

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

DATE: April 2, 2009

REGULATION NUMBER AND TITLE: 21.203 General Requirements

SUMMARY: An advisory group has worked over the past year with the Florida Conflict Resolution Consortium to revise and update the Board of Governor Master Planning Regulations. The group is composed of university, local government and community representatives.

The draft document has been circulated as well as posted on the Board of Governor's website, with the goal of soliciting comments and feedback. These revisions were presented at the March 26, 2009 Board of Governors meeting for public notice purposes; and if approved, will be presented for final approval in June 2009.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

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: Chris Kinsley, Director, Finance & Facilities

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:

Chris Kinsley, Director, Finance & Facilities, Board of Governors, State University System, 325 W. Gaines Street, Suite 1652, Tallahassee, Florida 32399, (850) 245-9677 (phone), (850) 245-9685 (fax), or Chris.Kinsley@flbog.edu

21.203 2 General Requirements.

(1) CONTENT REQUIREMENTS.

(a) Each master plan shall include the content for all elements as required by law and this ~~regulation~~~~chapter~~; however, related elements may be combined.

(b) If the university chooses to combine elements, it shall clearly indicate where in the master plan or support documents all statutory requirements of Section ~~240.155~~, 1013.30, Florida Statutes, and the requirements of this chapter are met. The campus master plan shall contain an explanation of such combinations.

(c) The campus master plan shall consist of those items listed below in this paragraph. All other documentation may be considered as support documents. Support documents do not have to be adopted unless the Board of ~~Trustees~~ ~~Regents~~ ~~Governors~~ desires to adopt all or part of the support documents as part of the campus master plan. All background data, studies, surveys, analyses and inventory maps not adopted as part of the campus master plan shall be available for public inspection while the campus master plan is being considered for adoption and while it is in effect. The campus master plan shall consist of:

1. Goals, objectives, and policies;
2. ~~Requirements for~~ Implementation of capital improvements ~~implementation~~;
3. ~~Requirements~~ Implementation of sustainability initiatives in campus planning.
3. ~~4.~~ Procedures for monitoring and evaluation of the campus master plan; and
4. ~~5.~~ Required maps showing future conditions.

(2) DATA AND ANALYSIS REQUIREMENTS.

(a) All goals, objectives, policies, standards, findings and conclusions within the campus master plan shall be based upon relevant and appropriate data. Data or summaries thereof which are not part of the adopted campus master plan shall not be subject to the compliance review process. All tables, charts, graphs, maps, figures and data sources, and their limitations shall be clearly described.

(b) Unless noted otherwise, this chapter shall not be construed to require original data collection by the university; however, universities are encouraged to use any original data necessary to refine or update the campus master plan, as long as methodologies are professionally acceptable.

(c) Data are to be taken from professionally accepted existing sources. Data shall be the best available existing data, unless the university desires original data or special studies. Where data augmentation, updates, or special studies or surveys are deemed necessary by the university, appropriate methodologies shall be clearly described or referenced and shall meet professionally accepted standards for such methodologies.

~~(d) The Board of Regents~~ ~~Governors~~ ~~may require submission of more detailed or complete data or analyses during its review.~~

~~(e) The campus master plan shall be based on projections of student enrollment prepared by the Board of Regents~~ ~~Governors~~.

(3) APPLICATION OF REQUIREMENTS.

(a) In those situations where data necessary to comply with the requirements of this ~~chapter~~ regulation do not exist, and the university, for whatever reason, desires not to collect original data or conduct special studies, the appropriate data and analysis requirements shall not apply. The university shall include one or more statements in the data and analysis section of each element of the campus master plan identifying those requirements that are not applicable because the data do not exist.

(b) In those situations where data required to comply with the requirements of this ~~chapter~~ regulation do not exist, any corresponding requirement to include goals, objectives or policies based on that data shall not apply. The university shall include one or more statements in the goals, objectives and policies section of each element of the campus master plan identifying those requirements that are not applicable because the data do not exist.

(4) PLANNING TIME FRAME. Each campus master plan shall cover a period of at least 10 years and not more than 20 years. Additionally, the capital improvements element shall contain a yearly itemized breakout for three years, and a general framework for the next seven years, for planned and anticipated capital projects, with an update to be submitted to the university Board of ~~Regents~~ Trustees each year in accordance with the time frame established by the Board of ~~Regents~~ Governors.

(5) INTERNAL CONSISTENCY.

(a) The required elements and any optional elements shall be consistent with each other. All elements shall follow the same general format. Where data are relevant to several elements, the same data shall be used.

(b) Each map depicting plan elements must reflect goals, objectives, and policies within all elements and each such map must be contained within the campus master plan.

(6) PLAN IMPLEMENTATION REQUIREMENTS. The sections of the master plan containing goals, objectives, and policies shall describe how the university's programs and activities will be initiated, modified or continued to implement the master plan in a consistent manner. It is not the intent of this chapter to require the inclusion of implementing regulations in the campus master plan, but rather to require the identification of those programs, activities and regulations that will be part of the strategy to implement the goals, objectives and policies of the campus master plan.

(7) MONITORING AND EVALUATION REQUIREMENTS. For the purpose of evaluating and appraising the implementation of the campus master plan, each master plan shall contain a section identifying monitoring and evaluation procedures to be followed in updating the adopted campus master plan every five years which address the following:

(a) Each university shall submit to the Board of ~~Regents~~ Trustees, within four years from the date of plan adoption and every five years thereafter, an evaluation and appraisal report which:

1. Lists ~~accomplishments during the implementation of the campus master plan, describing major problems associated with development and land uses, and the degree to which the~~ goals, objectives and policies have been successfully reached;

~~2. Identifies obstacles or problems which resulted in underachievement of goals, objectives, or policies;~~

~~2.~~ 3. Identifies the need for new or modified goals, objectives, or policies needed to correct unanticipated and unforeseen problems and opportunities that have occurred since adoption of the campus master plan; and

~~4. Addresses local government and public participation in the process;~~

~~5. Addresses the effects of changes to the State Comprehensive Plan and to the comprehensive plans of the host local government and any affected local governments;~~

~~3.~~ 6. Identifies proposed and anticipated plan amendments necessary to address identified problems and opportunities; ~~and~~

~~7. Identifies a means of ensuring continuous monitoring and evaluation of the plan during the remainder of the overall planning period.~~

(b) Each university shall submit to the university Board of ~~Regents~~ Trustees, within five years from the date of plan adoption and every five years thereafter, a proposed plan amendment which incorporates the findings and recommendations contained in the evaluation and appraisal report, and which contains updated baseline data (as appropriate) and goals, objectives and policies to be accomplished during the remainder of the overall planning period.

~~Specific Authority 240.209(1), (3)(g), 240.155(22) FS. Law Implemented 240.155(3) FS. History New 2-15-94.~~