-551 or a notice of an approved adjustment of status application, or Cuban Nationals or Vietnamese Refugees or other refugees or asylees so designated by the United States Immigration and Naturalization Service who are considered as Resident Aliens, or other legal aliens, provided such students meet the residency requirements stated above and comply with subsection (4) below. The burden of establishing facts which justify classification of a student as a resident and domiciliary entitled to "resident for tuition purposes" registration rates is on the applicant for such classification.

(3) In applying this policy:

(a) "Student" shall mean a person admitted to the institution, or a person allowed to register at the institution on a space available basis.

(b) "Domicile" shall denote a person's true, fixed, and permanent home, and to which whenever the person is absent the person has the intention of returning.

(4) In all applications for admission or registration at the institution on a space available basis a "resident for tuition purposes" applicant, or, if a dependent child, the parent of the applicant, shall make and file with such application a written statement, under oath, that the applicant is a bona fide resident and domiciliary of the State of Florida, entitled as such to classification as a "resident for tuition purposes" under the terms and conditions prescribed for residents and domiciliaries of the State of Florida. All claims to "resident for tuition purposes" classification must be supported by evidence as stated in subsections 6C-7.005(1), (2), F.A.C., if requested by the registering authority.

(5) A "non-resident" or, if a dependent child, the individual's parent, after maintaining a legal residence and being a bona fide domiciliary of Florida for twelve (12) months, immediately prior to enrollment and qualification as a resident, rather than for the purpose of maintaining a mere temporary residence or abode incident to enrollment in an institution of higher education, may apply for and be granted classification as a "resident for tuition purposes"; provided, however, that those students who are non-resident aliens or who are in the United States on a non-immigration visa will not be entitled to reclassification. An application for reclassification as a "resident for tuition purposes" shall comply with provisions of subsection (4) above. An applicant who has been classified as a "non-resident for tuition purposes" at time of original enrollment shall furnish evidence as stated in subsection 6C-7.005(1), F.A.C., to the satisfaction of the registering authority that the applicant has maintained residency in the state for the twelve months immediately prior to qualification required to establish residence for tuition purposes. In the absence of such evidence, the applicant shall not be reclassified as a "resident for tuition purposes." It is recommended that the application for reclassification be accompanied by a certified copy of a declaration of intent to establish legal domicile in the state, which intent must have been filed with the Clerk of the Circuit Court, as provided by Section 222.17, Florida Statutes. If the request for reclassification and the necessary documentation is not received by the registrar prior to the last day of registration for the term in which the student intends to be reclassified, the student will not be reclassified for that term.

(6) Appeal from a determination denying "resident for tuition purposes" status to applicant therefor may be initiated after appropriate administrative remedies are exhausted by the filing of a petition for review pursuant to Section 120.68, Florida Statutes.

(7) Any student granted status as a "resident for tuition purposes," which status is based on a sworn statement which is false shall, upon determination of such falsity, be subject to such disciplinary sanctions as may be imposed by the president of the university.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 120.53(1)(a), 240.209(1), (3)(e), 240.233, 240.235, 240.1201 FS. History—Formerly 6C-2.51, 11-18-70, Amended 8-20-71, 6-5-73, 3-4-74, Amended and Renumbered 12-17-74, Amended 1-13-76, 12-13-77, 8-11-81, 6-21-83, 12-13-83, 6-10-84, 10-7-85, 12-31-85, Formerly 6C-7.05, Amended 11-9-92, 4-16-96.

6C-7.006 Limitation on Non-Resident Student Enrollment.

The State University System of Florida will accept non-resident students as defined in subsection 6C-7.005(1) and (3), F.A.C., in numbers not to exceed 10 percent of the total systemwide enrollment. This does not imply that the enrollment of non-resident students at any single university in the System will be limited to 10 percent of that university's total enrollment as long as the total number in the University System does not exceed 10 percent of the total systemwide enrollment.

Specific Authority 240.209(1), (3)(g) FS. Law Implemented 240.209(1), (3)(f) FS. History—Formerly 6C-2.52(1), 11-18-70, Amended and Renumbered 12-17-74, Amended 12-13-77, 8-11-85, Formerly 6C-7.06, Amended 11-9-92.

6C-7.008 Waiver of Tuition and Materials & Supply Fees.

(1) Sponsored Institutes and Programs

(a) Tuition and materials and supply fees may be waived by the president or president's designee for participants in sponsored institutes and programs where substantially all the direct costs are paid by the external sponsoring agency, where there is no direct expenditure of Educational and General funds for the conduct of the programs, and where no fees or other assessments are collected from students by the sponsoring agency, the university, or any other entity. In determining whether the direct costs are paid by the sponsoring agency, funds paid directly to the participants in a form such as, but not limited to, stipends, travel or book allowances

should not be taken into account. "Direct costs" refer to the costs associated with the instruction or training which a participant receives. All funds collected from sponsoring agencies for sponsored credit institutes will be remitted to the university's contract and grants trust fund and/or auxiliary trust funds.

(b) Neither the number of participants nor student credit hours in these institutes and programs may be counted for state funding purposes. The waivers granted herein for non-resident fees are in addition the non-resident waivers appropriated annually by the Legislature.

(2) Certain tuition shall be waived for the following: (1) children of law enforcement officers or firefighters killed while performing certain duties pursuant to Sections 112.19 and 112.191, Florida Statutes; (2) students who earn credit in courses toward both a high school diploma and an associate or baccalaureate degree pursuant to Section 236.081(1)(j), Florida Statutes; (3) students enrolled in a dual enrollment or early admission program pursuant to Sections 240.116 and 240.235(4), Florida Statutes; (4) any student for whom the state is paying foster care board payment or any student adopted from the Department of Children and Family Services after December 31, 1997, pursuant to Sections 409.145(3) and 240.235(5), Florida Statutes; (5) any graduate student enrolled in a state-approved school psychology training program pursuant to Section 240.235(7), Florida Statutes; (6) certain members of the active Florida National Guard pursuant to Section 250.10(7), Florida Statutes; (7) a student enrolled through the Florida Linkage Institutes Program pursuant to Section 288.8175(6), Florida Statutes.

(3) SUS and/or State employees who qualify pursuant to provisions in Rule 6C-5.930, F.A.C., the annual General Appropriations Act, collective bargaining agreements, and Section 110.1099, Florida Statutes, are entitled to register for up to six credit hours of instruction without payment of tuition, and, if applicable, the Non-Resident Fee.

(4) Intern Supervisors – Persons who supervise interns for institutions within the State University System may be given one non-transferable certificate (fee waiver) for each full academic term during which the person serves as an intern supervisor. This certificate shall provide for waiver of the Residence Matriculation fee.

(5) Florida residents 60 years of age or older are entitled to a waiver of tuition as provided by Section 240.235(3), Florida Statutes.

(6) Non-resident students who are non-degree seeking are entitled to a waiver of the non-resident fee if the credit hours generated by such students are non-fundable and the cost for the program of study is recovered from the fees charged to all students.

(7) Each university shall waive the activity and service, health, athletic, and material and supply fees, assessed on a per credit hour basis, for credit hours for which the tuition is waived in accordance with the provisions of Rule 6C-7.008, F.A.C. Each university shall waive the activity and service, health, athletic, and material and supply fees assessed on a per student basis only if a student's tuition is waived for all credit hours. If a student pays any portion of the assessed tuition, that student shall pay in full the activity and service, health, athletic, material and supply fees assessed on a per student basis.

(8) Each university shall waive all tuition and fee components of Rule 6C-7.001, F.A.C., and material and supply fees assessed for credit hours for which tuition is waived. Each university shall also waive the activity and service, health, athletic, and material and supply fees assessed on a per student basis only if a student's tuition is waived for all credit hours.

(9) All or any part of the tuition and material and supply fees may be waived by the university when deemed appropriate provided that provisions for such waiver are included in Florida Statutes or the rules of the Board of Regents. The Board may provide for the waiver of the following fees as provided by legislative action:

(a) Non-Resident Fees;

(b) Matriculation Fees for undergraduates, graduate assistants, and fellowships.

Specific Authority 240.209(1), (3)(r), 240.235 FS. Law Implemented 112.19, 112.191, 240.116, 240.209(1), 240.227(9), 240.235(3), (4), (5), (7), 250.10(6), 236.081(1)(j), 288.8175(6), 409.145(3) FS. History—Formerly 6C-2.53, Amended 7-19-74, Amended and Renumbered 12-17-74, Amended 1-10-78, 9-28-81, 8-11-85, Formerly 6C-7.08, Amended 12-25-86, 9-7-87, 12-9-91, 11-9-92, 9-23-93, 8-1-94, 10-10-95, 4-16-96, 12-15-97.

CHAPTER 6C-8 EDUCATIONAL DELIVERY

6C-8.001	University Calendars.
6C-8.002	Continuing Education.
6C-8.003	Cooperative Education. (Repealed)
6C-8.004	Regional Education. (Transferred to 6A-17.020)
6C-8.005	Educational Television Programming. (Repealed)
6C-8.006	Sponsored Research and Training. (Repealed)
6C-8.007	State University System Press of Florida. (Repealed)
6C-8.008	Contract Programs and Facilities. (Repealed)
6C-8.009	Definition and Process for Establishing Educational Sites.
6C-8.010	Incentive/Efficiency Program.

6C-8.001 University Calendars.

(1) Each university shall operate under the general provisions described in Rule 6A-10.019, F.A.C., and shall operate on a year-round calendar which provides two hundred twenty (220) days of classroom instruction including examinations, or two hundred ten (210) days of instruction excluding examinations; provided, however, that upon request by the university exceptions to this requirement may be approved by the Board and may include but shall not be limited to such matters as experimentation, innovation, research, energy conservation or more efficient utilization of resources.

(2) Effective August, 1985, the common entry periods shall be:

(a) The first three (3) weekdays after August 22;

(b) The first three (3) weekdays after January 4;

(c) The first three (3) weekdays after May 5.

(3) Each calendar shall also include the following:

(a) Pre-established dates for issuing either certificates, diplomas, or degrees which will permit students to utilize the entry period which minimizes loss of time to students in completing the transfer between programs of institutions;

(b) A summer program for teachers, school personnel and other students scheduled to begin no earlier than June 15 and close no later than August 15;

(c) Additional periods throughout the fiscal year in which a student can begin a program.

(4) An official copy of the annual calendar adopted by each university shall be filed with the Board in a manner prescribed by the Commissioner upon the recommendation of the Chancellor.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(m), 240.227(17), 229.053(2)(c) FS. History—Formerly 6C-2.56, 11-18-70, Amended and Renumbered 12-17-74, Amended 6-25-80, 8-11-85, Formerly 6C-8.01.

6C-8.002 Continuing Education.

(1) The Chancellor shall coordinate credit and non-credit continuing education courses in all fields which the Board shall consider necessary to improve and maintain the educational standards of the State of Florida.

(2) Administration and Coordination

(a) The Chancellor shall be responsible for coordinating, on a statewide basis, the continuing education programs of the universities. These responsibilities are:

1. Studies of the systemwide operation, long range planning and projections, periodic evaluations of existing programs, and research relating to continuing education and adult learning;

2. The approval of any credit course offerings outside of designated geographic areas and those courses which have not been approved as on-campus offerings for a particular institution.

(b) Specific responsibilities of the presidents are:

1. To develop rules and procedures for conducting all credit offerings in a defined geographic area and non-credit continuing education offerings.

2. To establish a Continuing Education Activity as part of the Auxiliary Budget Entity for the purpose of planning, offering, and recovering all costs of non-credit courses. The costs of these courses may be recovered from non-E & G sources such as grants, contracts, directly from participants, and combinations of these sources. The Continuing Education Activity within the Auxiliary Budget Entity may also be used for the purpose of planning, offering, and recovering all costs of sponsored credit institutes and programs as provided by paragraph 6C-7.008(1)(a), F.A.C. Likewise, the Auxiliary Budget Entity may be used for the recovery of any additional fees established by the president for off-campus credit courses as provided by subsection 6C-7.003(30), F.A.C., or for continuing education credit courses as provided by subparagraph 6C-8.002(2)(b)4., F.A.C.

3. To approve the use of auxiliary funds from the Continuing Education Activity for instructional compensation of regularly appointed faculty, or of adjunct faculty, who teach non-credit Continuing Education courses and for the recovery of Educational and General costs for providing services to Continuing Education students.

4. To approve continuing education credit courses and to establish the fees for these activities when there is a demonstrated and justified need. Such courses shall not in any way be in competition with, or replace, the regular on-campus program of Educational and General credit courses taken by degree seeking and special students. Accordingly, continuing education credit courses shall be scheduled and offered in such a way as to prevent any negative effect on any university's achievement of its legislatively funded enrollment plan. Any fees charged students for continuing education credit activities, which are higher than the normal Board approved fees for similar credit activities offered in the regular on-campus program, shall be established solely for the purpose of recovering all increased costs which result from offering these courses as continuing education activities.

5. To file with the Chancellor an annual report of all credit and non-credit activity.

(c) Enrollments in non-credit courses and in sponsored credit institutes and programs will not be funded from Educational and General (E & G) resources and will not count as part of the university's E & G enrollment plan; i.e., they do not generate E & G funded FTE. Only students whose costs for participating in these courses have been paid will be enrolled in non-credit courses or sponsored credit institutes and programs.

(3) Other Requirements Regarding Credit Activities

(a) Courses for credit offered through the Continuing Education Activity, away from the university campuses, or through sponsored credit institutes and programs shall be accorded the same status as their counterpart courses offered on the main campus. Normally, only courses in the existing university approved curriculum shall be offered as continuing education credit courses. Modifications to this requirement shall be approved by the Chancellor, as prescribed by Chancellor's Memorandum. The university offering such courses shall be responsible for ensuring that the faculty, support services, and physical facilities shall be of such quality to assure full comparability of the course offered to its regular on-campus counterpart. Courses for which degree credit is offered shall meet the same standards as other regular credit courses.

(b) Each university will be responsible for serving a designated geographic area of the State. Institutional responsibilities for ensuring that services are provided shall be in accordance with the following assignments.

1. Regional Responsibilities.

a. Florida A & M University – Baker County, Calhoun County, Columbia County, Dixie County, Franklin County, Gadsden County, Gilchrist County, Hamilton County, Jackson County, Jefferson County, Lafayette County, Leon County, Liberty County, Madison County, Suwannee County, Taylor County, Union County, Wakulla County.

b. University of South Florida – Charlotte County, Collier County, DeSoto County, Glades County, Hardee County, Hendry County, Hernando County, Highlands County, Hillsborough County, Lee County, Manatee County, Pasco County, Pinellas County, Polk County, Sarasota County.

c. Florida Atlantic University – Broward County, Indian River County, Martin County, Okeechobee County, Palm Beach County, St. Lucie County.

d. University of West Florida – Bay County, Escambia County, Gulf County, Holmes County, Okaloosa County, Santa Rosa County, Walton County, Washington County.

e. University of Central Florida – Brevard County, Citrus County, Flagler County, Lake County, Levy County, Marion County, Orange County, Osceola County, Seminole County, Sumter County, Volusia County.

f. Florida International University – Dade County, Monroe County.

g. University of North Florida – Alachua County, Bradford County, Clay County, Duval County, Nassau County, Putnam County, St. Johns County.

2. Statewide Responsibilities.

a. The University of Florida, Florida State University, and Florida A & M University (with reference to its historic mission) shall be responsible for providing such programs and services on their respective campuses and in their local communities. Further, they shall be responsible for providing, on a statewide basis, such programs and services which cannot be provided by the other universities. The activities of the cooperative extension service will continue to be the responsibility of the Institute of the Food and Agricultural Sciences of the University of Florida without regard to the geographical area in which those activities occur.

b. Each university with regional responsibilities may offer off-campus within its region and without prior approval any credit course which has been authorized by appropriate curriculum committees to be offered on-campus.

c. Each university may offer credit courses outside of its geographic boundaries upon appropriate approval by the Chancellor. Courses in this category will be approved only where demonstrated need warrants institutional geographic overlap.

d. A university which has capability in specific disciplines not available in any other university may offer instruction in these disciplines in any part of the State without prior approval.

(4) Correspondence Study Policies

(a) The University of Florida shall administer the Department of Correspondence Study Program for the State University System.

(b) The Department of Correspondence Study at the University of Florida shall submit an annual report listing all activities and a fiscal statement representing the income and expenditures of the Department for the fiscal year to the Chancellor.

(5) Off-Campus Center – Each center in which off-campus credit courses are offered shall be organized and administered by one of the universities, as approved by the Board. All courses offered in a center shall carry residence credit.

Specific Authority 240.209(1), (3)(j), (g) FS. Law Implemented 240.209(1), (3)(j) FS. History—Formerly 6C-2.59, 11-18-70, Amended 11-20-70, Amended and Renumbered 12-17-74, Amended 12-30-79, 8-11-85, Formerly 6C-8.02, Amended 10-17-89, 9-23-93.

6C-8.009 Definition and Process for Establishing Educational Sites.

(1) The following definitions and processes for establishment shall apply to educational locations of public universities within the state:

(a) Main campus is defined as the focal point of university educational and administrative activities, authorized by Section 240.2011, F.S. Lower-division courses are offered only on the main campus of each university unless the university receives specific Board of Regents approval to offer lower-division courses at a branch campus, center or site. Approval will be based on a consideration of the following: the university's mission; an assessment of student demand; availability of necessary facilities, equipment and faculty; discussion with the educational institutions impacted by the proposed course offerings; and PEPC's review of those course offerings. The Board of Regents approval is subject to review and action by the State Board of Education if the request for review and action occurs within 30 days of the Board of Regents decision. If no request for review is made by a member of the State Board of Education, then the Board of Regents determination shall automatically become effective 30 days from the date of the Board of Regents decision to approve.

(b) Branch campus is defined as an instructional and administrative unit of a university that offers students upper-division and graduate programs as well as a wide range of support services. Distance learning techniques may be used to complement on-site instruction at all types of campuses. Branch campuses may be of various types to meet the particular needs of a region:

1. Type I Branch Campus is defined as a major university operation which provides a broad range of instruction, numerous full and partial degree programs, research, and a full complement of student services in university administered facilities, which are mostly university owned or shared with a public community college. For efficiency of operation and provision of an adequate range of programs these campuses should obtain a funded enrollment level of 2,000 FTE.

2. Type II Branch Campus is a large university operation, providing a range of instructional programs, many of which lead to a degree at the branch campus, some research, and full support services in university controlled facilities. Funded enrollment is between 1,000 and 2,000 FTE.

3. Type III Branch Campus provides instruction in high demand disciplines, as well as necessary support services. Instructional and administrative functions are provided in facilities which may or may not be controlled by the university. Distance learning techniques may be used to provide a significant portion of the instructional program. Funded enrollment is between 300 and 1,000 FTE.

(c) Establishment of a new branch campus requires approval by the Board of Regents. In its request for authority to establish a new branch campus, a university shall submit a report regarding the long-term requirements for programs and facilities relating to its mission statement and course offerings, including a three-year PECO project priority list and a plan for long-term facilities needs. In addition, the Postsecondary Education Planning Commission must recommend establishment of the campus to the State Board of Education under the provisions of subsection 240.147(7), F.S., and the Legislature must appropriate funds for its establishment.

(d) Center is defined as an instructional unit of a university or universities that offers a limited range of instructional programs or courses. Funded enrollment at a center will be fewer than 300 FTE.

(e) Special purpose center is defined as a unit of a university that provides certain special, clearly defined programs or services, such as research, cooperative extension, or public service apart from the main campus, branch campus, or center.

(f) Establishment of new centers and special purpose centers which entail the expenditure of state funds for facilities requires an assessment of long-term needs for facilities and approval by the Board of the three-year PECO project priority list. In submitting its request for authority to establish a Center, a university shall submit a report regarding the long-term requirements for programs and facilities relating to the mission statement and course offerings.

(g) Instructional site is defined as an instructional unit of a university that offers a very limited range of instructional programs or courses, generally of short duration, in facilities not owned by the institution. Universities shall retain the ability to establish instructional sites to meet demonstrated needs without the necessity for approval of the Board.

(h) Special purpose site is defined as a unit of a state university that provides services of an educational nature that are other than instruction, research or administration. Universities shall retain the ability to establish special purpose sites to meet demonstrated needs without the necessity for approval of the Board.

(2) All new campuses, centers, and special purpose centers approved by the Board shall be submitted, along with the required review by the Postsecondary Education Planning Commission, to the State Board of Education for approval.

(3) The Board will review these definitions and processes periodically to determine whether changes are necessary.

Specific Authority 240.209(1), (3)(o) FS. Law Implemented 240.209(1), (3)(o), 240.2011 FS. History—New 4-9-87, Amended 6-8-92, 2-15-94, 12-2-99.

6C-8.010 Incentive/Efficiency Program.

(1) Goal – The goal of the Incentive/Efficiency Program (IEP) is to improve the quality of the State University System through the reallocation of existing resources and the generation of new revenue. The IEP provides incentives to all employees to identify and implement procedures or ideas that generate new revenue or eliminate or reduce expenditures without reducing the quality of essential services.

(2) Definition – The term, “net savings or new revenue” as used in this rule, shall mean the estimated permanent savings or permanent new revenue generated, in the first year of full implementation of an employee suggestion for reducing expenditures or generating new revenue, less a pro rata share of the total investment necessary to implement the suggestion, if any, prorated on the basis of the estimated useful life of the investment.

(3) Administration

(a) Each president shall appoint an IEP Steering Committee and Program Administrator to be responsible for the IEP including recommending and administering internal procedures, ensuring appropriate evaluations, following up on recommendations to adopt or not adopt a suggestion and promoting the program.

(b) The Board may allocate funds specifically for the support and operation of the IEP.

(4) Eligible Participants – All current employees of the State University System are eligible to submit suggestions that generate net savings or new revenue. Two or more eligible employees may submit a joint suggestion.

(5) Eligible Suggestions – To be eligible, a suggestion must be implemented by a university or the Board Office. The following shall not be eligible for cash awards through the program:

(a) Suggestions that deal with issues which are also being pursued as a personal grievance or that deal with the compensation and classification of positions;

(b) Suggestions which the employee develops as a result of assigned responsibilities; and

(c) Suggestions which are a duplicate of, or significantly similar to, a suggestion which has been implemented by another university of the State University System and about which the university has been notified by the Board.

(6) Suggestion Processing

(a) Employee suggestions shall be processed, a final determination made, and the suggestion implemented in an expeditious manner.

(b) A suggestion which is not implemented will be kept on file for one year from the date it was originally received by the Program Administrator or the Steering Committee, whichever is earlier. The original proposer will be eligible for an award as provided in this rule if the suggestion is implemented during this period. Thereafter, the suggestion must be resubmitted by an eligible employee before it can be reconsidered.

(c) Suggestions will be recognized through cash and other awards. Cash awards for eligible suggestions shall be based upon net savings or new revenue.

(d) The acceptance of an award for any suggestion implemented through this program shall constitute an agreement by the employee that the employee waives all claims, immediate and future, on the State of Florida, regardless of the use of the suggestion.

(7) Use of Net Savings or New Revenue – The total resources allocated to the budget(s) of a university will not be reduced as a result of net savings or new revenue generated under the program.

(a) The net savings or new revenue may be used as follows:

1. Up to ten percent may be used as a cash bonus for the employee or employees who made the suggestion;

2. Up to ten percent may be used for Administrative Incentive bonuses;

3. Up to twenty percent may be used for bonuses for individuals in the work unit(s) which will generate the net savings or new revenue; and

4. The balance of the net savings or new revenue may be used to address critical funding needs related to the implementation of the university and system master plans.

(b) Notwithstanding the provisions of paragraph (7)(a), above, an employee's bonus for each implemented suggestion shall be limited to the smaller of \$25,000 or ten percent of the net savings or new revenue. Further, no employee shall receive a bonus for submitting an implemented suggestion and, for the same suggestion, a bonus from the Administrative Incentive Component.

(8) Administrative Incentive Component – This component is intended to provide an incentive for administrators to foster an atmosphere in which the identification of opportunities to reallocate resources and generate new resources in support of university goals and priorities are encouraged and in which appropriate responses to these opportunities are developed and implemented. In order to stimulate this type of activity, the contributions of each organizational unit to the IEP shall be evaluated on an annual basis and incentive bonuses provided to supervisors of employees who have submitted suggestions that have been implemented. Administrative incentives shall be limited to the immediate supervisor of an employee who submitted an implemented suggestion and to the next higher level supervisor. Supervisors at the level of Vice President or above, however, shall not be eligible for an administrative incentive under this program.

(9) Implementation Plan – Each university president shall submit an Implementation Plan, as well as amendments thereto, to the Chancellor for approval. The Implementation Plan will provide for:

(a) Promotion of the Program;

(b) Appropriate safeguards regarding conflict of interest in decisions leading to cash awards;

- (c) A procedure for appeal of decisions made by the IEP Steering Committee;
- (d) Procedures for allocating net savings or new revenue along with appropriate safeguards to assure that the quality of essential services are maintained and/or improved as a result of such allocations; and
- (e) Identification of employees who are eligible to receive administrative incentive bonuses and the calculation and distribution of such bonuses.

(10) Adopted Suggestions

- (a) Each university shall report quarterly to the Board information about suggestions implemented along with the net savings or new revenue, use of net savings or new revenue, and incentive awards provided through the IEP.
- (b) The Board's Finance Committee shall review each implemented suggestion and shall distribute a copy of such suggestions to each university.

Specific Authority 240.209(1), (3)(g) FS. Law Implemented 240.2112 FS., Chapter 93-242, Laws of Florida, 1993. History--New 10-17-89, Amended 2-15-94.

CHAPTER 6C-9 PROPERTY AND FINANCE

6C-9.001	Purchase and Sale of Real Property. (Repealed)
6C-9.002	Surplus Property. (Repealed)
6C-9.003	University Projects Requiring Financing. (Repealed)
6C-9.004	Razing of Buildings.
6C-9.005	Naming of Buildings and Facilities.
6C-9.006	Commercial Solicitation on Campus. (Repealed)
6C-9.007	Financial Policies and Procedures. (Repealed)
6C-9.008	Management of Funds. (Repealed)
6C-9.009	Budgets of the Institutions. (Repealed)
6C-9.010	Investments. (Repealed)
6C-9.011	University Direct Support Organizations.
6C-9.012	Intercollegiate Athletics Operations. (Repealed)
6C-9.013	Auxiliary Operations.
6C-9.014	Internal Auditors. (Repealed)
6C-9.015	Copyrights and Patents. (Repealed)
6C-9.016	Procedure for Recommending Architects and Engineers. (Repealed)
6C-9.017	Faculty Practice Plans.
6C-9.018	Charity Racing Day Proceeds.
6C-9.019	Trust Fund for Major Gifts.
6C-9.020	University Health Services Support Organizations.

6C-9.004 Razing of Buildings.

As prescribed by Section 240.22, Florida Statutes, Universities; powers and duties, each university shall have the authority to raze buildings.

Specific Authority 240.209(1), (3)(m), 240.227 FS. Law Implemented 240.209(1), (3)(m), 273.05, 273.055, 240.227, 240.295 FS. History—Adopted 12-8-72, Amended and Renumbered 12-17-74, Amended 7-13-78, 8-11-85, Formerly 6C-9.04.

6C-9.005 Naming of Buildings and Facilities.

- (1) A president may recommend for the consideration of the Board a name for any building or other facility on the campus.
- (2) The naming of a building or other facility, shall be in accordance with the provisions of Section 267.062, Florida Statutes.

Specific Authority 240.209(1), (3)(m), 267.062 FS. Law Implemented 240.209(1), (3)(m), 267.062 FS. History—Adopted 11-3-72, Amended and Renumbered 12-17-74, Amended 8-11-85, Formerly 6C-9.05.

6C-9.011 University Direct Support Organizations.

(1) Universities wishing to establish direct support organizations, as provided in Section 240.299, Florida Statutes, shall request approval by the Board of Regents. Upon approval by the Board, a direct support organization shall be considered to be certified and authorized to use university property, facilities and personal services.

(2) The Director or Chief Operating Officer of the direct support organization shall report to the University President or designee, who shall be Vice President of the University or other senior officer reporting directly to the University President.

(3) Operating budgets of direct support organizations shall be prepared at least annually, approved by the organization's governing board and recommended by the university president to the Board of Regents for review.

(4) Expenditure plans of direct support organizations shall be reviewed and approved quarterly by the university president or designee, who shall be a vice president of the university or other senior officer of the university reporting directly to the president.

(5) Direct support organizations shall provide for an annual audit and management letter, as prescribed by internal memoranda, which shall be forwarded to the Board of Regents for review and oversight.

(6) University presidents may request that a direct support organization be decertified by the Board of Regents if the president determines that the organization is no longer serving the best interest of the university. The request for decertification shall include a plan for disposition of the direct support organization's assets and liabilities.

Specific Authority 240.209(1), (3)(r), 240.299(2)(b) FS. Law Implemented 240.209(1), 240.299 FS. History—Formerly 6C-3.12, 11-18-70, Amended and Renumbered 12-17-74, Amended 4-14-76, 6-25-80, 8-11-85, Formerly 6C-9.11, Amended 9-28-86, 2-13-89, 4-10-90, 12-9-91, 8-1-94, 4-16-96.

6C-9.013 Auxiliary Operations.

(1) Auxiliary services are integral activities of a university that furnish to its faculty, staff and students goods and/or services that are necessary or desirable but not readily available elsewhere in terms of costs, quality, quantity, timeliness, convenience, or other similar considerations. These activities shall support the educational endeavor of the institution and enhance its functioning; therefore, they shall not detract or distract from this basic endeavor in any way, financially or otherwise.

(2) Each auxiliary service is an individual entity and shall be accounted for as such. A service may be operated by the institution or by a private contractor under the institution's supervision. Under either arrangement, all pertinent institutional revenues and costs shall be assigned to each auxiliary and the consequent financial results of operations determined.

(3) There shall be a uniform system of financial reporting within the State University System for auxiliary services. Each institution may determine whether its auxiliary services will be self-supporting on an individual or collective basis, except for athletics, which shall be a self-supporting entity. Revenues for auxiliary services shall not be provided from general revenue supported budget entities except in payment of goods and/or services, or as provided in subsection 6C-9.012(3), F.A.C. Provided, however, auxiliary services may be housed in buildings that are financed from other sources.

(4) Transfers and expenditures from the various auxiliary funds shall be in conformance with budgets or budget amendments filed with the Board.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (3)(m) FS. History--Formerly 6C-3.14, 3-4-74, Amended and Renumbered 12-17-74, Amended 8-29-77, 9-8-77, 8-11-85, 1-8-86, Formerly 6C-9.13, Amended 4-10-86, Formerly 6C-9.13.

6C-9.017 Faculty Practice Plans.

(1) Basic Policy. The J. Hillis Miller Health Center at the University of Florida and the Health Sciences Center at the University of South Florida respectively provide educationally oriented clinical practice settings and opportunities, through which faculty members provide health, medical and dental care and treatment to patients, including patients at independent hospitals, other institutions, and various other clinical sites as an integral part of their academic activities and their employment as faculty. Such faculty practice activities are designed to assure clinical practice opportunities and experiences that are essential in the training of students and postgraduate health professionals and that will enhance skills and knowledge of faculty members who must teach and train medical and other health professional students. Participation in such faculty practice activities by members of the faculty of this State's colleges of medicine, dentistry, health professions, and veterinary medicine is vital to the educational mission, the maintenance of skills in the treatment and diagnosis of disease, and the maintenance of patient management skills, clinical expertise, and medical judgment, and is a necessary and essential part of their employment as faculty. Because these faculty practice activities generate income from a cross section of patients served by faculty members, these colleges are authorized to regulate fees generated from faculty practice, and to develop and maintain Faculty Practice Plans for the orderly collection and distribution of such fees. Colleges are authorized to form corporate entities to achieve the objectives of the Faculty Practice Plans. The Faculty Practice Plan, when developed, and subsequent changes therein, must be approved by the dean of the college, the vice president of the health center and the president of the university prior to filing for approval of the Chancellor. Faculty Practice Plans must be consistent with, and supportive of, the objectives of the college, the health center, and the university.

(2) Each Faculty Practice Plan shall include and/or provide for:

(a) A written document which describes the university's policies and procedures pertaining to faculty practice activities and the resulting professional fees.

(b) Articles of Incorporation and Bylaws.

(c) A separate bank account into which all faculty practice fees are to be deposited, which shall be held and administered by the respective university or faculty practice organization.

(d) An operating budget prepared at least annually and recommended by the dean of the college, vice president of the health center, and university president to the Board of Regents for review and approval.

(e) An annual audit and management letter, which shall be forwarded to the Board of Regents for review and oversight.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.209(1) FS. History--New 6-12-75, Formerly 6C-9.17, Amended 6-2-87, 10-17-89, 6-6-90, 12-9-91, 10-2-94, 4-16-96.

6C-9.018 Charity Racing Day Proceeds.

The Chancellor shall allocate the proceeds from Charity Race Days to the universities.

Specific Authority 240.209(1), (3)(m) FS. Law Implemented 240.209(1), (2), (3)(m), 550.03(2) FS. History--New 1-24-77, Amended 8-11-85, Formerly 6C-9.18.

6C-9.019 Trust Fund for Major Gifts.

(1) The Trust Fund established in the State Treasury for Major Gifts provides the opportunity to each state university and New College to receive and match challenge grants to enhance their libraries and instruction and research programs. The Chancellor shall administer the Trust Fund for Major Gifts as prescribed by Section 240.2605, Florida Statutes, and Section 35, Chapter 94-230, Laws of Florida. To be eligible, contributions for matching purposes must be made in the manner prescribed in applicable Florida Statutes and subsequent amendments. Contributions must be made for the purpose of supporting the libraries or instruction

CHAPTER 6C-10 MISCELLANEOUS PROVISIONS

6C-10.001	Self-Insurance Programs.
6C-10.002	Environmental Health and Safety. (Repealed)
6C-10.003	Use of Human Subjects in Research. (Repealed)
6C-10.004	Educational Research Centers for Child Development.
6C-10.005	Display of Flag. (Repealed)
6C-10.006	Guest Admission to University Events. (Repealed)
6C-10.007	W. A. Shands Teaching Hospital and Clinics, Indigent Patients; Write-off of Accounts. (Repealed)
6C-10.008	S. U. S. Student Health Centers Trust Fund. (Repealed)
6C-10.009	Smoking in Public Buildings.
6C-10.010	University-Related Research Parks. (Repealed)
6C-10.011	Veterans' Benefits - Inmate Students. (Transferred to 6C-6.022)
6C-10.012	Special Continuing Programs. (Repealed)
6C-10.013	Certification of Residency for Appropriated Programs. (Repealed)
6C-10.014	Educational Attendance Requirements for Application, Suspension, and Reinstatement of a Driver's License. (Repealed)

6C-10.001 Self-Insurance Programs.

(1) University of Florida (UF) Self-Insurance Programs; and University of South Florida (USF) Self-Insurance Program.

(a) The UF is authorized to establish the J. Hillis Miller Health Center Self-Insurance Program and the University of Florida J. Hillis Miller Health Center/Jacksonville Self-Insurance Program, and the USF is authorized to establish the University of South Florida Health Sciences Center Self-Insurance Program for the purpose of providing comprehensive general liability protection, including professional liability protection, for the Board and other persons and entities as provided by law and as authorized by the Board or the Self-Insurance Program Councils. The Self-Insurance Programs shall be funded by contributions paid by or on behalf of protected persons and entities.

(b) The Self-Insurance Programs shall be administered by the following Councils.

1. The J. Hillis Miller Health Center Self-Insurance Program shall be administered by the J. Hillis Miller Health Center Self-Insurance Program Council. The Council shall consist of the following officers of UF: Vice President for Health Affairs, who shall serve as Chair; Vice President for Administrative Affairs; Associate Vice President for Health Affairs; Dean, College of Medicine; Dean, College of Dentistry; three members of the faculty of the College of Medicine appointed by the Dean, College of Medicine; the General Counsel; and the Self-Insurance Program Administrator; and such other persons as from time to time may be appointed to the Council by the Board or by the President of UF; and if Shands Teaching Hospital and Clinics, Inc. (Shands Hospital), participates in the Self-Insurance Program: the Chief Executive Officer and Executive Vice President of Shands Hospital; the Chief of Staff of Shands Hospital; and two members of the administrative staff of Shands Hospital to be appointed by the Chief Executive Officer and Executive Vice President of Shands Hospital.

2. The J. Hillis Miller Health Center/Jacksonville Self-Insurance Program shall be administered by the J. Hillis Miller Health Center/Jacksonville Self-Insurance Program Council. The Council shall consist of the following officers of UF: Senior Associate Dean and Assistant Vice President for Jacksonville Programs, who shall serve as Chair; two designees of the Dean, College of Medicine; Associate Vice President for Health Affairs for External Relations; three Associate Departmental Chairs of the College of Medicine appointed by the Senior Associate Dean and Assistant Vice President for Jacksonville Programs; the General Counsel; the Self-Insurance Program Administrator; and such other persons as from time to time may be appointed by the Board or by the President of UF; and if University Medical Center is protected by the Self-Insurance Program: the President and Chief Executive Officer of University Medical Center; the Chief-of-Staff of University Medical Center; and two members of the administrative staff of University Medical Center to be appointed by the President and Chief Executive Officer.

3. USF Health Sciences Center Self-Insurance Program shall be administered by the USF Health Sciences Center Self-Insurance Program Council. The Council shall consist of the following officers of USF: Vice President for Health Sciences (or his/her designee), who shall serve as Chair; a financial officer of the Health Sciences Center as designated by the Vice President for Health Sciences; four members of the faculty of the College of Medicine appointed by the Vice President for Health Sciences; the General Counsel; the Self-Insurance Program Administrator; and such other persons as from time to time may be appointed to the Council by the Board or by the President of USF; and if the H. Lee Moffitt Cancer Center and Research Institute, Inc. participates in the Self-Insurance Program, the Center Director (or his/her designee).

(c) The powers and duties of each Council shall be:

1. To administer the Self-Insurance Program in accordance with the laws of Florida, and the rules of the Board, the Department of Insurance, and the University;

2. To propose and submit an annual budget for the Self-Insurance Program through the University President to the Board;

3. To develop and propose to the Board a Memorandum of Protection which shall constitute the Self-Insurance Program's coverage document. The Memorandum of Protection shall contain the insuring agreements, exclusions, and other conditions applicable to persons and entities protected and shall be part of this Rule by reference. The Council shall extend by resolution the

protections described in the Memorandum of Protection to persons and entities as authorized by statute and establish the levels of liability protections extended to such persons and entities; however, the Council is not obligated to extend protection to persons and entities as may be authorized by Florida law, except as may be directed by the Board.

4. To contract with an independent casualty actuary to establish funding requirements necessary to maintain the fiscal integrity of the Self-Insurance Program;

5. To appoint a Self-Insurance Program Administrator who shall carry out the policies and directives of the Council;

6. To retain attorneys-at-law to represent the Board and persons and entities protected by the Self-Insurance Program and perform other legal services which are related to the Self-Insurance Program;

7. To establish committees and designate persons as necessary to assist in the performance of its duties, and may authorize such committees or persons to act for and on behalf of the Council. The Council shall establish a Risk Management Committee, which shall oversee the investigation and disposition of such claims and suits protected by the Self-Insurance Program, identify risk factors which cause such claims and suits, and develop and implement risk management programs to reduce or eliminate those risk factors. Such Risk Management Committee shall conduct reviews pursuant to the provisions of Section 766.106, Florida Statutes, and shall be deemed a medical review committee as defined in Section 766.101, Florida Statutes;

8. To purchase excess insurance on behalf of persons and entities protected by the Self-Insurance Program for claims which exceed the level of protection provided by the Self-Insurance Program including claim bills to award compensation in amounts which exceed the protection provided by the Self-Insurance Program or by commercial insurance; to assist entities not described in Section 768.28, Florida Statutes, which are authorized and approved as allowed by Florida laws to be protected by the Self-Insurance Program, in the procurement of insurance for losses which exceed the levels of protection provided by the Self-Insurance Program as established by the Council, but the Council is not authorized to purchase such insurance with Self-Insurance Program assets; and

9. To participate in other self-insuring mechanisms such as Risk Retention Groups or captive insurance companies, independently or in association with other compatible entities, subject to the approval of the Board.

10. To deposit Self-Insurance Program income in accounts approved by the Board and managed pursuant to the Self-Insurance Program's administrative and investment policies;

11. To establish an investment policy which shall be approved by the Board, and to maintain an investment account which shall optimize income for the support of the Self-Insurance Program;

12. To provide for an annual audit of the Self-Insurance Program's financial accounts by independent auditors. The annual audit report shall include a management letter and shall be submitted to the Board for review.

(2) Captive Insurance Companies.

(a) The Councils defined in (1)(b)1. and 2. are authorized to establish as part of the Board of Regents' self-insurance program a captive insurance company to be named the University of Florida Healthcare Education Insurance Company (HEIC) and the Council defined in (1)(b)3. is authorized to establish a captive insurance company to be named the University of South Florida Health Sciences Insurance Company (HSIC). Each captive (HEIC and HSIC) shall be wholly owned by the Board and established in a domestic or foreign domicile acceptable to the Board. The Articles of Incorporation and Bylaws of each captive are subject to the prior written approval of the Board. Each captive shall insure the Board and may insure any other entity or individual who is authorized by statute to purchase liability protection from a self-insurance program created pursuant to this Rule.

(b) Each captive shall provide liability protection as authorized by Section 240.213, Florida Statutes. The limits of liability protection to be provided for the Board shall be those described in Section 768.28, Florida Statutes, unless otherwise established pursuant to a written endorsement to the insurance policy issued by the captive. The limit of liability protection for insured entities and persons not described in Section 768.28, Florida Statutes, shall be as established by the respective Board of Directors.

(c) Each captive shall be managed by a Board of Directors.

1. HEIC shall be managed by a Board of Directors, constituted as follows: the Vice President for Health Affairs of UF, who shall serve as Chair; the Chair of the Board of Regents (or the Chair's designee); the Vice Chancellor for Health Affairs; the Dean of the College of Medicine; the Senior Associate Dean and Assistant Vice President for Jacksonville Programs; the Associate Vice President for UF Health Science Center Affiliations; the General Counsel of UF; the Self-Insurance Program Administrator who shall serve as President and Chief Executive Officer; and such persons who from time to time may be appointed by the President of UF; and if Shands Teaching Hospital and Clinic, Inc. (Shands) is insured, the Chief Executive Officer and Executive Vice President of Shands and one appointee of the Chief Executive Officer and Executive Vice President; and if University Medical Center (UMC) is insured, the President and Chief Executive Officer of UMC and one appointee of the President and Chief Executive Officer of UMC. The number of Board of Directors shall be a minimum of nine (9), and the maximum shall be fifteen (15); the majority shall be individuals who are not M.D.s.

2. HSIC shall be managed by a Board of Directors, constituted as follows: the Vice President for Health Sciences of USF, who shall serve as Chair; the Chair of the Board of Regents (or the Chair's designee); the Vice Chancellor for Health Affairs; the Dean of the College of Medicine (or his/her designee); the Executive Associate Vice President for Health Sciences USF; a financial officer of the Health Sciences Center as designated by the Vice President for Health Sciences; the General Counsel of USF; the Self-Insurance Program Administrator; who shall serve as President and Chief Executive Officer; and such persons who from time

to time may be appointed to the Board of Directors by the President of USF; and if the H. Lee Moffitt Cancer Center and Research Institute (Moffitt) is insured, the Center Director of Moffitt. The number of Board of Directors shall be a minimum of nine (9), and the maximum shall be fifteen (15); the majority shall be individuals who are not M.D.s.

(d) The Board of Directors of each captive shall carry out the purposes of the entity in compliance with its' Articles of Incorporation and Bylaws. These management responsibilities shall include:

1. To issue policies of insurance protection which shall establish the perils and risks to be protected and the limits of liability protection in excess of those amounts described in Section 768.28, Florida Statutes, to be underwritten by the captive. Such limits of liability protection may supplant or be in excess of those liability protections provided by the Self-Insurance Program(s);

2. To act as the underwriting committee;

3. To contract with the Self-Insurance Program(s) for administrative, risk management, claims and other related services. The Self-Insurance Program(s) and the captive shall share equitably in the administrative costs of the self-insurance programs;

4. To annually assess and collect premiums from insured entities and individuals. All premium income shall be deposited in accounts approved by the Board and shall be managed pursuant to the captive's administrative and investment policies;

5. To propose and submit an annual budget through the President to the Board;

6. To establish an investment policy which shall be approved by the Board, and to maintain an investment account which shall optimize income for the support of the captive;

7. To transfer any risks protected by the captive to commercial insurers through reinsurance, reciprocal or other risk sharing agreements with similar risk bearers;

8. To contract with an insurance management firm licensed in the selected domicile to serve as the registered office of the captive and to provide such services within the domicile as may be required by the insurance code or law of the selected domicile;

9. To accept the transfer of any contingent losses and loss reserves from the Self-Insurance Program(s) if requested by the Self-Insurance Council(s);

10. To contract with a casualty actuary, as defined by the insurance code or law of the domicile of the captive, to perform an annual review to recommend premium income levels to safeguard the fiscal integrity of the captive;

11. To provide for an annual audit of the captive's financial accounts by independent auditors approved by the selected domicile and the Board. The annual audit report shall include a management letter and shall be submitted to the Board for review.

Specific Authority 240.209(1), (3)(r), 240.213(5) FS. Law Implemented 240.209(1), 240.213, 240.512(3), 240.513(3)(d), 240.5135, 395.0197, 768.28, 766.101, 766.106 FS. History—Formerly 6C-3.01, 9-17-71, Amended and Renumbered 12-17-74, Amended 5-24-77, 9-8-77, 1-11-79, 12-11-79, 8-11-85, Formerly 6C-10.01, Amended 1-6-88, 10-15-90, 5-30-93, 3-16-95, 11-27-95.

6C-10.004 Educational Research Centers for Child Development.

(1) Each university may establish an Educational Research Center for Child Development in accordance with the provisions of Section 240.531, Florida Statutes.

(2) Each center shall give highest priority to serving the children of students, followed by the children of both staff and faculty.

(3) Funds appropriated for the Educational and General activities of the State University System shall not be used to staff and operate centers. Operations may be financed either through the capital improvement trust fund fee, activity and service fee allocations, user charges, grants and donations, or any combination of these sources. The use of capital improvement trust fund fees and activity and service fees to subsidize the cost of providing services to the children of staff and faculty shall be minimized. Funds subject to bond commitment may be used only to the extent that current bond obligations and the terms of the trust indenture are met.

(4) University facilities constructed for the accomplishment of the university's academic mission may be used for university research centers for child development provided that rent is charged, which may be minimal. Such centers will not generate a requirement for fixed capital outlay.

(5) The president shall be responsible for the operation and supervision of the educational research center for child development. The university shall promulgate rules for the operation of the educational research center for child development, including guidelines for the use and supervision of student interns, the receipt and monitoring of funds in accordance with the laws of the State of Florida and rules of the university and the Board, and participation by the student government association. It is recognized that an intent of this program is to provide research and training activities which are representative of a comprehensive scope of child development needs throughout the community. To this end, university rules shall include an admission process that provides for a student population of diverse race, ethnicity, socio-economic status, and mental and physical ability.

(6) Each university which establishes an educational research center for child development shall provide for a board of directors, in accordance with the law. The board of directors shall insure that the center is operated according to law and rules of the Board and the university.

(7) Each center is authorized to charge fees for child care and services. Fees should be set at the level required to support the cost of providing the service. Exceptions should be made for the children of students and may be made for low-income faculty and staff. These fees must be approved by the Board as required by law, and in accordance with subsection 6C-7.003(37), F.A.C.

Specific Authority 240.209(1), (3)(q), (4), 240.531(3), (4) FS. Law Implemented 240.209(1), 240.531 FS. History—Formerly 6C-2.79, Amended 10-7-74, Amended and Renumbered 12-17-74, Amended 2-18-80, 8-11-85, Formerly 6C-10.04, Amended 12-25-86, 11-29-94.

6C-10.009 Smoking in Public Buildings.

For the purpose of implementing Section 255.27, Florida Statutes, State policy concerning smoking in public buildings, and the enforcing guidelines set forth therein, the following persons are designated supervisors as contemplated by that law: the Chancellor for the offices of the Board and the presidents for buildings of the universities.

Specific Authority 240.209(1), (3)(m), 255.27 FS. Law Implemented 240.209(1), (3)(m), 255.27 FS. History—New 5-10-78, Amended 8-11-85, Formerly 6C-10.09.

CHAPTER 6C-11 COMMUNITY HOSPITAL EDUCATION PROGRAM

6C-11.001	Offices. (Repealed)
6C-11.002	The Council. (Repealed)
6C-11.003	The Staff Director. (Repealed)
6C-11.004	Meetings and Agenda. (Repealed)
6C-11.005	Administration and Travel. (Repealed)
6C-11.006	Consultants. (Repealed)
6C-11.007	Objectives. (Repealed)
6C-11.008	Primary Care Program Support. (Repealed)
6C-11.009	Special Developmental Support. (Repealed)
6C-11.010	Other Support. (Repealed)
6C-11.011	Offices.
6C-11.012	The Council.
6C-11.0125	Powers and Duties.
6C-11.013	The Staff Director.
6C-11.014	Meetings and Agenda.
6C-11.015	Administration, Travel, and Consultants.
6C-11.016	Consultants. (Repealed)
6C-11.017	Objectives. (Repealed)
6C-11.018	Program Support. (Repealed)
6C-11.019	Special Development Support. (Repealed)

6C-11.011 Offices.

The Board's Office of Health Affairs in Tallahassee will be responsible for the administration of the Community Hospital Education Program.

Specific Authority 240.209(1), (3)(o), 381.503 FS., Chapter 85-119, Laws of Florida, Item 585B. Law Implemented 240.209(1), (3)(o), 381.503(3) FS. History--New 6-2-87.

6C-11.012 The Council.

(1) The eleven member Council shall be appointed by the Governor, for terms of four years each, as provided by Section 381.0403(5)(a), Florida Statutes.

(2) The Council shall elect a Chairman from among its membership. Election shall be by majority vote of members present and shall take place at the first meeting of the Council following January 1 of each year. The term of the Chairman shall be for one year but the Chairman may succeed himself or herself. By affirmative vote of seven or more members of the Council, a new Chairman may be elected at any regular scheduled meeting.

(3) The Chairman shall:

(a) Appoint such committees of the Council as the Chairman shall deem necessary to carry out the program. The Chairman shall serve as an ex-officio voting member of all committees.

(b) Preside at all meetings of the Council or designate a member of the Council to preside in the absence of the Chairman.

(c) Act for, and on behalf of, the Council on emergency matters requiring immediate decision. Action taken by the Chairman under this provision shall then be presented for approval and ratification by the Council at the next meeting.

Specific Authority 240.209(1), (3)(q), 381.0403 FS. Law Implemented 381.0403(5) FS. History--New 6-2-87, Amended 3-29-89, 11-9-92.

6C-11.0125 Powers and Duties.

(1) The Council shall perform such duties as are designated by Section 381.0403, Florida Statutes. The principal responsibilities of the Council include, but are not limited to, approving internship/residency programs for participation in the Community Hospital Education Program, allocating appropriated funds among eligible programs on the basis of the number of eligible interns/residents, and conducting periodic reviews of programs to evaluate the effectiveness and standards of the educational endeavor.

(2) The Council shall annually establish priorities, goals and objectives for the program.

Specific Authority 240.209(1), (3)(q), 381.0403 FS. Law Implemented 381.0403(5) FS. History--New 11-9-92.

6C-11.013 The Staff Director.

(1) The Chancellor shall designate the Vice Chancellor of Health Affairs as the Staff Director of the Program.

(2) The Staff Director shall:

(a) Maintain liaison with each participating internship/residency program and its director and shall keep the Council advised of the status and plans of each program.

(b) Advise the Council, Board of Regents, and Legislature concerning physician manpower, graduate medical education and related issues.

(c) Administer the appropriated funds, including but not limited to, providing annual contracts and quarterly payments to participating programs.

(d) Prepare and recommend budget requests and program allocations for consideration by the Council and the Board.

(e) Maintain all records of the Council including the official minutes of each meeting.

Specific Authority 240.209(1), (3)(q), 381.0403 FS. Law Implemented 381.0403(5) FS. History--New 6-2-87, Amended 11-9-92.

6C-11.014 Meetings and Agenda.

(1) Regular meetings of the Council shall be held (at least quarterly) with additional meetings called by the Chairman as needed. The time and place of each meeting shall be announced in the Florida Administrative Weekly.

(2) The agenda for each meeting of the Council shall be prepared by the Staff Director in consultation with the Chairman and made available two (2) weeks prior to the meeting.

Specific Authority 240.209(1), (3)(q), 381.0403 FS. Law Implemented 381.0403(5) FS. History--New 6-2-87, Amended 11-9-92.

6C-11.015 Administration, Travel, and Consultants.

(1) Members of the Council, the Staff Director, and such others as the Council may designate as official participants in the program shall be reimbursed for travel expenses as provided by law for state employees pursuant to Section 112.061, Florida Statutes.

(2) Compensation and reimbursement for consultants utilized by the Council shall be consistent with state law and practices.

Specific Authority 240.209(1), (3)(q), 381.0403 FS. Law Implemented 381.0403(5) FS. History--New 6-2-87, Amended 11-9-92.

CHAPTER 6C-12 FLORIDA SOLAR ENERGY CENTER PROGRAM

- 6C-12.001 Florida Solar Energy Center Operations.
- 6C-12.002 Solar Collector Testing, Standards. (Repealed)
- 6C-12.003 Solar Collector Certification. (Repealed)
- 6C-12.004 Testing Fees, Testing, Inspection, Services. (Repealed)
- 6C-12.005 Solar Domestic Water Heating and Solar Pool Heating System Standards and Certification. (Repealed)

6C-12.001 Florida Solar Energy Center Operations.

The Florida Solar Energy Center, is governed by Section 377.705, Florida Statutes. It shall be administered by the University of Central Florida for and on behalf of the Board of Regents. The University shall adopt such rules as are necessary to carry out the purposes of the program of the Center and as are consistent with Board policies and rules.

Specific Authority 240.209(1), (3)(m), 377.705 FS. Law Implemented 377.705, 20.05(1)(b) FS. History--New 2-10-77, Amended 9-8-77, 12-30-79, 3-31-81, 3-20-85, Formerly 6C-12.01.

CHAPTER 6C-13 RESEARCH AND DEVELOPMENT AUTHORITY PROGRAM

- 6C-13.001 Purpose. (Repealed)
- 6C-13.002 Offices. (Repealed)
- 6C-13.003 The Commission. (Repealed)
- 6C-13.004 Meetings of Commission. (Repealed)
- 6C-13.005 Powers and Duties of Commission. (Repealed)
- 6C-13.006 Membership of Authority. (Repealed)
- 6C-13.007 Powers and Duties of Research and Development Authority. (Repealed)

CHAPTER 6C-14 ADMINISTRATION OF CONSTRUCTION PROGRAM

6C-14.001	Purpose. (Repealed)
6C-14.002	Definitions.
6C-14.0025	Action Required Prior to Capital Outlay Appropriation.
6C-14.003	Procedures for Contracting for Professional Services. (Repealed)
6C-14.004	Public Announcement and Qualification Procedure.
6C-14.005	Certification and Competitive Selection of Architects/Engineers.
6C-14.0055	Certification and Competitive Selection for Construction Management Services and Design-Build Services.
6C-14.006	Certification and Competitive Selection for Minor Projects. (Repealed)
6C-14.007	Competitive Negotiation.
6C-14.008	Prohibition against Contingent Fees. (Repealed)
6C-14.009	Nonexclusion of the Public. (Repealed)
6C-14.010	Applicability to Existing Contracts. (Repealed)
6C-14.011	Valid Public Emergencies. (Repealed)
6C-14.012	Inconsistencies with Section 287.055, Florida Statutes. (Repealed)
6C-14.013	Delegation of Authority Pursuant to Section 240.225, Florida Statutes. (Repealed)
6C-14.014	Procedures for Construction Contract Bidding and Award. (Repealed)
6C-14.015	The Board of Regents as the Review Authority for Facilities Programs. (Repealed)
6C-14.0151	University Planning for Use of Capital Improvement Trust Fund Fees and Building Fees. (Repealed)
6C-14.016	The Professional Services Agreement. (Repealed)
6C-14.017	Plan Review for Program and Energy Standards Compliance. (Repealed)
6C-14.018	Contracting Authority for Construction Contracts.
6C-14.019	Reporting Procedures. (Repealed)
6C-14.020	University Supervision of Construction Program.
6C-14.021	Procedures for Construction Contract Bidding and Award.
6C-14.022	Disqualification Procedures.
6C-14.023	Notice and Protest Procedures.
6C-14.024	Art in University Buildings. (Repealed)
6C-14.025	State University System Minority Construction Program. (Repealed)

6C-14.002 Definitions.

(1) "Professional Services" means those services within the scope of the practice of architecture, professional engineering, or registered land surveying as defined by the Laws of Florida or those performed by any architect, landscape architect, professional engineer or registered land surveyor in connection with professional employment or practice or other professional services that may be required.

(2) "Construction Management Services" means those services whereby the construction manager is selected pursuant to Rule 6C-14.0055, F.A.C., to provide consulting services during the design phase; and management and contractual responsibility for the total construction project under a negotiated fee and guaranteed maximum price construction contracting method. A fee is negotiated for profit, overhead and direct management costs. Trade contracts are awarded by the construction manager based on competitive bids received in response to invitations to bid issued by the construction manager. A guaranteed maximum price is provided by the construction manager, and the total price paid to the construction manager is either the fee plus the actual cost or the guaranteed maximum price, whichever is less.

(3) "Design-Build Services" means those services whereby one single legal entity selected pursuant to Rule 6C-14.0055, F.A.C., is responsible for design and construction services under one contract. Where such services are within the scope of practice of architecture, or professional engineering as defined by the laws of the State, they are to be performed by a registered architect or professional engineer, and where those services are within the scope of construction contracting as defined by the laws of the State for construction, they are to be performed by a certified or registered contractor as applicable according to Florida Statute.

(4) "Project" means that fixed capital outlay construction project, study or planning activity described in the Public Notice including:

- (a) Individual facilities;
- (b) Grouping of substantially similar facilities, rehabilitation and/or renovation activities; or
- (c) Grouping of minor facilities, rehabilitation and/or renovation activities.

(5) "Construction budget" shall mean that amount which is announced after the deadline for the receipt of bids, but prior to the opening of bids.

(6) A "Campus Service Agreement" is a contract entered into in accordance with this Chapter between the university and a firm whereby the firm provides professional services for projects of a specified nature for a specific period of time under a continuing contract as defined in Section 287.055, Florida Statutes.

- (7) "Guaranteed Maximum Price" means the fixed amount in a negotiated contract within which the construction will be achieved. It includes both the fee and construction cost.
- (8) "Minority Business Enterprise" (MBE) is any legal entity as defined in Section 288.703, Florida Statutes.
- (9) "Chancellor" means the Chancellor of the State University System, or designee.
- (10) "President" means the university president, or designee.
- (11) "The University Facilities Office" means any office at a university with authority for design and construction administration.

Specific Authority 240.209(1), (3)(p), (q) FS. Law Implemented 240.209(1), (3)(p), (q), 255.29, 287.055, 288.703 FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-14.02, Amended 4-8-86, 1-24-89, 10-17-89, 1-13-99.

6C-14.0025 Action Required Prior to Capital Outlay Appropriation.

- (1) No new construction or remodeling project exceeding \$500,000 shall be requested by a university for inclusion on the priority list without being recommended in an educational plant survey as prescribed in Chapter 235, Florida Statutes.
- (2) The university is responsible for the preparation of the building program and shall submit it to the Chancellor for approval. The program shall be consistent with the university academic and facilities master plan, and shall include the project budget and the building codes applicable to the project.
- (3) The Chancellor shall have the responsibility for building program review and approval, modification, or disapproval, to assure compatibility with the institution's approved mission statement, master plan, and with space utilization criteria described in Chapter 6A-2, F.A.C. Building programs and budgets approved by the Chancellor shall serve as the basic planning documents for development of plans and specifications for construction.
- (4) Proposals for fixed capital outlay projects to be funded by Capital Improvement Fees or Building Fees shall be prepared by the university. Each proposed project shall be approved by the university president after consultation with the student government association. For the purpose of this rule, "consultation" is defined as an ongoing dialogue with the student body president prior to developing the university proposal. An attachment containing any objections and alternatives, and stating that both the university president and the student government association have reviewed the project proposals, shall be included in the proposal.

Specific Authority 240.209(1), (3)(p), (q), 240.295(3) FS. Law Implemented 216.182, 240.209(1), (3)(p), (q), 240.295(1), (3) FS. History—New 1-24-89, Amended 1-13-99.

6C-14.004 Public Announcement and Qualification Procedure.

- (1) The university shall publish an announcement in the "Florida Administrative Weekly" published by the Department of State, Division of Elections, Tallahassee, Florida 32399, available by subscription, when the following services are required:
 - (a) Professional services for each project which exceeds the threshold amount provided in Section 287.017, Florida Statutes, for Category Five, which is not being designed by either the Campus Service Architect/Engineer or by university forces;
 - (b) Continuing professional services or construction management services under a Campus Service Agreement;
 - (c) Professional services for development of design criteria for design-build projects. (The firm selected to develop the design criteria package shall not be eligible to render services under the Design-Build Contract);
 - (d) Construction management services; or,
 - (e) Design-build services.
- (2) The announcement shall provide a general description of the project(s) and the selection process.

Specific Authority 240.209(1), (3)(p), (q), 287.055(3) FS. Law Implemented 240.209(1), (3)(p), (q), 255.29, 287.055 FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-14.04, Amended 1-24-89, 10-17-89, 1-13-99.

6C-14.005 Certification and Competitive Selection of Architects/Engineers.

- (1) A Certification and Selection Committee appointed by the president shall serve throughout the selection process for a Campus Service Architect/Engineer, or for any project exceeding the threshold amount provided in Section 287.017, Florida Statutes, for Category Five, which is being designed neither by the Campus Service Architect/Engineer nor by university staff. The Committee shall consist of at least three members and no more than five members and shall be comprised of the following:
 - (a) Three representatives of the University Facilities Office or physical plant office;
 - (b) Up to two additional members, based on the special needs of the project.
- (2) For all selections, the Certification and Selection Committee shall determine the eligibility under Florida law of each firm to perform the services required for each project. Each firm determined to be eligible to provide the services for the project will be so certified by the Committee and shall be qualified for consideration as provided in this Chapter.
- (3) The Certification and Selection Committee shall evaluate professional qualifications statements by all eligible professional firms applying. The Committee shall consider the experience of professional personnel; past performance; ability to meet time and budget requirements; minority business certification status; location; and recent, current and projected workloads of the firms. The Committee shall conduct discussions with, and may require public presentation by, no fewer than three firms, where possible, regarding their qualifications, approach to the project, and ability to furnish the required services. For projects having three or fewer applicants, the Committee shall conduct discussions with each applicant firm. The Committee shall also consider the volume of

work previously awarded to the firm by the State University System, with the object of effecting an equitable distribution of contracts among qualified firms, provided that such distribution does not violate the principle of selection of the most highly qualified firms. The Committee shall rank the firms in the order of those most highly qualified to perform the required service, and where possible, shall recommend to the president for approval no less than three firms in the Committee's order of ranking. The university shall notify all interviewed firms of the approved selection.

(4) After approval by the president, the president shall negotiate a contract.

Specific Authority 240.209(1), (3)(p), (q), 287.055(3)(d) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), (q), 287.055 FS. History--New 12-30-79, Formerly 6C-14.05, Amended 7-22-87, 1-24-89, 5-17-95, 1-13-99.

6C-14.0055 Certification and Competitive Selection for Construction Management Services and Design-Build Services.

(1) The president may waive the requirements of Rule 6C-14.021, F.A.C., and permit negotiation of a contract for construction management services, or the president may waive the requirements of Rules 6C-14.005 and 6C-14.021, F.A.C., and permit negotiation of a contract for design-build services in accordance with Rule 6C-14.007, F.A.C., in cases determined to be in the best interest of the State.

(2) In determining when it is in the best interest of the State to use construction management, the president shall consider:

(a) Whether the size of the project is sufficiently large and/or complex to require major emphasis on the qualification of the contractor to have specific expertise in performing highly specialized cost estimating, value engineering, and scheduling during the design process with continuity of construction management through both the design and construction phases;

(b) Whether the initial construction funding is appropriated and construction is begun with the expectation of substantial appropriations in subsequent years, thereby making it advantageous to retain a single contractor for the duration of the project;

(c) Whether the project is an alteration of an occupied facility which requires working around or relocating occupants while keeping the facility fully operational; or,

(d) Whether the project is a repair or renovation where the conditions requiring correction cannot be determined and specified without extensive contractor involvement in the removal and examination process during the design phase.

(e) Whether the timely completion of the project is critical to the university's ability to repay debt service or to meet grant obligations.

(3) In determining when it is in the best interest of the State to use the design-build process, the president shall consider:

(a) Whether the need for the facility is significant enough to require a substantial reduction of normal delivery time, requiring an overlap of design and construction phases;

(b) Whether the design and construction of the facility requires minimal interface with the users; or

(c) Whether the project is performance-based and requires the development of a plan for life cycle cost savings and a design solution which will accomplish the savings.

(4) A Certification and Selection Committee appointed by the president shall serve throughout the selection process. The Committee shall consist of at least three members and no more than five members and shall be comprised of the following:

(a) Three representatives of the University Facilities Office or physical plant office;

(b) Up to two additional members based on the special needs of the project.

(5) The project architect/engineer or the Design Criteria Consultant may attend the selection meetings in an advisory capacity, at the Committee's discretion.

(6) The Certification and Selection Committee shall determine the eligibility under Florida law of each applicant to perform the services required for the project. Each applicant determined to be eligible to provide the services for the project will be so certified by the Committee and shall be qualified for consideration as provided in this Rule. The Certification and Selection Committee shall evaluate the qualifications of all responsive applicants.

(7) For construction management projects, the Committee shall conduct discussions with, and may require public presentation by, no fewer than three applicants regarding their qualifications, approach to the project, and ability to furnish the required services. For a project having three or fewer applicants, the Committee shall conduct discussions with each applicant. The Committee shall rate each applicant on the basis of the point scale identified, and where possible, shall recommend to the president for approval no less than three applicants in the Committee's order of ranking.

(8) Design-build entities shall be selected either on the basis of qualifications or on the basis of formal design-build proposals.

(a) For qualifications-based selections, the Committee shall consider the criteria outlined in Rule 6C-14.005, F.A.C., for selection of architects/engineers, and in Rule 6C-14.0055, F.A.C., for selection of construction managers, and shall follow the selection process described for construction managers.

(b) For proposal-based selections, the Committee shall request formal design-build proposals and conduct interviews with no fewer than three and no more than six applicants. For a project having three or fewer applicants, the Committee shall request formal design-build proposals from each applicant.

Applicants may be instructed to submit their design-build proposals in such a way as to maintain their anonymity. The design-build proposals shall be reviewed by the Design Criteria Consultant, who shall provide the Committee with an evaluation of code, structure, engineered systems, life-cycle cost implications, and compliance with design criteria.

The Committee shall review all design-build proposals and interview each submitting applicant. The Committee shall rate each applicant on the basis of the point scale identified.

(c) Under either selection process, the Committee shall recommend three applicants, where possible, in priority order to the president.

(9) For construction management projects, the president shall notify each applicant interviewed according to subsection 6C-14.0055(7), F.A.C., of the president's action. For design-build projects, the president shall notify each interviewed applicant of the president's action. Any protest shall be filed in accordance with Chapter 120, Florida Statutes.

(10) After approval by the president, the president shall negotiate a contract in accordance with Rule 6C-14.007, F.A.C.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.209(1) FS. History--New 10-17-89, Amended 9-15-91, 6-5-96, 1-13-99.

6C-14.007 Competitive Negotiation.

(1) The president shall negotiate a contract with the approved firm in the following manner:

(a) For professional services, the contract shall be negotiated using the State University System approved fee schedule for individual projects or maximum hourly rates for Campus Service Agreements and design criteria agreements. The fee schedule to be used shall be negotiated based on the level of complexity and the scope of the services required, and shall be based on historic fee data. The basic fee schedule shall relate the fees to the complexity and size of the project and provide a basis for negotiation of a fair, competitive and reasonable fee for the services to be provided.

(b) For construction management services and for design-build services selected based on qualifications, the contract shall be negotiated to provide for preconstruction fees based on hourly rates, and construction related services to include profit, overhead, direct management costs, and establishing a guaranteed maximum price.

(c) For design-build services selected based on a design-build proposal, the contract shall be negotiated based on the design-build proposal, to provide for a guaranteed maximum price for all professional services and construction costs which shall include reimbursable costs plus fees for design, project management, overhead and profit.

(2) Should the president be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a price the president determines to be fair, competitive and reasonable, the president shall terminate negotiations with that firm. The president shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the president shall terminate negotiations with that firm and shall then undertake negotiations with the third most qualified firm.

(3) Should the president be unable to negotiate a satisfactory contract with any of the selected firms, additional firms may be selected in accordance with Rule 6C-14.005, F.A.C., or negotiations may be reinstated following the original order of priority. Negotiations may, in the president's sole discretion, continue in accordance with this Chapter until an agreement is reached.

Specific Authority 240.209(1), (3)(p), (q), 287.055 FS. Law Implemented 240.209(1), (3)(p), (q), 287.055 FS. History--New 12-30-79, Amended 8-18-80, Formerly 6C-14.07, Amended 7-22-87, 1-24-89, 10-17-89, 5-17-95, 1-13-99.

6C-14.018 Contracting Authority for Construction Contracts.

(1) Each construction project shall be issued for receipt of bids and awarded as provided under Rule 6C-14.021(5), F.A.C. Where bids are within the budget, the president may sign the construction contract in behalf of the Board.

(2) Where bids exceed the established project budget, all bids may be rejected and the project may be bid again. If a contract may be awarded by using contingency funds from the project budget, or by increasing the total project budget, the president may, if determined to be in the best interest of the State, award the contract, subject to budget amendment.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 240.227(12) FS. History--New 12-30-79, Amended 9-28-81, 8-11-85, Formerly 6C-14.18, Amended 1-24-89, 6-5-96, 1-13-99.

6C-14.020 University Supervision of Construction Program.

(1) The university shall be responsible for the administration of all projects.

(2) The University Facilities Office is responsible for liaison with the project architect/engineer for the duration of the project. The president shall review all plans for program compliance and ensure that any deviations from the approved building program are corrected. Where deviations from the approved program are desired in the planning process, the president shall be responsible for preparing and obtaining approval of the amendment to the building program before further development of the plans. During the design and construction of a project, the university is the enforcing agency for the requirements of codes and statutes.

(3) The president shall provide the necessary liaison in the preparation of all change orders and shall approve or disapprove change order proposals not affecting the approved program of the project in accordance with guidelines developed by the Chancellor. Where change orders cause the authorized budget to be exceeded, the change order shall be subject to prior budget amendment. Where change orders are outside the scope of the approved program, the change order shall be subject to prior program approval by the Chancellor.

(4) The president shall ascertain that all projects comply with all applicable codes and standards. Prior to the president placing an advertisement for bids, the president shall submit completed construction documents to the State Fire Marshal's Office for review and approval.

(5) For the use of the Certification and Selection Committee in evaluation of past performance, each architectural or engineering firm under contract shall be evaluated no less than annually while under contract. When completed, a copy of the rating shall be distributed to the rated firm with instructions regarding the appeal process. Any rating may be appealed within 30 days of the rating date by the rated firm. In the event of appeal, the rating shall be reviewed in the manner set forth in subsections 6C-14.022(2) and (4), F.A.C., of these rules, for appeals of disqualification of contractors.

Specific Authority 240.209(1), (3)(p), (q), (r) FS. Law Implemented 240.209(1), (3)(p), (q), 255.25(5), 287.055(3)(d) FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-14.20, Amended 4-8-86, 1-24-89, 11-28-90, 6-5-96, 1-13-99.

6C-14.021 Procedures for Construction Contract Bidding and Award.

(1) The president shall be responsible for the advertisement of all projects in accordance with Section 255.0525, Florida Statutes. All announcements will include information necessary for firms to submit a bid proposal on the project.

(2) In order to be eligible to submit a bid proposal, a firm must, at the time of receipt of bids:

(a) Hold the required applicable state contractor license in good standing where the project falls within the provisions of Chapter 489, Florida Statutes;

(b) Hold a current and active Florida corporate charter in accordance with Chapter 607, Florida Statutes, if the bidder is a corporation. If the bidder is an out-of-state corporation, it must hold a current and active foreign qualification authorization to do business in the State of Florida;

(c) Not be disqualified at the time of bid submittal through disqualification procedures described in Rule 6C-14.022, F.A.C.;

(d) Meet any special prequalification requirements set forth in the bid documents; and

(e) Not have been convicted of a public entity crime within 36 months prior to the date for receipt of bids.

(3) The lowest responsible and responsive bidder, as determined by the university, must submit the following items within seven calendar days following the bid opening date:

(a) Proof of compliance with subsection 6C-14.021(2), F.A.C.;

(b) Proof of insurance in effect which equals or exceeds the limits required by the project specifications;

(c) A Letter of Intent from a surety company which meets the standards set forth in the project specifications and is authorized to do business in the State of Florida; and

(d) Proof of compliance with any special requirements which are set forth in the bid documents, and which were not required to be submitted with the bid proposal.

(4) Any items so required by the project specifications shall be submitted with the bid proposal.

(5) Projects will be publicly bid in accordance with the provisions in the bid documents. Except for informalities which may be waived by the president a bid which is incomplete or not in conformance with the requirements of the bid documents shall be determined to be non-responsive and shall be rejected. Award of contract will be made to the firm determined to be responsible and qualified in accordance with the bid documents which submits the lowest priced proposal for the work except that if it is in the best interest of the State, any bids may be rejected, or all bids may be rejected and the project may be bid again.

(6) The president may waive the requirements of Rule 6C-14.021, F.A.C. and permit negotiation of the construction contract with a qualified firm in documented cases of valid public emergencies.

(7) When determined to be in the best interest of the State and reduction in the price of the lowest responsible and responsive bidder is necessary to provide for an award of a construction contract within the construction budget, the president may negotiate the construction contract or modification of the contract, including the specifications, with that bidder. Negotiations may be terminated and all bids may be rejected at any point in the negotiation process. The award of a negotiated contract will be made by the president.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.29 FS. History—New 12-30-79, Amended 5-25-81, 8-11-85, Formerly 6C-14.21, Amended 4-8-86, 1-24-89, 4-10-90, 6-5-96, 1-13-99.

6C-14.022 Disqualification Procedures.

(1) The president will review the performance of each construction firm under contract. The president will record poor or inadequate performances, deficient management resulting in project delay, poor quality workmanship, and non-fulfillment of contractors MBE plan. The president will review all circumstances surrounding instances of poor performance and the quality of workmanship and may initiate disqualification proceedings for any firm determined to be deficient.

(2) The president shall notify the firm under review and give it an opportunity to submit written evidence. As deemed appropriate, the president may convene a disqualification committee. If the president finds probable cause to warrant disqualification, the president shall so notify the contractor in accordance with Chapter 120, Florida Statutes. The notification shall set forth specifically the grounds for disqualification and the contractor's right to request a hearing in accordance with Chapter 120, Florida Statutes. The firm may, within fourteen (14) days of receipt of notification of disqualification, file a written request for hearing. If such a request is not timely filed, the president will make a final ruling on the matter in its original form. If a request for hearing is made, the matter will be handled in accordance with Chapter 120, Florida Statutes.

Specific Authority 240.209(1), (3)(p), (q) FS. Law Implemented 120.57, 120.60, 240.209(1), (3)(p), (q), 287.094 FS. History—New 5-25-81, Amended 8-11-85, Formerly 6C-14.22, Amended 4-8-86, 1-24-89, 1-13-99.

6C-14.023 Notice and Protest Procedures.

(1) Notification.

(a) Bid Solicitation – The university shall provide notice of any information relating to a bid solicitation by advertising for bids or by distribution of bidding documents.

(b) Contract Award – The notice of a decision on contract award or bid rejection shall be given by certified United States mail, return receipt requested, to each bidder.

(2) Protest.

(a) Any qualified bidder who is adversely affected by the university's decision may file a written notice of protest within 72 hours after receipt of the notice. The protesting firm must reduce its complaint to written petition and file it with the president within ten (10) days from registration of the original complaint. If the bid documents require the posting of a bond with the protest as provided by Section 255.0516, Florida Statutes, the bond shall be included with the protest.

(b) Failure to file a notice of protest or the written petition shall constitute a waiver of the right to protest proceedings.

(3) Upon receipt of the formal written petition filed in accordance with paragraph 6C-14.023(2)(a), F.A.C., the president shall delay the execution of the contract until the protest is resolved by mutual agreement between the parties or by final presidential action, unless the president shall make a finding and declares that such delay would cause serious danger to the public health, safety or welfare.

(4) Petitions involving disputed issues of material fact shall be referred for hearing in accordance with Section 120.57(1), Florida Statutes, except that in instances where the firm filing the protest waives its right to a formal hearing and requests an informal hearing pursuant to Section 120.57(2), Florida Statutes, such a request may be granted. For those cases having no disputes of material fact, the president may designate a hearing officer to conduct a hearing pursuant to Section 120.57(2), Florida Statutes. At the conclusion of the informal hearing, the hearing officer shall submit a written recommended order to the president. The president shall then issue a preliminary order for final action and notify the firm of such order. The preliminary order of the president shall be final, unless the firm under consideration takes exception to such order; in which event, it may file with the president such exceptions within twenty-one (21) days receipt of notice of the preliminary order. At the end of the period for filing exceptions, the president will review the preliminary order and any exceptions that have been filed, and will render the final order. The decision of the president is final.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 120.57, 240.209(1), (3)(p), 255.0516 FS. History—New 5-25-81, Amended 8-11-85, Formerly 6C-14.23, Amended 6-5-96, 1-13-99.

**CHAPTER 6C-15 PROCEDURES FOR ADMINISTRATION OF DELEGATED AUTHORITY
FOR SURPLUS PROPERTY PROGRAM**

- 6C-15.001 Purpose. (Repealed)
- 6C-15.0015 Applicability. (Repealed)
- 6C-15.002 Definitions. (Repealed)
- 6C-15.003 Reporting Requirements for Surplus, State-owned, Tangible Personal Property. (Repealed)
- 6C-15.004 Certification. (Repealed)
- 6C-15.005 Buildings and Structures. (Repealed)
- 6C-15.006 Items to Be Reported. (Repealed)
- 6C-15.007 Procedures for Disposal of Surplus Property. (Repealed)
- 6C-15.008 Availability of Surplus State Property. (Repealed)
- 6C-15.009 Surplus Property with an Estimated Value of \$5,000 or More. (Repealed)
- 6C-15.010 Authority for Disposal. (Repealed)
- 6C-15.011 Exchange Property. (Repealed)
- 6C-15.012 Non-state Funded Property. (Repealed)
- 6C-15.013 Disposition of Monies. (Repealed)

CHAPTER 6C-16 PROCEDURES FOR ADMINISTRATION OF DELEGATED AUTHORITY FOR MOTOR POOL

- 6C-16.001 Purpose. (Repealed)
- 6C-16.002 Approval.
- 6C-16.003 Acquisition. (Repealed)
- 6C-16.004 Assignment and Use. (Repealed)
- 6C-16.005 Maintenance.
- 6C-16.006 Aircraft.

6C-16.002 Approval.

Motor vehicles or watercraft may not be acquired by lease, lease purchase, purchase or transfer from another agency without the written authorization of the Chancellor or the Chancellor's designee. This rule shall not apply to the temporary lease for less than 30 days of a motor vehicle for the conduct of normal Board or State University System business.

Specific Authority 240.209(1), (3)(m), 240.225 FS. Law Implemented 240.205(6), 240.209(1), (3)(m), 240.225, 287, Part II FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-16.02.

6C-16.005 Maintenance.

(1) A contract or contracts with the Department of General Services or with a private business or non-government entity may be established to maintain and repair motor vehicles and watercraft.

(2) Emergency repairs of a motor vehicle or watercraft may be done in a cost-effective manner when operating away from the normal service facilities.

Specific Authority 240.209(1), (3)(m), 240.225 FS. Law Implemented 240.205(6), 240.209(1), (3)(m), 240.225, 287.16 FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-16.05.

6C-16.006 Aircraft.

Aircraft for the conduct of Board or State University System business may only be acquired with the specific approval of the Board.

Specific Authority 240.209(1), (3)(m), 240.225 FS. Law Implemented 240.205(6), 240.209(1), (3)(m), 240.225, 287, Part II FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-16.06.

CHAPTER 6C-17 PROCEDURES FOR ADMINISTRATION OF DELEGATED AUTHORITY FOR LEASING PROGRAM

6C-17.001	Purpose. (Repealed)
6C-17.002	Definitions. (Repealed)
6C-17.003	Approval.
6C-17.004	Standard Lease Agreement Form.
6C-17.005	Escalation Clauses Prohibited. (Repealed)
6C-17.006	Right-to-Terminate Clause Required. (Repealed)
6C-17.007	Renewal of Leases. (Transferred to 6C-17.004)
6C-17.008	Fire Code Compliance in Leased Space. (Repealed)
6C-17.009	Leases of 3,000 Square Feet or More.
6C-17.010	Legal Review.
6C-17.011	Certification of Compliance for Leases of Less Than 3,000 Square Feet.
6C-17.012	Space Measurement.
6C-17.013	Space Allocation.
6C-17.014	Rental Rates.
6C-17.015	Exception to Competitive Bidding. (Repealed)
6C-17.016	Nominal or No Consideration Leases.
6C-17.017	Special Facilities for the Physically Disabled - Leased Space.

6C-17.003 Approval.

The Chancellor or Chancellor's designee shall approve the need to lease space before a building or any part of a building is leased. Prior approval is not required for leases of less than 120 consecutive days and those for nominal or no consideration.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.25 FS. History--New 12-30-79, Amended 8-11-85, Formerly 6C-17.03, Amended 6-5-96.

6C-17.004 Standard Lease Agreement Form.

(1) The Board of Regents Standard Lease Agreement form (incorporated herein by reference) shall be used to execute a lease for any space.

(2) A lease may contain an option to renew.

Specific Authority 240.209(1), (3)(p), (r), 255 FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(3) FS. History--New 12-30-79, Amended 8-11-85, Formerly 6C-17.04, Amended 6-5-96.

6C-17.009 Leases of 3,000 Square Feet or More.

(1) The Board Office shall not enter into a lease for 3,000 square feet or more of space in a privately owned building, within any 12 month period, except upon advertisement for and receipt of competitive bids. The award shall be made to the lowest responsive bidder meeting specifications and shall include the terms and conditions of the bid as submitted.

(a) Exceptions to Competitive Bid Requirements:

1. Competitive bids shall not be required for renewal of leases.
2. Competitive bids shall not be required for any lease having a term of less than 120 consecutive days which is for the purpose of securing a one-time special use of the leased property.
3. Competitive bids shall not be required for any lease which is for nominal or no consideration.
4. Competitive bids shall not be required to extend an existing lease of 3,000 square feet or more space, if the extension is determined to be in the best interest of the State and the total of the extension does not exceed 11 months.

(2) Negotiations following a bid shall not include the authority to alter or amend its provisions.

(3) The Board Office shall not enter into a lease agreement for space of 3,000 square feet or more in a privately owned building when suitable space is available in a state-owned building or publicly owned building located in the same geographic region unless the Chancellor or the Chancellor's designee determines that the space is required in order to fulfill the Board's statutory duties.

(4) Public Notice

(a) The Board Office shall give public notice of its need for space in excess of 3,000 square feet.

(b) Public notice shall include, at least, the following:

1. Approximate square footage;
 2. General location;
 3. Availability date;
 4. Board Office contact person and address for specifications; and
 5. Public opening date.
- (5) Specifications

(a) Specifications shall be written in general terms. They shall not be written to benefit any specific location or lessor.

(b) Specifications shall include, at least, the following:

1. Approximate square footage measured in accordance with the State University System Standard Method of Space Measurement;

2. An approximate floor plan, outlining special and other physical requirements;

3. General location;

4. Availability date;

5. Terms and conditions of lease agreement; and

6. Services required.

(c) Specifications shall require the prospective lessor to:

1. Contract using the Board Office Standard Lease Agreement form;

2. Provide a scaled floor plan of available rental space;

3. Comply with Chapter 60D-1, Florida Administrative Code, Standards for Special Facilities for Physically Disabled;

4. Be an Equal Opportunity Employer;

5. Provide Full Disclosure Statements of Ownership;

6. Guarantee the bid proposal for a minimum of thirty (30) days following the public opening date; and

7. Propose a rental rate per square foot per year, including renovation and other special requirements, at the time of initial occupancy.

(6) Proposals

(a) The prospective lessor's bids or proposals may exceed the published specifications.

(b) Each bid on a proposal shall be signed by the owner(s), corporate officers, or legal representative(s). The corporate, trade, or partnership name must be either stamped, handwritten or typewritten beside the actual signature(s). If the bid on a proposal is signed by an agent, written evidence of his authority must accompany the proposal. If a corporation foreign to the State of Florida is the owner, evidence of authority to conduct business in Florida shall be presented.

(7) Evaluation

The Board Office shall evaluate all bids and proposals, on the basis of published criteria. The Board Office shall reserve the right to accept or reject any or all bids or proposals and shall give notice of results.

(8) Ownership Disclosure Statements

(a) The Board Office shall require a full disclosure statement from the prospective lessor in accordance with the provisions of Section 255.249(2)(h) and (i), Florida Statutes.

(b) Each transaction pertaining to a lease for which a Disclosure Statement has been provided, may be accompanied by a lessor's affidavit that the previous Disclosure Statement is still valid.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(2)(b), (h), (i), 255.25(3) FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-17.09, Amended 6-5-96.

6C-17.010 Legal Review.

The Board's General Counsel shall review all leases.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p) FS. History — New 12-30-79, Amended 8-11-85, Formerly 6C-17.10, Repromulgated 6-5-96.

6C-17.011 Certification of Compliance for Leases of Less Than 3,000 Square Feet.

The Chancellor shall certify that any lease of space for less than 3,000 square feet is in compliance with all leasing criteria provided by Chapter 255, Florida Statutes.

Specific Authority 240.209(1), (3)(p), (r), 240.225 FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(2)(k), (3) FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-17.11, Amended 6-5-96.

6C-17.012 Space Measurement.

The measurement of space shall be based on the method of measurement used by the State University System for gross square feet as described in the Physical Facilities Space File, 1996/97. A copy of this document is incorporated in this rule by reference.

Specific Authority 240.209(1), (3)(p), (r), 240.225 FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(2)(c) FS. History—New 12-30-79, Amended 5-19-80, 8-11-85, Formerly 6C-17.12, Amended 6-5-96.

6C-17.013 Space Allocation.

The allocation of space shall be consistent with generated need based on the State University System of Florida Fixed Capital Outlay Space Needs Generation Formula, May, 1995, and shall be in accordance with Chapter 6A-2, Florida Administrative Code. A copy of this document is incorporated in this rule by reference.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(2)(d) FS. History—New 12-30-79, Amended 5-19-80, 8-11-85, Formerly 6C-17.13, Amended 6-5-96.

6C-17.014 Rental Rates.

The Board Office shall use the state established rates for leased space, unless special circumstances dictate otherwise.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(2)(g) FS. History—New 12-30-79, Amended 5-19-80, 8-11-85, Formerly 6C-17.14, Amended 6-5-96.

6C-17.016 Nominal or No Consideration Leases.

Leases for nominal or no consideration shall be reported to the Chancellor annually.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.205(6), 240.209(1), (3)(p), 255.249(2)(j) FS. History—New 12-30-79, Amended 8-11-85, Formerly 6C-17.16, Repromulgated 6-5-96.

6C-17.017 Special Facilities for the Physically Disabled - Leased Space.

(1) Compliance with Standards. The Board Office shall insure that any space it leases complies with the standards of the Department of Management Services as found in Chapter 553, part V, Florida Statutes.

(2) Standards Waived or Modified. The Chancellor shall establish a committee to determine whether to seek modifications or a waiver of the standards as found in Chapter 553, part V, Florida Statutes.

Specific Authority 240.209(1), (3)(p), (r) FS. Law Implemented 240.209(1), (3)(p), 255.21, 553, Part V FS. History—New 9-25-80, Amended 8-11-85, Formerly 6C-17.17, Amended 6-5-96.

CHAPTER 6C-18 ADMINISTRATION OF PURCHASING PROGRAM

6C-18.001	Purpose. (Repealed)
6C-18.002	Application. (Repealed)
6C-18.003	Definitions. (Repealed)
6C-18.004	Procurement Organization. (Repealed)
6C-18.005	Central Procurement Officer. (Repealed)
6C-18.006	Formal Bids Required. (Repealed)
6C-18.007	No General Contract for Executive Agency Printing. (Repealed)
6C-18.008	Source Selection and Contract Formation. (Repealed)
6C-18.009	Sole Source Procurement. (Repealed)
6C-18.010	Emergency Procurement. (Repealed)
6C-18.011	Cancellation or Rejection. (Repealed)
6C-18.012	Responsibility of Bidders and Offerors. (Repealed)
6C-18.013	Multi-Term Contracts. (Repealed)
6C-18.014	Cancellation Clause. (Repealed)
6C-18.015	Use of State Contracts. (Repealed)
6C-18.016	Rights to Inspect Plant. (Repealed)
6C-18.017	Finality of Determinations. (Repealed)
6C-18.018	Reporting of Anticompetitive Practices. (Repealed)
6C-18.019	Specifications. (Repealed)
6C-18.020	Bonds. (Repealed)
6C-18.021	Cost Records for Printing. (Repealed)
6C-18.022	Authority to Resolve Protests. (Repealed)
6C-18.023	Authority to Debar or Suspend Vendors. (Repealed)
6C-18.024	Cooperative Purchasing. (Repealed)
6C-18.025	Assistance to Small and Minority Business Enterprises. (Repealed)
6C-18.0251	Eligibility Criteria for Certification. (Repealed)
6C-18.026	Standard of Conduct. (Repealed)
6C-18.027	Contractual Services. (Repealed)
6C-18.028	Acquisition of Information Technology Resources. (Repealed)
6C-18.030	Statement of Intent.
6C-18.035	Definitions.
6C-18.040	Purchasing Authority of the Institutions.
6C-18.045	Competitive Solicitations Required.
6C-18.050	Purchase of Commodities or Contractual Services.
6C-18.055	Bonds.
6C-18.060	Contracts.
6C-18.065	Standard of Conduct.
6C-18.070	Purchase of Motor Vehicles.

6C-18.030 Statement of Intent.

It is the intent of the State University System to acquire quality goods and services within reasonable or required time frames, while promoting fair and open competition in the public procurement process. The process will reduce the appearance and opportunity for favoritism, ensure that contracts are awarded equitably and economically, and establish effective management oversight in the acquisition of commodities and contractual services, in order to preserve the integrity of public purchasing and contracting. The opportunity to bid on State University System contracts is a privilege, not a right.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.205(6), 240.227(12) FS. History—New 1-13-99.

6C-18.035 Definitions.

(1) Artistic Services – Services provided by an individual or group of individuals who profess and practice a skill in the area of music, dance, drama, folk art, creative writing, painting, sculpture, photography, graphic arts, craft arts, industrial design, costume design, fashion design, motion pictures, television, radio or tape and sound recording or in any other related field.

(2) Chancellor – The chief administrative officer of the Board of Regents.

(3) Commodity – Any of the various supplies, materials, goods, merchandise, food, equipment or other personal property, including a mobile home, trailer or other portable structure, which are purchased, leased, lease-purchased or otherwise contracted for by the Institution. “Commodity” also includes interest on deferred-payment contracts entered into by the Institution for the purchase of other commodities. Printing of publications shall be considered a commodity when let upon contract in accordance with Section 283.33, F.S.

(4) Competitive Bid/Proposal – The response submitted to an Invitation to Bid or a Request for Proposal by responsive and qualified bidders or offerors.

(5) Competitive Negotiation – The establishment of a contract through deliberation, discussion or conference on the specifications, terms and conditions of a proposed agreement.

(6) Competitive Solicitation – An Invitation to Bid, Request for Proposal or Invitation to Negotiate to competitively select a contractor.

(7) Contractor/Vendor – A person or firm who contracts to sell commodities or contractual services to Institutions.

(8) Contractual Service – The rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors. “Contractual service” does not include labor or materials for the construction, renovation, repair or demolition of facilities entered into pursuant to Chapter 255, F.S.

(9) Extension – An increase in the time allowed for the contract period due to circumstances for which neither party is at fault.

(10) Independent Contractor – A person or firm who provides a service to an Institution, but does not have any employment or other relationship or connection with that Institution, except as provided in s. 112.313, F.S.

(11) Institution – A term used to refer to the individual units defined in Section 240.2011, F.S., as the Board of Regents or the individual universities named therein. Each institution is individually granted all rights, privileges and authority established under this rule.

(12) Invitation to Bid – A written solicitation for competitive bids with the title, date, and hour of the public bid opening designated and the commodity, group of commodities or services defined, for which bids are sought.

(13) Invitation to Negotiate – An invitation extended to prospective contractors by an Institution, whether by advertisement, written solicitation, electronic media or any other form of communication, to define the specifications, terms and conditions of a contract for commodities or contractual services. Cost may or may not be a consideration in the initial stages of negotiating.

(14) Minority Business Enterprise – A business concern as defined in s. 288.703(2), F.S.

(15) President – The chief administrative officer of a university, responsible for the operation and administration of the university.

(16) Public Entity Crime – A violation of any state or federal law by a person in the transaction of business with any public entity of any state or with the United States government involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.

(17) Purchase – An acquisition of commodities or services obtained by contract, whether by rent, lease, installment- or lease-purchase or outright purchase.

(18) Purchases for Resale – The purchase of commodities or contractual services acquired for the purpose of selling them for the benefit of the Institution.

(19) Renewal – Contracting with the same contractor for an additional period of time after the initial contract term, provided the original terms of the agreement specify an option to renew.

(20) Request for Proposal – A written solicitation for competitive proposals for commodities or contractual services with the title date, and hour of the public opening designated. The request for proposal may be used when the scope of work is not clearly defined.

(21) Responsive and Qualified Bidder or Offeror – A contractor/vendor who has submitted a bid or proposal that conforms in all material respects to a competitive solicitation.

(22) Term Contract – An indefinite quantity contract for the purchase of commodities or contractual services during a prescribed period of time.

Specific Authority 240.209(1),(3)(f) FS. Law Implemented 112.313, 240.2011, 240.205(6), 240.227(12), 255, 283.33, 288.703(2) FS. History– New 1-13-99.

6C-18.040 Purchasing Authority of the Institutions.

The Chancellor and each university president shall establish a system of coordinated, uniform procurement policies, procedures, and practices to be used in acquiring commodities and contractual services, as follows:

(1) Developing purchasing procedures in furtherance of this rule. The purchasing procedures may be developed and published as Institutional administrative procedures or rules consistent with Chapter 120, F.S.

(2) Canvassing sources of supply and contracting for the purchase or lease of all commodities and contractual services for the Institution, in any manner, including purchase by installment- or lease-purchase contracts. Installment- or lease-purchase contracts may provide for the payment of interest on unpaid portions of the purchase price.

(3) Removing any contractor from the Institution's competitive vendor list that fails to fulfill any of its duties specified in a contract with the Institution(s) and to reinstate any such contractor when satisfied that further instances of default will not occur.

(4) Planning and coordinating purchases in volume and negotiating and executing agreements and contracts for commodities and contractual services under which the Institution may make purchases.

(5) Developing an Annual Certification List to serve as a waiver of the competitive solicitation requirement for commodities/services that are frequently purchased and are available from a single source.

(6) Evaluating and approving contracts let by the Federal Government, other states, political subdivisions, or any independent college or university for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the Institution, to make purchases under contracts let by such other entities.

(7) Electing as an alternative to any provision in s. 120.57(3)(c), F.S., to proceed with a bid solicitation or contract award process when it is set forth, in writing, that the particular facts and circumstances which demonstrate that the delay due to staying the solicitation or contract award process would be detrimental to the interests of the Institution. After the award of contract resulting from a competitive solicitation in which a timely protest was received and in which the Institution did not prevail, the contract may be canceled and rewarded to the prevailing party.

(8) Awarding contracts for commodities and contractual services to multiple suppliers, if it is determined to be in the best interest of the Institution. Such awards may be on an Institutional, regional or State University System-wide basis and the contracts may be for multiple years.

(9) Rejecting or canceling any or all competitive solicitations when determined to be in the best interest of the Institution.

(10) Delegating any and all of the above authority, powers and duties to the appropriate employee within the Institution.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 120, 240.205(6), 240.227(12) FS. History—New 1-13-99.

6C-18.045 Competitive Solicitations Required.

(1) All contracts for the purchase of commodities or contractual services exceeding \$25,000 shall be awarded pursuant to a competitive solicitation, unless otherwise authorized by Rule 6C-18.050, F.A.C.

(2) When only one response is received to a competitive solicitation for commodities or contractual services exceeding \$25,000, the Institution may review the solicitation responses to determine if a second call for a competitive solicitation is in the best interest of the Institution. If it is determined that a second call would not serve a useful purpose, the Institution may proceed with the acquisition.

(3) When multiple responses that are equal in all respects are received to a competitive solicitation, the Institution may give preference to responses that include minority business enterprise participation, commodities manufactured in the state, Florida businesses, businesses with a drug-free workplace program, or foreign manufacturers located in the state, to determine the contract award.

(4) The purchase of commodities and contractual services shall not be divided to avoid the requirement of competitive solicitation.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.205(6), 240.227(12) FS. History—New 1-13-99.

6C-18.050 Purchase of Commodities or Contractual Services.

(1) Purchase of Products with Recycled Content. Each Institution may establish a program to encourage the purchase and use of products and materials with recycled content and postconsumer recovered material.

(2) Purchase of Private Attorney Services. Written approval from the Attorney General is not required for private attorney services acquired by the Institution.

(3) Purchase of Insurance. Each Institution shall have the authority to purchase insurance as deemed necessary and appropriate for the operation and educational mission of the Institution. Examples of insurance coverages that may be acquired by the Institution include:

- (a) Physical damage on vehicles and boats;
- (b) Inland marine on property owned, leased, or loaned to or by the Institution;
- (c) Building and property damage;
- (d) Equipment losses due to theft;
- (e) Equipment subject to transportation;
- (f) Loss of rental income;
- (g) Commercial general liability insurance for scientific equipment;
- (h) Excess general liability coverage;
- (i) Camps insurance.

All insurance purchased for property damage shall have a minimum of a \$1,000 deductible.

(4) Purchase of Printing. Printing shall be purchased in accordance with Chapter 283, F.S.

(5) Purchases from Minority Business Enterprises.

(a) Each Institution shall establish procedures to encourage and promote the use of minority business enterprises. The procedures may include: developing an outreach program to increase minority business enterprise participation in contracting; reserving contracts for competitive solicitation only among minority business enterprises; establishing monetary goals based on prior year expenditures by percentages, percentage ranges, geographic location, the university's mission, or any other reasonable method; developing an annual utilization plan; developing a system to record statistical data on monetary transactions with state-certified and non-state certified minority business enterprises; reporting statistical data on expenditures with certified minority business enterprises to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives on or before February 1 of each year. The development of a minority business enterprise program shall be based on the recommendations in the most recent disparity study.

(b) Certification of minority business enterprises may be by state or local governmental entities. For those minority business enterprises certified by local governmental entities, the Institutions will be responsible for reviewing the certification process for assurance of minority status.

(6) Purchases from Contractors Convicted of Public Entity Crimes. An Institution shall not accept a competitive solicitation from or purchase commodities or contractual services from a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida's convicted vendor list for a period of 36 months from the date of being added to the convicted vendor list.

(7) Purchasing actions that are not subject to the competitive solicitation process include:

(a) Emergency Purchases. When the Chancellor, a president or his/her designee determines, in writing, that the delay due to the competitive solicitation process is an immediate danger to the public health or safety or the welfare of the Institution, the Institution may proceed with the procurement of commodities or contractual services without a competitive solicitation.

(b) Sole Source Purchases. Commodities or contractual services available from a single source may be exempted from the competitive solicitation process.

(c) Purchases from Contracts and Negotiated Annual Price Agreements established by the State of Florida, other governmental entities, other Institutions in the State University System, or other independent colleges and universities are not subject to further competitive solicitation.

(8) Commodities and contractual services that are not subject to the competitive solicitation process include:

(a) Artistic services;

(b) Academic reviews;

(c) Lectures;

(d) Auditing services;

(e) Legal services, including attorney, paralegal, expert witness, appraisal, arbitrator or mediator services;

(f) Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration. Prescriptive assistive devices for medical, developmental or vocational rehabilitation including, but not limited to prosthetics, orthotics, and wheelchairs, provided the devices are purchased on the basis of an established fee schedule or by a method that ensures the best price, taking into consideration the needs of the client;

(g) Services provided to persons with mental or physical disabilities by not-for-profit corporations organized under the provisions of s. 501(c)(3) of the Internal Revenue Code or services governed by the provisions of the Office of Management and Budget Circular A-122;

(h) Medicaid services delivered to an eligible Medicaid recipient by a health care provider who has not previously applied for and received a Medicaid provider number from the Department of Children and Family Services. This exception will be valid for a period not to exceed 90 days after the date of delivery to the Medicaid recipient and shall not be renewed;

(i) Family placement services;

(j) Training and education services;

(k) Advertising;

(l) Services or commodities provided by governmental agencies, another Institution in the State University System or other independent colleges and universities;

(m) Continuing education events or programs that are offered to the general public for which fees have been collected to pay all expenses associated with the event or program;

(n) Purchases from firms or individuals that are prescribed by state or federal law;

(o) Regulated utilities and government franchised services;

(p) Regulated public communications, except long distance telecommunication services or facilities;

(q) Extension of an existing contract;

(r) Renewal of an existing contract if the terms of the contract specify renewal option(s);

(s) Purchases from the Annual Certification List developed by each Institution;

(t) Purchases for resale.

(9) Participants in Contract Awards Not Subject to Competitive Solicitations.

(a) No person or firm who receives a contract to perform a feasibility study for potential implementation of a subsequent contract, participates in the drafting of a competitive solicitation, or develops a program for future implementation shall be eligible to contract with the respective Institution dealing with the specific subject matter.

(b) The individuals taking part in the development or selection of criteria for evaluation, the evaluation process and the contract award in any purchase shall be independent of, and have no conflict of interest in, the entities evaluated and selected and may be required to so attest in writing.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.205(6), 240.227(12), 283 FS. History--New 1-13-99.

6C-18.055 Bonds.

(1) Solicitation Security. A certified, cashier's or treasurer's check, bank draft or bid bond may be required as a condition for participating in a competitive solicitation.

(2) Payment and Performance Bonds.

(a) Any contractor contracting with an Institution to provide commodities or commodities which include installation may be required to furnish a payment and performance bond, with good and sufficient securities, to the Institution prior to the issuance of the contract.

(b) Any contractor contracting with an Institution for the construction, renovation, demolition or repair of a building shall be required to furnish a payment and performance bond, with good and sufficient securities, to the Institution before beginning work on the project. The bonding requirements shall be in accordance with Chapter 255, F.S.

(c) A contractor shall promptly make payments to all contractors or subcontractors supplying labor, materials and supplies used in the performance of the contract, in accordance with Chapter 255, F.S.

(d) When a payment and performance bond is not required for construction, renovation, demolition or repair projects under \$200,000, up to ten percent of the contract or invoice amount(s) may be retained until the project has been properly inspected and certified as complete.

(e) The bond or security must be in an amount equal to 100% of the response submitted to the competitive solicitation.

(3) Solicitation Protest Bond. Any contractor that files an action pursuant to s. 120.57(3)(b), F.S., protesting a decision or intended decision pertaining to a solicitation, shall at the time of filing of the formal protest, post with the Institution, a bond payable to the Institution in an amount equal to: 10% of the estimated value of the protestor's bid or proposal; 10% of the estimated expenditure during the contract term; \$10,000; or whichever is less. The bond shall be conditioned upon the payment of all costs which may be adjudged against the contractor filing the protest action. In lieu of a bond, the Institution may accept a cashier's check or money order in the amount of the bond. Failure of the protesting contractor to file the required bond, cashier's check or money order at the time of filing the formal protest shall result in the denial of the protest.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 120.57(3)(b), 240.205(6), 240.227(12), 255 FS. History--New 1-13-99.

6C-18.060 Contracts.

(1) Contracts for commodities or contractual services shall consist of a purchase order or bilateral agreement signed by the chief administrative officer of the Institution or designee prior to goods or services being rendered by the contractor.

(2) Any contract for the purchase of services or tangible personal property for a period in excess of one fiscal year shall include the following statement: "The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature."

(3) Extension of a contract shall be for a period not to exceed 12 months, shall be in writing, shall be signed by both parties, and shall be subject to the same terms and conditions set forth in the initial contract. There shall be only one extension of a contract.

(4) A contract may be renewed on a yearly basis for a period of up to 2 years after the initial contract term or for a period of no longer than the term of the original contract, whichever period is longer. If the commodity or contractual service is purchased as a result of a competitive solicitation, the cost of any contemplated renewal must be included in the competitive solicitation. All contract renewals are subject to sufficient annual appropriations.

(5) When any commodity contract requires deferred payments and the payment of interest, such contract may be submitted to the State of Florida Comptroller for the purpose of preaudit review and approval prior to acceptance by the Institution. The Chancellor and each university president shall have the authority to enter into deferred payment agreements utilizing the State of Florida Comptroller's Consolidated Equipment Financing Program. No agreement shall establish a debt of the state or shall be a pledge of the faith and credit of the state; nor shall any agreement be a liability or obligation of the state except from appropriated funds.

(6) In order to promote cost-effective procurement of commodities and contractual services, an Institution may enter into contracts that limit the liability of a vendor consistent with Section 672.719, F.S.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.205(6), 240.227(12), 672.719 FS. History--New 1-13-99.

6C-18.065 Standard of Conduct.

It shall be a breach of ethical standards for any employee of an Institution to accept, solicit, or agree to accept a gratuity of any kind, form or type in connection with any contract for commodities or services. It shall also be a breach of ethical standards for any potential contractor to offer an employee of an Institution a gratuity of any kind, form or type to influence the development of a contract or potential contract for commodities or services.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.205(6), 240.227(12) FS. History--New 1-13-99.

6C-18.070 Purchase of Motor Vehicles.

(1) The term "motor vehicle" includes any automobile, truck, watercraft or other vehicle designed primarily for transporting persons, and construction vehicles or farm equipment.

(2) Each Institution shall have the authority to:

(a) Establish standard classes of motor vehicles to be leased, purchased or used by Institutional personnel;

(b) Obtain the most effective and efficient use of motor vehicles for state purposes;

(c) Establish and operate facilities for the acquisition, disposal, operation, maintenance, repair, storage, control and regulation of Institution-owned motor vehicles. Acquisition may be by purchase, lease, installment-purchase, loan or by any other legal means and may include a trade-in. All motor vehicles purchased or leased shall be of a class that will safely transport Institutional personnel and adequately meet the requirements of the Institution.

(d) Contract for specialized maintenance services.

(3) Motor vehicles owned, leased or operated by the State University System shall be available for official Institutional business only.

Specific Authority 240.209(1), (3)(r) FS. Law Implemented 240.205(6), 240.227(12) FS. History--New 1-13-99.

CHAPTER 6C-20 BOARD OF DIRECTORS OF THE FLORIDA INSTITUTE OF PHOSPHATE RESEARCH - ORGANIZATION AND PURPOSE

- 6C-20.001 Purpose. (Transferred to 6J-1.001)
- 6C-20.002 Offices. (Transferred to 6J-1.002)
- 6C-20.003 The Board. (Transferred to 6J-1.003)
- 6C-20.004 The Executive Director. (Transferred to 6J-1.004)
- 6C-20.005 Meetings and Agenda. (Transferred to 6J-1.005)
- 6C-20.006 Administration and Travel. (Transferred to 6J-1.006)
- 6C-20.007 Grants. (Transferred to 6J-1.007)

CHAPTER 6C-21 CAMPUS MASTER PLANS

PART I	SUBMITTAL, REVIEW AND ADOPTION OF CAMPUS MASTER PLANS AND PLAN AMENDMENTS
6C-21.101	Purpose of Part I. (Repealed)
6C-21.102	Definitions. (Repealed)
6C-21.103	Submittal of Proposed Campus Master Plans and Plan Amendments. (Repealed)
6C-21.104	Action Upon Receipt of Proposed Campus Master Plan or Plan Amendment. (Repealed)
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6C-21.106	Review and Adoption of Proposed Campus Master Plan or Plan Amendment. (Repealed)
6C-21.107	Notification of Affected Persons. (Repealed)
6C-21.108	Procedures for Petitioning the Board of Regents, Challenging Compliance of the Campus Master Plan or Plan Amendment.
6C-21.109	Procedures for Dispute Resolution.
6C-21.110	Remedial Plan Amendments.
PART II	MINIMUM CRITERIA FOR PREPARATION AND REVIEW OF CAMPUS MASTER PLANS AND PLAN AMENDMENTS
6C-21.201	Purpose of Part II.
6C-21.202	Definitions.
6C-21.203	General Requirements.
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6C-21.208	Conservation Element.
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6C-21.210	Intergovernmental Coordination Element.
6C-21.211	Capital Improvements Element.
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PART I SUBMITTAL, REVIEW AND ADOPTION OF CAMPUS MASTER PLANS AND PLAN AMENDMENTS

6C-21.108 Procedures for Petitioning the Board of Regents, Challenging Compliance of the Campus Master Plan or Plan Amendment.

(1) Any affected person who submitted comments on the draft campus master plan or plan amendment may petition the Board, challenging the campus master plan or plan amendment as not being in compliance with subsection 240.155(3), Florida Statutes, and any rules promulgated pursuant to subsection 240.155(22), Florida Statutes.

(2) Optional elements which have been included in the adopted campus master plan at the discretion of the Board shall not be subject to challenge under this Rule.

(3) Plan amendments which, either alone or in conjunction with other amendments, do not exceed the thresholds established in Section 240.155(9)(a)-(c), Florida Statutes, and subsection 6C-21.103(2), F.A.C., and are adopted by the Board, shall not be subject to challenge under this Rule.

(4) Petitions challenging the compliance of the campus master plan or plan amendment must be filed within 30 days after receipt of the notice of adoption of the plan or plan amendment, or within 30 days after the date the adopted plan or plan amendment is available for review, whichever is greater.

(5) The petition shall be filed with the General Counsel, Board of Regents, 325 West Gaines Street, Tallahassee, Florida 32399-1950. Each petition shall be typewritten or otherwise duplicated in legible form on white paper of standard letter size. Unless typewritten, the impression shall be on one side of the paper only and lines shall be double-spaced and indented. Each petition shall contain the following:

- (a) The name of the party on whose behalf the petition is being filed;
- (b) The name, address, and telephone number of the person filing the petition;
- (c) The signature of the person filing the petition;
- (d) A statement of facts sufficient to show that the petitioner is an affected person, as defined in subsection 240.155(2)(b), Florida Statutes, including the date(s) and method by which the petitioner submitted comments during the review and adoption of the plan or plan amendment;
- (e) A statement identifying the campus master plan or plan amendment(s) which is being challenged, including the name of the institution, date of adoption, and any other specific formal designation(s);

(f) A statement describing how each portion of a campus master plan or plan amendment alleged to be not in compliance is not consistent with one or more provisions of Section 240.155(3), Florida Statutes, the State Comprehensive Plan, or Chapter 6C-21, Part II, F.A.C., or is in conflict with the comprehensive plans of appropriate host and/or affected local governments. A petition filed by an affected local government may raise only those issues directly pertaining to the public services or facilities that the affected local government provides to or maintains within the campus, or to the direct impact that campus development would have on the affected local government; and

(g) A recommended action to bring the plan or plan amendment into compliance.

(6) If the Board's General Counsel determines that the petition filed by an affected person is sufficient, the Board's General Counsel shall, within 10 working days of receipt of the petition, notify the petitioner by certified mail, return receipt requested, of the sufficiency of the petition. Copies of this notice and the petition shall be sent to the university, host local government, and affected local governments.

(7) If a petition is filed that does not substantially comply with the requirements of paragraph (5)(a)-(g) of this rule, the Board's General Counsel shall issue an order dismissing the petition with leave to file an amended petition complying with the requirements of this Rule within 15 days of service of the order. A copy of this order shall be sent to the university, host local government, and affected local governments. If an amended petition complying with this Rule is not filed within 15 days of service of the order, the petitioner's right to mediate issues in dispute under subsection 240.155(8), Florida Statutes, is waived.

(8) If no petition complying with the requirements of this rule is filed, the adoption of the campus master plan or plan amendment shall become final.

Specific Authority 240.209(1), (3)(g), 240.155(22) FS. Law Implemented 240.155(4), (7), (9) FS. History--New 2-15-94.

6C-21.109 Procedures for Dispute Resolution.

(1) Following receipt of a petition, the petitioning party or parties and the Board's Office of Capital Programs shall mediate the issues in dispute as follows.

(a) Issues in dispute must be resolved within 60 days from the date the Board's General Counsel receives the petition. In the event an amended petition is filed, issues in dispute must be resolved within 60 days from the date the Board's General Counsel receives the amended petition.

(b) The issues in dispute will be limited to those issues identified in petitions filed that meet the requirements of paragraphs 6C-21.108(5)(a)-(g), F.A.C.

(c) Affected persons who submitted comments during the review and adoption of the campus master plan or amendment, but who did not petition the Board challenging the compliance of the plan or plan amendment, will be allowed to participate, on a limited basis, in the resolution of disputes. These persons will be allowed to attend dispute resolution sessions and monitor all proceedings; however, they will not be active parties to the resolution of such disputes.

(2) In the event issues in dispute have not been resolved within 60 days from the date the Board's General Counsel receives the petition or amended petition, the Board's Office of Capital Programs shall so notify the state land planning agency in writing. This notice shall include:

(a) The name of the campus master plan or plan amendment in question, and the date of its adoption;

(b) A copy of the petition challenging the compliance of the campus master plan or plan amendment;

(c) A summary of efforts to resolve the issues disputed in the petition; and

(d) A list of issues that have not been resolved. A copy of this notice shall be sent to the petitioner, the university, the host local government, and any affected local government.

(3) The state land planning agency shall then have 60 days in which to hold informal hearings, if necessary, identify the remaining issues in dispute, prepare a record of the proceedings, and submit a report on the matter to the Administration Commission.

Specific Authority 240.209(1), (3)(g), 240.155(22) FS. Law Implemented 240.155(8) FS. History--New 2-15-94.

6C-21.110 Remedial Plan Amendments.

(1) If the Administration Commission incorporates in its Final Order terms or conditions that require the Board of Regents to amend a campus master plan, such plan amendment shall be prepared and adopted pursuant to subsection 240.155(8)(c), Florida Statutes.

(2) Remedial amendments to adopted campus master plans which incorporate the terms or conditions specified in a Final Order of the Administration Commission shall not be subject to review under Section 240.155(6), Florida Statutes, and subsections 6C-21.106(1)-(4), F.A.C.

(3) Remedial amendments to adopted campus master plans which incorporate the terms or conditions specified in a Final Order of the Administration Commission shall not be subject to challenge under Section 240.155(7), Florida Statutes, and Rule 6C-21.108, F.A.C. of this chapter.

Specific Authority 240.209(1), (3)(g), 240.155(22) FS. Law Implemented 240.155(8) FS. History--New 2-15-94.

PART II MINIMUM CRITERIA FOR PREPARATION AND REVIEW OF CAMPUS MASTER PLANS AND PLAN AMENDMENTS

6C-21.201 Purpose of Part II.

Part II establishes the general requirements for the university's campus master plans and the specific minimum criteria to be addressed in each of the eight required elements, as required by Section 240.155, Florida Statutes. Part II also establishes the criteria for optional elements and the criteria to determine whether campus master plans are consistent with the State Comprehensive Plan, and are not in conflict with the comprehensive plans of the host local government and the comprehensive plans of any affected local governments.

Specific Authority 240.209(1), (3)(g), 240.155(22) FS. Law Implemented 240.155(3) FS. History—New 2-15-94.

6C-21.202 Definitions.

As used in this chapter, the terms defined in Section 240.155, Florida Statutes, shall have the meanings provided in that Section. In addition, the following definitions are provided to clarify terms used in this chapter and not to establish or limit regulatory authority of other agencies or programs; however, institutions may choose alternative definitions which the Board of Regents shall review to determine whether such definitions accomplish the intent of both this chapter and of Section 240.155, Florida Statutes.

(1) "Capital improvement" means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally non-recurring and may require multi-year financing. For the purposes of this rule, physical assets which have been identified as existing or projected needs in the individual campus master plan elements shall be considered capital improvements.

(2) "Circulation facilities" means roadways, sidewalks or other surfaces designated for pedestrian, non-vehicular, or vehicular movement.

(3) "Context area" means an area surrounding the university, within which on-campus development may impact local public facilities and services and natural resources, and within which off-campus development may impact university resources and facilities. The size of the context area may be defined by natural or man-made functional or visual boundaries, such as areas of concentration of off-campus student-oriented housing and commercial establishments, stormwater basins, habitat range, or other natural features.

(4) "Goal" means the long-term end toward which programs or activities are ultimately directed.

(5) "Infrastructure" means those man-made structures which serve the common needs of the population, such as roadways, stormwater management facilities, potable water facilities, sanitary sewer facilities, and solid waste facilities.

(6) "Levels of Service" means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

(7) "Objective" means a specific, measurable, intermediate end that is achievable and marks progress toward a goal.

(8) "Policy" means the way in which programs and activities are conducted to achieve an identified goal.

(9) "Potable water facility" means a system of structures designed to collect, treat or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

(10) "Public facility" means transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, stormwater management systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems and facilities, and public health systems and facilities.

(11) "Public transit" means passenger services provided by public, private or non-profit entities, such as commuter rail, express bus, and local fixed route bus.

(12) "Recreation facility" means a component of a recreation site, such as a trail, court, athletic field or swimming pool.

(13) "Sanitary sewer facilities" means structures or systems designed for the collection, transmission, treatment, or disposal of sewage, and includes trunk mains, interceptors, treatment plants and disposal systems.

(14) "Solid waste facilities" means structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

(15) "Stormwater management facility" means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

(16) "Transportation demand management" means strategies and techniques that can be used to increase the efficiency of the transportation system. Demand management focuses on ways of influencing the amount and demand for transportation by encouraging alternatives to the automobile and altering local peak hour travel demand. These strategies may include, but not be limited to, ridesharing programs, flexible work hours, telecommuting, shuttle services and parking management.

(17) "Transportation system" means a multi-modal system of transportation facilities designed for the movement of people and goods.

(18) "Transportation system management" means improving roads, intersections, and other related facilities to make the existing transportation system operate more efficiently. Transportation system management techniques include demand management strategies, incident management strategies, and other actions that increase the efficiency of the transportation system.

6C-21.203 General Requirements.

(1) CONTENT REQUIREMENTS.

(a) Each master plan shall include the content for all elements as required by law and this chapter; however, related elements may be combined.

(b) If the university chooses to combine elements, it shall clearly indicate where in the master plan or support documents all statutory requirements of Section 240.155, Florida Statutes, and the requirements of this chapter are met. The campus master plan shall contain an explanation of such combinations.

(c) The campus master plan shall consist of those items listed below in this paragraph. All other documentation may be considered as support documents. Support documents do not have to be adopted unless the Board of Regents desires to adopt all or part of the support documents as part of the campus master plan. All background data, studies, surveys, analyses and inventory maps not adopted as part of the campus master plan shall be available for public inspection while the campus master plan is being considered for adoption and while it is in effect. The campus master plan shall consist of:

1. Goals, objectives, and policies;
2. Requirements for capital improvements implementation;
3. Procedures for monitoring and evaluation of the campus master plan; and
4. Required maps showing future conditions.

(2) DATA AND ANALYSIS REQUIREMENTS.

(a) All goals, objectives, policies, standards, findings and conclusions within the campus master plan shall be based upon relevant and appropriate data. Data or summaries thereof which are not part of the adopted campus master plan shall not be subject to the compliance review process. All tables, charts, graphs, maps, figures and data sources, and their limitations shall be clearly described.

(b) Unless noted otherwise, this chapter shall not be construed to require original data collection by the university; however, universities are encouraged to use any original data necessary to refine or update the campus master plan, as long as methodologies are professionally acceptable.

(c) Data are to be taken from professionally accepted existing sources. Data shall be the best available existing data, unless the university desires original data or special studies. Where data augmentation, updates, or special studies or surveys are deemed necessary by the university, appropriate methodologies shall be clearly described or referenced and shall meet professionally accepted standards for such methodologies.

(d) The Board of Regents may require submission of more detailed or complete data or analyses during its review.

(e) The campus master plan shall be based on projections of student enrollment prepared by the Board of Regents.

(3) APPLICATION OF REQUIREMENTS.

(a) In those situations where data necessary to comply with the requirements of this chapter do not exist, and the university, for whatever reason, desires not to collect original data or conduct special studies, the appropriate data and analysis requirements shall not apply. The university shall include one or more statements in the data and analysis section of each element of the campus master plan identifying those requirements that are not applicable because the data do not exist.

(b) In those situations where data required to comply with the requirements of this chapter do not exist, any corresponding requirement to include goals, objectives or policies based on that data shall not apply. The university shall include one or more statements in the goals, objectives and policies section of each element of the campus master plan identifying those requirements that are not applicable because the data do not exist.

(4) **PLANNING TIME FRAME.** Each campus master plan shall cover a period of at least 10 years and not more than 20 years. Additionally, the capital improvements element shall contain a yearly itemized breakout for three years, and a general framework for the next seven years, for planned and anticipated capital projects, with an update to be submitted to the Board of Regents each year in accordance with the time frame established by the Board of Regents.

(5) INTERNAL CONSISTENCY.

(a) The required elements and any optional elements shall be consistent with each other. All elements shall follow the same general format. Where data are relevant to several elements, the same data shall be used.

(b) Each map depicting plan elements must reflect goals, objectives, and policies within all elements and each such map must be contained within the campus master plan.

(6) **PLAN IMPLEMENTATION REQUIREMENTS.** The sections of the master plan containing goals, objectives, and policies shall describe how the university's programs and activities will be initiated, modified or continued to implement the master plan in a consistent manner. It is not the intent of this chapter to require the inclusion of implementing regulations in the campus master plan, but rather to require the identification of those programs, activities and regulations that will be part of the strategy to implement the goals, objectives and policies of the campus master plan.

(7) **MONITORING AND EVALUATION REQUIREMENTS.** For the purpose of evaluating and appraising the implementation of the campus master plan, each master plan shall contain a section identifying monitoring and evaluation procedures to be followed in updating the adopted campus master plan every five years which address the following.

(a) Each university shall submit to the Board of Regents, within four years from the date of plan adoption and every five years thereafter, an evaluation and appraisal report which:

1. Lists accomplishments during the implementation of the campus master plan, describing major problems associated with development and land uses, and the degree to which the goals, objectives and policies have been successfully reached;
2. Identifies obstacles or problems which resulted in underachievement of goals, objectives, or policies;
3. Identifies the need for new or modified goals, objectives, or policies needed to correct unanticipated and unforeseen problems and opportunities that have occurred since adoption of the campus master plan;
4. Addresses local government and public participation in the process;
5. Addresses the effects of changes to the State Comprehensive Plan and to the comprehensive plans of the host local government and any affected local governments;
6. Identifies proposed and anticipated plan amendments necessary to address identified problems and opportunities; and
7. Identifies a means of ensuring continuous monitoring and evaluation of the plan during the remainder of the overall planning period.

(b) Each university shall submit to the Board of Regents, within five years from the date of plan adoption and every five years thereafter, a proposed plan amendment which incorporates the findings and recommendations contained in the evaluation and appraisal report, and which contains updated baseline data (as appropriate) and goals, objectives and policies to be accomplished during the remainder of the overall planning period.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3) FS. History—New 2-15-94.

6C-21.204 Future Land Use Element.

The purpose of this element is the designation of existing and future land use patterns as reflected in the goals, objectives and policies of the campus master plan elements, and to describe how this land use pattern will be coordinated with that planned by the host community in the context area. Future land use patterns are depicted on the land use map or map series within the element.

(1) **FUTURE LAND USE DATA REQUIREMENTS.** This element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

- (a) A description of the location(s) of university facilities within the State (graphic and narrative).
- (b) A description of the location of university facilities within the host community (graphic and narrative) including an identification of all facilities on university lands not under the jurisdiction or operation of the State University System.
- (c) Student enrollment projections as prescribed in the General Requirements section of this chapter.
- (d) A legal description of the property within the university's jurisdiction and a description of the land acquisition program under which the property was obtained.
- (e) A discussion of title interest held by the Board of Trustees of the Internal Improvement Trust Fund (including reservations and encumbrances such as leases).
- (f) Designated single use or multiple use management, as defined in Rule 18-4.003, F.A.C., for the property.
- (g) A description of alternative (non-educational) uses of the leased premises considered by the university but never adopted, if appropriate.
- (h) Proximity of university property to other significant local, state, or federal land or water resources, as identified in adopted plans.
- (i) A statement as to whether the university property is within an aquatic preserve or a designated area of critical state concern or an area under study for such designation.
- (j) A description of existing land uses and zoning for the context area. Land use categories shall be identified on the existing land use map or map series and described in accordance with categories adopted by the local government in their comprehensive plan.
- (k) Existing land uses on university property shall be shown on the land use map or map series. The university may use the land uses established in the host community's local comprehensive plan or establish its own land use categories. Such land use categories shall be clearly defined in the legend.
- (l) If the university determines it necessary to utilize other categories of land use, or to combine categories of land use, such categories or combinations of categories shall be shown on the land use map or map series and clearly identified in the legend.
- (m) The approximate acreage and general range of density or intensity of use shall be provided in tabular form for the gross land area included in each land use category.
- (n) Natural resources shall be shown on the land use map or map series.
- (o) Historic and archaeological resources (including all sites listed in the Florida Master Site File of the National Register of Historic Places) shall be shown on the existing land use map or map series.

(2) **FUTURE LAND USE ANALYSIS REQUIREMENTS.** This element shall be based upon the following analyses which support the campus master plan pursuant to subparagraph 6C-21.203(2), Florida Statutes.

(a) An analysis of the amount of land that will be required to accommodate the projected future enrollment of the university, including:

1. The categories of land use and their densities or intensities of use;

2. The estimated gross acreage for each category; and
3. A description of the methodology used.
 - (b) An analysis of projected future space and building needs for academic facilities.
 - (c) An analysis of projected future space and building needs for support facilities.
 - (d) An analysis of existing vacant and undeveloped land on the university campus to determine its suitability for use.
 - (e) An analysis of opportunities for redevelopment and for elimination of uses that are inconsistent with the university's character and proposed future land uses.
 - (f) A finding as to whether each planned use of university property is consistent with the adopted conceptual State Lands Management Plan.
 - (g) If the analyses in subparagraphs (2)(a)-(e) indicate that the existing university campus will not provide sufficient capacity to accommodate the future needs of the university, an analysis shall be undertaken identifying how much additional land would be required to meet future needs.
 - (h) An assessment as to whether any portion of the university property should be declared surplus for release by the university for use or disposal by the State.
 - (i) In the event additional land is determined to be necessary for the future development of the university, an analysis of the context area shall be undertaken to identify potential land areas for such expansion.
 - (j) In conjunction with the analysis conducted in subparagraph (2)(i), an analysis shall be undertaken identifying and evaluating alternatives to additional land acquisition.
 - (k) An analysis of constraints that may limit the amount or location of future land use development on the university campus.
 - (l) An analysis of the future land use element of the host local government's comprehensive plan, for the context area.
 - (m) An analysis of off-campus constraints that may limit the amount or location of future land use development on the university campus.
 - (n) An analysis of the goals, objectives and policies adopted by the host community in their comprehensive plan related to development of land uses in the context area.

(3) REQUIREMENTS FOR FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES.

- (a) The element shall contain one or more goals which address the long-range development of land use on the campus and the coordination of future land use development on the campus with future land use development in the host community.
- (b) The element shall contain one or more objectives for each goal which address, at a minimum:
 1. Protection of natural resources (including existing surface waters and wetlands) and historic and archaeological resources;
 2. Eliminating or minimizing land use compatibility problems between the university and host community;
 3. Correcting land use compatibility problems on the university campus;
 4. Coordinating future land uses with the appropriate topography and soil conditions;
 5. Coordinating future land uses with the availability of facilities and services;
 6. Ensuring the availability of suitable land on campus for utility facilities required to support proposed on-campus development; and
 7. Minimizing off campus constraints to limit future development on campus (i.e., traffic, utilities) and minimizing on campus conflicts with land uses within the context area.
- (c) The element shall contain one or more policy statements for each objective which address at a minimum:
 1. Establishment of standards for densities or intensities of use for each land use category;
 2. Provisions for stormwater management, open space, and safe and convenient on-campus traffic flow, considering needed vehicle parking;
 3. Provisions for the identification, designation, and protection of historically and archaeologically significant properties;
 4. Provisions for the compatibility with adjacent land uses;
 5. Coordination of land use and development decisions with a schedule of capital improvements;
 6. Administrative procedures to amend the campus master plan to incorporate unforeseen land uses that may arise from grant awards or other circumstances;
 7. Establishment of land use management procedures within the university's administrative structure which will encourage careful use of the university's existing land resources and minimize deviations from the land use plan; and
 8. Establishment of a process, timetable and funding sources for future land acquisition (if applicable).
- (d) The Future Land Use Element shall be described, at a minimum, in the Future Land Use Map and explanatory text. Land uses on the map shall be the same as those categories with which existing land uses are described in subparagraph (1)(k) above. In addition, land use categories for on-campus uses shall be coordinated, as possible, with land use categories used by the host community in its comprehensive plan to facilitate coordination of planning efforts. The Future Land Use Map and text shall be accompanied by explanatory tabular information as required.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3), 253.034(4) FS. History—New 2-15-94.

6C-21.205 Transportation Element.

The purpose of this element is to plan for future motorized and non-motorized traffic circulation systems to ensure provision of adequate transit, circulation and parking facilities to meet future university needs; to ensure the provision of adequate pedestrian and non-vehicular circulation facilities to meet the future needs of the university; and to coordinate the location of these facilities planned in the host community in the context area. The Transportation Element shall consist of a Transit, Circulation and Parking Sub-Element and a Pedestrian and Non-Vehicular Circulation Sub-Element.

(1) **TRANSIT, CIRCULATION AND PARKING DATA REQUIREMENTS.** This sub-element shall be based, at a minimum, on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of existing on-campus parking facilities.

(b) An inventory or estimate of the amount of student, faculty and staff-parking off-campus, and a description of parking locations.

(c) An inventory of accident locations and number of accident occurrences on campus and in the context area.

(d) The existing classification of roadways on the campus, utilizing definitions used by the host community in its local comprehensive plan, or a classification determined by the university which is correlated to the classification system of the host community (map, narrative).

(e) Existing roadway classifications in the context area, including designated fire lanes and fire routes on-campus.

(f) The current levels of service of the roadways on-campus and within the context area.

(g) Traffic counts at all major university entrances/exits.

(h) Existing university trip generation data.

(i) Existing traffic analysis zones (TAZs) of the host local government within which university facilities are located.

(j) Established public transit or university-provided transit routes on campus and in the context area indicating location of stops, frequency of service and capacity of the vehicles.

(2) **TRANSIT, CIRCULATION AND PARKING ANALYSIS REQUIREMENTS.** This element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) An analysis of the future parking needs for students, faculty and staff and types of special events for the planning period.

(b) An analysis of the amount of land required to provide the amount of parking calculated in subparagraph (2)(a).

(c) An assessment of the capacity of university lands to accommodate the amount of parking calculated in subparagraph (2)(a), including a determination of how much of the parking would have to be provided in structures.

(d) An analysis of practical methods to accommodate the amount of parking calculated in subparagraph (2)(a) on the university campus.

(e) An analysis of off-campus lands in the context area that may be available for university parking and the parking capacity of those sites.

(f) An analysis of the impacts of off-campus university parking on the context area and alternatives for minimizing these impacts.

(g) An analysis of the projected traffic volumes/capacities and levels of service on university roads and roads in the context area, including an analysis of the traffic circulation model used by the host community in projecting traffic circulation in the context area.

(h) An analysis of improvements that would be required to on-campus roadways to meet the future traffic circulation needs of the university.

(i) An analysis of improvements that would be required to off-campus roads in the context area, based on the additional traffic projected to be generated by the university.

(j) An analysis of additional public or university-provided transit that will be required to meet the future needs of the university for the planning period.

(k) An analysis of the opportunities to implement transportation system management and transportation demand management techniques and strategies to minimize off-site impacts on roadways within the context area.

(l) The planned location of future facilities, with accompanying parking to serve these facilities.

(3) **REQUIREMENTS FOR TRANSIT, CIRCULATION AND PARKING GOALS, OBJECTIVES AND POLICIES.**

(a) The sub-element shall include one or more goals for the provision of future transit, auto circulation, and parking facilities.

(b) The sub-element shall contain one or more objectives for each goal which address:

1. The provision of parking facilities on or off the campus to meet future university needs;

2. The provision of future traffic circulation improvements both on the campus and in the context area to meet future university needs;

3. Improvements (including scheduling) to public or university-provided transit service and facilities required to meet future university needs; and

4. Coordination of transportation system improvements with the future land uses shown on the future land use map or map series, and with those improvements identified in the host community's comprehensive plan.

(c) The element shall contain one or more policy statements for each objective which:

1. Establish programs or administrative procedures to accommodate future parking and auto circulation requirements on campus and minimize off-site impacts within the context area;

2. Establish programs to maximize utilization of public or university-provided transit;
3. Establish administrative procedures for coordinating on-going traffic circulation, transit and parking facility improvements with similar improvements being undertaken by the host community;
4. Establish the timing or priorities for development of traffic circulation, transit, and parking facilities on-campus; and
5. Establish level of service standards for roadways within the university's jurisdiction.

(d) The Transit, Circulation and Parking Sub-Element shall be described, at a minimum, in the Transportation Element Map and explanatory text. This map along with companion narrative shall identify the location and size of proposed transit, circulation and parking facilities on the university campus. The map and text shall be accompanied by explanatory tabular information as required.

(4) PEDESTRIAN AND NON-VEHICULAR CIRCULATION DATA REQUIREMENTS. This sub-element shall be based, at a minimum, on the following data pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of existing pedestrian and non-vehicular circulation facilities on the university campus(es) illustrating the location, size and surface material of the facilities.

(b) The planned location of future facilities.

(c) An inventory of existing pedestrian and non-vehicular circulation facilities located within the context area.

(d) An inventory of the planned pedestrian and non-vehicular circulation facilities located in the host community in the context area, illustrating the location, size and function planned for each facility.

(e) An inventory of existing problem areas on-campus related to pedestrian and non-vehicular circulation, including accidents involving, and violent crimes committed against, pedestrians and bicyclists on-campus and in the context area.

(5) PEDESTRIAN AND NON-VEHICULAR CIRCULATION ANALYSIS REQUIREMENTS. This element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) An analysis of the amount and type of pedestrian and non-vehicular circulation facilities that will be required to meet the needs of projected university enrollment, including the basis for this analysis.

(b) An analysis assessing the need for pedestrian and non-vehicular circulation facilities in the context area with reference to those facilities serving areas of off-campus student housing, or other off-campus student activities.

(c) An analysis of lighting conditions along pedestrian and non-vehicular circulation routes to identify areas where lighting is inadequate.

(6) REQUIREMENTS FOR PEDESTRIAN AND NON-VEHICULAR CIRCULATION GOALS, OBJECTIVES AND POLICIES.

(a) This sub-element shall contain one or more goals for the development of pedestrian and non-vehicular circulation facilities on campus.

(b) The sub-element shall contain one or more objectives for each goal which address at a minimum:

1. The coordination of pedestrian and non-vehicular circulation facilities to be developed on-campus, with those to be developed off-campus by the host community in its local comprehensive plan, bicycle plans or traffic circulation plans;

2. Coordinating the locations for future pedestrian and non-vehicular circulation facilities to be developed on and off the campus with recommendations contained in the Campus Safety Plan;

3. Coordinating the locations for additional lighting along pedestrian and non-vehicular circulation routes with recommendations contained in the Campus Safety Plan; and

4. The provision of pedestrian and non-vehicular circulation facilities required to meet future university needs.

(c) The sub-element shall contain one or more policy statements for each objective which address:

1. The timing or priorities for development of pedestrian and non-vehicular circulation facilities on-campus;

2. Ensuring coordination with the host community regarding issues related to the provision of pedestrian and non-vehicular circulation facilities;

3. The timing or priorities for additional lighting placement along pedestrian and non-vehicular circulation routes, as indicated by subparagraphs (1)(f) and (2)(d) of this element;

4. Establishing programs to maximize utilization of pedestrian and non-vehicular facilities; and

5. Establishing programs or procedures to improve the safety of persons using pedestrian and non-vehicular facilities.

(d) The Pedestrian and Non-Vehicular Circulation Sub-Element shall be described, at a minimum, in the Transportation Element Map and explanatory text. This map along with companion narrative shall identify the location, size and character of the proposed pedestrian and non-vehicular circulation facilities on campus and in the context area. The map and text shall be accompanied by explanatory tabular information as required.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3) FS. History--New 2-15-94.

6C-21.206 Housing Element.

The purpose of this element is to ensure provision of public and private housing facilities on the university campus and within the host community adequate to meet the needs of the projected university enrollment.

(1) HOUSING DATA REQUIREMENTS. This element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

- (a) An inventory of the total number of existing beds provided by the university on-campus for undergraduate student use.
- (b) An inventory of the total number of existing beds, by type, provided on-campus for graduate students.
- (c) An inventory of the total number of existing housing units, by type, provided on-campus for married students.
- (d) An inventory of other existing student housing provided on-campus (i.e., fraternities and sororities, etc.), identifying numbers of beds provided in each such facility.
- (e) An inventory of historically significant housing on campus.
- (f) A description of the existing types of housing provided on campus (apartment, dormitory, suites, etc.).
- (g) An inventory of any university provided housing located off-campus, identifying number of beds, types of units and whether the facilities are rented or owned by the university.
- (h) Estimates of the number of undergraduate, graduate and married students housed on-campus, and in university facilities located off-campus.
- (i) Estimates of the number of full-time students housed off-campus in non-university provided rental housing and the number of rental housing units occupied.

(j) An inventory of the host community's rental housing supply by rental range as described in the host community's comprehensive plan or other best available data.

(2) HOUSING ANALYSIS REQUIREMENTS. This element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

- (a) An analysis of existing university policies regarding the percentage of students for which on-campus housing is provided.
- (b) A projection of the number of students to be housed on-campus in university-provided facilities based on the existing policies for provision of on-campus housing. This projection shall include a description of handicap-accessible beds/units.
- (c) A projection of the numbers of students to be housed in non-university provided facilities on-campus (fraternities, sororities, etc.).
- (d) An analysis of the existing housing provided on campus.
- (e) An estimate of the number of additional on-campus housing units, by type, necessary to meet the needs described in subparagraph (2)(a) (apartment, suite, dormitory, etc.).
- (f) An analysis of potential on-campus sites and of the capacity of these sites (beds).
- (g) A projection of the number of students that will be housed off-campus in facilities provided by others (private market housing).

(h) An assessment of the student impacts on the occupancy of the host community's rental stock.

(3) REQUIREMENTS FOR HOUSING GOALS, OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goals for the provision of student housing on and off-campus during the planning period.

(b) The element shall contain one or more objectives for each goal which address:

1. Ensuring the availability of an adequate supply (both on-campus and off-campus) of affordable housing units and support facilities in close proximity to the campus to meet the projected need for student housing; and
2. The elimination of substandard student housing and the structural (electrical, mechanical, plumbing, etc.) and aesthetic improvement of existing student housing.

(c) The element shall contain one or more policies for each objective which:

1. Define the number and type (graduate, undergraduate, married, etc.) of students to be housed on-campus and off-campus;
2. Identify the appropriate locations for the various types of on-campus housing to be provided in the future;
3. Describe the timing or phasing requirements for renovation, repair and/or demolition of existing university provided housing facilities;
4. Establish procedures and priorities for the allocation of funding for on-campus housing facilities;
5. Establish procedures for provision of privately developed housing on the university campus;
6. Establish procedures for coordination with the host community regarding issues related to off-campus student housing (may include security, traffic, transit, etc.);
7. Establish procedures for the provision of support facilities required in conjunction with future housing (may include parking, student activities and recreation, etc.); and
8. Preserve and protect historically significant housing.

(d) The Housing Element shall be described, at a minimum, in the Housing Element Map and explanatory text. This map along with companion text shall define the location, size/capacity and character of proposed future housing facilities on the campus and in the context area. The map and text shall be accompanied by explanatory tabular information as required.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3) FS. History—New 2-15-94.

6C-21.207 General Infrastructure Element.

The purpose of this element is to ensure the provision of adequate capacity for stormwater management, potable water, sanitary sewer and treatment, and solid waste facilities required to meet the future needs of the university. The General Infrastructure Element shall consist of a Stormwater Management Sub-Element, a Sanitary Sewer Sub-Element, a Potable Water Sub-Element, and a Solid Waste Sub-Element.

(1) **STORMWATER MANAGEMENT DATA REQUIREMENTS.** This sub-element shall be based, at a minimum, on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of all public and private facilities and natural features which provide stormwater management for the campus, including detention and retention structures, storm drainage pipe systems, natural stream channels, rivers, lakes, wetlands, etc., (map, narrative).

(b) For facilities shared with the host community, a description of the proportional capacity of the facility required to meet existing university needs, including a description of any capacity that may have been previously allocated to the university by the host community.

(c) The following data shall be included for the stormwater management facilities identified in subparagraph (1)(a):

1. The entity having operational responsibility for the facility;
2. The geographic service area of the facility and the predominant types of land uses served by the facility;
3. The design capacity of the facility;
4. The current demand on the capacity of the facility; and
5. The level of service provided by the facility.

(d) Major natural stormwater management and hydrological features shall be identified and included on a map.

(2) **STORMWATER MANAGEMENT ANALYSIS REQUIREMENTS.** This sub-element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) A facility capacity analysis, by geographic service area, indicating capacity surpluses and deficiencies for:

1. Existing conditions, based on the facility design capacity and the current demand on facility capacity; and
2. The end of the planning time frame, based on the projected demand at current level of service standards for the facility, projected student populations and land use distributions, and any available existing surplus facility capacity.

(b) The general performance of existing stormwater management facilities, evaluating the adequacy of the current level of service provided by the facility, the general condition and expected life of the facility, and the impact of the facility upon adjacent natural resources.

(c) An analysis of the problems and opportunities for stormwater management facility expansion or replacement to meet projected needs of the university.

(d) Existing regulations and programs which govern land use and development of natural drainage features shall be analyzed, including the strengths and deficiencies of those programs and regulations in maintaining the functions of natural stormwater management features.

(3) **REQUIREMENTS FOR STORMWATER MANAGEMENT GOALS, OBJECTIVES AND POLICIES.**

(a) The sub-element shall contain one or more goal statements for accommodating future university stormwater management requirements.

(b) The sub-element shall contain one or more objectives for each goal which address:

1. Correcting existing stormwater management facility deficiencies;
2. Coordinating the provision of increased facility capacity to meet future needs of the university; and
3. Protecting the functions of natural stormwater management and hydrological areas.

(c) The element shall contain one or more policy statements for each objective which:

1. Establish the levels of service to be used by the university in establishing stormwater management standards for stormwater quantity and quality;
2. Establish priorities for replacement, correcting existing stormwater management facility deficiencies, and providing for future facility needs;
3. Coordinate the provision of on and off-campus stormwater management facilities required to meet future university needs with the local government or appropriate service provider;
4. Ensure that future stormwater management facility service capacity and capital improvements required to meet future university needs are provided when required, based on needs identified in other master plan elements;
5. Establish administrative, operational and other procedures to mitigate impacts of university-generated stormwater; and
6. Establish the timing or phasing requirements for stormwater management facility improvements to meet future university needs.

(d) The Stormwater Management Sub-Element shall be described, at a minimum, in the General Infrastructure Element Map(s) and explanatory text. This map, along with companion narrative shall identify the location and size of the proposed general infrastructure distribution and collection system lines, treatment facilities and general facilities. The map and text shall be accompanied by explanatory tabular information as required.

(4) **POTABLE WATER DATA REQUIREMENTS.** This sub-element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of existing potable water facilities on the campus (map, narrative) indicating location and sizes of main distribution lines.

(b) For facilities shared with the host community, a description of the proportional capacity of the facility required to meet existing university needs, including a description of any capacity that may have been previously allocated to the university by the host community.

(c) The following data shall be included for the potable water facilities identified in subparagraph (1)(a):

1. The entity having operational responsibility for the facility;
2. The geographic service area of the facility and the predominant types of land uses served by the facility;
3. The design capacity of the facility;
4. The current demand on the capacity of the facility; and
5. The level of service provided by the facility.

(d) Major potable water and hydrological features shall be identified and included on a map.

(5) POTABLE WATER ANALYSIS REQUIREMENTS. This sub-element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) A facility capacity analysis, by geographic service area, indicating capacity surpluses and deficiencies for:

1. Existing conditions, based on the facility design capacity and the current demand on facility capacity; and
2. The end of the planning time frame, based on the projected demand at current level of service standards for the facility, projected student populations and land use distributions, and any available existing surplus facility capacity.

(b) The general performance of existing potable water facilities, evaluating the adequacy of the current level of service provided by the facility, the general condition and expected life of the facility, and the impact of the facility upon adjacent natural resources.

(c) An analysis of the problems and opportunities for potable water facility expansion or replacement to meet projected needs of the university.

(d) A description of the campus underground hydrology, including its potential for use as a potable water source.

(e) An analysis of existing local, state and federal regulations governing potable water systems.

(6) REQUIREMENTS FOR POTABLE WATER GOALS, OBJECTIVES AND POLICIES.

(a) The sub-element shall contain one or more goal statements for accommodating future university potable water requirements.

(b) The sub-element shall contain one or more objectives for each goal which address:

1. Correcting existing potable water facility deficiencies;
2. Coordinating the provision of increased facility capacity to meet future needs of the university; and
3. Protecting and conserving potable water sources.

(c) The element shall contain one or more policy statements for each objective which:

1. Establish the levels of service to be used by the university in establishing potable water supply requirements;
2. Establish priorities for replacement, correcting existing potable water facility deficiencies, and providing for future facility needs;
3. Coordinate the provision of on and off-campus potable water facilities required to meet future university needs with the local government or appropriate service provider;
4. Ensure that future potable water facility service capacity and capital improvements required to meet future university needs are provided when required, based on needs identified in other master plan elements;
5. Establish administrative, operational and other procedures to conserve water and thereby minimize future potable water requirements of the university; and
6. Establish the timing or phasing requirements for potable water facility improvements to meet future university needs.

(d) The Potable Water Sub-Element shall be described, at a minimum, in the General Infrastructure Element Map(s) and explanatory text. This map, along with companion narrative shall identify the location and size of the proposed general infrastructure distribution and collection system lines, treatment facilities and generation facilities. The map and text shall be accompanied by explanatory tabular information as required.

(7) SANITARY SEWER DATA REQUIREMENTS. This sub-element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of the existing sanitary sewer systems on the campus (map, narrative) indicating location and sizes of main collection lines.

(b) For facilities shared with the host community, a description of the proportional capacity of the facility required to meet existing university needs, including a description of any capacity that may have been previously allocated to the university by the host community.

(c) The following data shall be included for the sanitary sewer facilities identified in subparagraph (1)(a):

1. The entity having operational responsibility for the facility;
2. The geographic service area of the facility and the predominant types of land uses served by the facility;
3. The design capacity of the facility;
4. The current demand on the capacity of the facility; and

5. The level of service provided by the facility.

(d) Major sanitary sewer facilities shall be identified and included on a map.

(8) SANITARY SEWER ANALYSIS REQUIREMENTS. This sub-element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) A facility capacity analysis, by geographic service area, indicating capacity surpluses and deficiencies for:

1. Existing conditions, based on the facility design capacity and the current demand on facility capacity; and
2. The end of the planning time frame, based on the projected demand at current level of service standards for the facility, projected student populations and land use distributions, and any available existing surplus facility capacity.

(b) The general performance of existing sanitary sewer facilities, evaluating the adequacy of the current level of service provided by the facility, the general condition and expected life of the facility, and the impact of the facility upon adjacent natural resources.

(c) An analysis of the problems and opportunities for sanitary sewer facility expansion or replacement to meet projected needs of the university.

(d) An analysis of existing local, state and federal regulations governing sanitary sewer collection and treatment systems.

(9) REQUIREMENTS FOR SANITARY SEWER GOALS, OBJECTIVES AND POLICIES.

(a) The sub-element shall contain one or more goal statements for accommodating future university sanitary sewer requirements.

(b) The sub-element shall contain one or more objectives for each goal which address:

1. Correcting existing sanitary sewer facility deficiencies; and
2. Coordinating the provision of increased facility capacity to meet future needs of the university.

(c) The sub-element shall contain one or more policy statements for each objective which:

1. Establish the levels of service to be used by the university in establishing sanitary sewage collection and treatment facility requirements;

2. Establish priorities for replacement, correcting existing sanitary sewer facility deficiencies, and providing for future facility needs;

3. Coordinate the provision of on and off-campus sanitary sewer facilities required to meet future university needs with the local government or appropriate service provider;

4. Ensure that future sanitary sewer facility service capacity and capital improvements required to meet future university needs are provided when required, based on needs identified in other master plan elements; and

5. Establish the timing or phasing requirements for sanitary sewer facility improvements to meet future university needs.

(d) The Sanitary Sewer Sub-Element shall be described, at a minimum, in the General Infrastructure Element Map(s) and explanatory text. This map, along with companion narrative, shall identify the location and size of the proposed general infrastructure distribution and collection system lines, treatment facilities and generation facilities. The map and text shall be accompanied by explanatory tabular information as required.

(10) SOLID WASTE DATA REQUIREMENTS. This sub-element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of the existing solid waste collection and disposal systems on the campus (map, narrative) including facilities for the storage and/or disposal of hazardous and medical wastes.

(b) The amount of solid waste generated by the university.

(c) For facilities shared with the host community, a description of the proportional capacity of the facility required to meet existing university needs, including a description of any capacity that may have been previously allocated to the university by the host community.

(d) The following data shall be included for the solid waste collection and disposal facilities identified in subparagraph (1)(a):

1. The entity having operational responsibility for the facility;
2. The geographic service area of the facility and the predominant types of land uses served by the facility;
3. The design capacity of the facility;
4. The current demand on the capacity of the facility; and
5. The level of service provided by the facility.

(e) Major solid waste collection and disposal facilities shall be identified and included on a map.

(11) SOLID WASTE ANALYSIS REQUIREMENTS. This sub-element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) A facility capacity analysis, by geographic service area, indicating capacity surpluses and deficiencies for:

1. Existing conditions, based on the facility design capacity and the current demand on facility capacity; and
2. The end of the planning time frame, based on the projected demand at current level of service standards for the facility, projected student populations and land use distributions, and any available existing surplus facility capacity.

(b) The general performance of existing solid waste collection and disposal facilities, evaluating the adequacy of the current level of service provided by the facility, the general condition and expected life of the facility, and the impact of the facility upon adjacent natural resources.

(c) An analysis of the problems and opportunities for solid waste collection and disposal facility expansion or replacement to meet projected needs of the university.

(d) An analysis of existing local, state and federal regulations governing solid waste collection and disposal systems.

(e) An assessment of opportunities or available and practical technologies for the reduction, recycling and re-use of solid waste generated by the university.

(f) An analysis of the terms of any agreements for the collection and/or disposal of university-generated solid waste, including allocated capacity and duration of service. Identify any future limitations on university development resulting from these factors.

(12) REQUIREMENTS FOR SOLID WASTE GOALS, OBJECTIVES AND POLICIES.

(a) The sub-element shall contain one or more goal statements for accommodating future university solid waste collection and disposal requirements.

(b) The sub-element shall contain one or more objectives for each goal which address:

1. Correcting existing solid waste collection and disposal facility deficiencies; and
2. Coordinating the provision of increased facility capacity to meet future needs of the university.

(c) The element shall contain one or more policy statements for each objective which:

1. Establish the levels of service to be used by the university in establishing solid waste collection and disposal facility requirements;

2. Establish priorities for replacement, correcting existing solid waste collection and disposal facility deficiencies, and providing for future facility needs;

3. Coordinate the provision of on and off-campus solid waste collection and disposal facilities required to meet future university needs with the local government or appropriate service provider;

4. Ensure that future solid waste collection and disposal facility service capacity and capital improvements required to meet future university needs are provided when required, based on needs identified in other master plan elements; and

5. Establish the timing or phasing requirements for solid waste collection and disposal facility improvements to meet future university needs.

(d) The Solid Waste Sub-Element shall be described, at a minimum, in the General Infrastructure Element Map(s) and explanatory text. This map, along with the companion narrative shall identify the location and size of the proposed general infrastructure distribution and collection system lines, treatment facilities and generation facilities. The map and text shall be accompanied by explanatory tabular information as required.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3) FS. History--New 2-15-94.

6C-21.208 Conservation Element.

The purpose of this element is to ensure the conservation, protection and wise use of all natural ecosystems and natural resources on the university campus and in the context area.

(1) **CONSERVATION DATA REQUIREMENTS.** This element shall be based on an inventory of existing natural and environmental resources, where present on the university campus and within the context area.

(2) **CONSERVATION ANALYSIS REQUIREMENTS.** This element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) For each of the resources identified in subparagraph (1)(a) identify existing commercial, recreational, or conservation uses.

(b) For each of the resources identified in subparagraph (1)(a), assess the available and practical opportunities and methods for protection or restoration of those resources on university property.

(c) For each of the resources identified in subparagraph (1)(a), identify known sources and rates of discharge or generation of pollution.

(d) For each of the resources identified in subparagraph (1)(a), assess opportunities or available and practical technologies to minimize pollution or its impacts generated by university activities.

(e) An analysis of current and projected water needs and sources, based on the demand for industrial, agricultural and potable water use and the quantity and quality available to meet those demands.

(f) An assessment of opportunities or available and practical technologies to reduce university energy consumption. Investigation of emerging technologies (i.e., solar) to address this issue is encouraged.

(3) REQUIREMENTS FOR CONSERVATION GOALS, OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goals establishing the long-term end toward which conservation programs are directed.

(b) The element shall contain one or more objectives for each goal which:

1. Protect or improve air quality;
2. Conserve, appropriately use, and protect the quantity and quality of current and projected water sources (including groundwater and surface water);
3. Conserve, appropriately use, and protect native vegetative communities and wildlife habitat; and
4. Conserve and appropriately use energy.

(c) The element shall contain one or more policies for each objective which address implementation activities that:

1. Protect water quality and quantity by restricting university activities which contaminate groundwater sources such as wellfields, cones of influence or recharge areas;
2. Protect native vegetative communities from destruction by university development activities;
3. Restrict university activities known to threaten the habitat and survival of endangered and threatened plant and wildlife species and species of special concern;
4. Improve control of, or restrict or minimize university activities which generate air pollution;
5. Minimize stormwater-borne pollutants generated as a result of university operations and maintenance practices;
6. Protect and conserve the natural functions of soils, rivers, floodplains and wetlands;
7. Encourage recycling;
8. Designate environmentally sensitive lands for protection based on state and locally determined criteria;
9. Manage hazardous wastes to protect natural resources; and
10. Establish administrative, operational, and other procedures to conserve energy and minimize future demand.

(d) The Conservation Element shall be described, at a minimum, in the Conservation Element Map and explanatory text. This map along with companion text shall describe the natural resource conservation and protection areas planned on the university campus. The map and text shall be accompanied by explanatory tabular information as required.

Specific Authority 240.209(1), (3)(a), 240.155(22) FS. Law Implemented 240.155(3), 253.034(4) FS. History--New 2-15-94.

6C-21.209 Recreation and Open Space Element.

The purpose of this element is to ensure the provision of adequate and accessible recreation facilities and open space to meet the future needs of the university.

(1) **RECREATION AND OPEN SPACE DATA REQUIREMENTS.** This element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of all existing privately-owned, state owned, or local government-owned recreational facilities and open spaces within the context area.

(b) An inventory of all university-owned or managed recreational sites, open spaces, incidental recreation facilities, parks, lakes, forests, reservations, freshwater or saltwater beaches.

(c) A description of the level of service standard(s) established by the host community for each type of recreation facility described in the comprehensive plan of the jurisdiction.

(d) A description of any university-owned recreational facilities or open spaces that have been incorporated in the Recreational and Open Space Element of the host community's comprehensive plan.

(2) **RECREATION AND OPEN SPACE ANALYSIS REQUIREMENTS.** This element shall be based upon the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) An analysis of the projected needs for recreation and open space facilities required to meet the needs of the projected university population (students, faculty and staff) based on university standards and calculations or established level of service standards.

(b) An assessment of the adequacy of the existing recreational facilities and open spaces to meet the future needs of the university (on-campus, and off-campus), including a description of the extent to which off-campus facilities may meet some or all of the university projected needs.

(c) An assessment of opportunities for alternative future facility siting in order to conserve the supply and character of campus open space.

(d) An analysis of planned future recreation and open space facilities, as adopted by the host community in their comprehensive plan or other best available data.

(3) REQUIREMENTS FOR RECREATION AND OPEN SPACE GOALS, OBJECTIVES AND POLICIES.

(a) The element shall contain one or more goals for recreation and open space facilities.

(b) The element shall contain one or more objectives for each goal which:

1. Coordinate public and private resources to meet the projected demand for recreational facilities and open space; and
2. Ensure that parks, recreational facilities and open space are adequately and efficiently provided.

(c) The element shall contain one or more policy statements which:

1. Establish priorities for development of future recreation and open space facilities;
2. Establish the timing or phasing requirements for development of future athletic, recreation and open space facilities;
3. Select sites for infrastructure and buildings designed to maximize the retention of campus open space;
4. Coordinate provision of recreation and open space facilities on-campus with those provided off-campus by the host facility;
5. Correct or improve existing deficiencies in parks and recreation facilities; and
6. Designate or acquire open space and natural reservations.

(d) The Recreation and Open Space Element shall be described at a minimum in the Recreation and Open Space Element Map and explanatory text. This map and companion text and tabular data shall define the location, size and function of proposed future recreation and open space facilities on the campus. The map and text shall be accompanied by explanatory tabular information as required.

6C-21.210 Intergovernmental Coordination Element.

The purpose of this element is to identify and resolve incompatible goals, objectives, policies and development proposed in campus master plans and to determine and respond to the needs for coordination processes and procedures with adjacent local governments, and regional and state agencies. Intergovernmental coordination shall be utilized to the extent required to carry out the provisions of this chapter.

(1) INTERGOVERNMENTAL COORDINATION DATA REQUIREMENTS. This element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) An inventory of all host and affected local governments, and other units of local government providing services but not having regulatory authority over the use of land, independent special districts, water management districts, regional planning councils, and state agencies with which the university coordinates, or which provide services to the university. This inventory shall also include regional or state agencies with land use or environmental regulatory authority, and authorities, independent special districts, and utility companies which provide services to the university.

(b) For each entity listed in subparagraph (1)(a), the element shall briefly describe the existing coordination mechanisms indicating the subject, the nature of the relationship and the office with primary responsibility for coordination.

(2) INTERGOVERNMENTAL COORDINATION ANALYSIS REQUIREMENTS. The element shall be based on the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) The effectiveness of existing coordination mechanisms described in subparagraph (1)(b), such as intergovernmental agreements, joint planning and service agreements, special legislation and joint meetings or work groups which are used to further intergovernmental coordination.

(b) Specific problems and needs within each of the campus master plan elements which would benefit from improved or additional intergovernmental coordination and means for resolving those problems and needs.

(c) Growth and development proposed in comprehensive plans in the context area in order to evaluate the needs for additional planning coordination.

(3) REQUIREMENTS FOR INTERGOVERNMENTAL COORDINATION GOALS, OBJECTIVES, AND POLICIES.

(a) The element shall contain one or more goal statements which establish the long-term end toward which intergovernmental coordination activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal which:

1. Coordinate the campus master plan with the plans of other units of local government providing services but not having regulatory authority over the use of land, and the comprehensive plans of host and affected local governments;

2. Ensure that the university addresses through coordination mechanisms, the impacts of development proposed in the campus master plan upon development in the context area; and

3. Ensure coordination in establishing level of service standards for public facilities with any state, regional or local entity having operational and maintenance responsibility for such facilities.

(c) The element shall contain one or more policies for each objective which shall address programs, activities, or procedures for:

1. The coordination of planning activities mandated by the various elements of the campus master plan with host and affected local governments, other units of local government providing services but not having regulatory authority over the use of land, the region and the state;

2. Resolving conflicts with host and affected local governments through informal mediation processes;

3. The provision of services and information; and

4. Reviewing the relationship of proposed campus development to the existing comprehensive plans of host and affected local governments.

(4) INTERGOVERNMENTAL COORDINATION PROCESS.

(a) The Intergovernmental Coordination Element shall establish a development review process, to be implemented in conjunction with host and affected local governments, to assess the impacts of proposed development on significant local, regional and state resources and facilities. This shall be a reciprocal process whereby local officials are given an opportunity to review proposed campus development in order to assess its potential impacts on local, regional and state resources and facilities, and whereby university officials are given an opportunity to review proposed development within the context area in order to assess its potential impacts on university resources and facilities. This development review process shall include the following provisions:

1. Except when otherwise stated in Section 240.155, Florida Statutes, the provisions of the campus master plan and associated campus development agreement supersede the requirements of part II of Chapter 163, Florida Statutes;

2. Once the campus development agreement is executed, all campus development may proceed without further review by the host local government if it is consistent with the adopted campus master plan and associated campus development agreement;

3. University officials shall participate and cooperate with local officials in the review of proposed development within the context area to assess potential impacts on university resources and facilities; and

4. University officials shall participate and cooperate with local officials in the review of proposed campus development to assess potential impacts on local, regional and state resources and facilities until execution of the campus development agreement.

(b) The Intergovernmental Coordination Element shall establish a process for mitigating impacts identified during the development review process. This mitigation process shall include provisions that university officials shall participate and cooperate with local officials in the identification of appropriate strategies to mitigate the impacts of campus development on local, regional and state resources and facilities, and to mitigate the impacts of proposed development within the context area on university resources and facilities.

(c) The Intergovernmental Coordination Element shall include a provision that any dispute between the university and a host or affected local government regarding the assessment or mitigation of impacts shall be resolved in accordance with the process established in subsection 240.155(8), Florida Statutes.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3), (8) FS. History--New 2-15-94.

6C-21.211 Capital Improvements Element.

The purpose of this element is to evaluate the need for public facilities as identified in other campus master plan elements; to estimate the cost of improvements for which the university has fiscal responsibility; to analyze the fiscal capability of the university to finance and construct improvements; to adopt financial policies to guide the funding of improvements; and to schedule the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required based on needs identified in the other campus master plan elements.

(1) **CAPITAL IMPROVEMENTS DATA REQUIREMENTS.** This element shall be based on the following data requirements, pursuant to subsection 6C-21.203(2), F.A.C.

(a) The element shall be based on the facility needs as identified in the other elements and shall support the future needs as identified in the future land use element.

(b) An inventory of existing and anticipated revenue sources and funding mechanisms available for capital improvement financing, such as ad valorem funds, state funds, federal funds, bonds, impact fees, gas tax, etc.

(c) An inventory of operations and maintenance costs for existing facilities.

(2) **CAPITAL IMPROVEMENTS ANALYSIS REQUIREMENTS.** The element shall be based on the following analyses which support the campus master plan pursuant to subsection 6C-21.203(2), F.A.C.

(a) An analysis of current university practices that guide the timing and location of construction, extensions or increases in the capacity of university facilities.

(b) An estimate of the cost of each of the on-campus capital improvements identified in the other plan elements, including consideration of inflation factors and the relative priority of need ranking.

(c) An estimate of the cost of future capital improvements that may be required off the university campus to support the future infrastructure and traffic functions of the university.

(d) A description of the basis of the cost estimates.

(e) An assessment of the university's ability to finance capital improvements.

(f) An analysis comparing the host community's and university's cost estimates for future improvements generated by university infrastructure impacts.

(3) **REQUIREMENTS FOR CAPITAL IMPROVEMENTS GOALS, OBJECTIVES AND POLICIES.**

(a) The element shall contain one or more goal statements which establish the long-term end for the timely and efficient provision of capital facilities through the use of sound fiscal policies.

(b) The element shall contain one or more objectives for each goal and shall address:

1. The coordination of land use decisions and available or projected fiscal resources with a schedule of capital improvements which maintains level of service standards as adopted in the campus master plan and meets existing and projected facility needs;

2. The demonstration of the university's ability to provide or require provision of the needed improvements identified in the other elements and to manage the expansion or improvement process so that facility needs do not exceed the ability of the university to fund and provide provision of the needed capital improvements; and

3. The use of the capital improvements element as a means to meet the needs of the university for the construction of capital facilities to correct existing deficiencies, to accommodate desired future growth, and to replace worn-out or obsolete facilities.

(c) The element shall contain one or more policies for each objective which address programs and activities for:

1. The establishment of criteria used to evaluate and prioritize capital improvement projects;

2. Provisions for the replacement and renewal of capital facilities;

3. Provisions for the availability of facilities and services needed to support facility construction, expansion or improvement concurrent with the impacts of such construction, expansion or improvement subsequent to the adoption of the master plan;

4. Provisions for the adoption of the capital budget as part of the annual budgeting process to include provisions which are consistent with the campus development agreement; and

5. Provisions for programming the future facility costs to include the cost of the site improvements, utility extensions and associated easements, parking, traffic circulation improvements, etc., necessary for the proper function of the individual facility and to include the cost of facilities necessary to support future capacity requirements.

(4) **CAPITAL IMPROVEMENTS IMPLEMENTATION.**

(a) The campus master plan shall contain:

1. The schedule of capital improvements for which the university has fiscal responsibility, by year, for the 3-year committed and 10-year projected improvements, which shall reflect the need to reduce existing deficiencies, remain abreast of replacements, and meet future demand; and

2. A list of projected costs and revenues by type of facility for the planning period, by year.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3) FS. History—New 2-15-94.

6C-21.212 Optional Elements.

(1) If the campus master plan includes optional elements pursuant to subsection 240.155(4), Florida Statutes, such elements shall be related to, and consistent with, all other elements of the campus master plan and meet the requirements specified within Rule 6C-21.203, F.A.C.

(2) Optional elements must be completed and transmitted at the same time as the required portions of the campus master plan. Subsequent to initial submittal of the campus master plan, optional amendments that are added will be considered amendments to the campus master plan.

(3) Optional elements are not subject to review under this chapter.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(4) FS. History—New 2-15-94.

6C-21.213 Campus Master Plan Consistency With the State Comprehensive Plan and Not in Conflict With Local Government Comprehensive Plans.

(1) Each campus master plan shall be consistent with the State Comprehensive Plan and not in conflict with the adopted comprehensive plans of the host local government and any affected local governments. A campus master plan is consistent with the State Comprehensive Plan if the master plan is compatible with and furthers such plan.

(2) The term “compatible with” means that the campus master plan is not in conflict with the State Comprehensive Plan or appropriate local government comprehensive plans. The term “furthers” means to take action in the direction of realizing goals or policies of the state or local plans.

(3) A campus master plan is in conflict with the adopted comprehensive plans of the host local government and any affected local governments if the master plan promotes an intrinsic or essential lack of harmony with the local government comprehensive plan.

(4) For the purpose of determining whether campus master plans are consistent with the State Comprehensive Plan and not in conflict with appropriate local comprehensive plans, the state or local plan shall be construed as a whole and no specific goal and policy shall be construed or applied in isolation from other goals or policies in the plans.

(5) Each campus master plan shall address State Comprehensive Plan goals and policies which are relevant to the circumstances or conditions in its jurisdiction. The decision regarding which particular State Comprehensive Plan goals and policies will be furthered by the expenditure of a university’s financial resources in any given year is a decision which rests with the Board of Regents.

Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(5) FS. History—New 2-15-94.

