By the Committee on Appropriations; and Senator Stargel

A bill to be entitled
An act relating to higher education; amending s.
11.45, F.S.; requiring the Auditor General to verify
the accuracy of unexpended amounts in specified funds
certified by university and Florida College System
institution chief financial officers; amending s.
216.136, F.S.; requiring the Revenue Estimating
Conference to provide a maximum appropriation estimate
assuming the full utilization of bonding; requiring
the conference to determine maximum appropriations
assuming average bonding capacities for specified
years; providing an expiration date; amending s.
1001.03, F.S.; requiring the State Board of Education
to develop a prioritized list of capital projects
based on previously funded but not completed projects
and ranked priorities for Florida College System
institutions; requiring the State Board of Education
to develop a points-based prioritization method to
rank projects based on specified criteria; requiring
weighted values within the point scale; specifying
that specified new projects at a Florida College
System institution with a final FTE of 15,000 or
greater must satisfy specified criteria; providing an
exemption; 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 and submit its space need calculation
methodology; 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; 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 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 weighted values within the point scale; specifying that specified new projects at a university with a final FTE of 2,000 or less, or a final FTE of 2,000 or greater, in the prior year must satisfy specified criteria; requiring the Board of Governors to maintain a list of capital outlay projects for which state funds have been appropriated but which have not been completed; requiring the Board of Governors to review and submit its space need calculation methodology; amending s. 1004.70, F.S.; prohibiting a Florida College System institution direct-support organization from giving, directly or indirectly, any gift to a political
committee; amending s. 1007.23, F.S.; requiring the statewide articulation agreement to include a reverse transfer agreement for students transferring from a Florida College System institution to a state university without having earned an associate in arts degree; requiring, by a specified academic year, Florida College System institutions and state universities to execute agreements to establish “2+2” targeted pathway programs; providing requirements for such agreements; specifying requirements for student participation; requiring the State Board of Education and the Board of Governors to collaborate to eliminate barriers in executing pathway articulation agreements; amending 1007.25, F.S.; requiring a university to, at specified times, notify students enrolled at the university of the criteria and option to request an associate in arts degree; requiring that universities notify students not enrolled at the university who meet specified criteria of the option of receive an associate in arts degree, beginning with students enrolled in the 2018-2019 academic year and thereafter; amending s. 1008.32, F.S.; requiring the Commissioner of Education to report certain audit findings to the State Board of Education under certain circumstances; requiring district school boards and Florida College System institutions’ boards of trustees to document compliance with the law under certain circumstances; amending s. 1008.322, F.S.; requiring the Chancellor of the State University
System to report certain audit findings to the Board of Governors under certain circumstances; requiring state universities' boards of trustees to document compliance with the law under certain circumstances; amending s. 1009.215, F.S.; revising the academic terms in which certain students are eligible to receive Bright Futures Scholarships; providing that such students may receive the scholarships for the fall term for specified coursework under certain circumstances; amending s. 1009.53, F.S.; removing a requirement for a Florida high school graduate to enroll in certain programs within 3 years of graduation from high school in order to receive funds from the Florida Bright Futures Scholarship Program; expanding the Florida Bright Futures Scholarship Program to include the Florida Gold Seal CAPE Scholarship; conforming provisions to changes made by the act; removing a limitation of 45 semester credit hours or the equivalent for an annual award for the scholarship program; requiring an institution that receives scholarship funds for summer terms to certify to the department certain funding information and remit any undisbursed funds within a specified time; amending s. 1009.531, F.S.; expanding the eligibility for an initial award of a scholarship under the Florida Bright Futures Scholarship Program to include students who earn a high school diploma from a private school; modifying the date by which certain students must apply for a scholarship under the program;
deleting provisions relating to scholarship eligibility and application requirements for certain students who graduated from high school during specified years; extending the amount of time in which a student may reapply for an award to 5 years after high school graduation; extending the amount of time in which a student who enlists in the United States Armed Forces immediately after high school may apply for an award to 5 years after separation from active duty; providing that a student who is unable to accept an initial award due to a religious or service obligation may apply for an award within 5 years after the completion of his or her religious or service obligation; requiring that school districts provide a Florida Bright Futures Scholarship Evaluation Report and Key only to students in specified grades; allowing a student who does not meet certain requirements for a program award additional time to meet such requirements under certain conditions; providing that such students who timely meet the requirements must receive an award for the full academic year; revising the minimum examination scores required for a student to be eligible for a Florida Academic Scholars award or a Florida Medallion Scholars award; requiring the Department of Education to develop a method for determining the required examination scores which ensures equivalency between specified examinations and is consistent with specified limitations; requiring the department to publish any changes to examination
score requirements; conforming a provision to changes made by the act; amending s. 1009.532, F.S.; revising student eligibility requirements for renewal of Florida Bright Futures Scholarship Program awards; removing obsolete language; conforming provisions to changes made by the act; amending s. 1009.536, F.S.; permitting certain Florida Gold Seal CAPE Scholars to receive an award from a specified funding source; providing grade point average requirements for Florida Gold Seal CAPE Scholars; removing limitations for certain academic years on the number of credit hours to which a student may apply a Florida Gold Seal Vocational Scholarship; amending s. 1011.45, F.S.; requiring each state university to maintain a minimum carry forward balance of at least 7 percent of its state operating budget; requiring a university that fails to maintain such balance to submit a plan to the Board of Governors to attain the minimum balance; requiring each university with a carry forward balance in excess of 7 percent to submit a spending plan to the university board of trustees; specifying requirements and authorized expenditures in such spending plan; requiring each university chief financial officer to certify annually the unexpended amount of carry forward amounts from specified funds; amending s. 1011.80, F.S.; removing a limitation on the maximum amount of funding that may be appropriated for performance funding relating to funds for operation of workforce education programs; creating s.
1011.802, F.S.; creating the Florida Apprenticeship
Grant (FLAG) program; providing for funding; providing
purpose, requirements, and administration of the FLAG
program; requiring certain career centers and
institutions to provide quarterly reports; authorizing
rulemaking; amending s. 1011.81, F.S.; removing a
limitation on the maximum amount of funding that may
be appropriated for performance funding relating to
industry certifications for Florida College System
institutions; amending s. 1011.84, F.S.; raising the
threshold of the unencumbered balance at a Florida
College System institution operating budget to 7
percent; requiring each Florida College System
institution chief financial officer to annually
certify the unexpended amount of specified funds;
amending s. 1013.03, F.S.; requiring the State Board
of Education and the Board of Governors to establish
uniform space utilization standards that include
standards for post-secondary classroom and teaching
laboratory space; requiring the State Board of
Education and the Board of Governors to adopt
standards for use in each Florida College System
institution’s and state university’s survey; requiring
the State Board of Education and the Board of
Governors to define and apply specified space
utilization metrics when calculating space need;
amending s. 1013.31, F.S.; requiring projections for
facility space needs for each Florida College System
institution to comply with specified space needs
utilization standards and metrics; requiring
projections for facility space needs for each state
university to comply with specified space needs
utilization standards and metrics; amending s. 1013.40, F.S.; prohibiting the finance of additional
dormitory beds through the issuance of bonds by
Florida College System institutions; providing that
bonds may be issued by nonpublic entities as part of a
public-private partnership; amending s. 1013.60, F.S.;
requiring the Commissioner of Education to develop a
budget request allocation plan for a specified
purpose; establishing requirements for the budget
request allocation plan to include an assessment over
the 3 years of the plan of the amount of state funding
needed to complete previously funded projects;
amending s. 1013.64, F.S.; requiring the Board of
Governors to specify by regulation the procedures for
reporting or expending specified funds; requiring each
university to report expended amounts from all
sources; requiring the State Board of Education to
specify by rule the procedures for the reporting of
specified funds appropriated or expended; establishing
a timeframe by which the State Board of Education and
Board of Governors must update the capital outlay
project list, with specified criteria; creating s. 1013.841, F.S.; requiring unexpended amounts in any
fund in any Florida College System institution current
year state operating budget to be carried forward and
included in the approved operating budget for the
following year; requiring each Florida College System
institution with a final FTE of less than 15,000 to
maintain a minimum carry forward balance of at least 5
percent of its state operating budget; requiring each
Florida College System institution president, if the
institution fails to maintain such balance, to provide
written notification to the State Board of Education;
requiring each Florida College System institution with
a final FTE of less than 15,000 that retains a state
operating fund carry forward balance in excess of 5
percent to submit a spending plan for its excess carry
forward funds with specified requirements; requiring
each Florida College System institution with a final
FTE of 15,000 or greater to maintain a minimum carry
forward balance of at least 7 percent of its state
operating budget; requiring each Florida College
System institution with a final FTE of 15,000 or
greater that retains a state operating fund carry
forward balance in excess 7 percent to submit a
spending plan for its excess carry forward funds with
specified requirements; requiring that state
university and Florida College System institution
project surveys must utilize updated space need
calculations; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) of subsection (2) of section
11.45, Florida Statutes, 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).

Section 2. Subsection (3) of section 216.136, Florida Statutes, is amended to read:
216.136 Consensus estimating conferences; duties and principals.—
   (3) REVENUE ESTIMATING CONFERENCE.—
   (a) The Revenue Estimating Conference shall develop such official information with respect to anticipated state and local government revenues as the conference determines is needed for the state planning and budgeting system. Any principal may request the conference to review and estimate revenues for any trust fund.
   (b) For each year in a forecast period, the Revenue Estimating Conference must provide a maximum appropriation estimate, which includes bonding, for funds accruing to the Public Education Capital Outlay and Debt Service Trust Fund. The
maximum available appropriation estimate for each year must assume the full utilization of available bonding capacity, as limited by s. 215.61, and the full utilization of remaining available cash balances.

(c) For each of the 2020-2021, 2021-2022, and 2022-2023 fiscal years, the conference shall also determine maximum appropriations available for funds accruing to the Public Education Capital Outlay and Debt Service Trust Fund, assuming that the bonding capacity for each year is equal to the average of annual bonding capacities, as determined under paragraph (b), of that year and the years remaining through the 2022-2023 fiscal year. This paragraph expires July 1, 2023.

Section 3. Subsection (18) is added to section 1001.03, Florida Statutes, to read:

1001.03 Specific powers of State Board of Education.—
(18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of Education shall develop and submit the prioritized list 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 Florida College System institution.

(a) The state 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 state board shall consider criteria that evaluates the degree to which:

1. The project was previously funded 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 Florida College System institution site, and for which the institution can demonstrate that it has no other funding 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 capacity that enhances educational opportunities for students;

4. The project reflects a ranked priority of the submitting Florida College System institution;

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

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.

(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 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.

(c)1. 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:

a. The institution has allocated funding equal to at least 15 percent of the total project cost, 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. A plan is provided to reserve funds equal to a minimum amount determined by the state board as adequate to cover annual costs for future maintenance of the facility;

c. 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

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

2. A Florida College System institution with a final FTE of less than 15,000 for the prior year is exempt from the requirements of subparagraph (c)1.

(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 House of Representatives and Senate appropriations committees by January 15, 2020, and every 3 years.
thereafter.

Section 4. Paragraph (f) of subsection (5) of section 1001.706, Florida Statutes, is amended, and paragraph (j) is added to subsection (3) 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.—

(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 a member 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.

(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 evaluates 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; and

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.

(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.
(c)1. For universities with a final FTE of less than 2,000 in 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:

a. The institution has allocated funding equal to a minimum amount not to exceed 10 percent of the total project cost determined appropriate by the board based on the size and unique characteristics of the institution, 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 plan is provided to reserve funds equal to a minimum amount determined by the board as adequate to cover annual costs for future maintenance of the facility;

c. 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

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

2. For universities with a final FTE of 2,000 or greater in 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:

a. The institution has allocated funding equal to no less than 15 percent of the total project cost, unless a smaller amount is approved by supermajority vote of the board based on university size or unique characteristics, 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 plan is provided to reserve funds equal to a minimum
amount determined by the board as adequate to cover annual costs
for future maintenance of the facility;

  c. 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

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

(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 House of Representatives and Senate
appropriations committees by January 15, 2020, and every 3 years
thereafter.

Section 5. Paragraph (d) of subsection (4) of section
1004.70, Florida Statutes, is amended to read:
1004.70 Florida College System institution direct-support
organizations.—

(4) ACTIVITIES; RESTRICTIONS.—

(d) A Florida College System institution direct-support
organization is prohibited from giving, either directly or
indirectly, any gift to a political committee as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the Florida College System institution.

Section 6. Subsections (7) and (8) are added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(7) The articulation agreement must specifically provide for a reverse transfer agreement for Florida College System associate in arts degree-seeking students who transfer to a state university before earning an associate in arts degree. Students must be awarded an associate in arts degree by the Florida College System institution upon completion of degree requirements at the state university if the student earned more than 30 credit hours toward the associate in arts degree from the Florida College System institution. State universities must identify students who have completed the requirements for the associate in arts degree and, upon student consent, transfer credits earned at the state university back to the Florida College System institution so that the associate in arts degree may be awarded by the Florida College System institution.

(8) 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
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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.

(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:

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
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.

Section 7. Subsection (11) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(11) Students at state universities may request an associate in arts degree certificates if they have successfully completed the minimum requirements for the degree of associate in arts (A.A.). The university must grant the student an associate in arts degree if the student has successfully completed minimum requirements for the associate in arts degree, as determined by the state university college-level communication and computation skills adopted by the State Board of Education and 60 academic semester hours or the equivalent within a degree program area, including 36 semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement pursuant to s. 1007.23. The university must notify students of the criteria and process for requesting an associate in arts degree during orientation. Additional notification must be provided to each student enrolled at the university upon completion of the requirements for an associate in arts degree. Beginning with students
enrolled at the university in the 2018-2019 academic year and thereafter, the university must also notify any student who has not graduated from the university of the option and process to request an associate in arts degree if that student has completed the requirements for an associate in arts degree but has not reenrolled at the university in the subsequent fall semester and thereafter.

Section 8. Subsection (2) of section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of district school boards and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(2)(a) The Commissioner of Education may investigate allegations of noncompliance with law or state board rule and determine probable cause. The commissioner shall report determinations of probable cause to the State Board of Education which shall require the district school board or Florida College System institution board of trustees to document compliance with law or state board rule.

(b) The Commissioner of Education shall report to the State Board of Education any findings by the Auditor General that a district school board or Florida College System institution is acting without statutory authority or contrary to general law. The State Board of Education shall require the district school board or Florida College System institution board of trustees to
Section 9. Subsection (3) of section 1008.322, Florida Statutes, is amended to read:

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.

Section 10. Effective July 1, 2019, and upon the expiration and reversion of the amendment made to section 1009.215, Florida Statutes, pursuant to section 13 of chapter 2018-10, Laws of Florida, subsection (3) of section 1009.215, Florida Statutes, is amended to read:

1009.215 Student enrollment pilot program for the spring and summer terms.—

(3) Students who are enrolled in the pilot program and who are eligible to receive Bright Futures Scholarships under ss. 1009.53-1009.536 are shall be eligible to receive the scholarship award for attendance during the spring and summer
This student cohort is also eligible to receive Bright Futures Scholarships during the fall term which may be used for off-campus or online coursework, if Bright Futures Scholarship funding is provided by the Legislature for three terms for other eligible students during that academic year no more than 2 semesters or the equivalent in any fiscal year, including 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 Statutes, 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.

(2) The Bright Futures Scholarship Program consists of four three types of awards: the Florida Academic Scholarship, the Florida Medallion Scholarship, the Florida Gold Seal CAPE Scholarship, and the Florida Gold Seal Vocational Scholarship.

(3) The Department of Education shall administer the Bright Futures Scholarship Program according to rules and procedures established by the State Board of Education. A single application must be sufficient for a student to apply for any of the three types of awards. The department shall advertise the availability of the scholarship program and shall notify students, teachers, parents, certified school counselors, and
principals or other relevant school administrators of the
criteria and application procedures. The department must begin
this process of notification no later than January 1 of each
year.

(4) Funding for the Bright Futures Scholarship Program must
be allocated from the Education Enhancement Trust Fund and must
be provided before allocations from that fund are calculated for
disbursement to other educational entities.

(a) If funds appropriated are not adequate to provide the
maximum allowable award to each eligible applicant, awards in
all three components of the program must be prorated using the
same percentage reduction.

(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.

(a) Within 30 days after the end of regular registration
each semester, the educational institution shall certify to the
department the eligibility status of each student who receives
an award. After the end of the drop and add period, an
institution is not required to reevaluate or revise a student’s
eligibility status; however, an institution must make a refund
to the department within 30 days after the end of the semester
of any funds received for courses dropped by a student or
courses from which a student has withdrawn after the end of the 
drop and add period, unless the student has been granted an 
exception by the department pursuant to subsection (11).

(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.

(c) Each institution that receives moneys through this 
program shall provide for a financial audit, as defined in s. 
11.45, conducted by an independent certified public accountant 
or the Auditor General for each fiscal year in which the 
institution expends program moneys in excess of $100,000. At 
least every 2 years, the audit shall include an examination of 
the institution’s administration of the program and the 
institution’s accounting of the moneys for the program since the 
last examination of the institution’s administration of the 
program. The report on the audit must be submitted to the 
department within 9 months after the end of the fiscal year. The 
department may conduct its own annual audit of an institution’s 
administration of the program. The department may request a 
refund of any moneys overpaid to the institution for the 
program. The department may suspend or revoke an institution’s 
eligibility to receive future moneys for the program if the 
department finds that an institution has not complied with this
section. The institution must remit within 60 days any refund requested in accordance with this subsection.

(d) Any institution that is not subject to an audit pursuant to this subsection shall attest, under penalty of perjury, that the moneys were used in compliance with law. The attestation shall be made annually in a form and format determined by the department.

(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 Statutes, 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:

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.

(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 August 31 of the student’s graduation year in order to be evaluated for and, if eligible, receive an award for the current academic year.

(2)(a) A student graduating from high school prior to the 2010-2011 academic year is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 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 3 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 3-year eligibility period for his or her initial award shall begin upon the date of separation from active duty. For a student who is receiving a Florida Bright Futures Scholarship and discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 7-year renewal period shall commence upon the date of separation from active duty.

(b) Students graduating from high school in the 2010-2011 and 2011-2012 academic years are eligible to accept an initial award for 3 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 3 years after high school graduation. For a student who enlists in the United States Armed Forces immediately after completion of high school, the 3-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 5-year renewal period shall commence upon the date of separation from active duty. 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).
(c) 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 2 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 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. 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.

(3) For purposes of calculating the grade point average to be used in determining initial eligibility for a Florida Bright Futures Scholarship, the department shall assign additional weights to grades earned in the following courses:

(a) Courses identified in the course code directory as Advanced Placement, pre-International Baccalaureate, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), or Advanced International Certificate of Education.

(b) Courses designated as academic dual enrollment courses in the statewide course numbering system.

The department may assign additional weights to courses, other than those described in paragraphs (a) and (b), that are identified by the Department of Education as containing rigorous academic curriculum and performance standards. The additional weight assigned to a course pursuant to this subsection shall not exceed 0.5 per course. The weighted system shall be developed and distributed to all high schools in the state prior to January 1, 1998. The department may determine a student’s eligibility status during the senior year before graduation and may inform the student of the award at that time.

(4) Each school district shall annually provide to each
high school student in grade 11 or 12 a complete and accurate Florida Bright Futures Scholarship Evaluation Report and Key. The report shall be disseminated at the beginning of each school year. The report must include all high school coursework attempted, the number of credits earned toward each type of award, and the calculation of the grade point average for each award. The report must also identify all requirements not met per award, including the grade point average requirement, as well as identify the awards for which the student has met the academic requirements. The student report cards must contain a disclosure that the grade point average calculated for purposes of the Florida Bright Futures Scholarship Program may differ from the grade point average on the report card.

(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.

(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.

(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.
(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.

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.

(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 Statutes, 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 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:

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;

2. For students initially eligible prior to the 2010-2011
academic term, if at any time during the eligibility period a
student’s grades are insufficient to renew the scholarship, the
student may restore eligibility by improving the grade point
average to the required level. A student is eligible for such a
restoration one time. The Legislature encourages education
institutions to assist students to calculate whether or not it
is possible to raise the grade point average during the summer
term. If the institution determines that it is possible, the
education institution may so inform the department, which may
reserve the student’s award if funds are available. The renewal,
however, must not be granted until the student achieves the
required cumulative grade point average. If the summer term is
not sufficient to raise the grade point average to the required
renewal level, the student’s next opportunity for renewal is the
fall semester of the following academic year; or

2.3 For students initially eligible in the 2010-2011
academic term and thereafter, if at any time during a student’s
first academic year the student’s grades are insufficient to
renew the scholarship, the student may restore eligibility by
improving the grade point average to the required level. A
student is eligible for such a restoration one time. The
Legislature encourages education institutions to assist students
to calculate whether or not it is possible to raise the grade
point average during the summer term. If the education
institution determines that it is possible, the institution may
so inform the department, which may reserve the student’s award
if funds are available. The renewal, however, must not be
granted until the student achieves the required cumulative grade
point average. If the summer term is not sufficient to raise the
grade point average to the required renewal level, the student’s
next opportunity for renewal is the fall semester of the
following academic year.

(c) Reimburse or make satisfactory arrangements to
reimburse the institution for the award amount received for
courses dropped after the end of the drop and add period or
courses from which the student withdraws after the end of the
drop and add period unless the student has received an exception
pursuant to s. 1009.53(11).

(2) For students initially eligible in the 2010-2011
academic term and thereafter, and unless otherwise provided in
this section, if a student does not meet the requirements for
renewal of a scholarship because of lack of completion of
sufficient credit hours or insufficient grades, the scholarship
shall be renewed only if the student failed to complete
sufficient credit hours or to meet sufficient grade requirements
due to verifiable illness or other documented emergency, in
which case the student may be granted an exception from academic
requirements pursuant to s. 1009.40(1)(b)4.

(3)(a) A student who is initially eligible prior to the
2010-2011 academic year and is enrolled in a program that
terminates in an associate degree or a baccalaureate degree may
receive an award for a maximum of 110 percent of the number of credit hours required to complete the program. A student who is enrolled in a program that terminates in a career certificate may receive an award for a maximum of 110 percent of the credit hours or clock hours required to complete the program up to 90 credit hours.

(b) Students who are initially eligible in the 2010-2011 and 2011-2012 academic years may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program or a baccalaureate degree program or receive an award for a maximum of 100 percent of the credit hours or clock hours required to complete up to 90 credit hours of a program that terminates in a career certificate.

(a)(e) A student who is initially eligible in the 2012-2013 academic year and thereafter may receive an award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program or, for a Florida Gold Seal Vocational Scholars award, may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20), up to the number of hours
required for a specific certificate not to exceed 72 credit
hours or equivalent clock hours. A student who transfers from
one of these program levels to another program level becomes
eligible for the higher of the two credit hour limits.

(b)(d)1. A student who is initially eligible in the 2017-
2018 academic year and thereafter for a Florida Gold Seal CAPE
Scholars award under s. 1009.536(2) may receive an award for a
maximum of 100 percent of the number of credit hours or
equivalent clock hours required to complete one of the following
at a Florida public or nonpublic education institution that
offers these specific programs: for an applied technology
diploma program as defined in s. 1004.02(7), up to 60 credit
hours or equivalent clock hours; for a technical degree
education program as defined in s. 1004.02(13), up to the number
of hours required for a specific degree, not to exceed 72 credit
hours or equivalent clock hours; or for a career certificate
program as defined in s. 1004.02(20), up to the number of hours
required for a specific certificate, not to exceed 72 credit
hours or equivalent clock hours. A student who transfers from
one of these program levels to another program level is eligible
for the higher of the two credit hour limits.

2. A Florida Gold Seal CAPE Scholar who completes a
technical degree education program as defined in s. 1004.02(13)
may also receive an award for:

a. A maximum of 60 credit hours for a bachelor of science
degree program for which there is a statewide associate in
science degree program to bachelor of science degree program
articulation agreement; or

b. A maximum of 60 credit hours for a bachelor of applied
science degree program at a Florida College System institution.

(4) A student who receives an initial award during the spring term shall be evaluated for scholarship renewal after the completion of a full academic year, which begins with the fall term.

(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.

Section 14. Subsections (3), (4), and (5) of section 1009.536, Florida Statutes, are amended to read:

1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(3) A Florida Gold Seal Vocational Scholar or a Florida Gold Seal CAPE Scholar who is enrolled in a public or nonpublic postsecondary education institution is eligible for an award equal to the amount specified in the General Appropriations Act to assist with the payment of educational expenses.

(4) To be eligible for a renewal award as a Florida Gold Seal Vocational Scholar or a Florida Gold Seal CAPE Scholar, a student must maintain the equivalent of a cumulative grade point average of 2.75 on a 4.0 scale with an opportunity for restoration one time as provided in this chapter.

(5)(a) A student who is initially eligible prior to the 2010-2011 academic year may earn a Florida Gold Seal Vocational...
Scholarship for 110 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent.

(b) Students who are initially eligible in the 2010-2011 and 2011-2012 academic years may earn a Florida Gold Seal Vocational Scholarship for 100 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent.

(c) A student who is initially eligible in the 2012-2013 academic year and thereafter may earn a Florida Gold Seal Vocational Scholarship for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20), up to the number of hours required for a specific certificate not to exceed 72 credit hours or equivalent clock hours.

(d) 1. A student who is initially eligible in the 2017-2018 academic year and thereafter for a Florida Gold Seal CAPE Scholars award under subsection (2) may receive an award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete one of the following at a Florida public or nonpublic education institution that
offers these specific programs: for an applied technology diploma program as defined in s. 1004.02(7), up to 60 credit hours or equivalent clock hours; for a technical degree education program as defined in s. 1004.02(13), up to the number of hours required for a specific degree, not to exceed 72 credit hours or equivalent clock hours; or for a career certificate program as defined in s. 1004.02(20), up to the number of hours required for a specific certificate, not to exceed 72 credit hours or equivalent clock hours. A student who transfers from one of these program levels to another program level is eligible for the higher of the two credit hour limits.

2. A Florida Gold Seal CAPE Scholar who completes a technical degree education program as defined in s. 1004.02(13) may also receive an award for:

a. A maximum of 60 credit hours for a bachelor of science degree program for which there is a statewide associate in science degree program to bachelor of science degree program articulation agreement; or

b. A maximum of 60 credit hours for a bachelor of applied science degree program at a Florida College System institution.

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. (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 minimum percent balance of state operating funds within the next fiscal 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 approval and publishing by September 1, 2019, and each September 1 thereafter. The Board of Governors shall publish each university’s carry forward spending plan by October 1, 2019, and each October 1 thereafter.

(3) A university’s carry forward spending plan shall include the estimated cost per planned expenditure and a timeline for completion of the expenditure, when appropriate. 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 was previously provided that requires additional funds for completion and which is included in the list required by s. 1001.706(12)(d);

(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;

(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;

(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 approved by the board or specified in the
  General Appropriations Act.
  (4) Annually, by August 15, 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.
  Section 16. Paragraph (b) of subsection (6) of section
  1011.80, Florida Statutes, is amended to read:
  1011.80 Funds for operation of workforce education
  programs.—
  (6)
  (b) Performance funding for industry certifications for
  school district workforce education programs is contingent upon
  specific appropriation in the General Appropriations Act and
  shall be determined as follows:
  1. Occupational areas for which industry certifications may
  be earned, as established in the General Appropriations Act, are
  eligible for performance funding. Priority shall be given to the
  occupational areas emphasized in state, national, or corporate
  grants provided to Florida educational institutions.
  2. The Chancellor of Career and Adult Education shall
  identify the industry certifications eligible for funding on the
  CAPE Postsecondary Industry Certification Funding List approved
  by the State Board of Education pursuant to s. 1008.44, based on
the occupational areas specified in the General Appropriations Act.

3. Each school district shall be provided $1,000 for each industry certification earned by a workforce education student. The maximum amount of funding appropriated for performance funding pursuant to this paragraph shall be limited to $15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 17. Section 1011.802, Florida Statutes, is created to read:

1011.802 FLAG program.—
(1) Subject to appropriations provided in the General Appropriations Act, the Florida Apprenticeship Grant (FLAG) program is created to provide grants to high schools, career centers, charter technical career centers, Florida College System institutions, and other entities authorized to sponsor an apprenticeship or preapprenticeship program, as defined in s. 446.021, on a competitive basis to establish new apprenticeship or preapprenticeship programs and expand existing apprenticeship or preapprenticeship programs. The Department of Education shall administer the grant program.

(2) Applications must contain projected enrollment and projected costs for the new or expanded apprenticeship program.

(3) The department shall give priority to apprenticeship programs with demonstrated regional demand. Grant funds may be used for instructional equipment, supplies, personnel, student services, and other expenses associated with the creation or expansion of an apprenticeship program. Grant funds may not be used for recurring instructional costs or for indirect costs.
Grant recipients must submit quarterly reports in a format prescribed by the department.

(4) The State Board of Education may adopt rules to administer this section.

Section 18. Paragraph (c) of subsection (2) of section 1011.81, Florida Statutes, is amended to read:

(2) Performance funding for industry certifications for Florida College System institutions is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

(c) Each Florida College System institution shall be provided $1,000 for each industry certification earned by a student. The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to $15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 19. Paragraph (e) of subsection (3) of section 1011.84, Florida Statutes, is amended to read:

(3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—
(e) If at any time the unencumbered balance in the general fund of the Florida College System institution board of trustees...
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approved operating budget goes below 7 1/2 percent, the president
shall provide written notification to the State Board of
Education. Annually, by August 15, the chief financial officer
of each Florida College System institution shall certify the
unexpended amount of state funds remaining in the general fund
of an institution as of June 30 of the previous fiscal year.

Section 20. Subsection (2) of section 1013.03, Florida
Statutes, is amended to read:

1013.03 Functions of the department and the Board of
Governors.—The functions of the Department of Education as it
pertains to educational facilities of school districts and
Florida College System institutions and of the Board of
Governors as it pertains to educational facilities of state
universities shall include, but not be limited to, the
following:

(2) Establish, for the purpose of determining need,
equitably uniform utilization standards for all types of like
space, regardless of the level of education, that includes
standards for post-secondary classroom and teaching laboratory
space. These standards shall also establish, for postsecondary
education classrooms, a minimum room utilization rate of 40
hours per week and a minimum station utilization rate of 60
percent. These rates shall be subject to increase based on
national norms for utilization of postsecondary education
classrooms. The State Board of Education and the Board of
Governors shall adopt standards, with justification, for use in
each Florida College System institution’s survey and state
university’s survey, respectively, as applied pursuant to s.
1013.31.
(a) The boards must define and apply, at minimum, the following space utilization metrics when calculating space need:

1. For postsecondary education classroom space, a minimum room utilization rate and a minimum station utilization rate.

2. For postsecondary education nonvocational, teaching laboratory space, a minimum room utilization rate and a minimum station utilization rate.

(b) Each state university and Florida College System institution shall determine full-time equivalent enrollment estimate adjustments to account for online students.

(c) By January 1, 2021, the Board of Governors for state universities and the State Board of Education for Florida College System institutions shall each provide on its website the most recent summary survey data by state university or Florida College System institution, as applicable, showing space needs met for each campus by type of space. The format shall be consistent across all state universities and all Florida College System institutions.

Section 21. Paragraph (c) of subsection (1) of section 1013.31, Florida Statutes, is amended to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.—

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Department of Education shall document the need for additional career and adult education programs and
the continuation of existing programs before facility
construction or renovation related to career or adult education
may be included in the educational plant survey of a school
district or Florida College System institution that delivers
career or adult education programs. Information used by the
Department of Education to establish facility needs must
include, but need not be limited to, labor market data, needs
analysis, and information submitted by the school district or
Florida College System institution.

   (c) Required need assessment criteria for district, Florida
   College System institution, state university, and Florida School
   for the Deaf and the Blind plant surveys.—Educational plant
   surveys must use uniform data sources and criteria specified in
   this paragraph. Each revised educational plant survey and each
   new educational plant survey supersedes previous surveys.

     1. The school district’s survey must be submitted as a part
    of the district educational facilities plan defined in s.
    1013.35. To ensure that the data reported to the Department of
    Education as required by this section is correct, the department
    shall annually conduct an onsite review of 5 percent of the
    facilities reported for each school district completing a new
    survey that year. If the department’s review finds the data
    reported by a district is less than 95 percent accurate, within
    1 year from the time of notification by the department the
    district must submit revised reports correcting its data. If a
    district fails to correct its reports, the commissioner may
    direct that future fixed capital outlay funds be withheld until
    such time as the district has corrected its reports so that they
    are not less than 95 percent accurate.
2. Each survey of a special facility, joint-use facility, or cooperative career education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts and Florida College System institutions and by the Chancellor of the State University System for universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, Florida College System institutions, and universities, as appropriate. Projections of a school district’s facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.

3. Each Florida College System institution’s survey must reflect the capacity of existing facilities as specified in the inventory maintained by the Department of Education. Projections of facility space needs must comply with standards for determining space needs as specified by rule of the State Board of Education, consistent with the standards and metrics adopted pursuant to s. 1013.03(2)(a). The 5-year projection of capital outlay student enrollment must be consistent with the annual report of capital outlay full-time student enrollment prepared by the Department of Education.

4. Each state university’s survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Chancellor of the State University System. Projections of facility space needs must be consistent with standards for determining space needs as specified by regulation of the Board of Governors, consistent with the standards and metrics adopted pursuant to s. 1013.03(2)(a). The projected
capital outlay full-time equivalent student enrollment must be consistent with the 5-year planned enrollment cycle for the State University System approved by the Board of Governors.

5. The district educational facilities plan of a school district and the educational plant survey of a Florida College System institution, state university, or the Florida School for the Deaf and the Blind may include space needs that deviate from approved standards for determining space needs if the deviation is justified by the district or institution and approved by the department or the Board of Governors, as appropriate, as necessary for the delivery of an approved educational program.

Section 22. Subsection (4) of section 1013.40, Florida Statutes, is amended to read:

1013.40 Planning and construction of Florida College System institution facilities; property acquisition.—

(4) The campus of a Florida College System institution within a municipality designated as an area of critical state concern, as defined in s. 380.05, and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth, may construct dormitories for up to 300 beds for Florida College System institution students. Such dormitories are exempt from the building permit allocation system and may be constructed up to 45 feet in height if the dormitories are otherwise consistent with the comprehensive plan, the Florida College System institution has a hurricane evacuation plan that requires all dormitory occupants to be evacuated 48 hours in advance of tropical force winds, and transportation is provided for dormitory occupants during an evacuation. State funds and
tuition and fee revenues may not be used for construction, debt service payments, maintenance, or operation of such dormitories. Additional dormitory beds constructed after July 1, 2016, may not be financed through the issuance of bonds by the Florida College System institution; however, bonds may be issued by nonpublic entities as part of a public-private partnership between the college and a nonpublic entity.

Section 23. Subsections (2) and (3) of section 1013.60, Florida Statutes, are renumbered as subsections (3) and (4), respectively, subsection (1) of that section is amended, and a new subsection (2) is added to that section, to read:

1013.60 Legislative capital outlay budget request.—

(1) The Commissioner of Education shall develop a budget request allocation plan procedure deemed appropriate in arriving at the appropriate amounts required to fund each project as reflected in the integrated, comprehensive budget request required by this section. The official estimates for funds accruing to the Public Education Capital Outlay and Debt Service Trust Fund made by the Revenue Estimating Conference shall be used in determining the budget request pursuant to this section. The commissioner, in consultation with the appropriations committees of the Legislature, shall provide annually an estimate of funds that shall be utilized by Florida College System institutions and universities in developing their required 3-year prioritized priority lists pursuant to s. 1013.64.

(2) The commissioner shall include with the submission of each updated budget request allocation plan an assessment over the 3 years of the plan of the amount of state funding needed to
complete previously funded projects compared to the amount of funds provided in the Public Education Capital Outlay and Debt Service Trust Fund for projects funded in a prior year and which require additional state funds for completion.

Section 24. Paragraph (a) of subsection (4) of section 1013.64, Florida Statutes, is amended, and paragraphs (i) and (j) are added to subsection (1) of that section, to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(1) The Board of Governors shall specify by regulation the procedures for the reporting of funds appropriated or expended pursuant to this section or s. 1011.45. Each university shall report the amounts expended by the university from all sources, including, but not limited to, the Public Education Capital Outlay and Debt Service Trust Fund and carry forward funds.

(j) The State Board of Education shall specify by rule the procedures for the reporting of funds appropriated or expended pursuant to this section or s. 1013.841. Each Florida College System institution shall report the amounts expended by the institution from all sources, including, but not limited to, the Public Education Capital Outlay and Debt Service Trust Fund and carry forward funds.

(4)(a) Florida College System institution boards of trustees and university boards of trustees shall receive funds for projects based on a 3-year prioritized priority list, to be
updated annually, which is submitted to the Legislature in the legislative budget request at least 90 days before the legislative session. The State Board of Education shall submit a 3-year prioritized priority list for Florida College System institutions, and the Board of Governors shall submit a 3-year prioritized priority list for universities to the Legislature which shall be updated upon request after subsequent estimating conferences. The sum of each year’s project lists must consider the total amount to be distributed for construction and renovation provided for each year pursuant to the 3-year budget request allocation plan developed by the Commissioner of Education pursuant to s. 1013.60. The lists shall reflect decisions by the State Board of Education pursuant to s. 1001.03 for Florida College System institutions and the Board of Governors pursuant to s. 1001.706 for state universities concerning program priorities that implement the statewide plan for program growth and quality improvement in education. No remodeling or renovation project shall be included on the 3-year priority list unless the project has been recommended pursuant to s. 1013.31 or is for the purpose of correcting health and safety deficiencies. No new construction project shall be included on the first year of the 3-year priority list unless the educational specifications have been approved by the commissioner for a Florida College System institution project or by the Board of Governors for a university project, as applicable. The funds requested for a new construction project in the first year of the 3-year priority list shall be in conformance with the scope of the project as defined in the...
educational specifications. Any new construction project
requested in the first year of the 3-year priority list which is
not funded by the Legislature shall be carried forward to be
listed first in developing the updated 3-year priority list for
the subsequent year’s capital outlay budget. Should the order of
the priority of the projects change from year to year, a
justification for such change shall be included with the updated
priority list.

Section 25. Section 1013.841, Florida Statutes, is created
to read:

1013.841 End of year balance of Florida College System
institutions—

(1) Unexpended amounts in any fund in any Florida College
System institution current year state 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)(a) Each Florida College System institution with a final
FTE less than 15,000 for the prior year shall maintain a minimum
carry forward balance of at least 5 percent of its state
operating budget. If a Florida College System institution fails
to maintain a 5 percent balance in state operating funds, the
president shall provide written notification to the State Board
of Education.

(b) Each Florida College System institution with a final
FTE less than 15,000 for the prior year that retains a state
operating fund carry forward balance in excess of the 5 percent
minimum shall submit a spending plan for its excess carry
forward balance. The spending plan shall include all excess
carry forward funds from state operating funds. The spending
plan shall be submitted to the Florida College System institution’s board of trustees for approval and publishing by September 1, 2019, and each September 1 thereafter.

(3)(a) Each Florida College System institution with a final FTE of 15,000 or greater for the prior year shall maintain a minimum carry forward balance of at least 7 percent of its state operating budget. If a Florida College System institution fails to maintain a 7 percent balance in state operating funds, the institution shall submit a plan to the State Board of Education to attain the minimum balance.

(b) Each Florida College System institution with a final FTE of 15,000 or greater for the prior year 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 include all excess carry forward funds from state operating funds. The spending plan shall be submitted to the Florida College System institution’s board of trustees for approval and publishing by September 1, 2019, and each September 1 thereafter. The Florida College System institution shall submit approved plans to the State Board of Education for publication and review by October 1, 2019, and each October 1 thereafter.

(4) A Florida College System institution identified in paragraph (3)(a) must include in its carry forward spending plan 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 was previously
provided, which requires additional funds for completion, and
which is included in the list required by s. 1001.03(18)(d);

(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;

(c) Completion of a remodeling or infrastructure project,
up to $10 million per project, if such project is survey
recommended pursuant to s. 1013.31;

(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; and

(e) Operating expenditures that support the Florida College
System institution’s mission which are nonrecurring.

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

Section 26. By December 1, 2020, all survey recommended
projects for each state university and Florida College System
institution shall be reviewed and revised to incorporate the
updated space need calculation requirements as specified in s.
1013.31(1)(c), Florida Statutes.

Section 27. This act shall take effect July 1, 2019.