

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: January 13, 2023

REGULATION TITLE AND NUMBER: Institutes and Centers (2.006)

SUMMARY: The University seeks to amend FAU Regulation 2.006, Institutes and Centers. The purpose of this amendment is to reflect compliance with the updated requirements of Board of Governors (BOG) Regulation 10.015, Institutes and Centers. The proposed changes are summarized as follows:

1. Updates the definitions to include Centers of Excellence established by the Florida legislature.
2. Updates the procedures and responsibilities for establishing, evaluating, reviewing, and disbanding University institutes and centers at FAU.
3. Updates the annual reporting deadline from September 30 to December 1 to align with the current BOG annual reporting, implementation, and disbandment processes.
4. Requires that all State of Florida Institutes and Centers are reviewed at least every five years by the host institution and all University Institutes and Centers to be evaluated and reviewed at least every seven years.
5. Requires that the University certify that the formal reviews and evaluations contain all of the required components using the template provided by the BOG Chancellor and that a summary be presented to the Board of Trustees (BOT) and submitted to the BOG office within 30 days after BOT review.

FULL TEXT OF THE AMENDED REGULATION: The full text of the proposed amended regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at www.fau.edu/regulations. In addition, the full text of the proposed amended regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATION: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT: David L. Kian, General Counsel and Vice President for Legal Affairs.

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting.

THE PERSON TO BE CONTACTED REGARDING THE REGULATION AMENDMENT IS: Ms. Cassandra Rey, Paralegal, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

Florida Atlantic University

Regulation 2.006

Institutes and Centers

(1) Purpose. Florida Board of Governors (BOG) Regulations set forth the criteria and guidelines for both State of Florida and state university Institutes and Centers. Each state university board of trustees (BOT) must develop and publish clearly defined guidelines adopt policies consistent with BOG ~~polieies~~ criteria for establishing, operating, evaluating, reviewing and disbanding university institutes and centers. This regulation responds to this requirement ~~and provides university wide guidelines for the establishment, operation, and review of university institutes and centers. This regulation is designed to facilitate the formation of new centers or institutes and to assist in the management and review of those existing.~~ The Provost is hereby authorized to grant authorization for the development and implementation of Florida Atlantic University institutes and centers. Other units that may be referred to as “Institutes” or “Centers”, whose purpose is to provide services to the university community (for example, day care centers, teaching or learning centers, computer centers), are not to be considered “centers” for the purposes of this Regulation.

(2) Definitions.

A. An “institute” is an organized research, service, and/or educational unit established on a continuing basis primarily for the coordination and promotion of interests organized around a broad subject area. Normally, the breadth of projects and programs transcends department, school, college, or even campus boundaries. In general, an institute will have a much broader mission and a wider set of goals and objectives than a center, and usually will involve a greater interdisciplinary and inter-institutional involvement of faculty.

B. A “center” is analogous to an institute but is more limited in scope. A center is (i) an organized unit that serves a specific purpose within an institute, or (ii) a unit that provides specialized capabilities to further research, or enhance instruction or the delivery of services.

C. A “University Institute or Center” is an institute or center that has been formally recognized as a Florida Atlantic University Institute or Center pursuant to this regulation. In order to request approval and formal designation as an institute or center, a unit must have two or more members, one of whom must be a faculty member who is formally assigned to and compensated for work in the institute or center. A unit that has not been approved to use the formal designation “institute” or “center” should not represent itself as such. A University Institute or Center includes Centers of Excellence established by the Florida legislature.

D. A “State of Florida Institute or Center” is an entity with a statewide mission that may include two or more State universities, established to coordinate inter-

institutional research, service and teaching across the State University System, ~~as defined under BOG Regulation. State of Florida institutes and centers must be approved by the BOG and are otherwise governed by BOG Regulation 10.015.~~

(3) ~~Guidelines Policies & Reporting. Procedures for establishing, operating, evaluating, reviewing, and disbanding University institutes and centers, in accordance with BOG criteria and this regulation, are developed by the Vice President for Research and then forwarded to the Provost for review and approval by the Provost. The approved procedures will be published at . The guidelines will apply to both existing and future University institutes and centers.~~

A. Establishment. Those seeking to establish University institutes or centers at FAU are advised first to meet with the leadership (e.g., Director, Department Chair, Dean) of the host unit in which the new organization will be based in order to review the information required, the proposal format, and the approval process. All submissions will be made through the respective Chairs, Directors, Deans or campus applicable executive officers, as appropriate, to the Vice President for Research. The Vice President for Research will review all proposals and make a recommendation for their disposition to the Provost, who will make the final decision. ~~More detailed procedures can be found at <http://www.fau.edu/research/policies-and-procedures.php>~~ ~~#Error! Hyperlink reference not valid.~~ Within thirty (30) days of receiving approval to A copy of an approved establish a new university institute or center, a notice of establishment proposal containing basic descriptive contact and fiscal information shall be submitted to the BOG's Office of Academic and Student Affairs in accordance with BOG Regulation 10.015. In cases where more than one university is participating, a the host university is designated to handle reporting and evaluation of the institute or center.

B. ~~Operations and oversight.~~ Day-to-day management and leadership of an institute or center falls to its Director. It is the Director's responsibility to ensure that the institute or center conducts research, provides services where appropriate, and otherwise meets its goals, objectives and mission. ~~Oversight of an institute or center shall be determined by the Provost and may be by the institute or center's next level of authority (Department Chair, Dean, or Provost as appropriate).~~

C. Annual Reporting. No later than December 1 of each year, expenditure information for the prior fiscal year shall be provided to the BOG office using the reporting templates approved by the BOG Chancellor. Annual reports shall be approved by the University BOT prior to submission.

~~C.D. Evaluations, Reviews, and Recommendations. All State of Florida Institutes and Centers shall be reviewed at least every five (5) years by the host institution. All FAU and FAU-affiliated University institutes Institutes and centers Centers will be evaluated and reviewed at least every seven (7) yearson an annual basis in accordance with the processes and procedures set forth in the Division of Research's Institutes and Centers Policy.~~ At a minimum, all evaluations and reviews shall include those items listed in BOG Regulation 10.015(5) ~~(d) (3)~~, as well as the following:

1. A determination of the institute or center's progress against defined goals and

objectives within the context of the institute or center's mission, the participating university mission(s), and the current BOG's Strategic Plan;

2. An assessment of the return on investment of state dollars, if applicable;
3. The need for continuation of the institute or center;
4. Possible changes in mission or organizational structure;
5. Budget reduction or expansion;
6. Recommendations for change of classification (State of Florida; ~~Infrastructural~~, or University institute or center), if applicable; and
7. Recommendations for status change (active, inactive, terminated), if applicable.

Upon completion, the Provost may require that a University Institute or Center be disbanded or take remedial or other action that best benefits the University Institute or Center or the University as a whole. The summary of the formal review and evaluation must be presented to the BOT and the University must certify that the evaluation/review contained all of the required components using the template provided by the BOG Chancellor. A copy of the summary must be submitted to the BOG office within 30 days after the BOT review.

D. — Disbanding an Institute or Center.

E. — Recommendations to disband ~~an~~ a University institute or center shall include provisions for closing out the budget for the unit, transferring budget lines ~~within the unit to the appropriate place(s)~~, and disbursing equipment and facilities, as applicable and appropriate. These tasks will be the responsibility of the host unit's Dean, Director, Chair, or executive officer. The college or other unit within which the institute or center is located must notify the Provost of the proposed dissolution at least ninety (90) days prior to the proposed date of dissolution. Final authority to approve, modify, or deny the requested dissolution lies with the Provost. The requirements in BOG Regulation 10.015(6) shall be followed, including notifying the Office of Academic and Student Affairs in the BOG Office.

E. _____

F. Further Guidelines. More detailed procedures for establishing, operating, evaluating, reviewing, and disbanding University institutes and centers, in accordance with BOG criteria and this regulation, may be developed by the Vice President for Research and then forwarded to the Provost for review and approval. The approved procedures will be published on the Division of Research website.

~~Other authorities of the Provost. After an annual review, the Provost may require that a University institute or center be disbanded, take some remedial action, or take other action as best benefits the institute, center, or Florida Atlantic University. For a State of Florida institute or center, BOG Regulation 10.015 will be followed.~~

Specific Authority: Florida Board of Governors Resolution dated January 7, 2003; Florida Board of Governors Regulation 10.015. History: New 7-22-09; amended 6-4-19; xx-xx-23.