



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

AGENDA

Live Oak Center, Ferrell Commons
University of Central Florida
4000 Central Florida Boulevard
Orlando, Florida 32816
June 21, 2012
1:30 p.m. - 3:30 p.m.

1. **Call to Order and Chair's Report:** *Chair Dean Colson*693

2. **Approval of Meeting Minutes:**695
 - A. Board of Governors Retreat, March 20-21, 2012
 - B. Board of Governors, March 22, 2012
 - C. Board of Governors, April 17, 2012

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 - A. 2012-13 University Work Plans

6. **Budget and Finance Committee Report:** *Governor Tico Perez*731
Action:
 - A. Final Approval, Amend Board Regulations
 - i. Regulation 7.003 - Fees, Fines & Penalties

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(Codifies action to approve the bar preparation fee at FAMU and the green fee at UWF taken at the March Board meeting. Also codifies House Bill 5201.)

ii. Regulation 7.002 - Tuition and Fee Assessment, Collection, Accounting and Remittance

(Codifies House Bill 5201.)

- B. 2012 Capital Improvement Fee Increases
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7. Academic and Student Affairs Committee Report:

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- A. Ph.D. in Hospitality Management, CIP 52.0901, University of Central Florida
- B. Ph.D. In Applied Behavior Analysis, CIP 42.2814, University of South Florida
- C. Consolidation of Graduate Education Programs into Curriculum and Instruction, CIP 13.0301, Florida State University
- D. Request for Exception to 120 Credit Hours to Degree, Bachelor of Music Education, CIP Code 13.1312, Florida Gulf Coast University
- E. Request for Limited Access Status, Bachelor of Music Education, CIP Code 13.1312, Florida Gulf Coast University
- F. Request for Exception to 120 Credit Hours to Degree, B.S. in Biology - Medical Sciences Track, CIP Code 26.0101, University of North Florida
- G. Request for Exception Limited Access Status, B.S. in Biology - Medical Sciences Track, CIP Code 26.0101, University of North Florida
- H. Request for Limited Access Status, B.S. in Global Business, CIP Code 52.1101, University of South Florida - St. Petersburg
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 - i. Audit and Compliance Committee Charter
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- A. Debt Approvals
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 - ii. A Resolution of the Board of Governors Requesting the Division of Bond Finance of the State Board of Administration to issue Revenue Bonds on behalf of the University of Florida to Finance the Expansion of the J. Wayne Reitz Union on the Main Campus of the University of Florida
 - iii. A Resolution of the Board of Governors Authorizing the Issuance of Bonds by the FSU Financial Assistance, Inc. to Finance the Construction of a Multi-Purpose Indoor Athletic Facility and Related Improvements on the Main Campus of Florida State University
- B. An Amendment to the Agreement between the City of Tallahassee, Leon County, Florida, Florida State University and the Board of Governors related to the Tallahassee-Leon County Civic Center Authority

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- A. Appointment of University Trustee, Florida A&M University
- B. Appointment of University Trustees, Florida Polytechnic University
- C. Appointment of University Trustee, New College of Florida

11. Concluding Remarks and Adjournment: Chair Dean Colson

(N.B.: As to any item identified as a "Consent" item, any Board member may request that such an item be removed from the consent agenda for individual consideration.)

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STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 19, 2012

SUBJECT: Chair's Report to the Board of Governors

PROPOSED BOARD ACTION

For Information Only

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Not Applicable

BACKGROUND INFORMATION

The Chair, Dean Colson, will convene the meeting with opening remarks.

Supporting Documentation Included: None

Facilitators/Presenters: Chair Dean Colson

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 19, 2012

SUBJECT: Approval of Minutes of Meetings held March 20-21, 2012, and March 22, 2012, and April 17, 2012

PROPOSED BOARD ACTION

Approval of Minutes of the meeting held on March 20-21, 2012, Jacksonville; and Minutes of the meeting held on March 22, 2012, at the University of North Florida, Jacksonville; and Minutes of meeting held on April 17, 2012, via telephone conference call.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Not applicable

BACKGROUND INFORMATION

Board members will review and approve the Minutes of the meeting held on March 20-21, 2012, Jacksonville; and Minutes of the meeting held on March 22, 2012, at the University of North Florida, Jacksonville; and Minutes of meeting held on April 17, 2012, via telephone conference call.

Supporting Documentation Included: Minutes: March 20-21, 2012; March 22, 2012; April 17, 2012

Facilitators/Presenters: Chair Dean Colson

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STATE UNIVERSITY SYSTEM OF FLORIDA
RETREAT
JACKSONVILLE, FLORIDA
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NOTES
BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA
RETREAT
JACKSONVILLE, FLORIDA
MARCH 20-21, 2012

The Chair, Dean Colson, convened the Board of Governors Retreat at 1:02 p.m. The following members attended the Retreat: Mori Hosseini, Vice Chair; Dick Beard; Joseph Caruncho; Chris Corr; Pat Frost; Tom Kuntz; Michael Long; Ava Parker; John D. Rood; Norm Tripp; and Rick Yost.

1. Introductions

Mr. Colson thanked the Board members for participating in the retreat. Dr. Rick Yost facilitated introductions of Board members. He recognized Dr. Manoj Chopra from the University of Central Florida who is the Vice Chairperson of the Advisory Council of Faculty Senates. Mr. Colson asked Board office staff to do brief introductions.

2. Discussion: March 20, 2012

Ms. Janet Owen, Governmental Relations Liaison, presented an update of the substantive bills from the 2012 Legislative Session. Ms. Owen's presentation covered legislation on the following issues: (1) Academic and Research Excellence and National Preeminence Act (HB 7129), (2) General Education Requirements/ SUS Strategic Planning/Governance/STEM (HB 7135), (3) Performance Funding (GAA; HB 7135), (4) University of Florida Activity & Service Fee (HB 5201), (5) University of Florida Health Insurance Plan (HB 5009), (6) Board of Governors Student Member Selection Process (HJR 931), and (7) Florida Polytechnic University (SB 1994).

Ms. Owen updated the Board on confirmation of appointees to the university Boards of Trustees. The Senate did not take action on the remaining appointees. Section 114.05(1)(e), Florida Statutes, provides that a vacancy exists if the Senate fails to take action on a confirmation; however, the appointee may remain in the seat for a period not to exceed forty-five days (April 23, 2012), and the appointee may be re-appointed.

Ms. Owen also informed the Board that the Florida Supreme Court will hear the appeal in *Bob Graham et al. v. Mike Haridopolos et al.* Vikki Shirley reminded Board members that the Board was no longer a part of the lawsuit and had entered into a governance agreement with the Legislature on March 24, 2010.

Dr. Yost facilitated a discussion of quality in the State University System of Florida. Topics included the university work plans, strategic plans, and annual report. The

discussion centered on aligning the System strategic plan, university strategic plans, and university work plans. Board members also talked about potential ways to structure presentations on university work plans such as hearing presentations from two or three universities at each meeting versus hearing eleven presentations at one meeting. For 2012, the Board discussed adding a day to the June Board meeting to allow adequate time for discussion of the eleven university work plans.

Dr. Yost presented data comparing graduation rates for first-time-in-college students to graduation rates for transfer students. Board members discussed the difference in graduation rates for first-time-in-college-students and transfer students.

The discussion ended at 5:01 p.m. on March 20, 2012.

3. Discussion: March 21, 2012

Mr. Colson called the retreat to order at 8:42 a.m. on March 21, 2012. Chancellor Brogan introduced Dr. Alceste Pappas. Dr. Pappas pointed out that the State University System of Florida is the youngest system in the nation. She offered her thoughts on higher education trends.

Dr. Pappas reported that she worked during the Legislative session with Chair Bill Proctor of the House Education Committee on the pre-eminence bill. If signed by Governor Scott, the pre-eminence bill will facilitate mission differentiation. Chair Proctor suggested using the pre-eminence bill to hold the universities accountable by looking first at first-time-in-college graduation rates, SAT/ACT scores, minority graduation rates, and research funding. Chair Proctor advised the Board to review these metrics and others included in the pre-eminence bill when considering requests from the universities for tuition increases. The Board of Governors should use these metrics and the differentiated missions to advocate on behalf of the institutions with the Legislature.

The Board's General Counsel Vikki Shirley presented a history of the governance responsibilities of the Board of Governors. The presentation included the 2002 constitutional amendment creating the Board, the delegation of authority to the Boards of Trustees, and the 2010 governance agreement between the Board and the Legislature. Ms. Shirley pointed out that the Board of Governors retained authority to review the university's strategic plans to ensure that they align with the Board of Governors' Strategic Plan.

Members agreed to use a consent agenda when appropriate for items to move immediately from committee to the full Board with the caveat that any member may remove an item from the consent agenda.

4. **Adjournment**

The retreat concluded at 11:46 a.m., March 21, 2012.

Dean C. Colson,
Chair

Monoka Venters,
Corporate Secretary

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UNIVERSITY OF NORTH FLORIDA
STUDENT UNION COMPLEX
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JACKSONVILLE, FLORIDA
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**MEETING MINUTES
BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA**

UNIVERSITY OF NORTH FLORIDA
STUDENT UNION COMPLEX
BALLROOM, WEST BUILDING
JACKSONVILLE, FLORIDA
MARCH 22, 2012

Chair Dean Colson convened the meeting at 11:03 a.m., with the following members present: Vice Chair Mori Hosseini, Dick Beard, Chris Corr, Pat Frost, Tom Kuntz, Michael Long, Ava Parker, Tico Perez (participating by telephone), John D. Rood, Gus Stavros (participating by telephone), John Temple, Norman Tripp, and Dr. Rick Yost.

1. Chair's Report

Chair Colson thanked President Delaney and the University of North Florida for hosting the meeting. He recognized Janet Owen for her assistance with the meeting. He recognized and introduced new Board members Joseph Caruncho, Tom Kuntz, and Matthew Carter. Chair Colson introduced resolutions recognizing former Board members Ann Duncan and Dr. Stanley Marshall for service on the Board and dedication to higher education in Florida. Mr. Beard moved that the Board approve the resolutions for Ann Duncan and Dr. Marshall. Mr. Tripp seconded the motion. All of the members concurred in the motion. The resolutions are attached to the minutes in the appendices.

Chair Colson offered remarks regarding the 2012 Legislative session. He recognized the collaborative efforts of Board members, Board staff, Trustees, university presidents, and university staff that had strengthened our relationship with our Legislative partners. He noted that Speaker Cannon said that he felt that the collaborative relationship between our Board and the Legislature was working well.

Chair Colson introduced a resolution for Chairman Bill Proctor thanking him for his years of service in the House and his support of higher education, in particular his work on two bills this Session that will move the System forward and encourage the universities to strive for pre-eminence. Mr. Kuntz moved that the Board approve the resolution for Chairman Proctor. Dr. Yost seconded the motion, and the members concurred. The resolution is attached to the minutes in the appendices.

**2. Approval of Minutes of Meeting of the Board of Governors held January 19, 2012;
and Minutes of the Meeting of the Board of Governors held February 2, 2012**

Mr. Long moved that the Board approve the Minutes of the Meeting held January 19, 2012, and the Minutes of the Meeting held February 2, 2012, as presented. Mr. Rood seconded the motion, and members of the Committee concurred.

3. Chancellor's Report

Chancellor Brogan thanked President Delaney for helping to make the meeting a success and for loaning Janet Owen's services as the governmental relations liaison during the Legislative session. Chancellor Brogan introduced the new chief academic officer Dr. Jan Ignash.

4. Confirmation, President, New College of Florida

Chair Colson recognized Senator Bob Johnson the Chair of the New College of Florida Board of Trustees to explain the presidential search process at New College of Florida and to introduce the selected candidate Dr. Donal O'Shea.

Senator Johnson explained that he chaired the search committee which hired Archer-Martin Associates as a management consultant. They began with 29 applicants and ultimately invited five to campus. The candidate criteria were fundamental. The committee wanted a candidate who believed that liberal arts institutions are highly regarded piece of the national higher education puzzle and could articulate that liberal arts mission on a national and international academic scale, an academic leader of excellence, a distinguished administrator, a planner, a person who could inspire the faculty to remain in the state of Florida during these difficult times and someone who could inspire the students, a collaborator, and a fundraiser. Senator Johnson introduced Dr. Donal O'Shea as the one person that New College, the search committee, the Board of Trustees, the faculty, and students stood behind. Senator Johnson presented Dr. O'Shea to the Board for confirmation.

Chair Colson remarked that he had spoken to Dr. O'Shea and was excited about the hire. Mr. Tripp moved that the Board confirm Dr. Donal O'Shea as the president of New College of Florida. Dr. Yost seconded the motion. Mr. Long was recognized for remarks. Mr. Long remarked that he had carefully chosen New College because he wanted to attend a college where he would feel like part of a family. Mr. Long commented that New College is a very small school, and students have the opportunity to meet directly with the president in his office. During the search process, everyone felt that Dr. O'Shea was the right person for the New College family. Mr. Long supported the motion, and all members concurred.

Chair Colson welcomed Dr. O'Shea as the next president of New College and recognized him to make remarks. Dr. O'Shea said that he looked forward to working with the Board on ensuring that New College contributes to the Board's strategic plan.

5. Facilities Committee Report

- A. Resolution of the Board of Governors Authorizing the Implementation by Florida A&M University of a Guaranteed Energy Performance Program on the Main Campus, FAMU

Mr. Beard moved that the Board adopt the resolution authorizing the implementation by Florida A&M University of a guaranteed energy performance program on the main campus. Mr. Temple seconded the motion, and the members concurred.

- B. Resolution of the Board of Governors Authoring the Division of Bond Finance of the State Board of Administration of Florida to Issue Debt on Behalf of Florida A&M University to Finance the Construction of a Student Residence Hall on the Main Campus, FAMU

Mr. Beard moved that the Board adopt the resolution authorizing the Division of Bond Finance of the State Board of Administration of Florida to issue debt on behalf of Florida A&M University to finance the construction of a student residence hall on the main campus. Mr. Temple seconded the motion, and the members concurred.

- C. Renaming, Library, UCF

Mr. Beard moved that the Board authorize the University of Central Florida to rename the university's main library to the John C. Hitt Library. Mr. Hosseini seconded the motion, and the members concurred.

7. Budget and Finance Committee Report

- A. 2013-14 LBR Guidelines

Mr. Perez moved that the Board approve the 2013-14 LBR Guidelines. Dr. Yost seconded the motion, and the members concurred.

- B. Auxiliary Facilities 2012-13 Operating Budgets

Mr. Perez moved that the Board approve the 2012-13 operating budgets. Mr. Long seconded the motion, and the members concurred.

- C. Fee Proposals

Mr. Perez reported that Florida A&M University withdrew its request to implement a physical therapy preparation fee, the University of West Florida

withdrew its request to implement a Nautilus card fee, the University of North Florida withdrew its request to implement an academic enhancement fee, the University of South Florida withdrew its request to implement an academic enrichment and opportunity fee, and the University of Florida withdrew its undergraduate enhancement fee. Mr. Perez reported that two fee requests were forwarded to the Board for consideration.

1. Florida A&M University Bar Review Preparation Fee

Mr. Perez reported that the Committee approved a request by Florida A&M University to implement a bar review preparation fee by a vote of 9-0. Mr. Perez moved that the Board approve the Committee's recommendation to approve Florida A&M University's implementation of a bar review preparation fee. Mr. Beard seconded the motion, and the members concurred.

2. University of West Florida Green Fee

Mr. Perez reported that the Committee approved a request by the University of West Florida to implement a green fee by a vote of 7-2. Mr. Perez moved that the Board approve the Committee's recommendation to approve the University of West Florida's implementation of a green fee. Mr. Long seconded the motion, and the members concurred.

8. Academic and Student Affairs Committee Report

Mr. Long reported that the Academic and Student Affairs Committee had approved request for an exception to 120 credit hours to degree and a request for limited access status for the Bachelor of Music Education at Florida Gulf Coast University. Those requests will be brought to the June Board meeting for final approval.

A. Limited Access Status, B.S., Social Work, FSU

Mr. Long reported that the Committee had approved a request for limited access for the Bachelor of Social Work at Florida State University at the January Board meeting. Mr. Long moved that Board approve the request for limited access for the Bachelor of Social Work at Florida State University. Mr. Rood seconded the motion, and the members concurred.

9. Trustee Nominating Committee Report

Mr. Hosseini reported that the Florida A&M University Board of Trustees has a vacancy. All of the applications that we have received will be considered, but the application deadline for that vacancy has been extended until April 4th at 5:00 p.m.

A. Committee Name

Mr. Hosseini moved that Board approve changing the name of the Committee from Trustee Nominating Committee to Trustee Nominating and Development Committee. Mr. Temple seconded the motion, and the members concurred.

B. Appointment of University Trustee, FIU

Mr. Hosseini moved that Board appoint Mr. Robert T. Barlick, Jr. to fill the vacancy on the Florida International University Board of Trustees. Mr. Tripp seconded the motion, and the members concurred.

10. Select Committee on USF Polytechnic Report

Mr. Hosseini offered a report regarding the activities of the Select Committee and its January 12 meeting at the University of Central Florida. The Select Committee's next meeting will be on April 10th.

11. Audit and Compliance Committee Report

Ms. Parker reported that she has been working closely with the Board of Governors Inspector General and Director of Compliance Derry Harper. The Committee will convene before the June Board meeting and will present recommendations to the full Board.

12. Concluding Remarks

Chair Colson recognized Mr. Tripp for concluding remarks. Mr. Tripp reported that he would like to get a few facts on the record. Over the last few years, here's what the System has faced. Administrative funds have been deleted for the last six years. Enrollment growth is gone. Matching grants like the Courtelis grants are gone. Significant base funding has been reduced by over \$800,000,000. PECO as we know it is gone. And now the last, the Legislature is finally taking our reserves. We have a crisis on our hands, and we need to address it. Chair Colson said that everyone in the room agrees with Mr. Tripp. We are going to have to figure out a new way to do business.

Chair Colson recognized Mr. Long for concluding remarks. Mr. Long said that it was his last meeting, and his time as a Board member has been an incredible ride. Mr. Long said that he appreciated the guidance and mentorship of fellow Board members and

student government presidents. Mr. Long said that he was grateful for the experience, and he looks forward to passing the torch off to the next president.

13. Adjournment

Having no further business, the meeting was adjourned at 11:46 a.m., March 22, 2012.

Dean Colson, Chair

Monoka Venters, Corporate Secretary

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 STATE UNIVERSITY SYSTEM OF FLORIDA
 BY TELEPHONE CONFERENCE CALL
 TALLAHASSEE, FLORIDA
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MINUTES
BOARD OF GOVERNORS
STATE UNIVERSITY SYSTEM OF FLORIDA
BY TELEPHONE CONFERENCE CALL
TALLAHASSEE, FLORIDA
APRIL 17, 2012

The Chair, Dean Colson, convened the meeting of the Board of Governors, State University System of Florida by telephone conference call from Tallahassee at 11:15 a.m., with the following members present: Vice Chair Mori Hosseini, Dick Beard, Matthew Carter, Joseph Caruncho, Pat Frost, Tom Kuntz, Ava Parker, Tico Perez, John D. Rood, Gus Stavros, John Temple, and Dr. Rick Yost.

1. Call to Order

Chair Colson thanked members for participating in the conference call to handle several items that could not wait until our next regularly scheduled conference call on May 3rd. Chair Colson told members that the call should be brief.

2. Re-appointment of University Trustees: FIU, UCF, UF, UNF, and UWF

Mr. Hosseini reported that the Florida Senate did not confirm nine of the Board of Governors' appointees to the Board of Trustees during the 2012 Legislative Session. He reported that the Board of Governors has forty-five days under Florida law or until April 23, 2012, to consider re-appointing the Trustees who were not confirmed by the Senate.

Mr. Hosseini moved that the Board adopt the recommendation of the Trustee Nominating and Development Committee to re-appoint the following Trustees who were not confirmed by the Senate:

- (1) Gerald C. Grant, FIU Board of Trustees,
- (2) Meg G. Crofton, UCF Board of Trustees,
- (3) Robert A. Garvy, UCF Board of Trustees,
- (4) Marcos R. Marchena, UCF Board of Trustees,
- (5) Charles B. Edwards, UF Board of Trustees,
- (6) Susan M. Cameron, UF Board of Trustees,
- (7) Fred D. Franklin, UNF Board of Trustees,
- (8) Sharon Wamble-King UNF Board of Trustees, and
- (9) David E. Cleveland, UWF Board of Trustees.

Ms. Parker seconded the motion, and the members concurred.

3. Approval of Notification of Interest Rate Period Change on Florida State University Dining Facility Taxable Revenue Bond

Mr. Beard reported that this item is related to FSU's Dining Hall Revenue Bond, Series 2005A. He reported that the terms of the bond require the Board of Governors to select the interest rate reset period. Mr. Beard reported that FSU requested a 10 year period with an estimated fixed rate of 2.75% versus the current rate of 5.083%. The change will provide savings of \$1.6 million. Mr. Beard reported that Board staff and the Division of Bond Finance concur with FSU's selection of 2.75%.

Mr. Beard moved that the Board approve notification of the interest rate change on Florida State University Dining Facility Taxable Revenue Bond, Series 2005A. Ms. Parker seconded the motion, and the members concurred.

4. Public Notice of Intent to Amend Board of Governors Regulations

A. Regulation 7.003 Fees, Fines, and Penalties

Mr. Perez reported a proposal to amend Regulation 7.003 following the adopted regulation procedure. Mr. Perez stated that today's action would be the first step of the two-step process. If the Board approves the notice of intent to amend the regulation today, the public would have 14 days to submit any comments after the notice is posted on the Board's website. Final approval would be at the June board meeting.

Mr. Perez reported several proposed amendments to Regulation 7.003 Fees, Fines and Penalties. First, the amendment to paragraph 25 would add the new green fee for UWF and the new bar review preparation fee for FAMU that the Board approved at the March meeting.

Second, Mr. Perez reported that a number of the proposed amendments are related to House Bill 5201. House Bill 5201 has been presented to the Governor for consideration, but the Governor has taken no action yet. Mr. Perez reported that one of the primary amendments relates to the increase of the capital improvement fee - a fee that has been capped in statute since 1988. Mr. Perez reported that the increase in this fee had been a part of the Board's legislative agenda for several years, and House Bill 5201 would allow an increase. Mr. Perez reported that noticing an amendment to Regulation 7.003 today with final approval in June would allow the Board to consider university capital improvement fee requests at the June meeting.

Mr. Perez reported that the proposed changes to paragraph 16 would eliminate the building fee while the proposed changes in paragraph 17 combine

the building fee and capital improvement fee into one fee called Capital Improvement fee. The Capital Improvement fee would be set at \$4.76 (which is what it is currently). This fee would be capped at 10% of resident tuition and 10% of non-resident tuition and out-of-state fees. However, resident student increases could not exceed \$2 per credit hour per year. The Fee must be implemented in the fall term. While House Bill 5201 does not specifically state the Board has to approve any increases to the fee, Regulation 7.003 would require the Board to approve increases to the fee. Mr. Perez reported that Board approval of increasing the fee is important because, historically, over 50% of the Capital Improvement Fee is bonded and the Board approves all debt related to this fee. Thus, the Board should review and approve up-front any increases to this fee and should receive sufficient justification for the type of facility that is being considered. Mr. Perez reported that the Board would not want a university to increase the fee and begin charging students, then a few years later bring a bond deal to the Board for a facility that does not fit into the strategic plan or need at the campus. Board review will thus provide for thoughtful consideration and coordination with each campus.

Mr. Perez reported that the proposed changes to paragraph 22 modify the excess hour fee for students entering this fall. Students who enter this fall will pay a fee equal to 100% of tuition for each credit hour in excess of 115 percent needed to graduate.

Mr. Perez reported that the proposed changes to paragraph 15 delete references to distance learning as required by House Bill 5201 and correct a statutory reference.

Mr. Perez pointed out that these changes would not be made to the regulation if House Bill 5201 is vetoed. He reported that the only change needed if House Bill 5201 is vetoed would be the codification of the new fees for FAMU and UWF approved by the Board in March.

Mr. Kuntz asked whether the universities were aware of these changes. Mr. Perez explained that Board staff worked with the universities on the changes, so the universities are aware. Mr. Kuntz moved that the Board approve the public notice of intent to amend Regulation 7.003. Mr. Perez seconded the motion, and the members concurred.

B. Regulation 7.002 Tuition and Fee Assessment, Collection, Accounting, and Remittance

Mr. Perez reported that Regulation 7.002 Tuition and Fee Assessment, Collection, Accounting and Remittance also must be amended to conform to

House Bill 5201. Mr. Perez said that House Bill 5201 eliminates the building fee, so the proposal is to notice an amendment paragraph 4 of Regulation 7.002 to delete the reference to the building fee. Mr. Perez moved that the Board approve the public notice of intent to amend Regulation 7.002. Mr. Kuntz seconded the motion, and the members concurred.

5. Concluding Remarks and Adjournment

Chair Colson reported that the Board has another conference call scheduled for May 3rd. He reported that he will review the proposed items to determine whether the Board needs to meet on May 3rd. Board members will hear later this week about that call.

Chair Colson reported that the Board's next in-person meeting will be in June at the University of Central Florida and includes the university work plans. He reported that the meeting will begin on Tuesday, June 19th at noon with the Strategic Planning Committee. Chair Colson encouraged all members of the Board to come for the work plan presentations on Tuesday, June 19th and Wednesday, June 20th. Chair Colson reported that the June meeting will conclude on Thursday, June 21st with the remainder of the committee meetings and the full Board meeting.

Chancellor Brogan reported that Governor Scott is reportedly going to sign the budget today. Board staff will keep members updated as quickly as information is available.

Having no further business, the meeting was adjourned at 11:27 a.m., April 17, 2012.

Dean Colson, Chair

Monoka Venters,
Corporate Secretary

STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 21, 2012

SUBJECT: Chancellor's Report to the Board of Governors

PROPOSED BOARD ACTION

For Information Only

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Not Applicable

BACKGROUND INFORMATION

Chancellor Frank Brogan will report on activities affecting the Board staff and the Board of Governors since the last meeting of the Board.

Supporting Documentation Included: None

Facilitators/Presenters: Chancellor Frank T. Brogan

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 21, 2012

SUBJECT: Consideration of Board of Governors Operating Procedures

PROPOSED BOARD ACTION

Consideration of Board of Governors Operating Procedures

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

In October 2003, the Board adopted a minimum compilation of operating procedures that addressed elections and committees. The progression of the Board's development as an organization has resulted in the need for a more robust compendium of procedures to address all facets of Board operations. The draft Operating Procedures are drawn from best practices utilized by similar public higher education governing boards and in keeping with all legal requirements for open meetings of public boards in Florida.

Supporting Documentation Included: Board of Governors Operating Procedures

Facilitators/Presenters: Vikki Shirley, General Counsel

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**OPERATING PROCEDURES OF
THE BOARD OF GOVERNORS OF
THE STATE UNIVERSITY SYSTEM OF FLORIDA**

ARTICLE I. CORPORATE NAME

The Board of Governors is a body corporate to be known as the “Board of Governors of the State University System of Florida.”

ARTICLE II. AUTHORITY AND RESPONSIBILITY

The Board of Governors (the Board) is the governing body of the State University System of Florida (the System) that is vested with all of the powers, duties and authority delegated to the Board by Article IX, Section 7 of the Florida Constitution for the operation, regulation, control, management and governance of the whole university system. The Board of Governors possesses such other authority granted under the Florida Constitution and as provided by the laws of Florida.

ARTICLE III. MEMBERSHIP OF THE BOARD

The Board of Governors is comprised of seventeen members. Fourteen members of the Board are appointed by the Governor and three members serve by virtue of their offices: the Commissioner of Education, the Chair of the Advisory Council of Faculty Senates, and the President of the Florida Student Association. The appointed members are confirmed by the Florida Senate and serve staggered terms of seven years. Such members shall serve until their successors are appointed and qualified. In the event of a vacancy of an appointed member by whatever cause, except for the expiration of a term, the Board shall request the Governor to appoint a successor to fill the vacancy for the remainder of the unexpired membership term.

ARTICLE IV. OFFICERS OF THE BOARD AND CHANCELLOR

Section A. Officers

The officers of the Board of Governors shall consist of the Chair, the Vice Chair, and the Corporate Secretary.

Section B. Selection of Officers and Term of Office

The Chair and Vice Chair shall be elected by a majority vote of the Board at a meeting held during the month of November of each odd-numbered year. The term of office shall commence on the first day of the January following the November election. Each officer shall serve for two years and may be re-elected for one additional consecutive two-year term. Any exception to this term of office shall be approved by a two-thirds vote of the members present at the meeting, provided there is a quorum.

Section C. Vacancy in Office

In the event of a vacancy in the office of the Chair, the Vice Chair shall assume the position of Chair and shall serve out the remainder of the Chair's term of office. In the event of a vacancy in the office of the Vice Chair, the Board shall hold a special election as soon as practicable to select a successor who shall serve out the remainder of the Vice Chair's term of office.

Section D. Chair

(1) The Chair shall preside at all meetings of the Board and shall have the authority to call any special or emergency meetings of the Board.

(2) The Chair shall appoint the members of all standing and ad hoc committees of the Board and select the chairs of such committees.

(3) The Chair is authorized to execute all instruments and documents approved or issued by the Board or as delegated by the Board.

(4) The Chair shall serve as the official spokesperson of the Board and shall exercise such other powers and duties that inure to the office of Chair of a body corporate.

Section E. Vice Chair

The Vice Chair shall perform the duties of the Chair and have the same power and authority in the absence or disability of the Chair.

Section F. Chancellor

(1) The Chancellor is the chief executive officer of the Board and the State University System. The Chancellor shall perform all such duties as necessary to assist with the Board's implementation of its constitutional duties

and responsibilities related to the governance of the System. The Chancellor is responsible for the prompt and effective execution of all Board regulations, policies, guidelines and resolutions.

(2) The Chancellor shall serve as the Board's liaison for communications with university boards of trustees, university presidents and other university officers and employees, the Legislature, other state entities, officers, agencies, the media, and the public.

(3) The Chancellor shall keep the Board informed of all issues affecting or that may affect the System and make such recommendations to the Board for the development of any new regulations, policies or guidelines and any amendments to existing regulations, policies or guidelines.

(4) The Chancellor shall attend and participate in all meetings of the Board, its committees, and prepare and submit such reports as may be required by the Board or by law, or as deemed necessary by the Chancellor.

(5) The Chancellor shall be responsible for preparing and submitting an annual legislative budget requests for the System and the general office to the Board for approval and for recommending any amendments as may be required.

(6) The Chancellor shall be responsible for the efficient operation of the general office, and is authorized to enter into any contracts necessary for the operation of the Board and the general office, to employ all personnel and establish all policies and procedures incident to general office personnel and operations, to submit an annual legislative budget request for the general office to the Board for approval and for recommending any amendments as may be required, to provide any general office budgetary information as may be requested by the Board or Board Chair, to oversee all departments and functions, and to take any other actions as deemed appropriate by the Chancellor to foster efficient and effective Board operations.

Section G. Corporate Secretary

Upon recommendation of the Chancellor, the Chair shall select a member of the general office staff to serve as the Corporate Secretary. The Corporate Secretary shall serve at the pleasure of the Board and shall:

- (1) Maintain an accurate record of the proceedings of the Board;
- (2) Have custody of all official records and documents of the Board;

- (3) Have custody of the corporate seal of the Board, affix the seal to official documents and attest to same;
- (4) Notice all meetings of the Board as required by applicable law; and
- (5) Serve as agency clerk for the Board.

ARTICLE V. MEETINGS OF THE BOARD

Section A. Regular Meetings

There shall be no fewer than six regular meetings per year which shall be open and noticed to the public in accordance with the Article I, Section 24 of the Florida Constitution and the requirements of Chapter 286, Florida Statutes.

Section B. Special Meetings

The Chair may convene special meetings, including workshops or retreats, of the Board as deemed appropriate. Such meetings shall be open and noticed to the public in accordance with the Article I, Section 24 of the Florida Constitution and the requirements of Chapter 286, Florida Statutes.

Section C. Emergency Meetings

The Chair may convene a meeting of the Board for the purpose of acting on emergency matters affecting the System or as necessary to preserve the health, safety or welfare of the public. Such meetings shall be open to the public and the Board shall provide such notice of the meeting as is reasonable under the circumstances.

Section D. Use of Technology

Any meeting of the Board may be conducted through a telephone conference call or by any other technological means. Any such meetings shall be open and noticed to the public in accordance with the Article I, Section 24 of the Florida Constitution and the requirements of Chapter 286, Florida Statutes.

Section E. Agenda

The Chair, in consultation with the Chancellor of the System, shall approve items to be placed on the agenda for each Board meeting. Any member may request

items to be placed on the agenda for discussion or action at a meeting, subject to approval by the Board. Any such item approved by the Board will be placed on the agenda for the next regularly scheduled meeting. All agenda items and supporting documentation must be submitted to the Chancellor with sufficient time for distribution to the Board members at least seven days in advance of the meeting where the item will be considered.

Section F. Quorum and Voting

A majority of the members of the Board must be present to constitute a quorum to transact official business. The decision of the majority of members in attendance and voting on an issue shall prevail, unless otherwise provided herein. The vote upon any resolution, motion or other matter may be by voice vote, but the Chair may require a roll call vote if deemed appropriate. A member may abstain from voting only under those circumstances prescribed by law. Voting by proxy or by mail is not permitted.

Section G. Minutes

Minutes of the meetings of the Board shall be kept by the Corporate Secretary who shall file and preserve all minutes, agendas and agenda materials, notices, resolutions, and other documents pertaining to the business and proceedings of the Board. Records of the meetings, including any video or audio recordings, are public records subject to Chapter 119, Florida Statutes.

Section H. Appearances before the Board

Individuals or groups who desire to appear before the Board to initiate a subject within the Board's jurisdiction shall submit a request specifying the matter on which they wish to be heard to the Corporate Secretary, 325 West Gaines Street, Suite 1614, Tallahassee, Florida 32399. The Chair, in consultation with the Chancellor, will determine whether the item will be considered and, if so, the timing of when such item will be placed on the agenda. The Chair may place time limits on any presentation and the number of speakers permitted to present the item.

Section I. Parliamentary Rules

When not in conflict with any of the Board's Operating Procedures, regulations, policy, or state law, Robert's Rules of Order shall be utilized as a guide in conducting the meetings of the Board.

ARTICLE VI. COMMITTEES

Section A. Purpose

The Chair shall have the authority to establish standing and ad hoc committees of the Board. Standing and ad hoc committees of the Board shall consider matters that are encompassed within the subject matters assigned to each committee and make recommendations to the Board. Unless specifically delegated or otherwise provided by Board regulation, authority to act on all matters is reserved to the Board.

Section B. Membership and Quorum

The Chair of the Board shall have the authority to appoint and remove members of each committee, and select committee chairs. A majority of committee members present at a committee meeting constitutes quorum for purposes of committee business.

Section C. Standing Committees

The standing committees of the Board and the scope of responsibility for each committee is as follows:

(1) *Academic and Student Affairs*: The activities of this committee shall include, but not be limited to, providing leadership for the development of system-level policy regarding admissions, articulation, academic programs, research and economic development, and student support services for the System; the review and approval of academic programs, limited access requests, and exceptions to state mandated program lengths; and regulations and issues relating to the aforementioned areas of responsibilities.

The committee shall identify and address issues that are critical to the well-being of state university students through regular contact with and input from the SUS Council for Student Affairs and the Florida Student Association. In addition, the committee is responsible for issues associated with the System's efforts in research and economic development, and all issues associated with medical education in the System.

(2) *Audit and Compliance*: The activities of this committee are governed by the *Audit and Compliance Committee Charter* (Charter) that articulates the committee's duties and responsibilities. The committee's responsibilities, as they relate to the operation and management of the Board, are to provide oversight of activities related to internal audit, financial controls, compliance and ethics; to

review significant accounting and reporting issues and confirm appropriate management responses; to review risk assessment methodologies and risk management policies; to assess the effectiveness of the internal control system; and to review and confirm appropriate management response to any report of significant audit or compliance-related findings and recommendations.

The committee's responsibilities, as they relate to the operation and management of the System, are to act as a liaison with university boards of trustees; review university independent audited financial statement reports and internal university audit reports; identify trends in these reports and confirm that adverse trends are being addressed; initiate inquiries if the committee has reasonable cause to believe a university is not providing for appropriate response to significant audit findings; direct the Board's Inspector General to conduct an inquiry or investigation if the committee has reasonable cause to believe that a university board of trustees is unwilling or unable to provide for objective investigation of credible allegations of fraud or other substantial financial impropriety; and work collaboratively with universities to develop resources that will support sound audit and financial compliance practices.

(3) *Budget and Finance:* The activities of this committee shall include, but not be limited to, the review of annual operating budget guidelines and legislative budget requests, university operating budgets, annual financial statements, tuition differential proposals, new fees, increases to existing fees, flexible tuition policies, select regulations and other budgetary or financial issues that may arise.

(4) *Facilities:* The activities of this committee shall include, but not be limited to, the approval of the annual system-wide Fixed Capital Outlay Legislative Budget Request, concurrency requests and applicable regulations; the issuance of debt; the facilitation of the Public Education Capital Outlay and Alec P. Courtelis Facility Enhancement Challenge Grant project lists; and monitoring of any financial or facility-related matters which may occur.

(5) *Legislative Affairs:* The activities of this committee shall include, but not be limited to, the development and implementation of strategies for advocacy of the Board's legislative agenda to the Legislature, Governor, and appropriate constituent groups. The committee is also responsible for coordination of the involvement of other Board members and external stakeholders.

(6) *Strategic Planning:* The activities of this committee shall include, but not be limited to, providing leadership for the development of the System

Strategic Plan and the subsequent monitoring of progress toward System goals; the review and approval of institutional strategic plans; the review of University Work Plans; the review and approval of the System Annual Reports; and select regulations and issues regarding System structure and other topics related to strategic planning and performance monitoring.

(7) *Trustee Nominating and Development:* The activities of this committee shall include, but not be limited to, the review and recommendation of applicants to serve as trustees on the university boards of trustees. The committee is also responsible for enhancing interaction and communication between members of the Board of Governors and members of the boards of trustees.

(8) *Tuition Appeals:* This committee, consisting of the Chair of the Board and the Chair of each Board committee, shall hear all university appeals associated with the Board's denial of a university's tuition differential, new fee, or flexible tuition proposal.

ARTICLE VII. CONFLICT OF INTEREST

Members of the Board shall adhere to the provisions of the Code of Ethics for Public Officers in Chapter 112, Part III, Florida Statutes, and Board of Governors Regulation 1.006.

ARTICLE VIII. AMENDMENT OR SUSPENSION OF PROCEDURES

Section A. Amendments

The Board's Operating Procedures may be amended or repealed by a two-thirds vote of the members present at any regular meeting, provided there is a quorum and that such proposed amendment or repeal has been publicly noticed prior to the meeting at which the proposed action is to be taken.

Section B. Suspension of Operating Procedures

Any provision of the Board's Operating Procedures may be suspended by a two-thirds vote of the members present in considering any matter to come before the Board, provided there is a quorum.

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 21, 2012**

SUBJECT: 2012-13 University Work Plans

PROPOSED BOARD ACTION

Consider for approval those portions of University Work Plans associated with the 2012-13 academic year, and note out-year portions of University Work Plans that need to be the subject of further dialogue and deliberation.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Subsection 1007.25(8), Florida Statutes; Board of Governors Regulation 2.002

BACKGROUND INFORMATION

Board Regulation 2.002 requires the development of University Work Plans. Work Plans, in conjunction with annual accountability reporting, are designed to inform strategic planning, budgeting, and other policy decisions for the State University System. Each University Work Plan is intended to reflect the institution's distinctive mission and focus on core institutional strengths within the context of State University System goals and regional and statewide needs. The Work Plan outlines the university's top priorities, strategic directions, and specific actions and financial plans for achieving those priorities, as well as performance expectations and outcomes on institutional and System-wide goals.

The University Work Plan's "Strategy" section includes institutional mission and vision statements, identification of strengths and opportunities, and key initiatives and investments. The "Key Performance Indicators" section provides metrics common to all universities, as well as a set specific to research universities, and institution-specific indicators. The "Operations" section provides fiscal information, including that associated with tuition differential requests, enrollment planning, and intentions of implementing new academic programs in 2012-13 and in the years 2013-15.

On June 20-21, 2012, universities made brief presentations on their Work Plans to the Board of Governors Strategic Planning Committee, after which Committee members had the opportunity to engage in discussion and questioning. The Committee's

subsequent action is to recommend to the full Board of Governors approval of those portions of University Work Plans associated with the 2012-13 academic year, and to note out-year portions of University Work Plans that need to be the subject of further dialogue and deliberation.

Supporting Documentation Included:	Individual 2012-2013 University Work Plans are Contained in the Board's Strategic Planning Committee Agenda Materials
Facilitators / Presenters:	Chair Rood; University Representatives

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 21, 2012**

SUBJECT: Regulation 7.003 – Fees, Fines & Penalties

PROPOSED BOARD ACTION

Approve amended Regulation 7.003.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution and Board Regulation Development Procedure

BACKGROUND INFORMATION

This regulation has been amended to codify actions taken by the Board during the March meeting and proposed statutory changes made by the 2012 Legislature.

1. In March the Board approved the creation of a bar preparation fee at Florida A&M University and a green fee at the University of West Florida.
2. House Bill 5201 was passed by the Legislature and the following changes are being incorporated into the regulation:
 - a. Elimination of the building fee.
 - b. Increase the capital improvement fee from \$2.44 to \$4.76. The fee may be increased \$2 per credit hour over the prior year, as long as the total fee does not exceed 10 percent of tuition for resident students or 10 percent of tuition and out-of-state fee for nonresident students. Any increases in the fee must be established by a fee committee.
 - c. The excess hour fee has been modified for students entering the system in 2012-2013. These students shall pay a fee equal to 100 percent of tuition for each credit hour in excess of 115 percent.
 - d. The transient student fee has been modified to delete the reference to distance learning courses and correct the statutory reference.

Pursuant to the Board of Governors Regulation Development Procedure, Regulation 7.003 was posted on the Board's Web site for public comment after consideration of the proposed regulation by the Board at its meeting on April 17, 2012. The comment period has expired with no public comments submitted.

Supporting Documentation Included: Amended Regulation 7.003 - Fees, Fines & Penalties

7.003 Fees, Fines and Penalties.

(1) The Board of Governors must authorize all fees assessed to students. Accordingly, the specific fees listed in this section, and the tuition and associated fees defined in Regulation 7.001, are the only fees that may be charged for state fundable credit hours without the specific approval of the Board, except as authorized in Regulation 8.002. For purposes of clarification, the term "at cost" or "cost" as used in this regulation includes those increased costs that are directly related to the delivery of the goods, services, or programs.

(2) Each university board of trustees is authorized to assess the following fees at the statutory amounts listed:

- (a) Security / Access / Identification Card, Duplicate Security / Access / Identification Card, Fee Card, or Passbook:
 - 1. Annual - cost up to \$10.00.
 - 2. All duplicates - cost up to \$15.00
- (b) Orientation Fee - up to \$35.00.
 - 1. Effective fall 2011, the board of trustees of the University of West Florida may assess a \$50 Orientation Fee.
- (c) Admissions Deposit - Up to \$200. The admissions deposit shall be imposed at the time of an applicant's acceptance to the university and shall be applied toward tuition upon registration and budgeted in the Student and Other Fee Trust Fund. In the event the applicant does not enroll in the university, the admissions deposit shall be budgeted in an auxiliary account of the university and used to expand financial assistance, scholarships, student academic and career counseling services, and admission services at the university.
- (d) Transcript Fee - per item; up to \$10.00.
- (e) Diploma Replacement Fee - per item; up to \$10.00.
- (f) Service Charge - up to \$15.00 for the payment of tuition and fees in installments.
- (g) Audit Registration Fees -- Audit registration assures a course space for the student; however, no grade is awarded. This fee is the same as the tuition and associated fees provided in Regulation 7.001. Budgeting of fee proceeds shall be in the Student and Other Fee Trust Fund.
- (h) Registration of Zero Hours -- Such registration provides for examinations, graduations, use of facilities, etc., when deemed appropriate by the institution. The student is assessed tuition and associated fees for one credit hour. The Zero Credit Fee shall be budgeted in the Student and Other Fee Trust Fund.
- (i) Application Fee -- Individuals who make application for admission to universities within the State University System shall pay a non-refundable Application Fee of not more than \$30.00. The fee shall be budgeted in the

- Student and Other Fee Trust Fund. Provisions may be made to waive the application fee as specified by the university.
- (j) Late Registration Fee -- Universities shall assess a Late Registration Fee to students who fail to register before the end of the regular registration period. This fee may also be assessed to students reinstated after their course schedules were cancelled due to non-payment of fees. The fee shall be not less than \$50 nor more than \$100 with a minimum of 50 percent budgeted to the Student and Other Fee Trust Funds and the balance budgeted in an Auxiliary Trust Fund. Provisions may be made to waive the Late Registration Fee as specified by the university.
 - (k) 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 and associated fees by the deadline set by each university. The fee shall be not less than \$50 nor more than \$100 with a minimum of 50 percent budgeted to the Student and Other Fee Trust Fund and the balance budgeted in an Auxiliary Trust Fund. Provisions may be made to waive the Late Payment Fee as specified by the university.

(3) Before the Board's last meeting of each calendar year, the university board of trustees shall notify the Board of any potential increases in fees outlined in subparagraph (2). A university board of trustees may then submit a proposal for an increase in that fee to the Board of Governors' budget committee by January 15 for consideration by the committee during a February meeting.

- (a) The proposal shall be submitted in a format designated by the Chancellor and include at a minimum:
 1. The current and proposed increase to the fee and a description of the process used to determine the need for the increase, including any student involvement.
 2. The service or operation currently being funded by the fee.
 3. An analysis of whether the service or operation can be performed more efficiently to alleviate the need for any increase.
 4. The additional or enhanced service or operation to be implemented.
 5. Identification of other resources that could be used to meet this need.
 6. The financial impact on students, including those with financial need.
 7. The current revenue collected and expenditures from the current fee.
 8. The estimated revenue to be collected and expenditures for the fee increase.
- (b) The Board will act upon the budget committee recommendation at the next scheduled meeting.
- (c) An increase in these fees can only be implemented with the fall term.
- (d) Every five years the university board of trustees shall review the fee increase to determine if the fee has met its intended outcomes and whether the fee should be increased, decreased or discontinued. The

university board of trustees shall submit its findings to the Board. Any subsequent decreases or continuation in these fees are delegated to the university board of trustees, with notification to the Chancellor.

- (4) Each university board of trustees is authorized to establish separate activity and service, health, and athletic fees on the main campus, branch campus, or center.
- (a) The fees shall be retained by the university and paid into the separate activity and service, health, and athletic funds. A university may transfer revenues derived from the fees authorized pursuant to this section to a university direct-support organization of the university pursuant to a written agreement approved by the Board of Governors.
 - (b) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course shall not exceed 40 percent of the tuition. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and athletic fees more than 5 percent per year or the same percentage increase in tuition, whichever is higher..
 - (c) A university may increase its athletic fee to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subparagraph (4)(d) and cannot exceed \$2 per credit hour.
 - (d) Increases in the health, athletic, and activity and service fee must be recommended by a fee committee, at least one-half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, and approval by the university board of trustees. An increase in these fees may occur only once each fiscal year and must be implemented beginning with the fall term.
 - (e) The student activity and service fee shall be expended for lawful purposes to benefit the student body in general. This shall include, but shall not be limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion. The fee may not benefit activities for which an admission fee is charged to students, except for student-government-association-sponsored concerts. The allocation and expenditure of the fees shall be determined by the student government association of the university, except that the president of the university may veto any line item or portion thereof within the budget when

- submitted by the student government association legislative body. The university president shall have 15 school days from the date of presentation of the budget to act on the allocation and expenditure recommendations, which shall be deemed approved if no action is taken within the 15 school days. If any line item or portion thereof within the budget is vetoed, the student government association legislative body shall within 15 school days make new budget recommendations for expenditure of the vetoed portion of the fees. If the university president vetoes any line item or portion thereof within the new budget revisions, the university president may reallocate by line item that vetoed portion to bond obligations guaranteed by activity and service fees.
- (f) Unexpended fees and undisbursed fees remaining at the end of a fiscal year shall be carried over and remain in the student activity and service fund and be available for allocation and expenditure during the next fiscal year.

(5) Technology Fee – Each university board of trustees may establish a technology fee to be paid by all students. The fee may be up to 5 percent of the tuition charged per credit hour. The revenue from this fee shall be used to enhance instructional technology resources for students and faculty. The revenue and expenditures shall be budgeted in the Local Fund budget entity.

(6) Off-Campus Educational Activities - As used herein, "off-campus" refers to locations other than state-funded main campuses, branch campuses, or centers. Each university board of trustees is authorized to establish fees for state fundable off-campus course offerings when the location results in specific, identifiable increased costs to the university. These fees will be in addition to the tuition and associated 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-à-vis on-campus offerings. The university shall budget the fees collected for these courses to the Student and Other 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 other appropriate fund if the costs are incurred in other than Educational and General funds.

(7) Material and Supply Fees - Each university board of trustees 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 budgeted in the Auxiliary Trust Fund.

(8) Housing Rental Rates - Basic rates for housing rental shall be set by each university board of trustees. In addition, the university board of trustees is authorized to establish miscellaneous housing charges for services provided by the university at the request of the students.

(9) Parking Fines, Permits and Decals -- Each university board of trustees shall establish charges for parking decals, permits and parking fines.

(10) Transportation Access Fee - Each university board of trustees is authorized to establish a transportation access fee, with appropriate input from students, to support the university's transportation infrastructure and to increase student access to transportation services.

(11) Returned Check Fee -- Each university board of trustees shall assess a service charge for unpaid checks returned to the university.

(12) Collection costs -- Each university board of trustees is authorized to assess a charge representing reasonable cost of collection efforts to effect payment for overdue accounts. Amounts received for collection costs shall be retained by the university.

(13) Service Charge -- Each university board of trustees is authorized to assess a service charge on university loans in lieu of interest and administrative handling.

(14) Educational Research Center for Child Development Fee -- Each university board of trustees is authorized to assess child care and service fees.

(15) Transient Student Fee - Each university board of trustees is authorized to assess a fee not to exceed \$5.00 per ~~distance learning~~ course for accepting a transient student and processing the student's admissions application pursuant to Section 1006.734-091.

~~(16) Building Fee -- Each university board of trustees shall assess \$2.32 per credit hour per semester. No project proposed by a university which is to be funded by this fee shall be submitted to the Board of Governors for approval without prior consultation with the student government association of that university.~~

~~(16)~~(17) Capital Improvement Fee - This fee may be used to fund any project or real property acquisition that meets the requirements of Chapter 1013. Each university board of trustees shall assess \$2.44-4.76 per credit hour per semester. Any increase in the fee beyond \$4.76 must be first recommended by a fee committee, at least half of whom are students appointed by the student body president. The remainder of the committee shall be appointed by the university president. A chairperson, appointed jointly by the university president and the

student body president, shall vote only in the case of a tie. The recommendations of the committee shall take effect only after approval by the university president, after consultation with the student body president, and approval by the university board of trustees. An increase in these fees may occur only once each fiscal year and must be implemented beginning with the fall term. The fee may not exceed 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The fee for resident students shall be limited to an increase of \$2 per credit hour over the prior year, and any proposed fee increases or decreases must be approved by the Board of Governors. No project proposed by a university which is to be funded by this fee shall be submitted to the Board of Governors for approval without prior consultation with the student government association of that university.

~~(17)~~(18) Student Financial Aid Fee – Each university board of trustees is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the tuition and out-of-state fee. The revenues from fees are to remain at each university. A minimum of 75 percent of funds from the student financial aid fee shall be used to provide financial aid based on demonstrated financial need. Each university shall report annually to the Board of Governors on the revenue collected pursuant to this subsection, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards which are based on financial need shall be distributed in accordance with the federal methodology for determining need. An award for academic merit shall require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

~~(18)~~(19) Each university board of trustees is authorized to assess the following fees which will have varied amounts:

- (a) Development Research School Fees – activity fees which shall be discretionary with each university.
- (b) Library Fines – per book or unit, per day; the funds shall be budgeted to the Student and Other Fee Trust Fund.
- (c) Overdue Reserve Library books – per book, per library hour; the funds shall be budgeted to the Student and Other Fee Trust Fund.
- (d) Late Equipment Fee, Physical Education – per item, per day.
- (e) Fees and fines relating to the use, late return, and loss and damage of facilities and equipment.
- (f) Distance Learning Fee.

~~(19)~~(20) Each university board of trustees is authorized to assess reasonable fees for incidental non-academic services provided directly to individuals. This could

include, but not be limited to, fees for duplicating, lost keys, copyright material, breakage, standardized tests, library loans.

| ~~(20)~~(21) Each university board of trustees is authorized to assess an international student service fee to cover the university costs associated with reporting requirements of the Student and Exchange Visitor Information System administered by the Department of Homeland Security for F-Visa and J-Visa degree seeking students.

| ~~(21)~~(22) Excess Hour Fee -This fee shall be budgeted in the Student and Other Fee Trust Fund.

(a) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2009 or thereafter and prior to fall 2011 shall pay an excess hour fee equal to 50 percent of the undergraduate tuition identified in Regulation 7.001(3) for each credit hour in excess of 120 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.

(b) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2011 or thereafter shall pay an excess hour fee equal to 100 percent of the undergraduate tuition identified in Regulation 7.001(3) for each credit hour in excess of 115 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.

(c) All state university undergraduate students who entered a postsecondary undergraduate program at any Florida public institution of higher education for the first time in fall 2012 or thereafter shall pay an excess hour fee equal to 100 percent of the undergraduate tuition identified in Regulation 7.001(3) for each credit hour in excess of 110 percent of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled.

(de) Each university shall implement a process for notifying students of this fee upon a student's initial enrollment. A second notice must be provided to the student when the student has attempted the number of credit hours needed to complete the baccalaureate degree program in which the student is enrolled. The second notice must include a recommendation that each student who intends to earn credit hours at the university in excess of the credit hours required for the baccalaureate degree program in which the student is enrolled meet with the student's academic advisor.

(~~ed~~) All credit hours for courses taken at the university from which the student is seeking a baccalaureate degree shall be included when calculating the number of hours taken by a student, including:

1. Failed courses.
2. Courses dropped or withdrawn from after the university's advertised last day of the drop and add period, except as provided for in subparagraph (22)(e).
3. Repeated courses, except repeated courses for which the student has paid the full cost of instruction as provided in Regulation 7.001(11).
4. All credit hours earned at another institution and accepted for transfer by the university and applied toward the student's baccalaureate degree program.

(~~fe~~) All credit hours earned under the following circumstances shall not be calculated as hours required to earn a baccalaureate degree:

1. College credits earned through an articulated accelerated mechanism.
2. Credit hours earned through internship programs.
3. Credit hours required for certification, recertification, or certificate programs.
4. Credit hours in courses from which a student must withdraw due to reasons of medical or personal hardship.
5. Credit hours taken by active-duty military personnel.
6. Credit hours required to achieve a dual major taken while pursuing a baccalaureate degree.
7. Remedial and English as a Second Language credit hours.
8. Credit hours earned in military science courses that are part of the Reserve Officers' Training Corps program.

(~~22~~)(23) Convenience fee – Each university board of trustees may establish a convenience fee when accepting payments by credit cards, charge cards, and debit cards. The fee shall not be greater than the cost of providing the service. The fee is not refundable to the payor.

(~~23~~)(24) Before the Board's last meeting of each calendar year, the university board of trustees shall notify the Board of any potential new fees that are being considered by the university. A university board of trustees may then submit a proposal for a new fee not currently authorized in Board regulation or statute to the Board of Governors' budget committee by January 15 for consideration by the committee during a February meeting.

(a) The proposal shall be submitted in a format designated by the Chancellor, and include at a minimum:

1. The purpose to be served or accomplished with the fee.

2. The demonstrable student-based need for the fee that is currently not being met through existing university services, operations or another fee.
 3. The process used to assure substantial student input or involvement.
 4. Any proposed restrictions, limitations, or conditions to be placed on the fee.
 5. The financial impact of the fee on students, including those with financial need.
 6. The estimated revenue to be collected and proposed expenditures for the new fee.
 7. The outcome measures that will be implemented to determine when the purpose of the fee will be accomplished.
- (b) The aggregate sum of any fees approved by the Board that a student is required to pay to register for a course shall not exceed 10 percent of tuition. All other fees shall be based on cost.
- (c) The fee can only be implemented in the fall term.
- (d) The revenue generated by this fee may not be transferred to an auxiliary enterprise or a direct-support organization and may not be used to pay or secure debt.
- (e) The university shall account for the revenue and detailed expenditures of this fee in the Annual Report.
- (f) The fee cannot be an extension of, or cover the same services, as an existing statutory fee.
- (g) The fee cannot be utilized to create additional bonding capacity in an existing fee.
- (h) The fee cannot be used to support services or activities that have been paid for with education and general funds.
- (i) The fee should support a service or activity in which a majority of students is able to participate or from which derive a benefit.
- (j) Once the Board approves a fee under this section, a university fee committee shall be established similar to other existing fee committees.
- (k) The Board will act upon the budget committee recommendation at the next scheduled meeting.
- (l) Every five years the university board of trustees shall review the fee to determine if the fee has met its intended outcomes and whether the fee should be increased, decreased or discontinued. The university board of trustees shall submit its findings to the Board. Any subsequent decreases or continuation in these fees are delegated to the university board of trustees, with notification to the Chancellor.
- (m) If a university board of trustees' proposal is denied, within five 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 days after the Board of Governors denial to consider a university board of trustees request for reconsideration.

~~(24)~~(25) Pursuant to subparagraph (24), the university boards of trustees designated below are authorized to assess the following fees:

(a) Green Fee – This fee may be assessed to establish or improve the use of renewable energy technologies or energy efficiencies that lower the university’s greenhouse emissions.

1. University of South Florida: up to \$1.00 per credit hour
2. New College of Florida: up to \$1.00 per credit hour
3. University of West Florida: up to \$1.00 per credit hour

(b) Test Preparation Fee – at cost. This fee may be assessed to increase accessibility to test preparation courses in programs where students are expected to obtain specific preparation for a practice-based examination.

1. Florida International University
2. Florida A&M University – (bar test preparation)

(c) Student Life and Services Fee – This fee may be assessed to expand student participation in transformational learning opportunities that build new and enhances ongoing activities which connect students to the institution.

1. University of North Florida: not to exceed 5 percent of tuition.

Authority: Section 7(d), Art. IX, Fla. Const.; History–Formerly BOR Rule 6C-7.003. 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, Amended and Renumbered as 7.003 9-25-08, Amended 12-10-09, 11-04-10, 9-15-11.

STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS

June 21, 2012

SUBJECT: Regulation 7.002 – Tuition and Fee Assessment, Collection, Accounting and Remittance

PROPOSED BOARD ACTION

Approve amended Regulation 7.002.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution and Board Regulation Development Procedure

BACKGROUND INFORMATION

This regulation has been amended to delete the reference to the building fee.

Pursuant to the Board of Governors Regulation Development Procedure, Regulation 7.002 was posted on the Board's Web site for public comment after consideration of the proposed regulation by the Board at its meeting on April 17, 2012. The comment period has expired with no public comments submitted.

Supporting Documentation Included: Amended Regulation 7.002 – Tuition and Fee Assessment, Collection, Accounting and Remittance

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7.002 Tuition and Fee Assessment, Collection, Accounting and Remittance.

- (1) Each university shall establish by regulation procedures for the payment, waiver and refund of fees, fines and penalties appropriately assessed.
- (2) 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 payment. Each university shall develop procedures and terms for such deferment.
- (3) For budgeting purposes, the tuition, out-of-state fee, Application Fee, a minimum of 50 percent of the Late Payment Fee, and a minimum of 50 percent of the Late Registration Fee shall be budgeted in the Student and Other Fee Trust Fund for state fundable credit hours. Fees for non-state fundable credit hours will be budgeted in the appropriate trust fund.
- (4) All proceeds from the ~~Building Fee and~~ Capital Improvement Fee, as authorized in Regulation 7.003, shall be remitted no later than the 20th of each month for the previous month's collections to the Board of Governors. Required remittance information will be provided to each university by the Chancellor or designee.
- (5) All proceeds from the student financial aid fee, as authorized in Regulation 7.003, shall be accounted for in the appropriate fund at the university. Each university may use up to 15 percent of the financial aid fees collected to pay for administrative costs associated with administration of financial aid programs.
- (6) Course Classification - Tuition and non-resident tuition shall be assessed on the basis of course classification: state fundable courses numbered through 4999 shall be assessed at the undergraduate level (all courses at New College of Florida are undergraduate and shall be assessed accordingly), state fundable courses numbered 5000-8999 shall be assessed at the graduate level, and those courses identified as medical by universities having medical programs shall be assessed as outlined in university board of trustees regulations.
- (7) Each university shall establish by regulation, procedures for the payment of tuition and associated fees. Such regulation shall provide that a student's course schedule will be canceled 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 canceled course schedules may be included in the regulation. The president or 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 canceling 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.

(8) All or any part of the tuition and associated fees may be waived by the university when deemed appropriate provided that provisions for such waiver are included in the regulations of the Board of Governors or university boards of trustees pursuant to Regulation 7.008.

(9) Installment Payments -- The university president may establish a procedure for the payment of tuition and associated fees in installments. The fee shall be as authorized in Regulation 7.003 and shall be budgeted in the Student and Other Fee Trust Fund

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

- (a) Refund 100 percent of the tuition and associated fees 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 and associated fees assessed, adjusted for waivers, if official withdrawal from the university occurs after the end of drop/add period and 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 and associated fees 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, step-parents, 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.

(11) 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.

Authority: Section 7(d), Art. IX, Fla. Const.; History—Former 6C-7.002; 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, Amended and Renumbered 9-25-08.

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 21, 2012**

SUBJECT: 2012-13 Capital Improvement Fee Proposals

PROPOSED BOARD ACTION

Review and take action on the Budget and Finance Committee's recommendation for each universities' request to increase the capital improvement fee effective with the fall 2012 semester.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution and Regulation 7.003

BACKGROUND INFORMATION

Pursuant to Regulation 7.003 (16) university boards of trustees may submit capital improvement fee increase proposals for consideration. The fee cannot exceed 10 percent of tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for non-resident students. The fee for resident students shall be limited to an increase of \$2 per credit hour over the prior year. The regulation also requires a fee committee to meet and make recommendations, with approval by the university board of trustees, and ultimately the Board of Governors.

The Capital Improvement/Building Fee was initiated in the fall of 1982 at \$3.76 per credit hour. The fees increased to \$4.76 in the fall of 1988. The fees, paid by students, and remitted to the state by each university, historically funded projects such as student unions, student wellness centers, student recreational facilities, etc. Once sufficient funds are accumulated, approval is requested from the Legislature to issue bonds for the construction of university projects.

The ability to construct new facilities has diminished over the last several years as the fee has remained flat and the cost of construction has increased. Thus, the issuance of bonds has increased from just a couple of years to five or six years, with the last issue being in 2008. The next issue is planned for 2013.

For a number of years there has been an attempt to increase this fee. Most recently the Board included this as a legislative issue in 2007, 2009, 2010 and 2011. However, efforts to get the statutory revisions necessary were not successful. For the 2012 session, the Florida Student Association (FSA) took this issue on as one of their legislative priorities, with the Board supporting their attempts. The FSA was successful in their attempts to get the statute revised.

At the February 17, 2011 meeting the Board approved a Student Life Survey Report in response to a directive from the 2010 Legislature to conduct a needs assessment survey of student life facilities and develop recommendations to address unmet renovation or new facility needs. One of the recommendations in the attached report is to increase the Capital Improvement Fee to no more than 10 percent of tuition.

In addition, the Board’s Facilities Task Force is looking at other options for the construction and maintenance of facilities.

Nine universities have requested a \$2.00 per credit hour increase, while one university has requested an increase of \$1.38 per credit hour.

	Current Per Credit Hour Fee	Proposed Increase Per Credit Hour	Total Per Credit Hour
FAMU	\$4.76	\$2.00	\$6.76
FAU	\$4.76	\$2.00	\$6.76
FGCU	\$4.76	\$2.00	\$6.76
FIU	\$4.76	\$2.00	\$6.76
NCF	\$4.76	\$1.38	\$6.14
UCF	\$4.76	\$2.00	\$6.76
UF	\$4.76	\$2.00	\$6.76
UNF	\$4.76	\$2.00	\$6.76
USF	\$4.76	\$2.00	\$6.76
UWF	\$4.76	\$2.00	\$6.76

Supporting Documentation Included: Information behind the Budget & Finance Committee Agenda

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 21, 2012**

SUBJECT: Fall 2012 Tuition Differential Fee Proposals

PROPOSED BOARD ACTION

Review and take action on the Budget and Finance Committee's recommendation on each universities' request to implement a tuition differential fee increase of no more than 15 percent effective with the fall 2012 semester.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution and Regulation 7.001

BACKGROUND INFORMATION

Pursuant to Regulation 7.001 (14) university boards of trustees may submit tuition differential fee proposals to this committee for consideration. The aggregate sum of base tuition and the tuition differential fee cannot exceed 15 percent of the total charged for these in the preceding fiscal year. The 2012 General Appropriations Act (HB 5001) did not increase the base undergraduate tuition. Thus, university Boards of Trustees can request a tuition differential fee increase up to 15 percent.

The Committee will need to take action on two issues:

1. Tuition differential proposals - Ten universities have submitted a request to implement a tuition differential fee increase of 15 percent effective with the fall 2012 semester. University boards will have made final votes for a tuition differential increase prior to the Committee meeting on June 21. The UF administration has not submitted a proposed tuition differential increase to their Board of Trustees at this time, but will be discussing an increase with their Board on June 8.
2. Waiver of tuition differential uses - Pursuant to House Bill 7135, "The Board of Governors may consider waiving its regulations and may waive or modify the tuition differential use requirements under s. 1009.24(16)(a)."

Only the UF has requested that the Board waive the requirement to use 30% of tuition differential revenue for need-based financial aid. Through 2010-11, the university has consistently used other private sources to meet this requirement. However, with continued reductions in state funds and additional student need, a portion of the 2011-12 tuition differential revenue is being used to meet the need-based financial aid requirement.

The Budget and Finance Committee will make a recommendation to the full Board on each university's tuition differential proposal and UF's request to waive the 30 percent need-based financial aid requirement. If the Board would deny any proposal, the Board of Trustees may file an appeal by June 26 with the Tuition Appeals Committee pursuant to Regulation 7.001(14)(e). The Tuition Appeals Committee would meet by July 2 to consider a Board of Trustees' appeal.

Supporting Documentation Included: Information is included in each university work plan

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Ph.D. in Hospitality Management (CIP 52.0901) at the University of Central Florida

PROPOSED COMMITTEE ACTION

Consider approval of the Doctor of Philosophy (Ph.D.) in Hospitality Management at the University of Central Florida, CIP 52.0901.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Regulation 8.011

BACKGROUND INFORMATION

University of Central Florida (UCF) is proposing to offer a Ph.D. degree program in Hospitality Management. The program will be offered by the Rosen College of Hospitality Management. According to the proposal, this program will produce high quality faculty and researchers with the necessary credentials for teaching and research as well as professionals for senior positions at leading hospitality organizations.

The total number of credit hours required for completion of the proposed program is 58. The curriculum includes 16 credit hours of core courses, 27 credit hours of specialization courses, and 15 credit hours of dissertation. Letters of support have been provided by Florida International University and University of Florida because each has a somewhat similar track.

The UCF Board of Trustees approved the program on March 15, 2012. If approved by the Board of Governors, UCF will implement the program in Fall 2012.

Supporting Documentation Included: Materials are in Committee Packet

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Ph.D. in Applied Behavior Analysis (CIP 42.2814) at the University of South Florida

PROPOSED BOARD ACTION

Consider approval of the Doctor of Philosophy (Ph.D.) in Applied Behavior Analysis at the University of South Florida, CIP Code 42.2814.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Section 7(d), Art. IX, Florida Constitution; Board of Governors Regulation 8.011

BACKGROUND INFORMATION

The University of South Florida (USF) is proposing to offer a Ph.D. degree program in Applied Behavior Analysis (ABA) located within the Department of Child and Family Studies. The emphasis of the program will be on the preparation of behavior analysts who are scientists-practitioners with a strong focus on community engagement. Graduates will work in community settings such as: schools, child welfare settings, clinics, residential settings and individual family homes; dealing with issues such as autism, developmental disabilities, child welfare and aging. Graduates will also be qualified to obtain academic positions in the ABA discipline.

The doctoral program will require 54 credit hours and will only accept students with a master's degree in applied behavior analysis or related field with strong behavior analysis content. Documentation confirms support for the program from external consultants, professional organizations, and Hillsborough County Schools where they provide opportunities for internships and hires. A letter of support is provided from the University of Florida where a focus area in ABA is provided within the Ph.D. in Psychology program.

The USF Board of Trustees approved the program on December 8, 2011. If the proposal is approved by the Board of Governors, USF will implement the program in Fall 2013.

Supporting Documentation Included: Materials are in Committee Packet

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Ph.D. in Curriculum and Instruction (13.0301) and termination of nine independent Ph.D. programs at Florida State University

PROPOSED BOARD ACTION

Consider approval of the Doctor of Philosophy (Ph.D.) in Curriculum and Instruction (CIP 13.0301) and the termination of nine independent doctoral programs that are consolidated under the new program at Florida State University.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Regulations 8.011 and 8.012

BACKGROUND INFORMATION

Florida State University (FSU) is proposing to consolidate 29 independent graduate programs in the School of Teacher Education as individual majors under a new program in Curriculum and Instruction. Specifically, 10 independent master's programs will be consolidated into one master's program, 10 independent specialist programs will be consolidated into one specialist program, and nine (9) independent doctoral programs will be consolidated into one doctoral program. Existing program titles and codes will be terminated from the State University System Academic Program Inventory and the new programs will be added.

This action is being brought to the Board of Governors for consideration because it requires the technical termination of nine existing doctorate programs and the creation of a new doctorate program in the Inventory. Board Regulations 8.011 and 8.012 require approval and termination of doctorate programs by the Board of Governors.

The new doctorate program will be a Ph.D. in Curriculum and Instruction (CIP 13.0301). The terminated doctoral programs are: Special Education (CIP 13.1001), Elementary Education (CIP 13.1202), Early Childhood Education (CIP 13.1210), English Education (CIP 13.1305), Foreign and Second Language Education (CIP 13.1306),

Mathematics Education (CIP 13.1311), Reading Education (CIP 13.1315), Science Education (CIP 13.1316), and Social Science Education (CIP 13.1317).

The total number of credit hours required for completion of the proposed program in Curriculum and Instruction is 65. The curriculum includes 28 credit hours of core courses, 15 credit hours of major courses, and 24 credit hours of dissertation. All of the existing faculty and instructional resources will remain in place. Students enrolled in existing programs will have an option to transfer to the new program or train out under their existing program title. A letter of support was provided by Florida International University, which also offers Curriculum and Instruction.

The FSU Board of Trustees approved the consolidation program at its June 8, 2012. If approved by the Board of Governors, FSU will begin admissions into the new program starting spring 2013.

Supporting Documentation Included: Materials are in Committee Packet

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Bachelor of Music Education at Florida Gulf Coast University to exceed 120 credit hours to degree

PROPOSED BOARD ACTION

Consider the Bachelor of Music Education (13.1312) at Florida Gulf Coast University to exceed 120 credit hours to degree.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Subsection 1007.25(8), Florida Statutes; Board of Governors Regulation 8.014

BACKGROUND INFORMATION

Florida Gulf Coast University is seeking approval for its Bachelor of Music Education to exceed 120 credit hours to degree. The increase in credit hours is needed because the program includes 24 hours of professional education coursework required by the Florida Department of Education in addition to the coursework traditionally found in a baccalaureate degree program. The program is designed to meet National Association of Schools of Music standards.

The Board of Governors Academic and Student Affairs Committee reviewed and approved the request for consideration by the full board at its March 21, 2012 meeting. If approved, it will bring the program into conformity with other music education bachelor's degree programs in the State University System and FGCU will implement the exception to 120 credit hours beginning in fall 2012.

Supporting Documentation Included: University Request

Facilitators/Presenters: Governor Norman Tripp

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February 20, 2012

Mr. Richard P. Stevens
Director, Academic and Student Affairs
State University System of Florida
Board of Governors
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399-0400

Dear Richard:

On January 17, 2012, the Florida Gulf Coast University Board of Trustees approved a new degree program, Bachelor of Music Education (BME) with a proposed implementation date of fall 2012. The proposal included a request to exceed the 120 hour credit limit for baccalaureate degree programs (BOG Regulation 8.014) and a request for limited access status (BOG Regulation 8.013).

The BME will be comprised of 134 credit hours, which is consistent with similar programs offered under CIP 13.1312, Music Teacher Education at FAMU, FAU, FSU, UCF, UF, UNF, and USF. An exemption to the 120 credit hour limit is needed because the BME includes 24 hours of professional education coursework required by the Florida Department of Education in addition to the coursework traditionally found in a baccalaureate degree program. The program is designed to meet National Association of Schools of Music (NASM) standards.

FGCU is also requesting limited access status for the BME as described in the enclosed Limited Access Program Request form. Limited access status is required because the program is of such a nature that applicants must be able to demonstrate, through an audition that they have the minimum skills necessary to benefit from matriculation to the program.

Thank you for your assistance with this request. Please let me know if you have any questions.

Sincerely,



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Board of Governors, State University System of Florida
 Limited Access Program Request
 Reference: BOG Regulation 6.001, Admissions

University:	<i>Florida Gulf Coast University</i>	Degree(s) offered:	<i>B.M.E.</i>
Program:	<i>Bachelor of Music Education (B.M.E.)</i>	Six digit CIP code:	<i>13.1312</i>

1. Will the entire program be limited access or only a specific track?

The entire program will be limited access.

2. If only a track is limited access, please specify the name of the track
-

3. How many students will the program plan to accommodate?

*Fall 2012: 25 new admits plus 15-20 students transitioning from B.A. program
 Spring 2013: 40-45 students continuing from fall*

Academic Year Total: 40-45 students

4. When do you propose to initiate limited access?

Fall 2012 admissions

5. What is the justification for limiting access?

Consistent with Board of Governors Regulation 8.013(1)(b) Limited Access, the B.M.E. program is a performing art and therefore is of such a nature that applicants must demonstrate through an audition that they already possess the minimum skills necessary for them to benefit from the program.

In addition, the National Association of Schools of Music (NASM), the accrediting body for music programs, requires that music programs have stated audition procedures for entrance into a music degree program. This process assures that the teaching resources of the program will be used wisely and will be efficient.

6. By what means will access be limited? Please provide a description of the program's admissions requirements and procedures, and indicate how these requirements and procedures ensure equal access for Florida community college Associate of Arts degree graduates in the competition for available space in the program.

Students auditioning for entrance into the B.M.E. program will be required to perform on their instrument or voice for a music faculty committee. The performance will demonstrate technical and musical facility appropriate to the level at which the student wishes to enter (upper and lower divisions). In addition, the student will be asked to sight read and complete the Music Theory Placement Exam. This audition should be completed on FGCU's main campus. A student may petition to submit a recording of their performance in lieu of an on-campus audition. This procedure will not affect community college AA graduates' ability to

compete for program space.

To be fully considered, the student should audition prior to April 15 for Fall admission and prior to December 1 for Spring admission. In addition, the student will need to have completed their application to FGCU and satisfy general admission requirements.

7. Present the current race and gender profiles of the students in the program. Discuss the impact of the proposed action on the race and gender profiles. Cite sources used for discussion. What strategies, should they be necessary, will be used to promote diversity in the program?

Gender Profiles: 57% male; 43% female


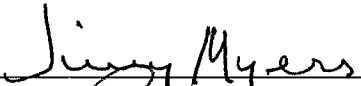

Race Profiles: Caucasian 59%; African-American 5%; Hispanic 20%; Asian 2%; Native American 2%; two or more races 5%; non-US 5%; Unknown 1%

Equity and access of the audition process will be accorded to all prospective students regardless of race, ethnicity, and/or gender profile. To ensure the desired outcome for student diversity, recruiting efforts continue within the initial target population area (FGCU's five-county area: Lee, Collier, Charlotte, Hendry, and Glades) and extend to other geographic regions having larger under-represented populations of prospective students. This strategy works as evidenced by the figures provided above, which reflect a minority student representation of 41%. Finally, FGCU's strong commitment to ensure diversity among faculty and staff will enhance success in the recruitment, retention, and graduation of all students.

8. Are the graduates of the program in high demand? If so, and if the program is to be limited due to lack of adequate resources, provide a justification for limiting access to the program rather than reallocating resources from programs with low market demand.

Graduates of the program are in high demand. To date, seventy-five percent of the graduates of the B.A. Music-Education program are employed in area public schools teaching K-12 music and are concurrently seeking alternative certification through FGCU's College of Education Educator Preparation Institute (EPI) program. With the B.M.E. program, students will be certified to teach K-12 music in Florida schools upon graduation from FGCU.

The request to limit access is not due to inadequate resources; rather it is due to accreditation criteria established by the National Association of Schools of Music. This ensures that students have necessary minimum skills to be successful in the program. These criteria are already followed by other Florida public universities. By establishing limited access, FGCU will be consistent with them.

Request Initiated by:	
EEO Officer's Signature:	
Provost's Signature:	

Send the completed form to:

*Interim Vice Chancellor, Strategic Initiatives
Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614, Tallahassee, Florida 32399-1950*

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 21, 2012

SUBJECT: Limited Access Status for the Bachelor of Music Education at Florida Gulf Coast University

PROPOSED BOARD ACTION

Consider Limited Access Status for the Bachelor of Music Education at Florida Gulf Coast University, CIP Code 13.1312.

AUTHORITY FOR STATE BOARD ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Regulation 8.013

BACKGROUND INFORMATION

Florida Gulf Coast University requests Limited Access status for the new Bachelors of Music Education (CIP 13.1312). The rationale for Limited Access status is that the program is a performing arts program and, therefore, applicants must demonstrate through an audition that they possess the minimum skills necessary to benefit from the program. In addition, the National Association of Schools of Music, the accrediting body for music programs, requires that music programs have clearly identified audition procedures for entrance into music degree programs.

Students auditioning for entrance into the B.M.E. program will be required to perform on their instrument or by voice before a music faculty committee. The performance will demonstrate technical and/or musical facility appropriate to the level at which the student wishes to enter (upper and lower divisions). In addition, the student will be asked to sight read and complete the Music Theory Placement Exam.

These requirements will not affect the ability of Florida College System associate of arts degree program graduates to compete for program space. The Board of Governors Academic and Student Affairs Committee reviewed and approved the request for consideration by the full board at its March 21, 2012 meeting. If approved, Limited Access status will be implemented in the fall term of 2012.

Supporting Documentation Included: University Request

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February 20, 2012

Mr. Richard P. Stevens
Director, Academic and Student Affairs
State University System of Florida
Board of Governors
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399-0400

Dear Richard:

On January 17, 2012, the Florida Gulf Coast University Board of Trustees approved a new degree program, Bachelor of Music Education (BME) with a proposed implementation date of fall 2012. The proposal included a request to exceed the 120 hour credit limit for baccalaureate degree programs (BOG Regulation 8.014) and a request for limited access status (BOG Regulation 8.013).

The BME will be comprised of 134 credit hours, which is consistent with similar programs offered under CIP 13.1312, Music Teacher Education at FAMU, FAU, FSU, UCF, UF, UNF, and USF. An exemption to the 120 credit hour limit is needed because the BME includes 24 hours of professional education coursework required by the Florida Department of Education in addition to the coursework traditionally found in a baccalaureate degree program. The program is designed to meet National Association of Schools of Music (NASM) standards.

FGCU is also requesting limited access status for the BME as described in the enclosed Limited Access Program Request form. Limited access status is required because the program is of such a nature that applicants must be able to demonstrate, through an audition that they have the minimum skills necessary to benefit from matriculation to the program.

Thank you for your assistance with this request. Please let me know if you have any questions.

Sincerely,



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Board of Governors, State University System of Florida
 Limited Access Program Request
 Reference: BOG Regulation 6.001, Admissions

University:	Florida Gulf Coast University	Degree(s) offered:	B.M.E.
Program:	Bachelor of Music Education (B.M.E.)	Six digit CIP code:	13.1312

1. Will the entire program be limited access or only a specific track?

The entire program will be limited access.

2. If only a track is limited access, please specify the name of the track
-

3. How many students will the program plan to accommodate?

***Fall 2012: 25 new admits plus 15-20 students transitioning from B.A. program
 Spring 2013: 40-45 students continuing from fall***

Academic Year Total: 40-45 students

4. When do you propose to initiate limited access?

Fall 2012 admissions

5. What is the justification for limiting access?

Consistent with Board of Governors Regulation 8.013(1)(b) Limited Access, the B.M.E. program is a performing art and therefore is of such a nature that applicants must demonstrate through an audition that they already possess the minimum skills necessary for them to benefit from the program.

In addition, the National Association of Schools of Music (NASM), the accrediting body for music programs, requires that music programs have stated audition procedures for entrance into a music degree program. This process assures that the teaching resources of the program will be used wisely and will be efficient.

6. By what means will access be limited? Please provide a description of the program's admissions requirements and procedures, and indicate how these requirements and procedures ensure equal access for Florida community college Associate of Arts degree graduates in the competition for available space in the program.

Students auditioning for entrance into the B.M.E. program will be required to perform on their instrument or voice for a music faculty committee. The performance will demonstrate technical and musical facility appropriate to the level at which the student wishes to enter (upper and lower divisions). In addition, the student will be asked to sight read and complete the Music Theory Placement Exam. This audition should be completed on FGCU's main campus. A student may petition to submit a recording of their performance in lieu of an on-campus audition. This procedure will not affect community college AA graduates' ability to

compete for program space.

To be fully considered, the student should audition prior to April 15 for Fall admission and prior to December 1 for Spring admission. In addition, the student will need to have completed their application to FGCU and satisfy general admission requirements.

7. Present the current race and gender profiles of the students in the program. Discuss the impact of the proposed action on the race and gender profiles. Cite sources used for discussion. What strategies, should they be necessary, will be used to promote diversity in the program?

Gender Profiles: 57% male; 43% female

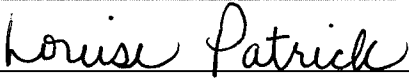
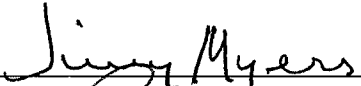

Race Profiles: Caucasian 59%; African-American 5%; Hispanic 20%; Asian 2%; Native American 2%; two or more races 5%; non-US 5%; Unknown 1%

Equity and access of the audition process will be accorded to all prospective students regardless of race, ethnicity, and/or gender profile. To ensure the desired outcome for student diversity, recruiting efforts continue within the initial target population area (FGCU's five-county area: Lee, Collier, Charlotte, Hendry, and Glades) and extend to other geographic regions having larger under-represented populations of prospective students. This strategy works as evidenced by the figures provided above, which reflect a minority student representation of 41%. Finally, FGCU's strong commitment to ensure diversity among faculty and staff will enhance success in the recruitment, retention, and graduation of all students.

8. Are the graduates of the program in high demand? If so, and if the program is to be limited due to lack of adequate resources, provide a justification for limiting access to the program rather than reallocating resources from programs with low market demand.

Graduates of the program are in high demand. To date, seventy-five percent of the graduates of the B.A. Music-Education program are employed in area public schools teaching K-12 music and are concurrently seeking alternative certification through FGCU's College of Education Educator Preparation Institute (EPI) program. With the B.M.E. program, students will be certified to teach K-12 music in Florida schools upon graduation from FGCU.

The request to limit access is not due to inadequate resources; rather it is due to accreditation criteria established by the National Association of Schools of Music. This ensures that students have necessary minimum skills to be successful in the program. These criteria are already followed by other Florida public universities. By establishing limited access, FGCU will be consistent with them.

Request Initiated by:	
EEO Officer's Signature:	
Provost's Signature:	

Send the completed form to:

*Interim Vice Chancellor, Strategic Initiatives
Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614, Tallahassee, Florida 32399-1950*

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Bachelor of Science in Biology, Major in Medical Laboratory Science at the University of North Florida to exceed 120 credit hours to degree

PROPOSED BOARD ACTION

Consider the Bachelor of Science in Biology, Major in Medical Laboratory Science (CIP 26.0101) at the University of North Florida to exceed 120 credit hours to degree.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Subsection 1007.25(8), Florida Statutes; Board of Governors Regulation 8.014

BACKGROUND INFORMATION

The University of North Florida (UNF) is seeking approval for its major in Medical Laboratory Science under the Bachelor of Science in Biology program to exceed 120 credit hours to degree. The increase in credit hours is needed because the upper division of the program includes 65 semester hours of core didactic coursework and practicum required by the National Accrediting Agency for Clinical Laboratory Sciences (NAACLS). The program major has been created to fulfill a partnership agreement with local hospitals and must meet NAACLS standards in order to prepare graduates for employment.

The exception to 120 credit hours to degree will apply only to the Medical Laboratory Science major under the B.S. in Biology. The University intends to convert the major into a stand-alone degree program next year and the exception will then apply to the new program.

If the Board of Governors approves the request, it would bring the program major into conformity with existing medical technology bachelor's degree programs in the State University System. UNF will implement the exception to 120 credit hours beginning in fall 2012.

Supporting Documentation Included: Materials are in Committee Packet

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 21, 2012

SUBJECT: Limited Access Status for the Bachelor of Science in Biology, Major in Medical Laboratory Science, at the University of North Florida

PROPOSED BOARD ACTION

Consider Limited Access Status for the Bachelor of Science in Biology, Major in Medical Laboratory Science, at the University of North Florida, CIP Code 26.0101.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Regulation 8.013

BACKGROUND INFORMATION

The University of North Florida requests Limited Access status for the major in Medical Laboratory Science under the Bachelor of Science in Biology. This action is requested because of limited instructional facilities for the clinical experience required for completion of the program and licensure. The program major has been created to fulfill a partnership agreement with local hospitals that will provide clinical facilities for instruction. Proposed minimum admission standards into the program are a minimum 2.75 GPA, a minimum C grade in prerequisite courses, a personal statement, and a group interview. These requirements will not affect the ability of Florida College System associate of arts degree program graduates to compete for program space.

The limited access status will apply only to the Medical Laboratory Science major under the B.S. in Biology. The University intends to convert the major into a stand-alone degree program next year and limited access status will then apply to the new program.

If approved, UNF plans to implement Limited Access Status, effective fall 2012.

Supporting Documentation Included: Materials are in Committee Packet

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Limited Access Status for the Bachelor of Arts/Bachelor of Science in Global Business at the University of South Florida – St. Petersburg

PROPOSED BOARD ACTION

Consider Limited Access Status for the Bachelor of Arts/Bachelor of Science in Global Business at the University of South Florida – St. Petersburg, CIP Code 52.1101.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Regulation 8.013

BACKGROUND INFORMATION

The University of South Florida, St. Petersburg campus, requests Limited Access status for the new Bachelor of Arts/Bachelor of Science in Global Business. This action is requested in order to align with the required student-faculty ratio needed program accreditation standard, and because of limited faculty and instructional facilities on the St. Petersburg campus.

Proposed minimum admission standards into the program are an overall 2.5 college grade point average (GPA), a C- grade in each prerequisite college courses with a cumulative 2.0 GPA in all prerequisites, and 60 semester credit hours or an A.A. degree or equivalent. These requirements will not affect the ability of Florida College System associate of arts degree program graduates to compete for program space.

Existing state university baccalaureate degree programs in the 52.1101 CIP code are approved as limited access. If approved by the Board of Governors, USF plans to implement Limited Access Status for the Global Business baccalaureate program, effective immediately.

Supporting Documentation Included: Materials are in Committee Packet

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 21, 2012

SUBJECT: Termination of the Florida Center for Library Automation as an Academic Infrastructure Support Organization

PROPOSED BOARD ACTION

Consider Termination of the Florida Center for Library Automation as an Academic Infrastructure Support Organization

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Regulation 10.014

BACKGROUND INFORMATION

The Board of Governors approved the Florida Center for Library Automation (FCLA) as an Academic Infrastructure Support Organization (AISO) in November 2009. The 2012 Legislature created the Florida Virtual Campus by eliminating four existing state funded postsecondary education support organizations and transferring many of their responsibilities to the new entity; one of the four organizations eliminated is FCLA, which will cease to exist as a separate entity on June 30, 2012. The Florida Virtual Campus will be a cross-sector organization that is jointly governed at the state level by the Florida College System and the State University System and will provide services to both delivery systems.

Because FCLA will not exist past June 30, 2012, termination as an AISO is necessary. Board of Governors Regulation 10.014 provides that AISOs may be terminated at the recommendation of the Council of Academic Vice Presidents (CAVP) and upon the approval of the Board. At its June 1, 2012, meeting, the CAVP recommended termination. If approved by the Board of Governors, the termination of AISO status for FCLA will be effective July 01, 2012.

Supporting Documentation Included: None

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 21, 2012

SUBJECT: Technology Performance Funding Pilot created by House Bill 7135

PROPOSED BOARD ACTION

Consider for approval factors for ranking universities that apply for the Technology Performance Funding Pilot created by House Bill 7135

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Subsection 1011.905 (1) (c), Florida Statutes

BACKGROUND INFORMATION

The 2012 Legislature passed and the Governor signed House Bill 7135 creating a pilot project to implement performance funding for a select category of degree programs associated with computer science and information technology. For each year of the pilot, up to \$15 million dollars will be awarded to university department(s) based upon a ranking system and factors described in newly created s. 1011.905, Florida Statutes - Performance funding for state universities.

Two factors are established in statute; each representing 25 percent of the total ranking score for an applicant university. The remaining 50 percent of a university's score must be based on factors determined by the Board of Governors which relate to increasing the probability that graduates who have earned degrees in the programs identified on a targeted program list will be employed in high-skill, high-wage, and high-demand employment.

The supporting documentation outlines four types of partnerships which have been identified as factors that lead to stronger industry/university relationships and that provide direct workforce linkages to students and graduates from degree programs on the targeted programs list. If approved, these will become the factors that will determine 50 percent of a university's rank score.

Supporting Documentation Included: Materials are in Committee Packet

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
June 21, 2012

SUBJECT: Approval of the *Audit and Compliance Committee Charter* and the *Office of the Inspector General and Director of Compliance Committee Charter*

PROPOSED BOARD ACTION

Approve annual revision of the *Audit and Compliance Committee Charter* and the *Office of the Inspector General and Director of Compliance Committee Charter*.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

At its June 21, 2012 meeting, the Audit and Compliance Committee approved the annual revisions of the *Audit and Compliance Committee Charter* and the *Office of the Inspector General and Director of Compliance Committee Charter*. The primary substantive revision for each Charter is the inclusion of the Preliminary Inquiry procedure, which was approved by the Committee at its November 3, 2010 meeting and by the Board at its January 20, 2011 meeting.

The procedure delegates authority to the Audit and Compliance Committee Chair to make the final determination and accept the Inspector General's Report of Preliminary Inquiry in those instances where the recommendation is that no further Board action is warranted. In all other circumstances, the Audit and Compliance Committee shall consider the matter at its next meeting.

The Audit and Compliance Committee recommends the Board approve this process.

Supporting Documentation Included: None

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: A Resolution of the Board of Governors Authorizing the Issuance of Debt by the Florida Atlantic University Finance Corporation to Finance the Construction of a Student Residence Facility on the Boca Raton Campus of Florida Atlantic University.

PROPOSED BOARD ACTION

Adoption of a resolution approving the issuance of fixed rate debt by the Florida Atlantic University Finance Corporation (the "DSO"), in an amount not to exceed \$50,000,000 for the purpose of financing a Student Residence Facility on the main campus of Florida Atlantic University (the "Project").

Staffs of the Board of Governors, State University System of Florida, and the Division of Bond Finance have reviewed this resolution and all supporting documentation. Based upon this review, it appears that the proposed financing is in compliance with Florida Statutes governing the issuance of university debt; however, the proposed financing deviates from the requirements set forth in the Board of Governors' Debt Management Guidelines. Staff of the Board of governors recommends adoption of the resolution authorizing the proposed financing, subject to the reservations noted.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Florida Board of Governors Debt Management Guidelines; Section 1010.62, Florida Statutes; and Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

Florida Atlantic University (the "University") has submitted a proposal for financing and construction of a new student residence facility on the main campus of the University. The Project will be constructed as an apartment style residence hall and will consist of approximately 614 beds. The Project is consistent with the University's Campus Master Plan. The total Project construction cost is expected to be \$41,678,000.

The DSO, a direct support organization of the University, proposes to issue up to \$50,000,000 of fixed rate, revenue bonds (the "Debt"), to finance the construction of the

Project, fund a debt service reserve, fund capitalized interest during construction and pay costs of issuance. The Debt will mature thirty (30) years after issuance with level debt service payments after the construction period.

The Debt will be secured by (i) a first lien on the net revenues of the Project; (ii) a **third lien** on the net revenues from the Innovation Village Project after payment of all debt service obligations and any other obligations under the Series 2010A and Series 2010B bond covenants, including annual payments to the R&R Fund; and (iii) a **fourth lien** on the net revenues of the University Housing System after payment of all debt service and any other obligations under the University's Housing Bonds issued by the Division of Bond Finance, including annual payments to the R&R Fund.

The proposed financing varies from the Board of Governors' Debt Management Guidelines in that the Debt is not secured by a first lien on all specified revenues and the Debt is not equally and ratably secured by all revenues pledged. However, the creation of a subordinate lien is permissible if a first lien is not available or circumstances require.

The Debt cannot be issued on a parity with the University Housing Bonds issued through the Division of Bond Finance because the University closed off that lien when it issued the Series 2010A and Series 2010B Bonds. The DSO's Series 2010B Bonds, which are subordinate to the DSO's Series 2010A Bonds, were issued with the intention of providing an incentive for the developer of the Innovation Village Project in the long-term success of that project and there is no benefit to the DSO in issuing debt on a parity with the Series 2010B Bonds.

The DSO could issue the Debt on parity with the Series 2010A Bonds; however, the University would need to wait until financial information is available from the Innovation Village Project to issue debt on parity with Series 2010A Bonds and waiting would delay the Project so that occupancy for Fall 2013 would be unlikely. In addition, the University believes the issuance of the Debt on a subordinate basis is warranted because it will enable the DSO to take advantage of favorable interest rates and costs of construction, which the University believes may become less favorable if they wait to issue the Debt on a parity with the Series 2010A Bonds. The risk of increased construction costs and higher interest rates if the Project is delayed may warrant a deviation from the Board of Governors' Guidelines.

The DSO's Board of Directors, at a meeting held on June 12, 2012, and the University's Board of Trustees, at its June 19, 2012, meeting, approved the Project and the financing thereof.

STAFF ANALYSIS AND REVIEW

Staff of the Board of Governors, State University System of Florida, and the Division of Bond Finance, State Board of Administration of Florida, has reviewed this resolution and all supporting documentation.

As described above, and further detailed in the Project Summary, the University has provided information describing the circumstances which preclude the issuance of the Debt on a parity basis with existing University and DSO debt.

Based on Board staff analysis, the proposed financing is in compliance with the Florida Statutes governing the issuance of university direct support organization debt, but deviates from the requirements set forth in the Board of Governors' Debt Management Guidelines. Accordingly, staff of the Board of Governors recommends adoption of the resolution authorizing the proposed financing, subject to the reservations noted.

Supporting Documentation Included: Information is located behind the Facilities Committee agenda

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**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: A Resolution of the Board of Governors Requesting the Division of Bond Finance of the State Board of Administration of Florida (the "Division of Bond Finance") to issue revenue bonds on behalf of the University of Florida to finance the expansion of the J. Wayne Reitz Union on the main campus of the University of Florida.

PROPOSED BOARD ACTION

Adoption of a resolution approving the issuance of fixed rate bonds, by the Division of Bond Finance on behalf of the University of Florida (the "University"), in an amount not to exceed \$50,000,000 (the "Bonds") for the purpose of expanding the J. Wayne Reitz Union (the "Union") on the main campus of University of Florida (the "Project").

Staffs of the Board of Governors, State University System of Florida, and the Division of Bond Finance have reviewed this resolution and all supporting documentation. Based upon this review, it appears that the proposed financing is in compliance with Florida Statutes governing the issuance of university debt and complies with the debt management guidelines adopted by the Board of Governors. Accordingly, staff of the Board of Governors recommends adoption of the resolution and authorization of the proposed financing.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Florida Board of Governors Debt Management Guidelines; Section 1010.62, Florida Statutes, as modified by Chapter 2012-134, Laws of Florida; and Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

The University has submitted a proposal for financing expansion of the Union on the main campus of the University of Florida in Gainesville. The student population and the number of student clubs and organizations have grown significantly since the student union was originally constructed. The expansion will provide additional space for the increased number of activities, meetings and events that take place in the Union.

The Project is included in and is consistent with the University's approved Master Plan. The total Project cost is expected to be \$44 million.

The University's Board of Trustees is requesting approval from the Board of Governors for the Division of Bond Finance to issue up to \$50,000,000 of fixed rate bonds to finance the Project, fund a debt service reserve fund, if necessary, and pay costs of issuing the Bonds. The Bonds will mature not more than thirty (30) years after issuance with level annual debt service payments.

The Bonds will be secured by a first lien on the revenues generated from the activity and service fee (the "Fee") assessed to all students on a per-credit hour basis pursuant to Section 1009.24(9) and (10), Florida Statutes. The University is legally authorized to secure the Bonds with the Fee pursuant to Section 1010.62, Florida Statutes, as modified by Chapter 2012-134, Laws of Florida, which provides an exception to a debt service limitation in Section 1010.62 by permitting the use of revenues from the Fee to secure debt with annual debt service of up to \$3.5 million. There is currently no outstanding debt secured by the Fee, and it is unlikely that parity bonds will be issued in the near term because the 2012 legislation limits annual debt service to \$3.5 million and is only applicable to debt issued for the renovation and expansion of the Union.

Projections provided by the University indicate that sufficient revenues will be generated to pay debt service on the Bonds.

The University's Board of Trustees approved the Project and the financing thereof at its March 28, 2012 meeting.

Supporting Documentation Included: Information is located behind the Facilities Committee agenda

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: A Resolution of the Board of Governors Authorizing the Issuance by FSU Financial Assistance, Inc. of Bonds to Finance the Construction of a Multi-Purpose Indoor Athletic Facility and Related Improvements on the Main Campus of the Florida State University

PROPOSED BOARD ACTION

Adoption of a resolution approving the issuance of fixed rate tax-exempt bonds, by FSU Financial Assistance, Inc (the "DSO"), in an amount not to exceed \$15,650,000 (the "Bonds") for the purpose of financing a portion of the construction of a multi-purpose indoor athletic facility (the "Project"), which will be located on the main campus of Florida State University (the "University").

Staffs of the Board of Governors, State University System of Florida and the Division of Bond Finance have reviewed this resolution and all supporting documentation. Based upon this review, it appears that the proposed financing is in compliance with Florida Statutes governing the issuance of university debt and complies with the debt management guidelines adopted by the Board of Governors. Accordingly, staff of the Board of Governors recommends adoption of the resolution and authorization of the proposed financing.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Florida Board of Governors Debt Management Guidelines; Section 1010.62, Florida Statutes; and Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

The DSO has submitted a proposal for financing the construction of a multi-purpose indoor athletic facility on the main campus of Florida State University. The Project will include one building consisting of an indoor football field as well as improvements to adjacent outdoor practice fields. All portions of the Project will be located on the University's main campus. The total Project cost is expected to be approximately \$17,260,000.

The Project is consistent with the University's Campus Master Plan.

The DSO, a direct support organization of Florida State University, proposes to issue up to \$15,650,000 of fixed rate, tax-exempt bonds (the "Bonds") to finance a portion of the Project and pay costs of issuance on the Bonds. The Bonds will mature thirty (30) years after issuance with level debt service payments. There will not be a debt service reserve fund. The DSO also plans to contribute \$2,000,000 cash from the Seminole Boosters to the cost of the Project.

The Bonds are payable from the Pledged Revenues which consist of revenues of the DSO that are derived from several sources including conference facility and suite rental fees, Athletic Department rent, license and trademark revenue and net ticket revenues. The Athletic Department pays the rent from operating revenues, which are generated from several sources including: conference distributions, student athletic fees, sponsorships and advertising, game guarantees, bowl games, and television and radio. Pursuant to Section 1010.62(3)(a), Florida Statutes, no more than 5% of student athletic fee revenues may be pledged for debt service on the Bonds. Projections provided by the University indicate revenues are expected to be sufficient to pay debt service on the Bonds and the Athletic Department rent payments will not include more than 5% of the student athletic fees. .

The Bonds will be issued on parity with previously issued bonds of the DSO currently outstanding in an aggregate principal amount of approximately \$61 million. The DSO has historically generated positive debt service coverage, which is projected to continue based on reasonable assumptions as to revenue and expenditure growth. It appears that the proposed financing is in compliance with Florida Statutes governing the issuance of university debt and the Board of Governors Debt Management Guidelines.

The Florida State University Board of Trustees, at its June 8, 2012 meeting, approved the Project and the financing thereof. The FSU Financial Assistance, Inc. Board of Directors, is scheduled to approve the Project and the financing at a meeting June 26, 2012.

Supporting Documentation Included: Information is located behind the Facilities Committee agenda

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**

June 21, 2012

SUBJECT: Amendment to the Agreement between the City of Tallahassee, Leon County, Florida, Florida State University and the Board of Governors. Related to the Tallahassee-Leon County Civic Center located adjacent to the Main Campus of the Florida State University

PROPOSED BOARD ACTION

Adopt an Amendment to the Agreement between the City of Tallahassee, Leon County, Florida, Florida State University (the "University") and the Board of Governors related to the Tallahassee-Leon County Civic Center Authority to release the City and County from any obligations under previous Civic Center Agreements and Authorize the proposed transfer of ownership and assumption of long-term debt from the Civic Center Authority by the University.

Staff of the Board of Governors, State University System of Florida have reviewed the proposed Amendment, Transfer Agreement, Lease Agreement, and other supporting documentation provided by the University. Based upon this review, it appears that the proposed financing is in compliance with applicable Florida Statutes, including those governing the issuance of university debt and complies with the debt management guidelines adopted by the Board of Governors. Accordingly, staff of the Board of Governors recommends adoption of the Amendment and Authorization of the Transfer Agreement.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Florida Board of Governors Debt Management Guidelines; Section 1010.62, Florida Statutes; and Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

The Board of Regents (the "Regents") was a party to the original Agreement, which provided for the operations of the Civic Center by the Tallahassee-Leon County Civic Center Authority (the "Authority"). The Authority is established pursuant to 2004-435 Laws of Florida, with the University appointing a majority of seats. The Board is a party to the current Agreement. The City of Tallahassee (the "City") and Leon County

(the “County”) have requested that they be released from the Agreement. As the Board is a party to the Agreement, Board approval is required to release the City and County. The long-term plan is for the University to assume complete ownership of the Civic Center, and for the Legislature to replace the Authority with a citizens advisory panel.

The City approved the proposed Amended Agreement on May 23, 2012. The County approved the proposed Amended Agreement on May 22, 2012. The University Board of Trustees is scheduled to approve the Amended Agreement on June 8, 2012. The Authority is scheduled to approve the Amended Agreement on June 13, 2012. The Civic Center has a currently depreciated book value of \$28 million, and is essential to the long-term strategic plan of the University. While the Civic Center has operated at a deficit for the past two years, the University is confident that it will be able to operate the Civic Center on at least a break-even basis. The University will assume the long-term debt of the Civic Center, which totals \$4.1 million. The Debt is in the form of a bank qualified note held by Sun Trust Bank, with a term ending 2019. This is the only long-term liability of the Civic Center.

The University intends to enter into a Lease Agreement with the Authority upon transfer of ownership to allow the Authority to continue to operate the Civic Center on a day-to-day basis until such time as the Legislature abolishes the Authority.

In 2004, the Legislature changed the composition of the Authority’s Board such that a majority of the seats, including the chair, are appointed by the University’s president. Despite this change, FSU was deemed by the independent financial auditors as unable to exercise significant control on the management of the Authority. However, changes in the financial circumstances of the Authority have required the University to intervene in order to allow the continued operations of the Civic Center. Fiscal year ended June 30, 2012 is not yet complete, but Board staff believe that it is highly likely that the independent auditors will find that the Civic Center Authority is in fact a component unit of the University.

The Board of Governors is not a party to the Transfer Agreement, but approval of the proposed Transfer Agreement is required in order for the University to formally assume liability for the Civic Center Authority’s Debt.

Supporting Documentation Included: Information is located behind the Facilities Committee agenda

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
June 21, 2012**

SUBJECT: Appointment of University Trustees, FAMU, FPU, and NCF

PROPOSED BOARD ACTION

Appointment of University Trustees.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution; Board of Governors Trustee Selection and Reappointment Process.

BACKGROUND INFORMATION

The Trustee Nominating and Development Committee reviewed applications of candidates being considered for appointment to the Boards of Trustees at Florida A&M University, Florida Polytechnic University, and New College of Florida. There is one vacancy on the Florida A&M University Board of Trustees. There are five vacancies on the Florida Polytechnic University Board of Trustees. There is one vacancy on the New College of Florida Board of Trustees. A sub-committee was assigned to screen applications at each university and they made recommendations to the Committee. The committee members will recommend candidates for review and consideration by the full Board.

Supporting Documentation Included: None