

FLORIDA ATLANTIC UNIVERSITY NOTICE OF PROPOSED REGULATION AMENDMENT

Date: March 7, 2025

REGULATION TITLE AND NUMBER: Leasing of Off-Campus Facilities (6.010).

SUMMARY: Regulation 6.010 implements the delegated authority received by the Board of Governors regarding the leasing of off-campus facilities. The proposed amendment updates the regulation to reflect current Board of Governors regulation amendments removing the space measurement provision.

FULL TEXT OF THE REGULATION: The full text of the proposed 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 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: Elizabeth Rubin, Interim Chief Compliance & Ethics Officer and Interim Deputy General Counsel.

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 AMENDMENT/REPEAL OF REGULATIONS IS: Ms. Cassandra Rey, Senior 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 6.010 Leasing of Off-Campus Facilities.

(1) **Purpose.** The purpose of this regulation is to implement the delegated authority received by the Board of Governors in accordance with Board of Governors Regulation 17.001.

(2) **Lease Approvals.** Before leasing a building or any part thereof, lease terms and conditions shall be reviewed as to form and legality by the University General Counsel's office and approved in accordance with University Regulation 6.002.

(3) **Fire Code Compliance.** Any privately-owned building to be leased by the University shall comply with the fire safety standards of the State Building Code. Before construction or renovation of any leased building is commenced, the University shall ascertain that the proposed construction or renovation plan complies with the fire safety standards of the State Building Code. Whenever the University determines that a construction or renovation plan is not in compliance with such fire safety standards, the University may issue an order to cease all construction or renovation activities until compliance is obtained, except those activities required to achieve such compliance.

(4) **Competitive Solicitation.** The University shall not enter into a lease for 5,000 square feet or more of space in a privately-owned building except upon advertisement for and receipt of competitive bids or proposals as determined by the University in accordance with BOG Regulation 17.001. Competitive bidding shall not be required for leases of space as set forth in BOG Regulation 17.001. The University President shall have delegated authority to certify in writing if the leasing of an educational facility in an affiliated research and development park is in the best interests of the University and the exemption from competitive bid requirements is not detrimental to the state pursuant to BOG Regulation 17.001(2)(a)5.

~~(5) **Space Measurement.** The measurement of leased space shall be based on the method of measurement used by the State University System for gross square feet as described in the current Physical Facilities Space File.~~

Specific Authority--Florida Board of Governors Resolution dated January 7, 2003; Florida Board of Governors Regulation 17.001History--New 3-26-80, Formerly 6C5-6.10, Amended 11-11-87. Formerly 6C5-6.010. Amended 7-1-15; ~~xx-xx-2025-~~