

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

Date: May 4, 2019

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 Board of Governors' criteria and guidelines for both State of Florida (statewide mission) and state university (university wide mission) institutes and centers. The proposed changes are summarized as follows:

1. Delete unnecessary language and correct outdated website links.
2. Clarify the procedures and responsibilities for establishing, evaluating, reviewing, and disbanding institutes and centers at FAU.
3. Require that institutes and centers at FAU be evaluated and reviewed on an annual basis and that such evaluation be consistent with the Division of Research's Institutes and Centers Policy and with BOG Regulations. Authorize actions that the Provost may take after the annual evaluation and review of an institute or center.
4. Delete the requirement that all institutes and centers be established first as university organizations with a university wide mission before being allowed to become State of Florida organizations with a statewide mission. There is no such requirement in BOG Regulations and this internal requirement limits FAU's ability to create State of Florida institutes and centers.

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:
Dr. Daniel Flynn, Vice President for Research.

**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: Mr. David Kian, Vice President and General Counsel, 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 ~~10.015~~ sets forth the criteria and guidelines for both State of Florida and state university Institutes and Centers. ~~It requires e~~Each state university ~~to~~must develop and publish clearly defined guidelines consistent with BOG policies 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. ~~The “Exclusions” section of BOG Regulation 10.015 identifies o~~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). ~~Such units~~ 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. ~~It is important to distinguish between formally established institutes and centers and other units of a less formal nature.~~ 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.

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. ~~Those interested in State of Florida Institutes or Centers should see the BOG Regulation 10.015.~~

- (3) Guidelines. Procedures for establishing, operating, evaluating, reviewing, and disbanding University institutes and centers, in accordance with BOG criteria and this regulation, ~~are recommended for review~~ are developed by the Vice President for Research and then forwarded to the Provost for review and approval by the Provost. ~~They are published on the Division of Research web site~~ The approved procedures will be published at <http://www.fau.edu/research/policies-and-procedures.php#>. These guidelines will apply ~~pertain~~ to both existing and future University institutes and centers.

- A. Establishment. Those seeking to establish institutes or centers at FAU are advised first to meet with the leadership (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 Cehairs, Directors, Deans or campus 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.~~ <http://www.fau.edu/research/policies.php?expanddiv=ovp>. A copy of an approved new university institute or center proposal containing basic descriptive contact and fiscal information shall be submitted to the BOG's Office of Academic and Student Affairs. In cases where more than one university is participating, a 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 fall 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 Evaluations, and Reviews, and Recommendations. All FAU and FAU-affiliated Institutes and/or centers are will be evaluated and reviewed on an annual basis in accordance with ~~according to the schedule and procedures of the unit in which they are embedded (the department, college, or other university entity) processes and procedures set forth in the Division of Research's Institutes and Centers Policy,~~ but no less than every seven (7) years. 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 missions, 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.

~~Dissolution. Disbanding Recommendations to disband an University~~ institute or center ~~involves~~ 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 appropriate. These tasks will be the responsibility of the host unit's Dean, Director, Chair, or executive officer ~~Department Chair or Dean, as appropriate for the organization in question.~~ 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.

D. 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.

~~E. Change of status. BOG Regulation 10.015 distinguishes between "State" institutes and centers and "University" institutes and centers. All institutes and centers at Florida Atlantic University shall first be established as "University" organizations. Their elevation to "State" status shall be governed by procedures specified by the BOG through Regulation 10.015 and other applicable authorities.~~

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.