AGENDA

FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Audit and Compliance Committee Workshop

Tuesday, September 10, 2019 12:15 to 2 p.m.

COHEN CENTER BALLROOM, ROOM #203
FLORIDA GULF COAST UNIVERSITY

Indicated times within the agenda are approximate and are subject to change. Agenda items may be taken out of order at the call of the Chair and with the concurrence of the Committee.

The Audit and Compliance Committee will be joined by other members of the Florida Gulf Coast University Board of Trustees.

Committee Members:
Trustee Joseph Fogg III – Chair
Trustee Darleen Cors
Trustee Leo Montgomery
Trustee Stephen Smith

12:15 p.m. Call to Order, Roll Call, and Opening Remarks – Chair Joseph Fogg III

Workshop on Senate Bill 190 (Presentation and Discussion) – Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera, and Vice President for Student Success and Enrollment Management Mitchell Cordova (TAB #1)

2 p.m. Closing Remarks, and Adjournment – Chair Joseph Fogg III

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SUBJECT: Workshop on Senate Bill 190

PROPOSED COMMITTEE ACTION

Information Only

BACKGROUND INFORMATION

At the June 11, 2019 meeting, the FGCU Board of Trustees Audit and Compliance Committee requested a workshop on Senate Bill 190. A PowerPoint presentation has been prepared to discuss the sections of the bill which pertain to universities.

Supporting Documentation Included: PowerPoint Presentation Senate Bill 190

Prepared by: Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera

Legal Review: N/A

Submitted by: Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera
Auditor General Duties
Section 1. Paragraph (c) of subsection 11.45, Florida Statues, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(c) Annually conduct financial audits of all state universities and Florida College System institutions and verify the accuracy of the amounts certified by each state university and Florida College System institution chief financial officer pursuant to ss. 1011.45 and 1011.84 state colleges.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General’s discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

CODING: Words stricken are deletions; words underlined are additions.
BOG TRAINING
1001.706 Powers and duties of the Board of Governors:

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

TRAINING:

(j) The Board of Governors shall develop and annually deliver a training program for members of each state university board of trustees that addresses the role of such boards in governing institutional resources and protecting the public interest. At a minimum, each trustee must participate in the training program within 1 year of appointment and reappointment to a university board of trustees. The program must include information on trustee responsibilities relating to all of the following:
1001.706 Powers and duties of the Board of Governors:

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

1. Meeting the statutory, regulatory, and fiduciary obligations of the board.

2. Establishing internal process controls and accountability mechanisms for the institution’s president and other administrative officers.

3. Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university’s consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.

4. Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.
1001.706 Powers and duties of the Board of Governors:

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND OPERATION OF STATE UNIVERSITIES.—

5. Creation and implementation of institution wide rules and regulations.
6. Institutional ethics and conflicts of interest.
7. Best practices for board governance.
8. Understanding current national and state issues in higher education.
9. Any other responsibilities the Board of Governors deems necessary or appropriate.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

DATA:

(e) The Board of Governors shall maintain an effective information system to provide accurate, timely, and cost-effective information about each university. The board shall continue to collect and maintain, at a minimum, management information as such information existed on June 30, 2002. To ensure consistency, the Board of Governors shall define the data components and methodology used to implement ss. 1001.7065 and 1001.92. Each university shall conduct an annual audit to verify that the data submitted pursuant to ss. 1001.7065 and 1001.92 complies with the data definitions established by the board and submit the audits to the Board of Governors Office of Inspector General as part of the annual certification process required by the Board of Governors.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.

(i) The Board of Governors shall match individual student information with information in the files of state and federal agencies that maintain educational and employment records. The board must enter into an agreement with the Department of Economic Opportunity that allows access to the individual reemployment assistance wage records maintained by the department. The agreement must protect individual privacy and provide that student information may be used only for the purposes of auditing or evaluating higher education programs offered by state universities.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

PUBLIC EDUCATION CAPITAL OUTLAY:

(12) PUBLIC EDUCATION CAPITAL OUTLAY.—The Board of Governors shall submit the prioritized list as required by s. 1013.64(4). Projects considered for prioritization shall be chosen from a preliminary selection group which shall include the list of projects maintained pursuant to paragraph (d) and the top two priorities of each state university.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY–

(a) The board shall develop a points-based prioritization method to rank projects for consideration from the preliminary selection group that awards points for the degree to which a project meets specific criteria compared to other projects in the preliminary selection group. The board shall consider criteria that evaluates the degree to which:

1. The project was funded previously by the Legislature and the amount of funds needed for completion constitute a relatively low percentage of total project costs;

2. The project represents a building maintenance project or the repair of utility infrastructure which is necessary to preserve a safe environment for students and staff, or a project that is necessary to maintain the operation of a university site, and for which the university can demonstrate that it has no funds available to complete the project from the sources designated in s. 1011.45;
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY–

3. The project addresses the greatest current year need for space as indicated by increased instructional or research capacity that enhances educational opportunities for the greatest number of students or the university’s research mission;

4. The project reflects a ranked priority of the submitting university;

5. The project represents the most practical and cost effective replacement or renovation of an existing building; or

CODING: Words stricken are deletions; words underlined are additions.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY–

6. For a new construction, remodeling, or renovation project that has not received a prior appropriation, the project has received, or has commitments to receive, funding from sources other than a project-specific state appropriation to assist with completion of the project; the project is needed to preserve the safety of persons using the facility; the project is consistent with a strategic legislative or board initiative; or the institution has allocated funding equal to a percentage of the total project cost. The percentage shall be no less than:

a. Six percent for preeminent universities;
b. Four percent for emerging preeminent universities; and
c. Two percent for state universities that are neither a preeminent or emerging preeminent university.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY—

(b) The project scoring the highest for each criterion shall be awarded the maximum points in the range of points within the points scale developed by the board. The board shall weight the value of criteria such that the maximum points awarded for each criterion represent a percent of the total of maximum points. However, the board may not weight any criterion higher than the criterion established in subparagraph (a)3.

(c) A new construction, remodeling, or renovation project that has not received an appropriation in a previous year shall not be considered for inclusion on the prioritized list required by s. 1013.64(4), unless:
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY-

1. A plan is provided to reserve funds in an escrow account, specific to the project, into which shall be deposited each year an amount of funds equal to 1 percent of the total value of the building for future maintenance;

2. There exists sufficient capacity within the cash and bonding estimate of funds by the Revenue Estimating Conference to accommodate the project within the 3-year Public Education Capital Outlay funding cycle; and

3. The project has been recommended pursuant to s. 1013.31.
1001.706 Powers and duties of the Board of Governors:

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY–

(d) The board shall continually maintain a list of all public education capital outlay projects for which state funds were previously appropriated which have not been completed. The list shall include an estimate of the amount of state funding needed for the completion of each project.

(e) The board shall review its space need calculation methodology developed pursuant to s. 1013.31 to incorporate improvements, efficiencies, or changes. Recommendations shall be submitted to the chairs of the House of Representatives and Senate appropriations committees by October 31, 2019, and every 3 years thereafter.
Section 8. Subsection (3) of section 1008.322, Florida Statutes, is amended to read:

OVERSIGHT:

1008.322 Board of Governors oversight enforcement authority.—

(3)(a) The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors’ rule or regulation and determine probable cause. The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors’ rule or regulation.

(b) The Chancellor of the State University System shall report to the Board of Governors any findings by the Auditor General that a university is acting without statutory authority or contrary to general law. The Board of Governors shall require the university board of trustees to document compliance with such law.
2 + 2
Section 6. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(7) By the 2019-2020 academic year, to strengthen Florida’s “2+2” system of articulation and improve student retention and on-time graduation, each Florida College System institution shall execute at least one “2+2” targeted pathway articulation agreement with one or more state universities, and each state university shall execute at least one such agreement with one or more Florida College System institutions to establish “2+2” targeted pathway programs. The agreement must provide students who graduate with an associate in arts degree and who meet specified requirements guaranteed access to the state university and a degree program at that university, in accordance with the terms of the “2+2” targeted pathway articulation agreement.
Section 6. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(a) To participate in a “2+2” targeted pathway program, a student must:

1. Enroll in the program before completing 30 credit hours, including, but not limited to, college credits earned through articulated acceleration mechanisms pursuant to s. 1007.27;

2. Complete an associate in arts degree; and

3. Meet the university’s transfer requirements.

(b) A state university that executes a “2+2” targeted pathway articulation agreement must meet the following requirements in order to implement a “2+2” targeted pathway program in collaboration with its partner Florida College System institution:
Section 6. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

1. Establish a 4-year, on-time graduation plan for a baccalaureate degree program, including, but not limited to, a plan for students to complete associate in arts degree programs, general education courses, common prerequisite courses, and elective courses;

2. Advise students enrolled in the program about the university’s transfer and degree program requirements; and

3. Provide students who meet the requirements under this paragraph with access to academic advisors and campus events and with guaranteed admittance to the state university and a degree program of the state university, in accordance with the terms of the agreement.
Section 6. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23  Statewide articulation agreement.—

3. Provide students who meet the requirements under this paragraph with access to academic advisors and campus events and with guaranteed admittance to the state university and a degree program of the state university, in accordance with the terms of the agreement.

(c) To assist the state universities and Florida College System institutions with implementing the “2+2” targeted pathway programs effectively, the State Board of Education and the Board of Governors shall collaborate to eliminate barriers in executing “2+2” targeted pathway articulation agreements.
Excess Hours
Section 10. Subsection (2) of section 1009.286, Florida Statutes, is amended to read:

1009.286 Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities. —

(2) State universities shall require a student to pay an excess hour surcharge for each credit hour in excess of the number of credit hours required to complete the baccalaureate degree program in which the student is enrolled. Each university must calculate an excess hour threshold for each student based on the number of credit hours required for the degree. For any student who changes degree programs, the excess hour threshold must be adjusted only if the number of credit hours required to complete the new degree program exceeds that of the original degree program. The excess hour surcharge shall become effective for students who enter a state university for the first time and maintain continuous enrollment as follows:
Section 10. Subsection (2) of section 1009.286, Florida Statutes, is amended to read:

1009.286  Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities. —

(a) For the 2009-2010 and 2010-2011 academic years, an excess hour surcharge equal to 50 percent of the tuition rate for each credit hour in excess of 120 percent.

(b) For the 2011-2012 academic year, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 115 percent.
Section 10. Subsection (2) of section 1009.286, Florida Statutes, is amended to read:

1009.286 Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities. —

(c) For the 2012-2013 academic year through the 2019 spring term and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 110 percent. For the 2019 summer term and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 120 percent. Notwithstanding the requirements of this subsection, a state university shall refund the excess hour surcharge assessed pursuant to this paragraph for up to 12 credit hours to any first-time-in-college student who completes a baccalaureate degree program within 4 years after his or her initial enrollment in a state university.
Bright Futures
Section 11. Subsections (1), (2), and (3) paragraph (a) of subsection (4), subsection (5), and subsection (7) of section 1009.53, Florida Statues are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(1) The Florida Bright Futures Scholarship Program is created to establish a lottery-funded scholarship program to reward any Florida high school graduate who merits recognition of high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible Florida public or private postsecondary education institution within 3 years of graduation from high school.
Section 11. Subsections (1), (2), and (3) paragraph (a) of subsection (4), subsection (5), and subsection (7) of section 1009.53, Florida Statues are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(2) The Bright Futures Scholarship Program consists of four types of awards: the Florida Academic Scholarship, the Florida Medallion Scholarship, the Florida Gold Seal CAPE Scholarship, and the Florida Gold Seal Vocational Scholarship.
Section 11. Subsections (1), (2), and (3) paragraph (a) of subsection (4), subsection (5), and subsection (7) of section 1009.53, Florida Statues are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(5) The department shall issue awards from the scholarship program annually. Annual awards may be for up to 45 semester credit hours or the equivalent. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary education institution, or his or her representative, except that the department may withhold payment if the receiving institution fails to report or to make refunds to the department as required in this section.
Section 11. Subsections (1), (2), and (3) paragraph (a) of subsection (4), subsection (5), and subsection (7) of section 1009.53, Florida Statues are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(b) An institution that receives funds from the program for the fall and spring terms shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration. An institution that receives funds from the program for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term.
Section 11. Subsections (1), (2), and (3) paragraph (a) of subsection (4), subsection (5), and subsection (7) of section 1009.53, Florida Statues are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(7) A student may receive only one type of award from the Florida Bright Futures Scholarship Program at any given time, but may transfer from one type of award to another through the renewal application process, if the student’s eligibility status changes. However, a student is not eligible to transfer from a Florida Medallion Scholarship, a Florida Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational Scholarship to a Florida Academic Scholarship. A student who receives an award from the program may also receive a federal family education loan or a federal direct loan, and the value of the award must be considered in the certification or calculation of the student’s loan eligibility.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) In order to be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Be a Florida resident as defined in s. 1009.40 and rules of the State Board of Education.

(b) Earn a standard Florida high school diploma pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 unless:
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida; or

3. The student earns a high school diploma from a Florida private school operating pursuant to s. 1002.42.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(c) Be accepted by and enroll in an eligible Florida public or independent postsecondary education institution.

(d) Be enrolled for at least 6 semester credit hours or the equivalent in quarter hours or clock hours.

(e) Not have been found guilty of, or entered a plea of nolo contendere to, a felony charge, unless the student has been granted clemency by the Governor and Cabinet sitting as the Executive Office of Clemency.

(f) Apply for a scholarship from the program by high school graduation. However, a student who graduates from high school midyear must apply no later than December 31 of the student’s graduation year in order to be evaluated for and, if eligible, receive an award for the current academic year.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

e) A student graduating from high school in the 2012-2013 academic year and thereafter is eligible to receive an initial award for 2 years following high school graduation and to accept a renewal award for 5 years following high school graduation. A student who applies for an award by high school graduation and who meets all other eligibility requirements, but who does not accept his or her award, may reapply during subsequent application periods up to 5 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 2-year eligibility period for his or her initial award and the 5-year renewal period shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship award and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period shall commence upon the date of separation from active duty. For a student who is unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation lasting at least 18 months which begins within 1 year after completion of high school, the 2-year eligibility period for his or her initial award and the 5-year renewal period begins upon the completion of his or her religious or service obligation. The organization sponsoring the full-time religious or service obligation must meet the requirements for nonprofit status under s. 501(c)(3) of the Internal Revenue Code or be a federal government service organization, including, but not limited to, the Peace Corps and AmeriCorps programs.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

The obligation must be documented in writing and verified by the entity for which the student completed the obligation on a standardized form prescribed by the department. If a course of study is not completed after 5 academic years, an exception of 1 year to the renewal timeframe may be granted due to a verifiable illness or other documented emergency pursuant to s. 1009.40(1)(b)4.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(5) A student who wishes to qualify for a particular award within the Florida Bright Futures Scholarship Program, but who does not meet all of the requirements for that level of award by the applicable deadlines, may be allowed additional time to complete the requirements, nevertheless, receive the award if the principal of the student’s school or the district superintendent verifies that the deficiency is caused by the fact that school district personnel provided inaccurate or incomplete information to the student. The school district must provide a means for the student to correct the deficiencies and the student must correct them, either by completing comparable work at the postsecondary institution or by completing a directed individualized study program developed and administered by the school district. If the student does not complete the requirements by December 31 immediately following high school graduation, the student is ineligible to participate in the program. If the student completes the requirements by December 31, the student must receive the award for the full academic year, including the fall term.

CODING: Words stricken are deletions; words underlined are additions.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(6)(a) The State Board of Education shall publicize the examination score required for a student to be eligible for a Florida Academic Scholars award, pursuant to s. 1009.534(1)(a) or (b), as follows:

1. For high school students graduating in the 2018-2019 and 2019-2020 academic years, a student must achieve an SAT combined score of 1290 or an ACT composite score of 29.

2. For high school students graduating in the 2020-2021 academic year and thereafter, a student must achieve the required examination scores published by the department, which are determined as provided in subsection (c) High school students must earn an SAT score of 1290 which corresponds to the 89th SAT percentile rank or a concordant ACT score of 29.

CODING: Words stricken are deletions; words underlined are additions.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(b) The State Board of Education shall publicize the examination score required for a student to be eligible for a Florida Medallion Scholars award, pursuant to s. 1009.535(1)(a) or (b), as follows:

1. For high school students graduating in the 2018-2019 and 2019-2020 academic years, a student must achieve an SAT combined score of 1170 or an ACT composite score of 26.

2. For high school students graduating in the 2020-2021 academic year and thereafter, a student must achieve the required examination scores published by the department, which are determined as provided in subsection (c) High school students must earn an SAT score of 1170 which corresponds to the 75th SAT percentile rank or a concordant ACT score of 26.
Section 12. Section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(c) To ensure that the required examination scores represent top student performance and are equivalent between the SAT and ACT, the department shall develop a method for determining the required examination scores which incorporates all of the following:

(1) The minimum required SAT score for the Florida Academic Scholarship must be set no lower than the 89th national percentile on the SAT. The department may adjust the required SAT score only if the required score drops below the 89th national percentile, and any such adjustment must be applied to the bottom of the SAT score range that is concordant to the ACT.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

2. The minimum required SAT score for the Florida Medallion Scholarship must be set no lower than the 75th national percentile on the SAT. The department may adjust the required SAT score only if the required score drops below the 75th national percentile, and any such adjustment must be made to the bottom of the SAT score range that is concordant to the ACT.

3. The required ACT scores must be made concordant to the required SAT scores, using the latest published national concordance table developed jointly by the College Board and ACT, Inc.
Section 12. Section 1009.531, Florida Statues, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(d) Before each school year, the department shall publish any changes to the examination score requirements that apply to students graduating in the next 2 years. The SAT percentile ranks and corresponding SAT scores specified in paragraphs (a) and (b) are based on the SAT percentile ranks for 2010 college-bound seniors in critical reading and mathematics as reported by the College Board. The next highest SAT score is used when the percentile ranks do not directly correspond.
Section 13. Section 1009.532, Florida Statues, is amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(1) To be eligible to renew a scholarship from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(a) Effective for students funded in the 2009-2010 academic year and thereafter, earn at least 24 semester credit hours or the equivalent in the last academic year in which the student earned a scholarship if the student was enrolled full time, or a prorated number of credit hours as determined by the Department of Education if the student was enrolled less than full time for any part of the academic year. For students initially eligible prior to the 2010-2011 academic term, if a student fails to earn the minimum number of hours required to renew the scholarship, the student shall lose his or her eligibility for renewal for a period equivalent to...
Section 13. Section 1009.532, Florida Statues, is amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

1 academic year. Such student is eligible to restore the award the following academic year if the student earns the hours for which he or she was enrolled at the level defined by the department and meets the grade point average for renewal. A student is eligible for such restoration one time. The department shall notify eligible recipients of the provisions of this paragraph. Each institution shall notify award recipients of the provisions of this paragraph during the registration process.

(b) Maintain the cumulative grade point average required by the scholarship program, except that:
Section 13. Section 1009.532, Florida Statues, is amended to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

1. If a recipient’s grades fall beneath the average required to renew a Florida Academic Scholarship, but are sufficient to renew a Florida Medallion Scholarship, a Florida Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational Scholarship, the Department of Education may grant a renewal from one of those other scholarship programs, if the student meets the renewal eligibility requirements;

(5) A student who receives an award and is subsequently determined ineligible due to updated grade or hour information may not receive a disbursement for a subsequent term, unless the student successfully restores the award.
Carry Forward
Section 15. Section 1011.45, Florida Statues, is amended to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(1) Each university shall maintain a minimum carry forward balance of at least 7 percent of its state operating budget. If a university fails to maintain a 7 percent balance in state operating funds, the university shall submit a plan to the Board of Governors to attain the 7 percent balance of state operating funds within the next fiscal year.
Section 15. Section 1011.45, Florida Statues, is amended to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(2) Each university that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall be submitted to the university’s board of trustees for review, approval, or if necessary, amendment by September 1, 2020, and each September 1 thereafter. The Board of Governors shall review, approve, and amend, if necessary, each university’s carry forward spending plan by October 1, 2020, and each October 1 thereafter.
Section 15. Section 1011.45, Florida Statues, is amended to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

3. A university’s carry forward spending plan shall include the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

(a) Commitment of funds to a public education capital outlay project for which an appropriation has previously been provided that requires additional funds for completion and which is included in the list required by s. 1001.706(12)(d);
Section 15. Section 1011.45, Florida Statues, is amended to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(b) Completion of a renovation, repair, or maintenance project that is consistent with the provisions of s. 1013.64(1), up to $5 million per project and replacement of a minor facility that does not exceed 10,000 gross square feet in size up to $2 million;

(c) Completion of a remodeling or infrastructure project, including a project for a development research school, up to $10 million per project, if such project is survey recommended pursuant to s. 1013.31;
Q Section 15. Section 1011.45, Florida Statutes, is amended to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(d) Completion of a repair or replacement project necessary due to damage caused by a natural disaster for buildings included in the inventory required pursuant to s. 1013.31;

(e) Operating expenditures that support the university mission and that are nonrecurring; and

(f) Any purpose specified by the board or in the General Appropriations Act.

CODING: Words stricken are deletions; words underlined are additions.
Section 15. Section 1011.45, Florida Statues, is amended to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(4) Annually, by September 30, the chief financial officer of each university shall certify the unexpended amount of funds appropriated to the university from the General Revenue Fund, the Educational Enhancement Trust Fund, and the Education/General Student and Other Fees Trust Fund as of June 30 of the previous fiscal year.

(5) A university may spend the minimum carryforward balance of 7 percent if a demonstrated emergency exists and the plan is approved by the university’s board of trustees and the Board of Governors.