



# Activity with Foreign Countries of Concern Guidance Document for State University System Institutions

October 2023

## Background

In May 2023, the Florida legislature amended [section 288.860, Florida Statutes](#), which outlines requirements for participating in partnerships, agreements, or receiving grants from foreign countries of concern. The amended statute specifies that any state university authorized to expend state-appropriated funds may not accept any grant from or participate in any partnership with any foreign principal based in a foreign country of concern without the approval of the Board of Governors. The Board may approve partnerships or agreements deemed valuable to students and the state university and are not detrimental to the safety or security of the United States or its residents. This guidance document and process applies to any agreements starting or renewed after July 1, 2023, and any partnerships or grants starting or renewed after December 1, 2023.

The Board of Governors amended Board Regulation 9.012, Foreign Influence, to align with the new statutory requirements. This document serves as additional guidance for Board Regulation 9.012, Foreign Influence. In addition to outlining the process of seeking the Board of Governors' approval, this document provides examples of activities that would or would not require the Board of Governors' approval.

## Additional Definitions

**Domicile:** For purposes of this guidance document, domicile is defined as a physical presence in a foreign country of concern with an intent to return thereto. Intent is demonstrated by an absence of seeking citizenship in the United States.

## Reporting Requirements

### Board of Governors' Approval

Institutions seeking approval to engage in certain activities with foreign countries of concern must complete a Request to Enter into Activity with a Foreign Country of Concern form. The form must be approved by the university Board of Trustees before approval. If the request is submitted four weeks before the Board meeting, the Board will consider it at its next meeting. Otherwise, the Board will consider the request at the following meeting. **To submit a request, email [ForeignActivity@flbog.edu](mailto:ForeignActivity@flbog.edu)** with the completed form. See the flow chart below and examples of activities for additional information.

### Annual Reporting

In addition, institutions will submit an annual report to the Board of Governors **beginning October 1, 2024** detailing agreements and partnerships with foreign countries of concern. The annual report will be submitted through the Data Request System using a template approved by the Chancellor. The annual report will cover the prior fiscal year and must include general information on the agreement, partnership, or grant, any related locations in a foreign country of concern, and when the agreement, partnership, or grant will terminate.

## Examples of Activities

The table below provides examples of activities with foreign countries of concern that do and do not require the Board of Governors' approval.

Activity with Foreign Countries of Concern	Require Board of Governors' Approval
Hiring a foreign principal for academic, administrative, research purposes, or research scholars*	Yes
Hiring an individual who has worked at an institution in a foreign country of concern	No
Enrolling a student from a foreign country of concern	No
Collaborating with a foreign principal on a research project in furtherance of the university's mission	Yes
Sharing data with a foreign principal	Yes
Engaging in a student exchange program in a foreign country of concern	Yes
Partnerships facilitated by third-party providers on behalf of State University System institutions	Yes
Licensing intellectual property for academic or research purposes <b>from</b> a foreign principal	Yes
Licensing intellectual property for academic or research purposes <b>to</b> a foreign principal	Yes
Obtaining commodities originally from foreign countries of concern but stored in repositories not in foreign countries of concern	No

\*Administrator is defined in Board of Governors Regulation 9.006, University Personnel Definitions and Compensation.

## Approval Process for Engaging with Foreign Countries of Concern

