

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED AMENDED REGULATION**

DATE: March 29, 2023

REGULATION NUMBER AND TITLE: 9.013, Auxiliary Operations

SUMMARY:

Universities have a variety of auxiliary services that include, but are not limited to; housing, parking, food service, bookstore, telecommunications, printing, postal services, and computing services. This regulation outlines the integral service that auxiliaries provide to the university community.

Each university determines whether its auxiliaries are self-supporting on an individual or collective basis, except for athletics, which must be a self-supporting entity. This restriction goes back to the Board of Regents.

An amendment is being recommended that allows the use of unreserved cash from a non-_____ Board of Governors:

- a. the non-athletic auxiliary the funds are coming from;
- b. justification that the use of unreserved cash will benefit the broader student body or university community;
- c. if the non-athletic auxiliary has outstanding debt, verification that the funds are unrestricted cash balances and that sufficient current revenues exist to cover all expenditures, including debt service payments and required reserves;
- d. assurance by the university, with concurrence by the Division of Bond Finance, that the transfer does not violate bond covenants; and
- e. documentation that a disclosure has been made to students that non-athletic auxiliary revenue, that may have come from student fees or payments, will be transferred to athletics.

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: Tim Jones, Senior Vice Chancellor, Finance and Administration**

**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, 200 W. College
Avenue, Suite 216, Tallahassee, Florida 32399, (850) 245-0466 (phone),
(850) 245-9685 (fax), or generalcounsel@flbog.edu.

however, auxiliary services may be housed in buildings that are financed from other sources.

(54) Proposed expenditures from the various auxiliary funds shall be reflected in annual budgets filed with the Board of Governors.

Authority: Section 7(d), Art. IX, Fla. Const., History—Formerly BOG Rule 6C-3.14 and 6C-9.13, 3-4-74, 12-17-74, 8-29-77, 9-8-77, 8-11-85, 1-8-86, 4-10-86, 11-20-08.

Amended xxxx