LEGISLATIVE ACTION

Senator Stargel moved the following:

**Senate Amendment (with title amendment)**

Delete lines 336 - 515

and insert:

6. The project is deemed by the state board to be integral
to the mission of the system or the institution in serving the
strategic needs of communities, regions, or the state; and

7. 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 and future maintenance needs associated with the project; the project is needed to preserve the safety of persons using the facility; or the project is consistent with a strategic legislative or state board initiative.

(b) For each Florida College System institution with a final FTE of 15,000 or greater for the prior year, a new construction, remodeling, or renovation project that has not received an appropriation in a previous year may not be considered for inclusion on the prioritized list required by s. 1013.64(4), unless:

1. There are sufficient excess funds from the allocation provided pursuant to s. 1013.60 within the 3-year planning period which are not needed to complete the projects listed pursuant to paragraph (d); and

2. The project has been recommended pursuant to s. 1013.31.

(c) 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 state board. The state board shall weight the value of criteria such that the maximum points awarded for each criterion represents a percent of the total maximum points.

(d) The state board shall continually maintain a list of all public education capital outlay projects for which state funds were previously appropriated and 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 state board shall review its space need calculation
methodology developed pursuant to s. 1013.03(2)(a) and present a summary of its work with preliminary draft recommendations to the chairs of the Senate and the House of Representatives appropriations committees by January 15, 2020, and every 3 years thereafter.

Section 4. Paragraphs (e) and (f) of subsection (5) of section 1001.706, Florida Statutes, are amended, paragraph (j) is added to subsection (3) and paragraph (i) is added to subsection (5) of that section, and subsection (12) is added to that section, to read:

1001.706 Powers and duties of the Board of Governors.—

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

(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:

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.

5. Creation and implementation of institutionwide 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.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—
(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.
(f) If the Board of Governors of the State University System, the presiding officer of either house of the Legislature, the Chief Financial Officer, or the chairperson of the board of trustees of the institution for which an investigation is sought determines that a state university board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations.

(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.

(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 that shall include the list of projects maintained pursuant to paragraph (d) and up to the top five ranked priorities of each state university.

(a) The board shall develop a points-based prioritization method to rank projects for consideration from the preliminary selection group and award 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 evaluate the degree to which:

1. The project was funded previously by the Legislature and the amount of funds needed for completion constitutes 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 it has no other fund source available to complete the project;

3. The project addresses the greatest current or projected need for space as indicated by factors such as increased instructional or research capacity that enhances educational opportunities for students;

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;

6. The project is deemed integral to the mission of the system or the institution in serving the strategic needs of communities, regions, or this state; and

7. 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 and future maintenance needs associated with the project; the project is needed to preserve the safety of persons using the facility; or the
project is consistent with a strategic legislative or board initiative.

(b) A new construction, remodeling, or renovation project that has not received an appropriation in a previous year may not be considered for inclusion on the prioritized list required by s. 1013.64(4), unless:

1. There are sufficient excess funds from the allocation provided pursuant to s. 1013.60 within the 3-year planning period which are not needed to complete the projects listed pursuant to paragraph (d); and

2. The project has been recommended pursuant to s. 1013.31.

(c) 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.

(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. 1013.03(2)(a) and present a summary of its work with preliminary draft recommendations to the chairs of the Senate and the House of Representatives appropriations committees by January 15, 2020, and every 3 years thereafter.
And the title is amended as follows:

Delete lines 19 - 50

and insert:

rank projects based on specified criteria; specifying that specified new projects at a Florida College System institution with a final FTE of 15,000 or greater must satisfy specified criteria; requiring weighted values within the point scale; requiring the State Board of Education to maintain a list of capital outlay projects for which state funds have been appropriated but which have not been completed; requiring the State Board of Education to review its space need calculation methodology and to present a summary and preliminary recommendations to the chairs of the legislative appropriations committees by a specified date and at a specified interval thereafter; amending s. 1001.706, F.S.; requiring the Board of Governors to develop and annually deliver a training program for members of state university boards of trustees; requiring trustee participation within a specified timeframe of appointment and reappointment; requiring the inclusion of certain information in the training program; requiring the board to define data components and methodology for specified purposes; requiring state universities to submit annual institutional audits to the board’s Office of Inspector General; providing that a determination by specified persons in addition to the Board of
Governors may cause the Office of the Inspector General to investigate specified allegations against a state university or its board of trustees; requiring the board to match certain student information with specified educational and employment records; requiring the board to enter into an agreement with the Department of Economic Opportunity for certain purposes; providing requirements for such agreement; requiring the Board of Governors to develop a prioritized list of capital projects based on previously funded but not completed projects and ranked priorities at state universities; requiring the Board of Governors to develop a points-based prioritization method to rank projects based on specified criteria; requiring the board to consider specified criteria for certain projects; requiring weighted values within the point scale; requiring the