8.002 Self-supporting and Market Tuition Rate Program and Course Offerings.

(1) **Educational Programs and Courses** – All of the educational programs and courses described in this regulation are conducted through the auxiliary enterprise of the university and provide non-state-fundable training, courses, and programs. The two categories of education programs described are self-supporting courses and programs and market tuition rate programs. The three sub-categories of self-supporting education programs and courses are college-credit, non-credit, and sponsored-credit.

(a) The administrative unit(s) under which all self-supporting and market tuition rate education programs are managed shall be determined by the university.

(b) All activity for self-supporting and market tuition rate education programs shall be reflected in the auxiliary budget entity, except that activity related to self-supporting sponsored credit courses and programs may be reflected in the contracts and grants trust fund.

(c) Undergraduate college-credit degree programs shall not be operated as a self-supporting or market tuition rate education program. Undergraduate college-credit certificate programs may be operated as self-supporting so long as the tuition and fees charged for undergraduate college-credit courses offered by a university comply with section 1009.24, Florida Statutes and Board of Governors Regulation 7.001.

(d) Self-supporting and market tuition rate education programs are not eligible for inclusion in the Southern Regional Education Board's Academic Common Market program.

(e) For the purposes of this regulation, a program is considered similar if it is offered under the same six-digit CIP code as one funded under the Education and General (E&G) budget entity.

(2) **Self-supporting Education Courses and Programs**

(a) **College-Credit Programs –** Self-supporting college-credit certificate programs and graduate-level degree programs that address clearly identified post-professional workforce demand may be implemented subject to the policies and data reporting requirements established in paragraphs (1), (2) and (4) of this regulation.

1. Admissions and graduation criteria, as well as academic standards, for self-supporting graduate-level college-credit degree programs must align with those criteria and standards in equivalent programs funded through the E&G budget entity and must go through the same program approval processes defined in Board of Governors Regulation 8.011 for E&G-funded programs.

a. Prior to the implementation of any new self-supporting graduate-level college-credit degree program, documentation must be submitted in a format prescribed by the Chancellor for review. This requirement applies even if the program was previously approved as an E&G program. This requirement

does not apply to self-supporting college-credit certificate programs.

b. Supporting documentation must include evidence that the new program will not supplant any existing E&G degree offering.

2. If the self-supporting program is a track under an existing E&G program or has a similar existing E&G program, universities must provide students with a side-by-side tuition and fee comparison and maintain this information on their website. This information shall be publicized in catalogs and all other sections of the university's public-facing website that provide information about the program and any non-public websites or applications that provide information about the program. Universities must also provide students with information about financial assistance and obligations for repayment of loans for these programs.

3. Self-supporting graduate-level college-credit degree programs shall not supplant similar, existing university offerings funded by the E&G budget entity. To guarantee access to E&G programs, self-supporting programs will not replace existing E&G programming; thus, a similar E&G program cannot be suspended or terminated in favor of a self-supporting program. Similar E&G programs may only be suspended in extraordinary circumstances per Board of Governors Regulation 8.012. Universities proposing new self-supporting college-credit programs must attest that the similar E&G program will not be closed as a result of the new offering unless prior approval is obtained from the Board of Governors. Enrollment between E&G and self-supporting education offerings may fluctuate over time, depending on demand. However, universities have the responsibility to ensure that the existing E&G offering remains viable in meeting traditional student needs.

4. Self-supporting graduate-level college-credit degree programs shall not include those which lead to initial licensing or certification for occupational areas identified as a state critical workforce need by the Board of Governors unless it can be demonstrated to be the best strategy to increase the number of graduates in the state and has been approved for market tuition rate in accordance with paragraph (3) of this regulation.

5. Tuition and fees charged for all self-supporting college-credit programs must be sufficient to offset the full instructional cost of serving the student and shall not exceed the existing approved tuition and out-of-state fees for similar level courses.

a. Tuition for self-supporting graduate-level college-credit degree programs must be approved according to the process outlined in Board of Governors Regulation 7.001(4).

b. Fees for self-supporting graduate-level college-credit degree programs must be established according to the requirements outlined in section 1009.24, Florida Statutes, and Board of

Governors Regulation 7.001. Universities may collect and expend revenues collected above the level needed for cost-recovery of college-credit self-supporting activity when such revenues are used to provide enhanced support for the academic units associated with the courses or programs or to provide financial support to students.

(b) **Non-credit Courses and Programs** - Non-credit professional development courses and programs designed to upgrade existing technical or professional skills and courses and programs that are provided primarily for personal enrichment or as a public service to the community may be offered as self-supporting education. These courses should not be offered for college credit or count towards any degree requirements.

1. Costs associated with non-college-credit self-supporting education activity must be recovered from student fees or sponsoring entities and shall not be recovered from funds appropriated in the E&G budget entity. Universities may collect and expend revenues collected above the level needed for cost-recovery of non-college-credit self-supporting education activity when such revenues are used to provide enhanced support for the units associated with the courses or programs, support the teaching, research, and service mission of the institution, or provide financial support to students.

(c) **Sponsored-Credit Courses and Programs** – Sponsored-credit courses and programs are self-supporting college-credit offerings where all the direct costs are paid by an external sponsoring entity. Expenditure of E&G funds for the conduct of the programs is not permitted. No fees or other assessments may be collected from students by the sponsoring entity, the university, or any other entity.

1. In determining whether the direct costs are paid by the sponsoring entity, 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 that a participant receives. All funds collected from sponsoring entities for sponsored credit courses and programs will be remitted to the university's contract and grants trust fund and/or continuing education auxiliary trust funds as appropriate.

2. Each university board of trustees is authorized to waive any tuition, associated fees, and material and supply fees for students participating in sponsored credit courses and programs when such costs are not covered under the contract with the sponsoring entity and pursuant to a regulation adopted by the university board of trustees under section 1009.26 (9), Florida Statutes, and Board of Governors Regulation 7.008.

(3) **Graduate-level Market Tuition Rate Programs** – A market tuition rate is defined as a tuition rate that is competitively aligned with comparable programs offered by public or private institutions located both in-state and out-of-state. Market tuition rate programs must be offered at the graduate level only. Market tuition rate will go into

effect the next academic year following approval by the Board of Governors.

(a) A university board of trustees may approve a new graduate-level degree or certificate program for market tuition rate at the time it approves the new degree or certificate for implementation pursuant to Board of Governors Regulation 8.011. The new program proposal must provide a convincing rationale for seeking a market tuition rate, and the proposed budget must clearly indicate that the revenue generated will be sufficient to operate the program without E&G funding. New programs approved for market tuition rate must be submitted to the Board of Governors for consideration and approval of the tuition and any associated fees before enrollment of any students.

(b) A university board of trustees may submit a proposal for market tuition rates for graduate-level courses offered online or through the university's continuing education program when such courses are included as a major of an existing approved degree program or as a college-credit certificate program. Proposals to charge market tuition rates for majors of existing degree programs and college-credit certificate programs shall be considered by the Board if documentation is provided that demonstrates that the following criteria are met.

1. The existing degree program majors and college-credit certificates have been approved in accordance with Regulation 8.011, and the university has established one or more separate market tuition rate student cohorts, each of which can be tracked for administrative and reporting purposes.

2. The program does not lead to initial licensing or certification for occupational areas identified as critical state workforce needs in the most current Florida Board of Governors Strategic Plan. A university may request the establishment of market tuition rates for such programs for non-residents if such programs do not adversely impact the development of other programs for Florida residents. A university, upon a written request for a special exception from the Chancellor, may submit a proposal for market tuition rate for a program leading to initial licensing or certification in a critical state workforce need area if it can be demonstrated to increase the number of graduates in the state.

3. The program admission and graduation requirements shall be the same as similar programs under the same six-digit CIP code funded by the E&G budget entity.

4. If the graduate-level market tuition rate program is a track under an E&G program or has a similar existing E&G program, universities must provide students with a side-by-side tuition and fee comparison and maintain this information on their website. Universities must also provide students with information about financial assistance and obligations for repayment of loans for these programs on their websites. This information shall be publicized in catalogs and all other sections of the university's public-facing website that provide information about the program and any non-public websites or applications that provide

information about the program.

(c) E&G graduate-level programs should not be suspended or terminated in favor of offering a similar market tuition rate education program.

(d) The Board shall approve no more than five new graduate-level degree programs or college-credit certificate program proposals per university per academic year.

(e) The proposal for market tuition rate programs shall be submitted in a format designated by the Chancellor and include, at a minimum, the following information.

1. A description of the program and its compliance with the requirements outlined in Board of Governors Regulation 8.011 (3)(b)1.

2. An explanation of the process used to determine the market tuition rate and the tuition at similar programs from at least five other institutions, including both private and public.

3. A list of similar programs offered by other state university system institutions.

4. A description of how offering the proposed program at a market tuition rate is aligned with the mission of the university.

5. A declaratory statement that offering the proposed program at the market tuition rate does not increase the state's fiscal liability or obligation.

6. The proposed rates for resident and non-resident students in the program. If the proposed rates are different, a description of the rationale shall also be provided.

7. An explanation of any proposed restrictions, limitations, or conditions to be placed on the program.

8. A description of any outcome measures that will be used to determine the success of the proposal.

9. A list of the campuses and/or sites at which the proposed program will be offered.

10. In addition, the following information must be included with the proposal.

a. An explanation of how the university will ensure that sufficient courses are available to meet student demand and facilitate the completion of each program submitted for consideration.

b. A baseline of current enrollments, including a breakout of resident and non-resident enrollment, in similar courses funded by the E&G budget entity.

c. An estimation of the total and net annual revenue the university anticipates collecting if the proposal is approved.

d. A description of how revenues will be spent, including whether any private vendors will be utilized. The institution must also identify all of the budget entities used for the program.

(f) The Board of Governors will act upon the responsible committee's recommendation at the next scheduled meeting. If a university board of trustees' proposal is denied, within five calendar days, the university board

of trustees may request reconsideration by the Board's Tuition Appeals Committee, which shall consist of the Chair of the Board and the Chair of each Board committee. The Tuition Appeals Committee will meet within ten calendar days after the Board of Governors' denial to consider a university board of trustees' request for reconsideration.

(g) Any proposed increase in tuition and fees for an approved market tuition rate program or certificate must be approved first by the university board of trustees and then the Board of Governors.

(4) **Reporting of Self-supporting and Market Tuition Rate Education Information**

(a) Credit hours generated by college-credit courses offered through all self-supporting and market tuition rate education programs shall not be reported as fundable credit hours and shall be reported to the Board of Governors separately from credit hours funded through the E&G budget entity using the State University Database System.

(b) Degrees awarded for programs offered entirely through self-supporting or market tuition rate education shall be reported to the Board of Governors separately from degrees awarded for programs funded through the E&G budget entity using the State University Data System.

(c) Institutions must complete an annual report in the format prescribed by the Chancellor and distributed through the data request system on all college-credit self-supporting and market tuition rate education programs. The report must be approved by the institution's board of trustees prior to submission and must include, at a minimum, the following information.

1. The CIP Code and complete name of each program under which each self-supporting and market tuition rate education program is operating. Additionally, all program majors as defined in Board of Governors Regulation 8.011 must be identified.
2. The approval dates for each program's tuition from the university board of trustees and Board of Governors.
3. The approved tuition and fees for each program, including costs per credit hour and any additional fees, such that the total cost to the student for each program may be calculated.
4. The revenues and expenditures for each degree and major within a college-credit self-supporting or market tuition rate education program.
5. Other documentation to demonstrate compliance with this regulation as required.

(d) Board staff may verify compliance with paragraph (2)(b), self-supporting non-credit courses or programs, as needed.

Authority: Section 7(d), Art. IX, Fla. Const.; Section 1009.24, Florida Statutes; History—New 09-15-11; Amended 08-31-17, 11-10-22, 05-10-23.

8.002 Self-supporting and Market Tuition Rate Programs

(1) All of the educational programs and courses described in this regulation are conducted through the auxiliary enterprise of the university. The use of the term "program" within this regulation refers to all degree programs, tracks, majors, and concentrations subject to the provisions of this regulation as defined in Regulation 8.011.

(2) The following provisions apply to all market tuition rate and self-supporting tuition programs and requests.

A. The program must be offered at the graduate level only.

B. The program cannot lead to initial licensure.

C. Universities shall submit tuition requests for new or existing programs in accordance with Board of Governors Regulations and Florida Statutes. The approved tuition rate will go into effect at the start of the next academic year following approval by the Board of Governors. University-wide tuition and fee increases do not apply to programs approved for self-supporting or market tuition rates.

D. All activity for self-supporting and market tuition rate education programs shall be reflected in the auxiliary budget entity, except that activity related to self-supporting sponsored credit courses and programs may be reflected in the contracts and grants trust fund. The proposed budget must clearly indicate that the revenue generated will be sufficient to operate the program without E&G funding.

E. Self-supporting and market tuition rate education programs are not eligible for inclusion in the Southern Regional Education Board's Academic Common Market program.

F. For the purposes of this regulation, a program is considered similar if it is offered under the same six-digit CIP code as a program funded under the Education and General (E&G) budget entity.

1. The program admission and graduation requirements shall be the same as programs under the same six-digit CIP code funded by the E&G budget entity.

2. A university cannot suspend or terminate an E&G graduate-level program in favor of offering a similar market tuition rate or self-supporting education program.

3. Self-supporting or market tuition rate graduate degree programs must operate independently and shall not overlap, supplant, replace, or supersede an existing E&G funded program in any way, including

concurrent course sections.

G. Students who enroll in courses or programs approved for market tuition rates and/or self-supporting rates are eligible for tuition waivers and exemptions as authorized in Florida Statutes and Board of Governors Regulation 7.008.

H. Universities must restrict access to courses associated with programs subject to this regulation to only those students admitted to the respective program. A student who is not enrolled in the respective program may not be assessed a tuition and fee rate other than the approved E&G tuition and fee rate for the university.

I. The university must provide students with a side-by-side tuition and fee comparison between the market tuition rate program and self-supporting programs and other similar E&G programs. The comparison must also include information about financial assistance and obligations for repayment of loans for these programs. This information must be posted in an identifiable and easily accessible location on the university website and in the university catalogs.

J. The university cannot make a new request for market tuition rate or self-supporting tuition for a graduate program ~~new program, existing program~~, or an increase in tuition specific to a market tuition rate or self-supporting graduate program while on a Student Success Plan pursuant to Regulation 5.001 or if a university is found to be out of compliance with this regulation.

K. Any request for market tuition rate or self-supporting tuition shall be submitted in a format designated by the Chancellor and be consistent with the requirements outlined in Board of Governors Regulation 8.011.

(3) A market tuition rate is defined as a tuition rate that is competitively aligned with comparable programs offered by public or private institutions located both in-state ~~and~~ or out-of-state, and at a minimum covers the cost of the program. Market tuition rate for individual courses not included in an approved graduate-level degree program is prohibited. Market tuition rate is only applicable for graduate-level degree programs.

A. The university must provide evidence that graduate wages after one year exceed those of a similar bachelor's degree program. The program must demonstrate that the student is better off by completing the program than if they had never enrolled.

B. The Board shall consider if the proposed tuition amount exceeds the annual or total cap authorized by the U.S. Department of Education for federal loans as criteria for evaluating the proposal.

C. If the university requests a new market tuition rate program and t~~If t~~he program is on the Board of Governors Programs of Strategic Emphasis list, the university must provide students with an E&G option. The Board may

also evaluate this request to ensure it is in the best interest of the state for a market tuition rate program to meet the critical workforce needs of the state.

D. The university must provide evidence for seeking the market tuition rate, which includes at least three examples of tuition amounts from other comparable programs at public ~~and~~ or private four-year universities.

E. The request must provide a convincing rationale for seeking a market tuition rate, including a rationale for any tuition increase. This includes evidence of the return on the investment of the program to the student and the state.

(4) Market Rate Tuition Requests

A. New Academic Program: A university board of trustees is authorized to consider the approval of a new graduate-level degree for market tuition rate at the time it approves the new degree for implementation pursuant to Board of Governors Regulation 8.011. A university board of trustees ~~shall~~ must submit the approved request to the Board of Governors for consideration and approval of the program and tuition and any associated fees before enrollment of any students.

B. Existing Program: A university board of trustees may consider approval to apply market tuition rate to an existing graduate-level program offered by the university included in the SUS Academic Degree Program Inventory. A university board of trustees ~~shall~~ must submit the approved request to the Board of Governors for consideration and approval of the tuition and any associated fees before enrollment of any students.

C. Increase in tuition for an approved market tuition rate program.

1. Any proposed increase in tuition and fees for an approved market tuition rate program must be approved first by the university board of trustees and then by the Board of Governors.

2. Universities must follow the procedures for tuition increases as specified in Regulation 7.001 (4) and (6).

3. Approved requests for increases will take effect the next academic year.

~~(5)~~ Self-Supporting Education Programs are graduate-level degree programs that charge a tuition rate to offset the cost of offering the program.

A. Tuition and fees charged for all self-supporting graduate degree programs must be established according to the requirements outlined in section 1009.24, Florida Statutes, and Board of Governors Regulation 7.001 and

must be sufficient to offset the full instructional cost of serving the student.

B. Any increase to the tuition rate or request to establish tuition for a self-supporting program that is beyond the state-approved rate requires approval from the Board of Governors prior to ~~assessing~~ charging the requested increased tuition rate. Any increases that are less than or equal to the state-approved rate for graduate tuition may be approved by the Chancellor prior to ~~assessing~~ charging the requested increased tuition rate

C. The university must provide evidence that graduate wages after one year exceed those of a similar bachelor's degree program. The program must demonstrate that the student is better off by completing the program than if they had never enrolled.

D. The Board shall consider if the proposed tuition amount exceeds the annual or total cap authorized by the U.S. Department of Education for federal loans as criteria for evaluating the proposal.

E. If the university requests a new self-supporting program and ~~If~~ the program is on the Board of Governors Programs Strategic Emphasis list, the university must provide students with an E&G option. The Board may also evaluate this request to ensure it is in the best interest of the state for a self-supporting tuition program to meet the critical workforce needs of the state.

F. Self-supporting requests.

1. New academic program. A university board of trustees is authorized to consider the approval of a new graduate-level degree with self-supporting tuition at the time it approves the new degree for implementation pursuant to Board of Governors Regulation 8.011.

2. Existing academic program. A university board of trustees is authorized to consider the approval to apply a self-supporting tuition rate to an existing graduate-level degree program offered by the university that is approved pursuant to Board of Governors Regulation 8.011 and is included in the SUS Program Inventory.

3. Increase in tuition for an approved self-supporting program.

   a. Any proposed increase in tuition and fees for an approved self-supporting program that exceeds the state-approved rate must be approved first by the university board of trustees and then by the Board of Governors.

   ~~a.~~b. ~~A university board of trustees may request the BOG to approve an increase in self-supporting tuition in an approved graduate-level self-supporting program.~~ Universities must follow the procedures for tuition increases as specified in Regulation 7.001 (4) and (6).

~~b.~~c. Approved requests for increases will take effect the next academic year.

G. Self-Supporting College Credit Graduate Certificate Programs: State universities may establish self-supporting college credit graduate certificate programs pursuant to university regulation. The tuition and fees for such certificates must be sufficient to offset the full cost of the program and may not exceed the approved graduate tuition and fees for E&G programs unless the university has received approval from the Board of Governors pursuant to Regulation 7.001.

H. Non-credit Courses and Programs: Non-credit professional development courses and programs designed to upgrade existing technical or professional skills and courses and programs that are provided primarily for personal enrichment or as a public service to the community may be offered as self-supporting education. These courses should not be offered for college credit or count towards any degree requirements.

I. Sponsored-Credit Courses and Programs: Sponsored-credit courses and programs are self-supporting college-credit offerings where all the direct costs are paid by an external sponsoring entity. Expenditure of E&G funds for the conduct of the programs is not permitted. No fees or other assessments may be collected from students by the sponsoring entity, the university, or any other entity.

1. In determining whether the direct costs are paid by the sponsoring entity, 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 that a participant receives. All funds collected from sponsoring entities for sponsored credit courses and programs will be remitted to the university's contract and grants trust fund and/or continuing education auxiliary trust funds as appropriate.

2. Each university board of trustees is authorized to waive any tuition, associated fees, and material and supply fees for students participating in sponsored credit courses and programs when such costs are not covered under the contract with the sponsoring entity and pursuant to a regulation adopted by the university board of trustees under section 1009.26 (9), Florida Statutes, and Board of Governors Regulation 7.008.

~~(6)~~ **Reporting**

A. Credit hours generated by college-credit courses offered through all self-supporting and market tuition rate education programs shall not be reported as fundable credit hours and shall be reported to the Board of

Governors separately from credit hours funded through the E&G budget entity using the State University Database System.

B. A separate student cohort for those enrolled in the market tuition rate or self-supporting track or major shall be reported to the Board office for reporting.

C. Degrees awarded for programs offered entirely through self-supporting or market tuition rate education shall be reported to the Board of Governors separately from degrees awarded for programs funded through the E&G budget entity using the State University Data System. Degrees awarded in market tuition rate or self-supporting programs shall not count towards Programs of Strategic Emphasis metrics used for Performance-Based Funding unless authorized by the Board of Governors.

D. Institutions must complete an annual report in the format prescribed by the Chancellor for all college-credit self-supporting and market tuition rate education programs.

E. The Board shall review all approved self-supporting and market tuition rate programs every 5 years and determine if the program still requires that tuition status.

Authority: Section 7(d), Art. IX, Fla. Const.; Section 1009.24, Florida Statutes; History—New 09-15-11; Amended 08-31-17, 11-10-22, 05-10-23, XX-XX-XX.