FLORIDA BOARD OF GOVERNORS NOTICE OF PROPOSED AMENDED REGULATION

DATE: July 23, 2020

REGULATION NUMBER AND TITLE: Regulation 9.007 State University Operating Budgets

SUMMARY:

This regulation is being amended to include language from Senate Bill 72.

Changes include:

- 1. University Boards of Trustees must approve the carryforward spending plan by September 30 (previously was September 1);
- 2. The Board of Governors must approve the carryforward spending plan by November 15 (previously was October 1); and
- 3. Universities can include in their carryforward plans a commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO PROPOSE REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED REGULATION: Tim Jones, Vice Chancellor Finance and Administ ration

COMMENTS REGARDING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

General Counsel, Board of Governors, State University System, 325 W. Gaines Street, Suite 1614, Tallahassee, Florida 32399, (850) 24366 (phone), (850) 2459685 (fax), or generalcounsel@flbog.edu

9.007 State University Operating Budgets and Requests

- (1) Each university president shall prepare an operating budget, including an Education & General (E&G) Carryforward Spending Plan, for approval by the university board of trustees in accordance with instructions, guidelines and standard formats provided by the Board of Governors.
- (2) Each university board of trustees shall adopt an operating budget, including an E&G Carryforward Spending Plan, for the general operation of the university as prescribed by the regulations of the Board of Governors. The university board of trustees-ratified operating budget and E&G Carryforward Spending Plan must be presented to the Board of Governors for approval by a date established by the Chancellor. Each university president shall implement the operating budget and E&G Carryforward Spending Plan of the university as prescribed by Florida Statutes, regulations of the Board of Governors, policies of the university board of t

- 2. Universities shall accumulate ending E&G fund balances for activities such as those outlined in section 3(a)(4). The ending E&G carryforward balances can only be used for nonrecurring expenditures. At any time the unencumbered available balance in the E&G fund of the university board of trustees approved operating budget falls below seven (7) percent of the approved total, the university -shall provide a written notification and plan to the Board of Governors to attain a seven (7) percent balance of state operating funds within the next fiscal year.
- 3. Each university that retains a state operating fund carryforward balance in excess of the seven (7) percent minimum shall submit an E&G Carryforward Spending Plan for its excess carry forward balance. The Carryforward Spending P board of trustees for review, approval, or if necessary, amendment by September 301, 2020, and each September 301 thereafter. The Board of

- f.g. A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36.
- 5. Annually, by September 30, the chief financial officer of each

- (d) Local Funds reports actual and estimated year revenues, expenditures, and positions for the following specific areas:
 - Student Activities revenues generated primarily from the activity and service fee each university is authorized to charge its students as a component of the mandatory fee schedule. Activities commonly supported by these revenues include student government, cultural events, student organizations, and intramural/club events.
 - 2. Intercollegiate Athletics revenues generated from the student athletic fee that each university is authorized to collect as a component of the mandatory fee schedule, and from other sources including ticket sales, radio/ TV, bowl games, and tournament revenues.
 - Concession Fund revenues generated from various vending activities located around the campuses. The u the various departments/ activities on each campus which benefit from receipt of these funds.
 - 4. Student Financial Aid revenues received by the university for loans, grants, scholarships, and other student financial aid. Expenditures of these funds must be reported by activities such as externally-funded loans, student scholarships, need-based financial aid, academic-based financial aid, and athletic grants/ scholarships.
 - 5. Technology Fee revenues generated from the technology fee that a university is authorized to charge its students as a component of the mandatory fee schedule. Proceeds from this fee shall be used to enhance instructional technology resources for students and faculty.
 - 6. Board-Approved Fees student fees presented to the Board of Governors for approval by a university board of trustees that is intended to address a student need not currently being met through existing university services, operations, or another fee.

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- (8) Any amendments to the approved E&G Carryforward Spending Plan during the fiscal year shall be reported to the Board of Governors for a time period and in a format as prescribed by the Chancellor.
- (9) Each university board of trustees may annually a Legislative Budget Request for operations. Such requests shall be made in accordance with the fiscal policy guidelines, formats, instructions, and schedule provided by the Chancellor.

Authority: Section 7(d), Art. IX, Fla. Const., History: New 12-6-