

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

DATE: June 28, 2024

REGULATION NUMBER AND TITLE: 8.009, Educational Sites

SUMMARY: Board of Governors Regulation 8.009, Educational Sites, defines university educational sites and identifies processes for the establishment, reclassification, relocation, and closing of educational sites.

Board staff recommend an amendment to Regulation 8.009 to streamline and clarify the regulation. Board staff recommends renaming the regulation to “Educational Locations” since the term “sites” is used to define a sub-set of location types and does not apply to the entire regulation. The proposed amendment also incorporates provisions from Regulation 8.004, Academic Program Coordination, that relate to education sites. The proposed amendment to Regulation 8.009 restructures the regulation to better outline the requirements for education locations. It makes the following changes:

- Clarifies definitions for the types of educational locations;
- Removes the classification of “Special Purpose Site” and creates the classification of “Other Sites”;
- Clarifies the process and locations that require Board of Governors’ approval;
- Delineates the requirements for international locations;
- Outlines the process for establishing a new location that may transition into a site requiring Board of Governors’ approval;
- Incorporates the process from Regulation 8.004, Academic Program Coordination, for a university to offer a degree or certificate program or substantial parts of a program at a location other than the main campus or existing additional campuses.

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: Emily Sikes, Interim Vice Chancellor of Academic and Student Affairs

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 St., Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), or 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, time-limited, 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, 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, time-limited, 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. Cooperative extension sites are not considered 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.~~

8.009 Educational Locations

- (1) Educational locations are defined as the following.
 - (a) **Main Campus:** The primary location of the university's educational, research, and administrative activities. Within Florida, on-site lower-level (1000- and 2000-level) courses shall be offered only on a university's main campus unless approved by the Board of Governors.
 - (b) **Additional Campus:** A university's instructional, research, and administrative unit that is apart from the main campus. This includes campuses that have received separate institutional accreditation. Campuses under this definition meet the following requirements and require Board of Governors approval:
 1. Primarily offers students upper-division undergraduate and graduate programs.
 2. Provides a wide range of administrative and student support services appropriate for the number of full-time equivalent university students served.
 3. Reflects a relatively permanent commitment by a university in facilities that are university-owned, university-leased, or jointly used with another public institution.
 4. Additional campuses will be classified as follows:
 - a. **Type I Additional Campus:** Maintains an enrollment of more than 2,000 full-time equivalent university students in courses that lead to a degree and provides a broad range of instruction for numerous full and partial degree programs, research activity, and an extensive complement of student services.
 - b. **Type II Additional Campus:** Maintains an enrollment of 1,000 to 2,000 university full-time equivalent university students in courses that lead to a degree and provides a moderate range of instruction for full and partial degree programs, limited research activity, and a moderate complement of student services.
 - c. **Type III Additional Campus:** Maintains an enrollment of 300 to 999 full-time equivalent university students and provides a limited range of instruction for full and partial degree programs, limited research activity, and a limited complement of student services. At its discretion, the Board of Governors may require an operation with less than 300 full-time equivalent university students to be presented for approval.
 - (c) **Special Purpose Center:** 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 in facilities that are university-owned, university-leased, or jointly used with another public institution. Special purpose

centers typically do not offer instructional programs or courses leading to a degree. Cooperative extension sites are not considered special purpose centers. Special purpose centers require Board of Governors approval.

- (d) **International Site:** A unit of a university other than an additional campus or special purpose center located outside the United States. International sites may be established and closed by universities consistent with regulations established by their boards of trustees.
- (e) **Instructional Site:** A temporary instructional unit of a university, apart from the main campus, that provides a limited range of educational programs or courses leading to a college degree in facilities not owned by the institution within the United States. Instructional sites may be established and closed by universities consistent with regulations established by their boards of trustees.
- (f) **Other Site:** A location apart from the university in the United States primarily intended for non-instructional functions. Limited courses or community outreach services may be available at such locations; however, entire degree programs may not be offered at locations classified as other sites. Other sites may be established and closed by universities consistent with regulations established by their boards of trustees.
- (g) **Relatively Permanent Commitment:** Maintaining continuously, beyond the length of a single course, for any purpose related to offering a degree or certificate program, a physical location away from the main campus, including classrooms, teaching laboratories, or other facilities for student instruction. Externships, internships, residencies, clinical rotations, student fieldwork, and other similar educational experiences do not constitute a relatively permanent commitment. The convening of students for orientation, testing, practica, and group seminars or projects does not constitute a relatively permanent commitment.

(2) The approval process for establishing, reclassifying, relocating, and closing educational locations is as follows.

- (a) **Additional campuses or special purpose centers:** The Board of Governors shall approve the establishment, reclassification, relocation, or closing of additional campuses, and special purpose centers, including acquiring real property for these locations.
 - 1. If the location of the additional campus or special purpose center is outside the United States, universities must follow the steps in (2)(b).
 - 2. If the university would like to offer lower-division (1000- and 2000-level) courses at an additional campus, the university president must collaborate with the presidents of the Florida College System and/or State University System institution in that area to ensure that the course offerings are not duplicative.

3. If a university would like to offer a new degree program or programs at a new additional campus or special purpose center, the university must follow the steps in Regulation 8.011, Academic Degree Program Coordination and Approval and collaborate with the president of any impacted State University System institution.
4. If the university would like to offer an existing program or more than half of the total required credits of an existing program at a new location, the university must provide details on the location change to the Chancellor and collaborate with the president of any impacted State University System institution.
5. The Chancellor or designee shall establish a template for university boards of trustees to request these actions for consideration by the Board of Governors.

(b) Any location outside of the United States: The university president must notify the Chancellor in writing regarding any proposal for the establishment of any location outside the United States. The proposal to establish any location outside the United States should include the following:

1. The relationship of the location 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 location in that country and the legal jurisdiction that will be applicable to the university's operations;
3. Any financial obligations the university is responsible for relating to the operation of the location;
4. A risk assessment of the university's responsibility for the safety of students, faculty, and staff;
5. The process by which the university will exercise control over the academic program, faculty, and staff if the programs are not operated exclusively by the university; and
6. Any additional requirements outlined in Board Regulation 9.012, Foreign Influence.

(c) International sites: All international sites must follow the provisions in (2)(b). Each university shall approve the establishment, reclassification, relocation, or closing of international sites consistent with regulations established by their board of trustees.

(d) Instructional sites and other sites: Each university shall approve the establishment, reclassification, relocation, or closing of instructional or other sites consistent with regulations established by their boards of trustees.

1. If the intent is that the site will transition to a location that requires Board of Governors' approval, notification must be provided to the

Board office in advance of establishing the site. The Chancellor may require that the site and proposed plan for transition be approved by the Board of Governors prior to establishing the site.

2. If the university would like to offer lower-division (1000- and 2000-level) courses at an instructional or other site, the university president must collaborate with the presidents of the Florida College System and/or State University System institution in that area to ensure that the course offerings are not duplicative and notify the Chancellor.
 3. If a university would like to offer a new degree program or programs, the university must follow the steps in Regulation 8.011, Academic Degree Program Coordination and Approval and collaborate with the president of any impacted State University System institution.
 4. If the university would like to offer an existing program or more than half of the total required credits of an existing program at a new location, the university must provide details on the location change to the Chancellor and collaborate with the president of any impacted State University System institution.
 5. The Chancellor or designee shall establish a template for universities to request these actions.
- (3) The activities of Florida land grant cooperative extension services that do not include college credit programs will continue to be the responsibility of the University of Florida's Institute of the Food and Agricultural Sciences and Florida Agricultural and Mechanical University's College of Engineering Sciences, Technology and Agriculture and are not subject to the requirements of this regulation.
- (4) Each university shall annually monitor enrollment at its additional campuses and sites.
- (a) If enrollment increases at locations beyond what was approved by the Board of Governors, universities should notify the Board office and submit a plan for maintaining enrollment at the approved levels or reclassifying the location.
 - (b) If enrollments fall below the minimum that was approved by the Board of Governors for three consecutive years, the university should notify the Board office and submit a plan for increasing enrollment, reclassifying the site, or closing the location.
- (5) If a university is closing an educational location that was funded by the legislature or established pursuant to law, the university shall provide notification to the Chancellor, and the Chancellor shall provide notification to the Governor and legislature.
- (6) Each board of trustees shall adopt regulations consistent with this regulation for establishing, reclassifying, relocating, and closing educational locations.

Authority: Section 7(d), Art IX, Fla. Const.; History: New 11-10-11; XX-XX-XX.