

**STATE UNIVERSITY SYSTEM OF FLORIDA**  
**BOARD OF GOVERNORS**  
November 9, 2022

**SUBJECT:** Public Notice of Approval of Amendment to Board of Governors Regulation 8.002, Self-supporting and Market Tuition Rate Program and Course Offerings

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**PROPOSED BOARD ACTION**

Consider approval of Public Notice of Approval of Amendment to Board of Governors Regulation 8.002, Self-supporting and Market Tuition Rate Program and Course Offerings.

**AUTHORITY FOR BOARD OF GOVERNORS ACTION**

Article IX, Section 7, Florida Constitution

**BACKGROUND INFORMATION**

Board of Governors Regulation 8.002, Self-supporting and Market Tuition Rate Program and Course Offerings, outlines the requirements and process for universities to offer courses and programs as self-supporting and/or charge market rate tuition. In 2016, the Board adopted a revised version of this regulation to address a statutory change that removed the ability of the Board of Governors to authorize the university boards to set tuition and fees for graduate and professional programs and out-of-state fees for all programs. Since this section of Florida Statutes applies to all college-credit programs, universities do not have the authority to set tuition and fees for cost-recovery college-credit courses and programs offered through continuing education units.

Since approving this revised regulation in 2016, Board staff have identified several inconsistencies with implementation across the State University System through the data collected from university annual reports. As a result, Board staff recommend amendments to clarify policies regarding allowable activities, program review procedures, and reporting requirements in the State University System.

The proposed revisions to the regulation more clearly delineate between two possible auxiliary education categories and the educational levels at which such offerings may exist. The amendment clearly states that universities may not offer undergraduate degree programs as either self-supporting or market tuition rate education programs to ensure consistent implementation of section 1009.24, Florida Statutes, which authorizes tuition and fees at the undergraduate level. Universities may continue to offer self-supporting undergraduate-level certificate programs so long as the tuition and fees comply with the statute and Board Regulation 7.001, Tuition and Associated Fees.

The proposed amendment establishes additional requirements for self-supporting and market tuition rate education programs. First, the proposed amendments will require institutions to publish side-by-side cost comparisons for programs with a comparable

Education & General (E&G) program so students can make informed choices regarding the tuition and fee options available. The proposed amendments also clarify that E&G programs should not be suspended or terminated in favor of offering a similar self-supporting graduate-level college credit program. Finally, the proposed amendments specify that information on any new degree program or track must be submitted to the Board office for an appropriate review before implementation to ensure compliance with the regulation and other relevant Board regulations.

As part of the review and revision process, Board staff convened a workgroup of university representatives. This workgroup met over the course of five weeks to provide feedback on the proposed amendment to the regulation and to discuss the implementation of the proposed changes.

The Board of Governors approved the Public Notice of Intent to Amend Board of Governors Regulation 8.002, Self-supporting and Market Tuition Rate Program and Course Offerings, at its September 14, 2022, meeting. Following approval of the public notice of intent, no public comments were received, and the regulation as amended is ready for final approval.

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**Supporting Documentation Included:**

Regulation 8.002, Self-supporting and Market Tuition Rate Program and Course Offerings