FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED AMENDED REGULATION

DATE: September 18, 2024

REGULATION NUMBER AND TITLE: 10.015, Institutes and Centers

SUMMARY: Board of Governors Regulation 10.015, Institutes and Centers, defines different types of institutes and centers. It also outlines the requirements for establishing, disbanding, reviewing, and evaluating the effectiveness of institutes and centers.

Board staff proposes an amendment to better organize and streamline Regulation 10.015. The proposed amendment clarifies the definitions for State of Florida institutes and centers and adds a new category for institutes and centers created by the Florida Legislature. It outlines requirements for maintaining the inventory of active university institutes and centers, streamlines university reporting requirements, and makes other technical changes.

The proposed amendment changes how the active list of centers and institutions is maintained. Universities will be required to maintain a list of active institutes and centers on their public websites. The Board of Governors' website will provide a link to each university's list.

Currently, the regulation requires universities to evaluate each institute and center every seven years, at minimum, and submit a summary of each evaluation to the Board office within 30 days of completion. Board staff proposes eliminating the seven-year evaluation requirement from the regulation and delegating the evaluation responsibility to each university's board of trustees. While the proposed amendment reduces the university's annual reporting requirements to the Board office, it does require universities to annually certify that institutes and centers are in compliance with all Florida Statutes and Board of Governors' regulations.

Based on university feedback, Board staff proposes reclassifying the Florida Institute of Oceanography and University Press, two Academic Infrastructure and Support Organizations, as university institutes. This will allow for more operational flexibility and provide more opportunities for the institutes to compete for additional federal funding. This change will allow the Board to propose a repeal of Regulation 10.014, Academic Infrastructure and Support Organizations.

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, 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.

10.015 Institutes and Centers

(1) In order to ensure that institutes and centers implemented within the state universitysystem are of the highest quality, enhance existing university activities, and are alignedwith the goals of the Board of Governors, the following criteria and guidelines for institutes and centers are established.

(2) **Definitions –** Within the context of these regulations, institutes and centers aredefined as follows:

(a) **State of Florida Institute or Center:** An organization with a statewide mission that may include two or more State universities established to coordinate interinstitutionalresearch, service, and teaching across the State University System. State of Florida institutes and centers must be approved by the Board of Governors. State of Florida institutes and centers' operational budgets reside within the bases of their host institutions; additional budget requests must be reviewed by the CAVP, and only those with a positive recommendation are carried forward tothe Board of Governors for consideration.

(b) **University Institute or Center:** An entity that is generally established by a singleuniversity to coordinate institutional research, service, and/or educational/trainingactivities that enhance existing instruction, research, and service at the universities. This includes Centers of Excellence that were established by the Florida Legislature. The budget of a university institute or center and any requests for additional funding are wholly within the purview of the host university.

(c) **Exclusions:** There are entities that use the term "Institute" or "Center" in their titles, as well as some other service units, that are excluded from this policy. Examples of these units include the Institute of Food and Agricultural Sciences (IFAS); the University of Florida Health Sciences Center; the University of South Florida Health Sciences Center; the Florida State University Health Sciences Center; the Florida Mental Health Institute; incorporated institutes and centers with university affiliations, such as the Institute for Human and Machine Cognitionand the H. Lee Moffitt Cancer Center and Research Institute; and university advising, student health, computing, and certain other centers. However, entitiessuch as IFAS and the health sciences centers may have institutes or centers under their purview that are covered by the policies referenced in this document.

(3) **University Policies for Institutes and Centers –** The university board of trustees must adopt policies for establishing, operating, evaluating, reviewing, and disbanding university institutes and centers in accordance with Board of Governors criteria. University policies shall specify whether the university president, or provost, and/or vice president for research has been designated by the trustees to grant authorization for the development and implementation of university institutes and centers. A copy of university institute and center policies shall be on file in the Office

of Academic and Student Affairs in the Boardof Governors Office.

(4) **Establishment of Institutes or Centers:**

(a) To establish a State of Florida Institute or Center, the provost and/or the vice president for research of the host university shall prepare and submit a proposal to the board of trustees of the host university for approval. Approved proposals shall be submitted to the Office of Academic and Student Affairs in the Board of Governors Office.

1. The proposal shall specify the purpose of the organization, the need and demand to be a State of Florida institute or center, consistent with the Board of Governors Strategic Plan, and funding resources. The proposal shall also include a draft of the proposed Memorandum of Understanding, which has been ratified by the presidents of all affiliated institutions. The Memorandum of Understanding shall contain, at a minimum:

a. The name of the institute or center;

b. The identification of the host institution and participating institutions;

c. The mission of the institute or center;

d. Guidelines for appointing, funding, supervising, and evaluating thedirector of the institute or center;

e. The criteria for appointments to the institute or center's advisory board,including terms, roles, authority, and, if known, current numbers;

f. Expectations for the administrative and logistical support for the institute or center, including expectations regarding the reimbursement to the hostuniversity for direct costs of administrative services rendered by the university to the institute or center;

g. Procedures at the institutional level for recommending increases/decreases in the appropriation of State funds for the institute orcenter;

h. Specifications for the processing of contracts and grants, including the percentage of overhead funds to be returned to the institute or center; and

i. Expectations and criteria for the cyclic review of the institute or center at least once every five years andother planning and expectations for its operation.

(b) After review by the Board of Governors staff, the State of Florida Institute or Center proposal will be forwarded to the Council of Academic Vice Presidents for approval and recommendation to the Chancellor. The Chancellor would then determine whether or not this proposal should be carried forward to the Board of Governors. Any State of Florida Institute or Center must receive full approval from the Board of Governors prior to implementation toreceive State of Florida status.

(c) University institutes and centers shall be established in accordance with university policy. The university is responsible for notifying the Board office about the establishment or termination of any university institute and center

~~within 30 days of such action. The notices of establishment shall include the institute and center name, the type of center, and a brief description of how the institute and center will enhance the university's activities. In cases where morethan one university is participating, a the host university is designated to handle reporting and evaluation of the institute or center.~~

~~(5)~~ **~~Institute and Center Reporting Requirements~~**

~~(a) The Office of Academic and Student Affairs in the Board of Governor's Office shall maintain an official online inventory of approved State University System Institutes and Centers, including Centers of Excellence .~~

~~(b) Annual Reporting – No later than December 1 of each year expenditure information for the prior fiscal year shall be provided to the Board office. The instructions and reporting templates for these annual requests will be determined by the Chancellor. Annual reports must be approved by the board of trustees of the host university prior to submission to the Board Office.~~

~~(c) Evaluation/Review – Copies of all evaluation/review information shall be submitted to the Board office as follows.~~

~~1. State of Florida institutes and centers shall be reviewed based on criteria and procedures established below and within the Memorandum of Understanding. External consultants may be used in the review process. At a minimum, eachState of Florida institute or center shall be reviewed every five years by the host institution. A copy of the review will be provided to the Council of Academic Vice Presidents to inform any related budget recommendations.~~

~~2. University institutes and centers must be reviewed according to university and center policies. A formal review shall be conducted at least every sevenyears.~~

~~3. At a minimum, all evaluations/reviews shall include the following components:~~

~~a. A determination of the institute or center's progress against defined goalsand objectives within the context of the institute or center's mission, the participating university mission(s), and the current Board of Governor's Strategic Plan;~~

~~b. An assessment of the return on investment of State dollars, if applicable;~~

~~c. The need for continuation of the institute or center;~~

~~d. Possible changes in mission or organizational structure;~~

~~e. Budget reduction or expansion;~~

~~f. Recommendations for change of classification (State of Florida, institute or center, or University institute or center), if applicable; and~~

~~g. Recommendations for status change (active, inactive, terminated), ifapplicable.~~

~~4~~ ~~Upon completion, the university must provide a summary of the evaluation/review to the board of trustees and certify that the evaluation/review contained all of the required components using a template provided by the Chancellor. A copy of the summary must be submitted to the Board office within 30 days after the board of trustees review.~~

~~**Disbanding an Institute or Center –** University institutes and centers shall be disbanded at the request of the host university with the agreement of participating universities. State of Florida institutes and centers shall be disbanded at the recommendation of the Council of Academic Vice Presidents and upon the approval of the Board of Governors. When an institute or center is disbanded, the host university shall notify the Board office. If a disbanded institute or center has been funded by the Legislature, the university mustprovide documentation to ensure that Legislative intent has been achieved and that the institute or center is no longer required. Fiscal information must be provided as part of the annual reporting process if the institute or center expends any funds during the fiscalyear in which it is disbanded.~~

(1) Institutes and centers are defined as follows:

(a) **State of Florida institute or center:** An entity with a statewide mission that may include multiple state universities established to coordinate inter-institutional research, service, and teaching across the State University System. State of Florida institutes and centers must be approved by the Board of Governors. The operational budgets of State of Florida institutes and centers are included in the budget of the host university.

(b) **Institutes and centers established by the Florida Legislature**: An entity established by the Florida Legislature, typically receiving a direct appropriation of funds to conduct research on a specific topic or to fulfill a specific purpose. This classification also includes Centers of Excellence that were established by the Florida Legislature.

(c) **University institute or center:** An entity generally established by a single university but can involve multiple universities to coordinate institutional research, service, or educational activities that enhance existing instruction, research, and service at the university. The budget of a university institute or center and any requests for additional funding are wholly within the purview of the host university. The Florida Institute of Oceanography at the University of South Florida and the University Press of Florida at the University of Florida are included in this definition and are subject to the provisions governing existing university institutes or centers.

(d) **Exclusions:** There are entities that use the term “institute” or “center” in their titles, as well as some other service units, that are excluded from this policy. Examples of these units include the Institute of Food and Agricultural Sciences, the University of Florida Health Sciences Center, the University of South Florida Health Sciences Center, the Florida State University Health Sciences Center, the Florida Mental Health Institute, incorporated institutes and centers with university affiliations, such as the Institute for Human and Machine Cognition and the H. Lee Moffitt Cancer Center and Research Institute, and university advising, student health, computing, and certain other centers. Such entities may have institutes or centers under their purview covered by the policies referenced in this regulation if they meet the definitions in (1)(a) – (1)(c).

(2) The university board of trustees must adopt policies for establishing, operating, changing the name or purpose, suspending, terminating, reviewing, and evaluating the effectiveness of university institutes and centers. Such policies must be consistent with all applicable state laws and Board of Governors regulations.

(3) Each university must publish a listing of all active institutes and centers on its public website and regularly update it to reflect any changes. This includes all classifications of institutes and centers hosted by the university as defined by (1)(a) – (1)(c).

(4) To establish a state of Florida institute or center, the board of trustees of the host university must approve and submit a proposal and memorandum of understanding (MOU) to the Board of Governors for consideration.

(a) The proposal shall specify the purpose of the state institute or center, the benefit to the state, and how the proposed institute or center supports the Board of Governors' strategic plan.

(b) The proposal must contain the following information at a minimum.

1. The name and mission of the institute or center.

2. The identification of the host university and participating universities and a lead contact person from each university.

3. A proposed operating budget for the institute or center. The budget should identify all sources of funding and proposed expenses. It should also include expectations for the administrative and logistical support for the institute or center, including expectations regarding the reimbursement to the host university for direct and indirect costs of administrative services rendered by the host university to the institute or center.

4. Procedures for recommending changes in the appropriation of state funds for the institute or center.

5. Specifications for processing contracts and grants, including the percentage of overhead funds to be returned to the institute or center.

6. Guidelines for appointing, funding, supervising, and evaluating the director of the institute or center.

7. Criteria for appointments to the institute or center's advisory board, including terms, roles, and authority.

8. Expectations, criteria, and timelines for reviews of the institute or center.

9. Process for disbanding the center or institute.

10. Statement ensuring compliance with state laws and Board of Governors regulations.

(c) The host university must also develop an MOU that must be signed by all participating university presidents and the chair of the host university's board of trustees. The MOU must include the date the agreement expires. The host university must provide each participating university with a copy of the proposal for review and feedback prior to finalizing the MOU.

(d) Upon approval by the host university's board of trustees, the university must submit the proposal and MOU to the Board of Governors' office for review. The Board office will forward the proposal to the Council of Academic Vice Presidents for review. The Council will make a recommendation to the Chancellor, who will forward it to the Board for consideration if appropriate. All State of Florida institutes or centers must receive approval from the Board of Governors prior to implementation to be designated as a State of Florida institute or center. Upon Board approval of the institute or center, the host university must submit the finalized MOU to the Board of Governors' office.

(e) Renewals of the memorandum of understanding must be reviewed and considered for approval by both the host university's board of trustees and the Board of Governors prior to the memorandum's expiration date. The host university must also submit a revised proposal, identifying any changes to be considered for renewal.

(f) The host university must submit a copy of each five-year review to the host university's board of trustees, the Council of Academic Vice Presidents, and the Board of Governors' office.

(g) Legislative budget requests related to State of Florida institutes and centers, whether new or existing, must be reviewed and recommended by the Council of Academic Vice Presidents to be considered by the Board of Governors.

(5) University institutes and centers may be established, amended, suspended, and disbanded consistent with university policies and procedures.

(a) The university must notify the Chancellor in writing within 30 days when establishing or changing the name or purpose of a university institute or center. The notice of establishment shall be in a format prescribed by the Chancellor and include, at a minimum, the institute or center name, the type of center, the amount and source(s) of funding, and a brief description of how the institute or center will enhance the university's activities.

(b) In cases where more than one university is participating, the host university is responsible for reporting and evaluating the institute or center.

(c) The host university must notify the Chancellor in writing of any changes to the MOUs with partner universities affecting the operations of the Florida Institute of Oceanography or the University Press of Florida. The respective host university's board of trustees may include legislative budget requests supporting these entities within the university's annual legislative budget request.

(6) Disbandment of Institutes and Centers:

(a) University institutes and centers shall be disbanded at the request of the university. University institutes and centers involving multiple universities shall be disbanded at the request of the host university and with the agreement of a majority of the participating universities.

(b) State of Florida institutes and centers shall be disbanded at the recommendation of the Council of Academic Vice Presidents and upon the approval of the Board of Governors.

(c) When an institute or center is disbanded, the host university shall notify the Board office within 30 days.

(d) If a disbanded institute or center has been funded by the Florida Legislature, the university must provide documentation to ensure that legislative intent has been achieved and that the institute or center is no longer required.

(7) Each university shall annually report to the Board of Governors' office at the end of each academic year the following information for all institutes and centers defined in (1)(a) – (1)(c).

(a) A comprehensive list of all active institutes and centers.

1. The list must include the name, the amount of funding, the source of funds supporting the center or institute, and a brief description of the mission and purpose.

(b) A certification signed by the university president or designee that all the centers or institutes on the list are following all applicable state laws and Board of Governors regulations.

(c) The web address for the listing of its active institutes and centers.

(d) A summary of any evaluation or audit findings on any center or institute during the academic year. If any deficiencies were identified, include plans to address the deficiencies.

(e) The Chancellor may request information or an in-depth review of any institute or center at any time to ensure compliance with applicable state laws and Board of Governors regulations.

Authority: Section 7(d), Art. IX, Fla. Const., History—New 12-6-07, Amended 03-30-2022, XX-XX-2024.