

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
March 19, 2015**

SUBJECT: Amendment of Board Regulation 14.020 University Supervision of Construction Program

PROPOSED BOARD ACTION

Approve amendment of Board Regulation 14.020 University Supervision of Construction Program, with an effective date of July 1, 2015

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Subsection 1013.02(b), Florida Statutes; Board Regulation Development Procedure

BACKGROUND INFORMATION

This regulation was last amended on March 27, 2008. Since that time, several significant changes have been made to Chapter 633, Fire Prevention and Control, and Chapter 1013, Educational Facilities, Florida Statutes. Current law with regards to the applicable codes and standards referenced in the regulation now provides broader options for the university to demonstrate compliance with statutory requirements for code and design plan review and inspection during construction.

The proposed revision to the regulation provides authority for the review of construction documents by certified fire safety inspectors, as an alternative to staff of the State Fire Marshal's Office. Additionally, the regulation language has been modified to parallel the statutory requirements found in section 1013.38, Florida Statutes, which directs boards, and not the university president, to ensure that facilities comply with building codes and life safety codes.

The proposed language was developed by Board staff based on discussions with university staff. It is anticipated that boards of trustees will delegate this authority upon adoption of the amended regulation.

The regulation was approved for public notice January 22, 2015. Public comments were received from the Department of Financial Services, Division of the Fire Marshall. Based on a meeting held on February 24th with officials from the Division of State Fire Marshall, the staff recommendation is to implement this change effective July 1, 2015, in order to provide additional time for an orderly transition period. This will allow time for trustees wishing to

delegate authority to do so; or for those university boards of trustees who do not delegate authority to develop an appropriate mechanism to demonstrate compliance.

If the amended regulation is adopted, the Board Office will ask each university to provide information as to 1) whether the board of trustees wishes to delegate or retain authority regarding University Supervision of Construction program; 2) whether any existing university regulations require amendment; and 3) whether the university board of trustees or designee intends to use certified firesafety inspectors to conduct all plan reviews, or continue to use the Division of State Fire Marshall. University boards of trustees or designees who plan to use certified firesafety inspectors will be required to provide 90 days advance written notice to both the Board Office and Division of State Fire Marshall in order to allow for proper planning and coordination of staffing.

Supporting Documentation Included: Information is located in the Facilities Committee Materials