

4.004 Board of Governors Oversight Enforcement Authority

(1) The Joint Legislative Auditing Committee (JLAC) of the Florida Legislature has the authority to address state universities that have failed to take full corrective action in response to audit findings included in the two (2) preceding financial or operational audit reports in accordance with section 11.45(7)(j), Florida Statutes. The JLAC may request from a board of trustees a written statement explaining why full corrective action has not been taken or, if the board of trustees intends to take full corrective

there is no justifiable reason or has failed to comply with their requests made pursuant to section 11.45(7)(j), Florida Statutes, the JLAC shall refer the matter to the Board of Governors to proceed in accordance with this regulation. The Board of Governors' inspector general will review all instances referred to the Board of Governors by the JLAC.

(2) The Office of Inspector General and Director of Compliance (OIGC) Charter is incorporated herein by this reference.

(3) In addition to the OIGC investigative responsibilities outlined in the OIGC charter, the chancellor may determine that allegations of material noncompliance with any law or Board of Governors regulations warrant an investigation. The Board of Governors' inspector general shall provide direction for, supervise, and coordinate such investigations. When appropriate, matters of alleged non compliance will be forwarded to the proper university for

(6) If noncompliance is substantiated, and the Board of Governors determines that a university board of trustees is unwilling or unable to comply with any law, Board of Governors regulation, or audit recommendation within the specified timeframe, the Board of Governors may initiate any of the following actions:

- (a) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' regulation.
- (b) Declare the state university ineligible for competitive grants disbursed by the Board of Governors until the university complies with the law or Board of Governors' regulation.
- (c) Require monthly or periodic reporting on the situation related to non-compliance until it is remedied.
- (d) Report to the Legislature that the state university is unwilling or unable to comply with the law or Board of Governors' regulation and recommend action to be taken by the Legislature.

(7) Any actions taken by the Board of Governors pursuant to this regulation will be commensurate with, and take into account, the nature and severity of the noncompliance, the criticality of the compliance, and the reason for the university's failure to come into compliance.

Authority: Section 7(d), Art. IX, Fla. Const.; History: New 11-3-16; Amended 06-30-22