

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED REGULATION

REGULATION NO.: FIU-116

REGULATION TITLE: Educational Sites

SUMMARY: This new regulation governs the university's establishment, classification, relocation, and closing of educational sites apart from the University's main campuses, 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.

TEXT OF REGULATION: The full text of the Notice of Proposed Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://regulations.fiu.edu>. If you would like a copy of the Proposed Regulation, please contact Eli Deville, Chief of Staff, Office of the General Counsel, (305) 348-2103.

AUTHORITY: BOG Regulations 1.001 and 8.009.

NAME OF PERSON INITIATING PROPOSED REGULATION: Douglas Wartzok, Provost and Executive Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REGULATION: Eli Deville, Chief of Staff, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu Phone: 305.348.2103, Fax: 305.348.3272.

DATE OF PUBLICATION: August 9, 2013

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

FIU-116 Educational Sites

(1) General. Pursuant to Board of Governors Regulation 8.009, this regulation is created to regulate the Florida International University's 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.

(2) Definitions.

(a) The following Board of Governors definitions of educational sites shall be used for classification purposes under this regulation:

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

2. 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 the 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.

(b) Campus Types.

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 of Governors may, within its discretion, require an operation with less than 300 FTE to be presented to the Board of Governors 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 the 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 (but may be under

certain circumstances) at special purpose centers. Cooperative extension sites are not included in the definition of special purpose center.

(d) Instructional site is defined as a temporary instructional unit of the 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 the 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 University of Central Florida. Instructional programs or courses leading to a college degree are typically not offered (but may be under certain circumstances) at special purpose sites.

(3) Procedures. The following approval processes for establishing, reclassifying, relocating, and closing educational sites apart from the main campus will be utilized by the University:

A. Instructional Sites and Special Purpose Sites.

(1) The President is authorized to establish or close instructional sites and special purpose sites consistent with the University's strategic plan, except for closure of instructional or special purpose sites that are funded by the Legislature or established pursuant to law.

(2) If an instructional or special purpose site scheduled for closing has been funded by the Legislature or established pursuant to law, the BOT must approve the closure. Documentation justifying the closure shall be submitted to the BOT, along with confirmation that the University has communicated with legislative leadership regarding the closure. Upon approval, the University shall provide the BOT approval and related backup information to BOG.

B. Additional Campuses and Special Purpose Centers

(1) 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 shall consult with the Chancellor of the State University System to inform system-wide strategic planning.

(2) 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 Board of Trustees and, subsequently, by the Board of Governors. Except as may be expressly authorized by law, capital outlay funds shall be requested of the Legislature or expended, except for planning, prior to such approvals being obtained. Additionally, approval from the Board of Governors must be obtained prior to making a formal request for separate accreditation of a campus.

(3) Proposals for the establishment, relocation, and reclassification of additional campuses and special purpose centers shall be submitted by the President to the University's Board of Trustees and, subsequently, to the Board of Governors, using the appropriate format(s) developed by the Office of the Board of Governors. Such format(s) shall address, at a minimum, the following elements: Accountability, Needs Assessment, Academic Programs, Administration, Budget and Facilities, Student Services, and Monitoring of Implementation.

(4) In addition to addressing the elements specified in subsection (3)(d), a proposal for the establishment of campuses and special purpose centers outside of the United States shall include the following elements:

1. The relationship of the international program to the University'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, and a plan and timeline for meeting those requirements;

3. A risk assessment of the University's responsibility for the safety of students, faculty, and staff, including a plan to mitigate these risks;

4. How the University will exercise control over the academic program, faculty, and staff, if the program is not operated exclusively by the University; and

5. Details on any exit agreements with foreign partners or governments.

(5) Proposals for closing additional campuses and special purpose centers shall be submitted by the President to the Board of Trustees and, subsequently, to the Board of Governors, using the format(s) specified by the Office of the Board of Governors. The proposal shall include a request for the Board of Governors to initiate a dialogue with the University and legislative leadership regarding the appropriateness of seeking statutory changes, if the educational site has been established pursuant to law.

(6) The President or designee is responsible for monitoring enrollment at the University's campuses. If enrollments fall below the minimum designated for the site as defined herein 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 Section (2)(b)(3). 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: Board of Governors Regulation 8.009. History: New _____.