

FLORIDA BOARD OF GOVERNORS  
NOTICE OF PROPOSED NEW REGULATION

DATE: September 19, 2011

REGULATION NUMBER AND TITLE: 8.009 – Educational Sites

SUMMARY: The proposed amendments to this regulation update the typology for educational sites for use in data submissions to the Board of Governors; provide a role for boards of trustees; clarify approval processes; specify conditions under which lower level courses may be offered off the main campus; and require university monitoring of enrollment at additional campuses, as well as action to be taken when enrollments fall below the minimum designated for the site.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED REGULATION: Nancy C. McKee, Ph.D., Associate Vice Chancellor

COMMENTS REGARDING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

General Counsel, Board of Governors, State University System, 325 W. Gaines Street, Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), or [generalcounsel@flbog.edu](mailto:generalcounsel@flbog.edu).

## 8.009 Educational Sites

(1) The following definitions of educational sites shall be used for classification purposes in data submissions to the Board of Governors:

(a) Main campus is defined as the primary site of university educational, research, and administrative activities.

(b) Additional campus, including one that has received separate regional accreditation, is defined as an instructional and administrative unit of a university, apart from the main campus, that primarily offers students upper-division undergraduate and graduate programs, as well as a wide range of administrative and student support services appropriate for the number of student FTE served, and reflects a relatively permanent commitment by a university for the foreseeable future, not an occasional or transitory activity, in facilities which are university-owned, university-leased, or jointly used with another public institution.

1. Type I Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of more than 2,000 university student FTE in courses which lead to a college degree. A Type I Campus typically provides a broad range of instruction for numerous full and partial degree programs, research activity, and an extensive complement of student services.

2. Type II Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of 1,000 to 2,000 university student FTE in courses which lead to a college degree. A Type II Campus typically provides a moderate range of instruction for full and partial degree programs, limited research activity, and a moderate complement of student services.

3. Type III Campus is defined as a university operation that has obtained and continues to maintain an enrollment level of at least 300 but less than 1,000 university student FTE. The Board may, within its discretion, require an operation with less than 300 FTE to be presented to the Board for approval if the operation otherwise meets the remaining criteria in this sub-paragraph. A Type III Campus typically provides a limited range of instruction for full and partial degree programs or courses, limited research activity, and a limited complement of student services.

(c) Special purpose center is defined as a unit of a university, apart from the main campus, that provides certain special, clearly defined programs or services, such as research or public service, and reflects a relatively permanent commitment by a university for the foreseeable future, not an occasional or transitory activity, in facilities which are university-owned,

university-leased, or jointly used with another public institution. Instructional programs or courses leading to a college degree are typically not offered at special purpose centers.

(d) Instructional site is defined as a temporary instructional unit of a university, apart from the main campus, that provides a limited range of instructional programs or courses leading to a college degree, in facilities not owned by the institution.

(e) Special purpose site is defined as a unit of a university, apart from the main campus, that provides services of an educational or community outreach nature which are other than instruction leading to a college degree, in facilities not owned by the institution. Instructional programs or courses leading to a college degree are typically not offered at special purpose sites.

(2) Within the State of Florida, on-site lower-level (1000- and 2000-level) courses shall be offered only on the main campus of a university unless approved under the following conditions:

(a) When a university desires to offer a limited number of lower-level courses that address specified degree program needs at educational sites other than the main campus, prior to taking any action to establish such courses, the president shall collaborate with the president of the local Florida College System (FCS) institution in whose district the educational site is located to ensure that such course offerings will not unnecessarily duplicate course offerings at the FCS institution. After such collaboration, the university board of trustees may approve the offering of a limited number of lower-level courses that address specific degree program needs. The university shall seek approval of a proposal submitted to its board of trustees, and, subsequently, the Board of Governors to enroll lower-level university FTE that will exceed 25% of the total university FTE at an additional campus or special purpose center. The proposal shall be in the format developed in (2)(b).

(b) When a university desires to offer a full range of general education and other lower-level courses at an educational site, prior to taking any action to establish such courses, the president shall collaborate with the president of the local Florida College System institution to determine the effect on local articulation agreements. After such collaboration, the university may offer a full range of courses, if approved by the university board of trustees and, subsequently, by the Board of Governors. The proposal to offer a full range of lower-level courses shall use the format(s) developed by the Office of the Board of Governors, in conjunction with university academic affairs officers. Such format(s) shall include, at a minimum, the following elements:

relationship to the university's mission; assessment of student demand; availability of necessary facilities, equipment, and faculty; effect on local articulation agreements; and projections of lower-level FTE, operating budget, and staffing.

(3) The following approval processes for establishing, reclassifying, relocating, and closing educational sites apart from the main campus apply to the State University System:

- (a) Each board of trustees shall adopt regulations consistent with this paragraph for the establishment, reclassification, relocation, and closing of educational sites apart from the main campus, including international educational sites and educational sites located in other states, and for the acquisition of real property on which such educational sites will be located.
- (b) As an initial part of the process that may lead to the acquisition, establishment, reclassification, relocation, or closing of additional campuses or special purpose centers, the president of each university shall consult with the Chancellor to inform system-wide strategic planning.
- (c) Instructional sites and special purpose sites may be established and closed by universities consistent with regulations established by their respective boards of trustees. If an instructional or special purpose site scheduled for closing has been funded by the Legislature or established pursuant to law, the university shall provide documentation to the Board of Governors justifying the closure, and shall initiate a dialogue with legislative leadership regarding the closure.
- (d) Establishing, reclassifying, relocating, or closing an additional campus or special purpose center, including acquiring real property for such educational sites, shall be approved by the university board of trustees and, subsequently, the Board of Governors. No capital outlay funds shall be requested of the Legislature or expended, except for planning, prior to such approvals being obtained.
- (e) Proposals for the establishment, relocation, and reclassification of additional campuses and special purpose centers shall be submitted to the university's board of trustees and, subsequently, to the Board of Governors, using the format(s) developed by the Office of the Board of Governors, in conjunction with university academic affairs officers. Such format(s) shall include, at a minimum, the following elements: Accountability, Needs Assessment, Academic Programs, Administration, Budget and Facilities, Student Services, and Monitoring of Implementation.

(f) In addition to addressing the elements specified in (3)(e), proposals for the establishment of international campuses and special purpose centers shall include the following elements:

1. The relationship of the international program to the institution's mission and strategic plan;
2. Any known legal requirements of the host country that must be met to establish and operate a campus or special purpose center in that country and the legal jurisdiction that will be applicable to the university's operations;
3. A risk assessment of the university's responsibility for the safety of students, faculty, and staff;
4. How the university will exercise control over the academic program, faculty, and staff, if the programs are not operated exclusively by the university.

(g) Proposals for closing additional campuses and special purpose centers shall be submitted to the university's board of trustees and, subsequently, to the Board of Governors, using the format(s) developed by the Office of the Board of Governors, in collaboration with university academic affairs officers. The proposal shall include a request for the Board of Governors to initiate a dialogue with university and legislative leadership regarding the appropriateness of seeking statutory changes, if the educational site has been established pursuant to law.

(4) A university shall receive approval from its board of trustees and the Board of Governors prior to seeking separate accreditation from the Southern Association of Colleges and Schools for an additional campus.

(5) Each university shall annually monitor enrollment at its additional campuses. If enrollments fall below the minimum designated for the site as defined in (1) for three consecutive years, the university shall develop and implement a plan for increasing enrollment, reclassifying the site, or closing the site. An exception shall be made for a Type III Campus that was approved by the Board of Governors for establishment at an enrollment level below the minimum designated in (1). In that case, if enrollments fall below the Board of Governors-approved minimum for that site for three consecutive years, the university shall develop and implement a plan for increasing enrollment, reclassifying the site, or closing the site.

Authority: Section 7(d), Art. IX, Fla. Const.; History – New 4-9-87, 6-8-92, 2-15-94, 12-2-99, Amended X-XX-2011.

## 8.009 Definition and Process for Establishing Education Sites

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

(a) Main campus is defined as the focal point of university educational and administrative activities, authorized by Section 240.2011, F.S. Lower-division courses are offered only on the main campus of each university unless the university receives specific Board of Governors approval to offer lower-division courses at a branch campus, center or site. Approval will be based on a consideration of the following: the university's mission; an assessment of student demand; availability of necessary facilities, equipment and faculty; discussion with the educational institutions impacted by the proposed course offerings; and the Postsecondary Education Planning Commission's review of those course offerings. The Board of Governors approval is subject to review and action by a member of the State Board of Education, then the Board of Governors determination shall automatically become effective 30 days from the date of the Board of Governors decision to approve.

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

1. Type I Branch Campus is defined as a major university operation which provides a broad range of instruction, numerous full and partial-degree programs, research, and a full complement of student services in university administered facilities, which are mostly university owned or shared with a public community college. For efficiency of operation and provision of an adequate range of programs these campuses should obtain a funded enrollment level of 2,000 FTE.
2. Type II Branch Campus is a large university operation, providing a range of instructional programs, many of which lead to a degree at the branch campus, some research, and full support services in university controlled facilities. Funded enrollment is between 1,000 and 2,000 FTE.
3. Type III Branch Campus provides instruction in high demand disciplines, as well as necessary support services. Instructional and administrative functions are provided in facilities which may

or may not be controlled by the university. Distance learning techniques may be used to provide a significant portion of the instructional program. Funded enrollment is between 300 and 1,000 FTE.

- (c) Establishment of a new branch campus requires approval by the Board of Governors. In its request for authority to establish a new branch campus, a university shall submit a report regarding the long-term requirements for programs and facilities relating to its mission statement and course offerings, including a three-year PECO project priority list and a plan for long-term facilities needs. In addition, the Postsecondary Education Planning Commission must recommend establishment of the campus to the State Board of Education under the provisions of Subsection 240.147(7), F.S., and the Legislature must appropriate funds for its establishment.
  - (d) Center is defined as an instructional unit of a university or universities that offers a limited range of instructional programs or courses. Funded enrollment at a center will be fewer than 300 FTE.
  - (e) Special purpose center is defined as a unit of a university that provides certain special, clearly defined programs or services, such as research, cooperative extension, or public service apart from the main campus, branch campus, or center.
  - (f) Establishment of new centers and special purpose centers which entail the expenditure of state funds for facilities requires an assessment of long-term needs for facilities and approval by the Board of the three-year PECO project priority list. In submitting its request for authority to establish a Center, a university shall submit a report regarding the long-term requirements for programs and facilities relating to the mission statement and course offerings.
  - (g) Instructional site is defined as an instructional unit of a university that offers a very limited range of instructional programs or courses, generally of short duration, in facilities not owned by the institution. Universities shall retain the ability to establish instructional sites to meet demonstrated needs without the necessity for approval of the Board.
  - (h) Special purpose sites is defined as a unit of a state university that provides services of an education nature that are other than instruction, research or administration. Universities shall retain the ability to establish special purpose sites to meet demonstrated needs without the necessity of the approval of the Board.
- (2) All new campuses, centers, and special purpose centers approved by the Board shall be submitted, along with the required review by the Postsecondary Education Planning Commission, to the State Board of Education for approval.

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