



264136

576-02497-14

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to postsecondary education; amending s. 1001.03, F.S.; requiring the State Board of Education to review baccalaureate degree programs currently offered by Florida College System institutions, rather than proposed baccalaureate degree programs; amending s. 1001.60, F.S.; revising the purpose of the Florida College System with regard to baccalaureate degrees; conforming provisions to changes made by the act; deleting provisions that authorize a Florida College System institution to change its name; requiring a Florida College System institution authorized to offer a baccalaureate degree before a specified date to maintain an agreement with the State Board of Education; repealing s. 1004.32, F.S., relating to New College of Florida; amending s. 1004.65, F.S.; revising a Florida College System institution's primary responsibilities and secondary role as they relate to providing upper-level instruction and awarding baccalaureate degrees; authorizing a Florida College System institution to provide access to and award baccalaureate degrees for the completion of baccalaureate degree programs that are approved by the State Board of Education on or before a specified date; amending s. 1007.33, F.S.; prohibiting the State Board of Education from approving a Florida College System institution's



264136

576-02497-14

28 proposal to establish a new baccalaureate degree  
29 program after a specified date; deleting legislative  
30 intent relating to expanding access to baccalaureate  
31 degree programs through Florida College System  
32 institutions; authorizing a Florida College System  
33 institution to offer baccalaureate degree programs  
34 that are authorized by law before a specified date;  
35 deleting provisions relating to the authorization of  
36 the Board of Trustees of St. Petersburg College to  
37 establish certain baccalaureate degree programs and  
38 associate degree programs; deleting provisions  
39 relating to the approval process for proposed  
40 baccalaureate degree programs; conforming provisions  
41 to changes made by the act; amending s. 1009.22, F.S.;  
42 deleting a provision relating to the automatic rate of  
43 inflation increase in tuition and out-of-state fee per  
44 contact hour for workforce education programs;  
45 deleting a requirement that the Office of Economic and  
46 Demographic Research annually report the rate of  
47 inflation to the Governor, the Legislature, and the  
48 State Board of Education; deleting the definition of  
49 the term "rate of inflation"; amending s. 1009.23,  
50 F.S.; requiring the board of trustees of a Florida  
51 College System institution to establish tuition and  
52 out-of-state fees for upper-division courses in  
53 baccalaureate degree programs at the same rate as  
54 lower-division courses; deleting a provision relating  
55 to the automatic rate of inflation increase in tuition  
56 and out-of-state fees at Florida College System



264136

576-02497-14

57 institutions; deleting a requirement that the Office  
58 of Economic and Demographic Research annually report  
59 the rate of inflation to the Governor, the  
60 Legislature, and the State Board of Education;  
61 deleting the definition of the term "rate of  
62 inflation"; amending s. 1009.24, F.S.; deleting a  
63 provision relating to the automatic rate of inflation  
64 increase in resident undergraduate tuition per credit  
65 hour at state universities; deleting a requirement  
66 that the Office of Economic and Demographic Research  
67 annually report the rate of inflation to the Governor,  
68 the Legislature, and the Board of Governors; deleting  
69 the definition of the term "rate of inflation";  
70 revising the annual percentage increase allowed in the  
71 aggregate sum of tuition and the tuition differential  
72 at state universities; providing for retroactive  
73 application; providing an effective date.

74

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

76

77 Section 1. Subsection (15) of section 1001.03, Florida  
78 Statutes, is amended to read:

79 1001.03 Specific powers of State Board of Education.—

80 (15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE  
81 DEGREE PROGRAMS.—The State Board of Education shall provide for  
82 the review ~~and approval~~ of ~~proposals by~~ Florida College System  
83 institution ~~institutions to offer~~ baccalaureate degree programs  
84 pursuant to s. 1007.33. A Florida College System institution, as  
85 defined in s. 1000.21 which, ~~that~~ is approved to offer



264136

576-02497-14

86 baccalaureate degrees pursuant to s. 1007.33 remains under the  
87 authority of the State Board of Education and the Florida  
88 College System institution's board of trustees.

89 Section 2. Subsections (1) and (2) of section 1001.60,  
90 Florida Statutes, are amended to read:

91 1001.60 Florida College System.—

92 (1) PURPOSES.—In order to maximize open access for  
93 students, respond to community needs for postsecondary academic  
94 education and career degree education, and provide associate ~~and~~  
95 ~~baccalaureate~~ degrees that will best meet the state's employment  
96 needs, the Legislature establishes a system of governance for  
97 the Florida College System.

98 (2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida  
99 College System comprised of the Florida College System  
100 institutions identified in s. 1000.21(3). A Florida College  
101 System institution may not offer graduate degree programs.

102 (a) The programs and services offered by Florida College  
103 System institutions in providing ~~associate and~~ baccalaureate  
104 degrees authorized on or before March 31, 2014, and associate  
105 degrees shall be delivered in a cost-effective manner that  
106 demonstrates substantial savings to the student and to the state  
107 over the cost of providing the degree at a state university.

108 ~~(b) 1. A~~ A ~~With the approval of its district board of~~  
109 ~~trustees, a Florida College System institution may change the~~  
110 ~~institution's name set forth in s. 1000.21(3) and use the~~  
111 ~~designation "college" or "state college" if it has been~~  
112 ~~authorized to grant baccalaureate degrees pursuant to s. 1007.33~~  
113 ~~and has been accredited as a baccalaureate-degree-granting~~  
114 ~~institution by the Commission on Colleges of the Southern~~



264136

576-02497-14

115 ~~Association of Colleges and Schools.~~

116 ~~2. With the approval of its district board of trustees, a~~  
117 ~~Florida College System institution that does not meet the~~  
118 ~~criteria in subparagraph 1. may request approval from the State~~  
119 ~~Board of Education to change the institution's name set forth in~~  
120 ~~s. 1000.21(3) and use the designation "college." The State Board~~  
121 ~~of Education may approve the request if the Florida College~~  
122 ~~System institution authorized to offer a baccalaureate degree on~~  
123 ~~or before March 31, 2014, must maintain enters into an agreement~~  
124 ~~with the State Board of Education to do the following:~~

125 ~~1.a.~~ Maintain as its primary mission responsibility for  
126 responding to community needs for postsecondary academic  
127 education and career degree education as prescribed in s.  
128 1004.65(5).

129 ~~2.b.~~ Maintain an open-door admissions policy for associate-  
130 level degree programs and workforce education programs.

131 ~~3.e.~~ Continue to provide outreach to underserved  
132 populations.

133 ~~4.d.~~ Continue to provide remedial education.

134 ~~5.e.~~ Comply with all provisions of the statewide  
135 articulation agreement that relate to 2-year and 4-year public  
136 degree-granting institutions as adopted by the State Board of  
137 Education pursuant to s. 1007.23.

138 ~~(c) A district board of trustees that approves a change to~~  
139 ~~the name of an institution under paragraph (b) must seek~~  
140 ~~statutory codification of such name change in s. 1000.21(3)~~  
141 ~~during the next regular legislative session.~~

142 ~~(c)(d)~~ A Florida College System institution may not use the  
143 designation "university."



264136

576-02497-14

144 Section 3. Section 1004.32, Florida Statutes, is repealed.

145 Section 4. Paragraph (f) of subsection (5), subsection (6),  
146 and paragraph (d) of subsection (8) of section 1004.65, Florida  
147 Statutes, are amended to read:

148 1004.65 Florida College System institutions; governance,  
149 mission, and responsibilities.—

150 (5) The primary mission and responsibility of Florida  
151 College System institutions is responding to community needs for  
152 postsecondary academic education and career degree education.  
153 This mission and responsibility includes being responsible for:

154 ~~(f) Providing upper level instruction and awarding~~  
155 ~~baccalaureate degrees as specifically authorized by law.~~

156 (6) A separate and secondary role for Florida College  
157 System institutions includes the providing of upper level  
158 instruction, the awarding of baccalaureate degrees specifically  
159 authorized by law, and the offering of programs in:

160 (a) Community services that are not directly related to  
161 academic or occupational advancement.

162 (b) Adult education services, including adult basic  
163 education, adult general education, adult secondary education,  
164 and General Educational Development test instruction.

165 (c) Recreational and leisure services.

166 (8) Florida College System institutions are authorized to:

167 (d) Provide access to and award baccalaureate degrees for  
168 the completion of baccalaureate degree programs that are  
169 approved by the State Board of Education on or before March 31,  
170 2014 in accordance with law.

171  
172 Authority to offer one or more baccalaureate degree programs



264136

576-02497-14

173 does not alter the governance relationship of the Florida  
174 College System institution with its district board of trustees  
175 or the State Board of Education.

176 Section 5. Section 1007.33, Florida Statutes, is amended to  
177 read:

178 1007.33 Site-determined baccalaureate degree access.-

179 (1) ~~(a)~~ The State Board of Education may not approve of a  
180 Florida College System institution's proposal to establish a new  
181 baccalaureate degree program after March 31, 2014 Legislature  
182 ~~recognizes that public and private postsecondary educational~~  
183 ~~institutions play an essential role in improving the quality of~~  
184 ~~life and economic well-being of the state and its residents. The~~  
185 ~~Legislature also recognizes that economic development needs and~~  
186 ~~the educational needs of place-bound, nontraditional students~~  
187 ~~have increased the demand for local access to baccalaureate~~  
188 ~~degree programs. It is therefore the intent of the Legislature~~  
189 ~~to further expand access to baccalaureate degree programs~~  
190 ~~through the use of Florida College System institutions.~~

191 ~~(b) For purposes of this section, the term "district"~~  
192 ~~refers to the county or counties served by a Florida College~~  
193 ~~System institution pursuant to s. 1000.21(3).~~

194 (2) A Any Florida College System institution that offers  
195 one or more baccalaureate degree programs that are approved by  
196 the State Board of Education on or before March 31, 2014, must:

197 (a) Maintain as its primary mission:

198 1. Responsibility for responding to community needs for  
199 postsecondary academic education and career degree education as  
200 prescribed in s. 1004.65(5).

201 2. The provision of associate degrees that provide access



264136

576-02497-14

202 to a university.

203 (b) Maintain an open-door admission policy for associate-  
204 level degree programs and workforce education programs.

205 (c) Continue to provide outreach to underserved  
206 populations.

207 (d) Continue to provide remedial education.

208 (e) Comply with all provisions of the statewide  
209 articulation agreement which relate to 2-year and 4-year public  
210 degree-granting institutions as adopted by the State Board of  
211 Education pursuant to s. 1007.23.

212 (f) Not award graduate credit.

213 (g) Not participate in intercollegiate athletics beyond the  
214 2-year level.

215 (3) A Florida College System institution may not terminate  
216 its associate in arts or associate in science degree programs as  
217 a result of being authorized to offer one or more baccalaureate  
218 degree programs. The Legislature intends that the primary  
219 responsibility of a Florida College System institution,  
220 including a Florida College System institution that offers  
221 baccalaureate degree programs, continues to be the provision of  
222 associate degrees that provide access to a university.

223 (4) A Florida College System institution may:

224 (a) Offer specified baccalaureate degree programs through  
225 formal agreements between the Florida College System institution  
226 and other regionally accredited postsecondary educational  
227 institutions pursuant to s. 1007.22.

228 (b) Offer baccalaureate degree programs that were approved  
229 by the State Board of Education on or before March 31, 2014  
230 authorized by law prior to July 1, 2009.





264136

576-02497-14

231 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~  
232 ~~baccalaureate degree program for purposes of meeting district,~~  
233 ~~regional, or statewide workforce needs if approved by the State~~  
234 ~~Board of Education under this section.~~

235

236 ~~Beginning July 1, 2009, the Board of Trustees of the St.~~  
237 ~~Petersburg College is authorized to establish one or more~~  
238 ~~bachelor of applied science degree programs based on an analysis~~  
239 ~~of workforce needs in Pinellas, Pasco, and Hernando Counties and~~  
240 ~~other counties approved by the Department of Education. For each~~  
241 ~~program selected, St. Petersburg College must offer a related~~  
242 ~~associate in science or associate in applied science degree~~  
243 ~~program, and the baccalaureate degree level program must be~~  
244 ~~designed to articulate fully with at least one associate in~~  
245 ~~science degree program. The college is encouraged to develop~~  
246 ~~articulation agreements for enrollment of graduates of related~~  
247 ~~associate in applied science degree programs. The Board of~~  
248 ~~Trustees of the St. Petersburg College is authorized to~~  
249 ~~establish additional baccalaureate degree programs if it~~  
250 ~~determines a program is warranted and feasible based on each of~~  
251 ~~the factors in paragraph (5)(d). Prior to developing or~~  
252 ~~proposing a new baccalaureate degree program, St. Petersburg~~  
253 ~~College shall engage in need, demand, and impact discussions~~  
254 ~~with the state university in its service district and other~~  
255 ~~local and regional, accredited postsecondary providers in its~~  
256 ~~region. Documentation, data, and other information from inter-~~  
257 ~~institutional discussions regarding program need, demand, and~~  
258 ~~impact shall be provided to the college's board of trustees to~~  
259 ~~inform the program approval process. Employment at St.~~



264136

576-02497-14

260 ~~Petersburg College is governed by the same laws that govern~~  
261 ~~Florida College System institutions, except that upper-division~~  
262 ~~faculty are eligible for continuing contracts upon the~~  
263 ~~completion of the fifth year of teaching. Employee records for~~  
264 ~~all personnel shall be maintained as required by s. 1012.81.~~

265 ~~(5) The approval process for baccalaureate degree programs~~  
266 ~~shall require:~~

267 ~~(a) Each Florida College System institution to submit a~~  
268 ~~notice of its intent to propose a baccalaureate degree program~~  
269 ~~to the Division of Florida Colleges at least 100 days before the~~  
270 ~~submission of its proposal under paragraph (d). The notice must~~  
271 ~~include a brief description of the program, the workforce demand~~  
272 ~~and unmet need for graduates of the program to include evidence~~  
273 ~~from entities independent of the institution, the geographic~~  
274 ~~region to be served, and an estimated timeframe for~~  
275 ~~implementation. Notices of intent may be submitted by a Florida~~  
276 ~~College System institution at any time throughout the year. The~~  
277 ~~notice must also include evidence that the Florida College~~  
278 ~~System institution engaged in need, demand, and impact~~  
279 ~~discussions with the state university and other regionally~~  
280 ~~accredited postsecondary education providers in its service~~  
281 ~~district.~~

282 ~~(b) The Division of Florida Colleges to forward the notice~~  
283 ~~of intent within 10 business days after receiving such notice to~~  
284 ~~the Chancellor of the State University System, the President of~~  
285 ~~the Independent Colleges and Universities of Florida, and the~~  
286 ~~Executive Director of the Commission for Independent Education.~~  
287 ~~State universities shall have 60 days following receipt of the~~  
288 ~~notice by the Chancellor of the State University System to~~



264136

576-02497-14

289 ~~submit objections to the proposed new program or submit an~~  
290 ~~alternative proposal to offer the baccalaureate degree program.~~  
291 ~~If a proposal from a state university is not received within the~~  
292 ~~60-day period, the State Board of Education shall provide~~  
293 ~~regionally accredited private colleges and universities 30 days~~  
294 ~~to submit objections to the proposed new program or submit an~~  
295 ~~alternative proposal. Objections or alternative proposals shall~~  
296 ~~be submitted to the Division of Florida Colleges and must be~~  
297 ~~considered by the State Board of Education in making its~~  
298 ~~decision to approve or deny a Florida College System~~  
299 ~~institution's proposal.~~

300 ~~(c) An alternative proposal submitted by a state university~~  
301 ~~or private college or university to adequately address:~~

302 ~~1. The extent to which the workforce demand and unmet need~~  
303 ~~described in the notice of intent will be met.~~

304 ~~2. The extent to which students will be able to complete~~  
305 ~~the degree in the geographic region proposed to be served by the~~  
306 ~~Florida College System institution.~~

307 ~~3. The level of financial commitment of the college or~~  
308 ~~university to the development, implementation, and maintenance~~  
309 ~~of the specified degree program, including timelines.~~

310 ~~4. The extent to which faculty at both the Florida College~~  
311 ~~System institution and the college or university will~~  
312 ~~collaborate in the development and offering of the curriculum.~~

313 ~~5. The ability of the Florida College System institution~~  
314 ~~and the college or university to develop and approve the~~  
315 ~~curriculum for the specified degree program within 6 months~~  
316 ~~after an agreement between the Florida College System~~  
317 ~~institution and the college or university is signed.~~



264136

576-02497-14

318 ~~6. The extent to which the student may incur additional~~  
319 ~~costs above what the student would expect to incur if the~~  
320 ~~program were offered by the Florida College System institution.~~

321 ~~(d) Each proposal submitted by a Florida College System~~  
322 ~~institution to, at a minimum, include:~~

323 ~~1. A description of the planning process and timeline for~~  
324 ~~implementation.~~

325 ~~2. An analysis of workforce demand and unmet need for~~  
326 ~~graduates of the program on a district, regional, or statewide~~  
327 ~~basis, as appropriate, including evidence from entities~~  
328 ~~independent of the institution.~~

329 ~~3. Identification of the facilities, equipment, and library~~  
330 ~~and academic resources that will be used to deliver the program.~~

331 ~~4. The program cost analysis of creating a new~~  
332 ~~baccalaureate degree when compared to alternative proposals and~~  
333 ~~other program delivery options.~~

334 ~~5. The program's admission requirements, academic content,~~  
335 ~~curriculum, faculty credentials, student-to-teacher ratios, and~~  
336 ~~accreditation plan.~~

337 ~~6. The program's enrollment projections and funding~~  
338 ~~requirements.~~

339 ~~7. A plan of action if the program is terminated.~~

340 ~~(e) The Division of Florida Colleges to review the~~  
341 ~~proposal, notify the Florida College System institution of any~~  
342 ~~deficiencies in writing within 30 days following receipt of the~~  
343 ~~proposal, and provide the Florida College System institution~~  
344 ~~with an opportunity to correct the deficiencies. Within 45 days~~  
345 ~~following receipt of a completed proposal by the Division of~~  
346 ~~Florida Colleges, the Commissioner of Education shall recommend~~



264136

576-02497-14

347 ~~approval or disapproval of the proposal to the State Board of~~  
348 ~~Education. The State Board of Education shall consider such~~  
349 ~~recommendation, the proposal, and any objections or alternative~~  
350 ~~proposals at its next meeting. If the State Board of Education~~  
351 ~~disapproves the Florida College System institution's proposal,~~  
352 ~~it shall provide the Florida College System institution with~~  
353 ~~written reasons for that determination.~~

354 ~~(f) The Florida College System institution to obtain from~~  
355 ~~the Commission on Colleges of the Southern Association of~~  
356 ~~Colleges and Schools accreditation as a baccalaureate degree-~~  
357 ~~granting institution if approved by the State Board of Education~~  
358 ~~to offer its first baccalaureate degree program.~~

359 ~~(g) The Florida College System institution to notify the~~  
360 ~~Commission on Colleges of the Southern Association of Colleges~~  
361 ~~and Schools of subsequent degree programs that are approved by~~  
362 ~~the State Board of Education and to comply with the~~  
363 ~~association's required substantive change protocols for~~  
364 ~~accreditation purposes.~~

365 ~~(5)(h) A~~ The Florida College System institution authorized  
366 to offer baccalaureate degrees must ~~to~~ annually, and upon  
367 request of the State Board of Education, the Commissioner of  
368 Education, the Chancellor of the Florida College System, or the  
369 Legislature, report its status using the following performance  
370 and compliance indicators:

371 (a)1. Obtaining and maintaining appropriate Southern  
372 Association of Colleges and Schools accreditation;

373 (b)2. Maintaining qualified faculty and institutional  
374 resources;

375 (c)3. Maintaining enrollment in previously approved



264136

576-02497-14

376 programs;  
377 (d)4. Managing fiscal resources appropriately;  
378 (e)5. Complying with the primary mission and responsibility  
379 requirements in subsections (1) and (2) and ~~(3)~~; and  
380 (f)6. Other indicators of success, including program  
381 completions, placements, and surveys of graduates and employers.  
382

383 The State Board of Education, upon review of the performance and  
384 compliance indicators specified in this subsection, may require  
385 a Florida College System institution's board of trustees to  
386 modify or terminate a baccalaureate degree program authorized  
387 under this section.

388 (6) The State Board of Education shall adopt rules to  
389 administer this section ~~prescribe format and content~~  
390 ~~requirements and submission procedures for notices of intent,~~  
391 ~~proposals, alternative proposals, and compliance reviews under~~  
392 ~~subsection (5).~~

393 Section 6. Paragraph (d) of subsection (3) of section  
394 1009.22, Florida Statutes, is amended to read:

395 1009.22 Workforce education postsecondary student fees.—

396 (3)

397 (d) Beginning with the 2008-2009 fiscal year and in the  
398 fall semester of each year thereafter, the rate for the tuition  
399 and the out-of-state fee per contact hour shall be increase at  
400 ~~the beginning of each fall semester at a rate equal to~~  
401 ~~inflation, unless otherwise~~ provided in the General  
402 Appropriations Act. If the rate is not provided in the General  
403 Appropriations Act ~~The Office of Economic and Demographic~~  
404 ~~Research shall report the rate of inflation to the President of~~



264136

576-02497-14

405 ~~the Senate, the Speaker of the House of Representatives, the~~  
406 ~~Governor, and the State Board of Education each year prior to~~  
407 ~~March 1. For purposes of this paragraph, the rate of inflation~~  
408 ~~shall be defined as the rate of the 12-month percentage change~~  
409 ~~in the Consumer Price Index for All Urban Consumers, U.S. City~~  
410 ~~Average, All Items, or successor reports as reported by the~~  
411 ~~United States Department of Labor, Bureau of Labor Statistics,~~  
412 ~~or its successor for December of the previous year. In the event~~  
413 ~~the percentage change is negative, the tuition and out-of-state~~  
414 ~~fee must shall remain at the same level as the prior fiscal~~  
415 ~~year.~~

416 Section 7. Paragraph (b) of subsection (2) and paragraph  
417 (c) of subsection (3) of section 1009.23, Florida Statutes, are  
418 amended to read:

419 1009.23 Florida College System institution student fees.—

420 (2)

421 (b) Tuition and out-of-state fees for upper-division  
422 courses must reflect the fact that the Florida College System  
423 institution has a less expensive cost structure than that of a  
424 state university. Therefore, the board of trustees shall  
425 establish tuition and out-of-state fees for upper-division  
426 courses in baccalaureate degree programs approved pursuant to s.  
427 1007.33 at the same rate as lower-division courses unless  
428 otherwise established by law or consistent with law and provide  
429 ~~language in~~ the General Appropriations Act. However, the board  
430 of trustees may vary tuition and out-of-state fees only as  
431 provided in subsection (6) and s. 1009.26(11).

432 (3)

433 (c) Beginning with the 2008-2009 fiscal year and in the



264136

576-02497-14

434 fall semester of each year thereafter, the rate for the tuition  
435 and the out-of-state fee shall be increase at the beginning of  
436 each fall semester at a rate equal to inflation, unless  
437 otherwise provided in the General Appropriations Act. If the  
438 rate is not provided in the General Appropriations Act The  
439 Office of Economic and Demographic Research shall report the  
440 rate of inflation to the President of the Senate, the Speaker of  
441 the House of Representatives, the Governor, and the State Board  
442 of Education each year prior to March 1. For purposes of this  
443 paragraph, the rate of inflation shall be defined as the rate of  
444 the 12-month percentage change in the Consumer Price Index for  
445 All Urban Consumers, U.S. City Average, All Items, or successor  
446 reports as reported by the United States Department of Labor,  
447 Bureau of Labor Statistics, or its successor for December of the  
448 previous year. In the event the percentage change is negative,  
449 the tuition and the out-of-state fee per credit hour must shall  
450 remain at the same levels as the prior fiscal year.

451 Section 8. Paragraph (b) of subsection (4) and paragraph  
452 (b) of subsection (16) of section 1009.24, Florida Statutes, are  
453 amended to read:

454 1009.24 State university student fees.-

455 (4)

456 (b) Beginning with the 2008-2009 fiscal year and in the  
457 fall semester of each year thereafter, the rate for the resident  
458 undergraduate tuition per credit hour shall be increase at the  
459 beginning of each fall semester at a rate equal to inflation,  
460 unless otherwise provided in the General Appropriations Act. If  
461 the rate is not provided in the General Appropriations Act The  
462 Office of Economic and Demographic Research shall report the





264136

576-02497-14

463 ~~rate of inflation to the President of the Senate, the Speaker of~~  
464 ~~the House of Representatives, the Governor, and the Board of~~  
465 ~~Governors each year prior to March 1. For purposes of this~~  
466 ~~paragraph, the rate of inflation shall be defined as the rate of~~  
467 ~~the 12-month percentage change in the Consumer Price Index for~~  
468 ~~All Urban Consumers, U.S. City Average, All Items, or successor~~  
469 ~~reports as reported by the United States Department of Labor,~~  
470 ~~Bureau of Labor Statistics, or its successor for December of the~~  
471 ~~previous year. In the event the percentage change is negative,~~  
472 the resident undergraduate tuition must ~~shall~~ remain at the same  
473 level as the prior fiscal year.

474 (16) Each university board of trustees may establish a  
475 tuition differential for undergraduate courses upon receipt of  
476 approval from the Board of Governors. The tuition differential  
477 must ~~shall~~ promote improvements in the quality of undergraduate  
478 education and shall provide financial aid to undergraduate  
479 students who exhibit financial need.

480 (b) Each tuition differential is subject to the following  
481 conditions:

482 1. The tuition differential may be assessed on one or more  
483 undergraduate courses or on all undergraduate courses at a state  
484 university.

485 2. The tuition differential may vary by course or courses,  
486 campus or center location, and by institution. Each university  
487 board of trustees shall strive to maintain and increase  
488 enrollment in degree programs related to math, science, high  
489 technology, and other state or regional high-need fields when  
490 establishing tuition differentials by course.

491 3. For each state university that has total research and



264136

576-02497-14

492 development expenditures for all fields of at least \$100 million  
493 per year as reported annually to the National Science  
494 Foundation, the aggregate sum of tuition and the tuition  
495 differential may not be increased by more than 6 ~~15~~ percent of  
496 the total charged for the aggregate sum of these fees in the  
497 preceding fiscal year. For each state university that has total  
498 research and development expenditures for all fields of less  
499 than \$100 million per year as reported annually to the National  
500 Science Foundation, the aggregate sum of tuition and the tuition  
501 differential may not be increased by more than 6 ~~15~~ percent of  
502 the total charged for the aggregate sum of these fees in the  
503 preceding fiscal year.

504 4. The aggregate sum of undergraduate tuition and fees per  
505 credit hour, including the tuition differential, may not exceed  
506 the national average of undergraduate tuition and fees at 4-year  
507 degree-granting public postsecondary educational institutions.

508 5. The tuition differential may ~~shall~~ not be included in  
509 any award under the Florida Bright Futures Scholarship Program  
510 established pursuant to ss. 1009.53-1009.538.

511 6. Beneficiaries having prepaid tuition contracts pursuant  
512 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and  
513 which remain in effect, are exempt from the payment of the  
514 tuition differential.

515 7. The tuition differential may not be charged to any  
516 student who was in attendance at the university before July 1,  
517 2007, and who maintains continuous enrollment.

518 8. The tuition differential may be waived by the university  
519 for students who meet the eligibility requirements for the  
520 Florida public student assistance grant established in s.



264136

576-02497-14

521 1009.50.

522           9. Subject to approval by the Board of Governors, the  
523 tuition differential authorized pursuant to this subsection may  
524 take effect with the 2009 fall term.

525           Section 9. This act shall take effect upon becoming a law  
526 and shall apply retroactively to March 31, 2014.