

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AMENDMENT**

DATE: November 24, 2008

REGULATION TITLE AND NUMBER: 10.004 – Educational Research Centers for Child Development

SUMMARY: Regulation 10.004 provides that each university board of trustees must adopt regulations for the operation of an Educational Research Center for Child Development on its campus. These centers will operate as early childhood centers to provide education and care for the children of students, staff, faculty, and administrators. University departments and schools may also use the centers to conduct educational research programs and/or establish internship programs.

The university president will be responsible for the center's operation. Each center will be required to have either an advisory board or board of directors that is responsible for developing local policies and performing oversight for the center. Universities will use a portion of the Capital Improvement Trust Fund fee to fund the centers.

FULL TEXT OF THE REGULATION: The full text of the proposed regulation for amendment is posted on Board of Governor's Web site at www.flbog.edu. In addition, the full text of the regulation is available upon request to the Office of the Chancellor, at (850) 245-0466.

AUTHORITY TO AMEND 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 AMENDMENT TO THE REGULATION: Vikki Shirley, General Counsel.

COMMENTS REGARDING THE PROPOSED AMENDMENT 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:

Vikki R. Shirley, 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.

10.004 Educational Research Centers for Child Development.

(1) Each university ~~may establish~~ board of trustees shall adopt regulations for the operation of an Educational Research Center for Child Development on its campus. Such regulations shall be consistent with the university mission and Board of Governors regulations. in accordance with the provisions of Section 240.531, Florida Statutes.

(2) Upon approval of the university president, the student government association of any state university may establish an educational research center for child development. Each such center shall be an early childhood center established to provide education and care for the children of students, both graduate and undergraduate, faculty, and other staff and employees of the university and to provide an opportunity for interested schools or departments of the university to conduct educational research programs and establish internship programs within such centers. Whenever possible, such center shall be located on the campus of the university. There shall be a director of each center, selected by the hiring official and approved by the center's board of directors or advisory board.~~of the center.~~

~~(2)~~ (3) Each center shall give highest priority to serving the children of students, followed by the children of staff and faculty.

(4) Each educational research center for child development shall be funded by a portion of the Capital Improvement Trust Fund fee established by the Board of Governors. Each university that establishes a center shall receive a portion of such fees collected from the students enrolled at that university, usable only at that university, equal to 22.5 cents per student per credit hour taken per term, based on the summer term and fall and spring semesters. This allocation shall be used by the university for the establishment and operation of a center as provided in this regulation. Said allocation may be made only after all bond obligations required to be paid from such fees have been met.

~~(3)~~ (5) Funds appropriated for the Educational and General activities of the State University System shall not be used to staff and operate centers. Operations may be financed either through the capital improvement trust fund fee, activity and service fee allocations, user charges, grants and donations, or any combination of these sources. ~~The use of capital improvement trust fund fees and activity and service fees to subsidize the cost of providing services to the children of staff and faculty shall be minimized.~~ Funds subject to bond commitment may be used only to the extent that current bond obligations and the terms of the trust indenture are met.

~~(4)~~ (6) University facilities constructed for the accomplishment of the university's academic mission may be used for university research centers for child development

provided that rent is charged, which may be minimal. Such centers will not generate a requirement for fixed capital outlay.

(5) (7) The president shall be responsible for the operation and supervision of the educational research center for child development. The university board of trustees shall promulgate ~~rules~~ regulations for the operation of the educational research center for child development, including guidelines for the use and supervision of student interns, the receipt and monitoring of funds in accordance with the laws of the State of Florida and ~~rules~~ regulations of the university and the Board of Governors, and participation by the student government association. It is recognized that an intent of this program is to provide research and training activities which are representative of a comprehensive scope of child development needs throughout the community. To this end, university ~~rules~~ regulations shall include an admission process that is inclusive of ~~provides for a student population of diverse~~ race, ethnicity, socio-economic status, gender, and as well as mental and physical ability.

(6) (8) Each university board of trustees which establishes an educational research center for child development shall provide for an advisory board if the center is part of the university, or a board of directors, if the center is separately incorporated. ~~in accordance with the law.~~ The board of directors for each educational research center for child development shall consist of the president of the university or his or her designee, the student government president or his or her designee, the chair or designee from one of the departments participating in the center, and a representative number of parents of children enrolled in the center, elected by parents of children enrolled in the center. The director of the center shall be an ex officio, nonvoting member of the board. The board of directors shall establish local policies and perform local oversight and operational guidance for the center and shall insure that the center is operated according to ~~law and~~ rules regulations of the Board of Governors and the university.

(7) (9) Each university board of trustees ~~center~~ is authorized to establish charge fees for child care and services provided by the center. Fees should be set at the level required to support the cost of providing the service. Exceptions should be made for the children of students and may be made for low-income faculty and staff. These fees must be approved by the Board of Governors as required by law, and in accordance with ~~Rule 6C-~~ BOG Regulation 7.003(37)(17).

Specific Authority 240.209(1), (3)(q), (4), 240.531 (3), (4) FS. Law Implemented 240.209(1), 240.531 FS. History--Formerly 6C-2.79, 10-7-74, Amended and Renumbered 12-17-74, Amended 2-18-80, 8-11-85, Formerly 6C-10.04, Amended 12-25-86, 11-29-94.