

By the Committees on Appropriations; and Education

576-03323-14

20141148c1

1 A bill to be entitled
2 An act relating to postsecondary education; amending
3 s. 1001.03, F.S.; requiring the State Board of
4 Education to review baccalaureate degree programs
5 currently offered by Florida College System
6 institutions, rather than proposed baccalaureate
7 degree programs; amending s. 1001.60, F.S.; revising
8 the purpose of the Florida College System with regard
9 to baccalaureate degrees; conforming provisions to
10 changes made by the act; deleting provisions that
11 authorize a Florida College System institution to
12 change its name; requiring a Florida College System
13 institution authorized to offer a baccalaureate degree
14 before a specified date to maintain an agreement with
15 the State Board of Education; repealing s. 1004.32,
16 F.S., relating to New College of Florida; amending s.
17 1004.65, F.S.; revising a Florida College System
18 institution's primary responsibilities and secondary
19 role as they relate to providing upper-level
20 instruction and awarding baccalaureate degrees;
21 authorizing a Florida College System institution to
22 provide access to and award baccalaureate degrees for
23 the completion of baccalaureate degree programs that
24 are approved by the State Board of Education on or
25 before a specified date; amending s. 1007.33, F.S.;
26 prohibiting the State Board of Education from
27 approving a Florida College System institution's
28 proposal to establish a new baccalaureate degree
29 program after a specified date; deleting legislative

576-03323-14

20141148c1

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
57 institutions; deleting a requirement that the Office
58 of Economic and Demographic Research annually report

576-03323-14

20141148c1

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; amending s. 1009.55, F.S.;
73 increasing the annual maximum number of scholarships
74 that may be awarded in the Rosewood Family Scholarship
75 Program; increasing the annual maximum award amount
76 per student; creating s. 1009.893, F.S.; creating the
77 Florida National Merit Scholar Incentive Program;
78 defining terms; providing the purpose of the incentive
79 program; requiring the Department of Education to
80 administer the incentive program, advertise the
81 availability of the incentive program, and notify
82 students, teachers, parents, and school administrators
83 about the incentive program's criteria and application
84 procedures; providing eligibility requirements for the
85 incentive program; requiring certain students who are
86 National Merit Scholars or National Achievement
87 Scholars to receive certain incentive awards;

576-03323-14

20141148c1

88 providing eligibility requirements to renew an award;
89 authorizing a student to receive an incentive award
90 for certain maximum percentage amounts of the number
91 of credit hours required to complete an associate
92 degree, a baccalaureate degree, or a career
93 certificate; requiring the department to issue awards
94 from the incentive program and to transmit payment for
95 each award; authorizing the department to withhold
96 payment under certain circumstances; requiring
97 institutions to certify to the department the
98 eligibility status of each student to receive a
99 disbursement of an award during a specified time;
100 requiring the institution to certify to the department
101 the disbursement amounts to each student and remit to
102 the department undisbursed funds; providing for
103 proration of funds; prohibiting use of funds for
104 remedial coursework or developmental education;
105 authorizing a student to use funds during the summer
106 term under certain circumstances; authorizing
107 incentive program funds appropriated by the
108 Legislature to be deposited in the State Student
109 Financial Assistance Trust Fund; providing for use of
110 any remaining balance of appropriated funds in the
111 trust fund; requiring the department to allocate funds
112 to appropriate institutions and collect and maintain
113 certain data regarding the incentive program;
114 requiring the State Board of Education to adopt rules;
115 providing for retroactive application; providing an
116 effective date.

576-03323-14

20141148c1

117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145

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

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

1001.03 Specific powers of State Board of Education.—

(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE DEGREE PROGRAMS.—The State Board of Education shall provide for the review ~~and approval~~ of ~~proposals by~~ Florida College System institution ~~institutions to offer~~ baccalaureate degree programs pursuant to s. 1007.33. A Florida College System institution, as defined in s. 1000.21 which, ~~that~~ is approved to offer baccalaureate degrees pursuant to s. 1007.33 remains under the authority of the State Board of Education and the Florida College System institution's board of trustees.

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

1001.60 Florida College System.—

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

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

(a) The programs and services offered by Florida College

576-03323-14

20141148c1

146 System institutions in providing ~~associate and baccalaureate~~
147 degrees authorized on or before March 31, 2014, and associate
148 degrees shall be delivered in a cost-effective manner that
149 demonstrates substantial savings to the student and to the state
150 over the cost of providing the degree at a state university.

151 (b)1. ~~A~~ With the approval of its district board of
152 ~~trustees, a Florida College System institution may change the~~
153 ~~institution's name set forth in s. 1000.21(3) and use the~~
154 ~~designation "college" or "state college" if it has been~~
155 ~~authorized to grant baccalaureate degrees pursuant to s. 1007.33~~
156 ~~and has been accredited as a baccalaureate degree granting~~
157 ~~institution by the Commission on Colleges of the Southern~~
158 ~~Association of Colleges and Schools.~~

159 ~~2. With the approval of its district board of trustees, a~~
160 ~~Florida College System institution that does not meet the~~
161 ~~criteria in subparagraph 1. may request approval from the State~~
162 ~~Board of Education to change the institution's name set forth in~~
163 ~~s. 1000.21(3) and use the designation "college." The State Board~~
164 ~~of Education may approve the request if the Florida College~~
165 ~~System institution~~ authorized to offer a baccalaureate degree on
166 or before March 31, 2014, must maintain ~~enters into~~ an agreement
167 with the State Board of Education to do the following:

168 ~~1.a.~~ 1.a. Maintain as its primary mission responsibility for
169 responding to community needs for postsecondary academic
170 education and career degree education as prescribed in s.
171 1004.65(5).

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

174 ~~3.e.~~ 3.e. Continue to provide outreach to underserved

576-03323-14

20141148c1

175 populations.

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

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

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

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

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

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

191 1004.65 Florida College System institutions; governance,
192 mission, and responsibilities.—

193 (5) The primary mission and responsibility of Florida
194 College System institutions is responding to community needs for
195 postsecondary academic education and career degree education.
196 This mission and responsibility includes being responsible for:

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

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

203 (a) Community services that are not directly related to

576-03323-14

20141148c1

204 academic or occupational advancement.

205 (b) Adult education services, including adult basic
206 education, adult general education, adult secondary education,
207 and General Educational Development test instruction.

208 (c) Recreational and leisure services.

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

210 (d) Provide access to and award baccalaureate degrees for
211 the completion of baccalaureate degree programs that are
212 approved by the State Board of Education on or before March 31,
213 2014 in accordance with law.

214
215 Authority to offer one or more baccalaureate degree programs
216 does not alter the governance relationship of the Florida
217 College System institution with its district board of trustees
218 or the State Board of Education.

219 Section 5. Section 1007.33, Florida Statutes, is amended to
220 read:

221 1007.33 Site-determined baccalaureate degree access.-

222 (1) ~~(a)~~ The State Board of Education may not approve of a
223 Florida College System institution's proposal to establish a new
224 baccalaureate degree program after March 31, 2014 ~~Legislature~~
225 ~~recognizes that public and private postsecondary educational~~
226 ~~institutions play an essential role in improving the quality of~~
227 ~~life and economic well-being of the state and its residents. The~~
228 ~~Legislature also recognizes that economic development needs and~~
229 ~~the educational needs of place-bound, nontraditional students~~
230 ~~have increased the demand for local access to baccalaureate~~
231 ~~degree programs. It is therefore the intent of the Legislature~~
232 ~~to further expand access to baccalaureate degree programs~~

576-03323-14

20141148c1

233 ~~through the use of Florida College System institutions.~~

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

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

240 (a) Maintain as its primary mission:

241 1. Responsibility for responding to community needs for
242 postsecondary academic education and career degree education as
243 prescribed in s. 1004.65(5).

244 2. The provision of associate degrees that provide access
245 to a university.

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

248 (c) Continue to provide outreach to underserved
249 populations.

250 (d) Continue to provide remedial education.

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

255 (f) Not award graduate credit.

256 (g) Not participate in intercollegiate athletics beyond the
257 2-year level.

258 (3) A Florida College System institution may not terminate
259 its associate in arts or associate in science degree programs as
260 a result of being authorized to offer one or more baccalaureate
261 degree programs. The Legislature intends that the primary

576-03323-14

20141148c1

262 responsibility of a Florida College System institution,
263 including a Florida College System institution that offers
264 baccalaureate degree programs, continues to be the provision of
265 associate degrees that provide access to a university.

266 (4) A Florida College System institution may:

267 (a) Offer specified baccalaureate degree programs through
268 formal agreements between the Florida College System institution
269 and other regionally accredited postsecondary educational
270 institutions pursuant to s. 1007.22.

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

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

278
279 ~~Beginning July 1, 2009, the Board of Trustees of the St.~~
280 ~~Petersburg College is authorized to establish one or more~~
281 ~~bachelor of applied science degree programs based on an analysis~~
282 ~~of workforce needs in Pinellas, Pasco, and Hernando Counties and~~
283 ~~other counties approved by the Department of Education. For each~~
284 ~~program selected, St. Petersburg College must offer a related~~
285 ~~associate in science or associate in applied science degree~~
286 ~~program, and the baccalaureate degree level program must be~~
287 ~~designed to articulate fully with at least one associate in~~
288 ~~science degree program. The college is encouraged to develop~~
289 ~~articulation agreements for enrollment of graduates of related~~
290 ~~associate in applied science degree programs. The Board of~~

576-03323-14

20141148c1

291 ~~Trustees of the St. Petersburg College is authorized to~~
292 ~~establish additional baccalaureate degree programs if it~~
293 ~~determines a program is warranted and feasible based on each of~~
294 ~~the factors in paragraph (5) (d). Prior to developing or~~
295 ~~proposing a new baccalaureate degree program, St. Petersburg~~
296 ~~College shall engage in need, demand, and impact discussions~~
297 ~~with the state university in its service district and other~~
298 ~~local and regional, accredited postsecondary providers in its~~
299 ~~region. Documentation, data, and other information from inter-~~
300 ~~institutional discussions regarding program need, demand, and~~
301 ~~impact shall be provided to the college's board of trustees to~~
302 ~~inform the program approval process. Employment at St.~~
303 ~~Petersburg College is governed by the same laws that govern~~
304 ~~Florida College System institutions, except that upper division~~
305 ~~faculty are eligible for continuing contracts upon the~~
306 ~~completion of the fifth year of teaching. Employee records for~~
307 ~~all personnel shall be maintained as required by s. 1012.81.~~

308 ~~(5) The approval process for baccalaureate degree programs~~
309 ~~shall require:~~

310 ~~(a) Each Florida College System institution to submit a~~
311 ~~notice of its intent to propose a baccalaureate degree program~~
312 ~~to the Division of Florida Colleges at least 100 days before the~~
313 ~~submission of its proposal under paragraph (d). The notice must~~
314 ~~include a brief description of the program, the workforce demand~~
315 ~~and unmet need for graduates of the program to include evidence~~
316 ~~from entities independent of the institution, the geographic~~
317 ~~region to be served, and an estimated timeframe for~~
318 ~~implementation. Notices of intent may be submitted by a Florida~~
319 ~~College System institution at any time throughout the year. The~~

576-03323-14

20141148c1

320 ~~notice must also include evidence that the Florida College~~
321 ~~System institution engaged in need, demand, and impact~~
322 ~~discussions with the state university and other regionally~~
323 ~~accredited postsecondary education providers in its service~~
324 ~~district.~~

325 ~~(b) The Division of Florida Colleges to forward the notice~~
326 ~~of intent within 10 business days after receiving such notice to~~
327 ~~the Chancellor of the State University System, the President of~~
328 ~~the Independent Colleges and Universities of Florida, and the~~
329 ~~Executive Director of the Commission for Independent Education.~~
330 ~~State universities shall have 60 days following receipt of the~~
331 ~~notice by the Chancellor of the State University System to~~
332 ~~submit objections to the proposed new program or submit an~~
333 ~~alternative proposal to offer the baccalaureate degree program.~~
334 ~~If a proposal from a state university is not received within the~~
335 ~~60-day period, the State Board of Education shall provide~~
336 ~~regionally accredited private colleges and universities 30 days~~
337 ~~to submit objections to the proposed new program or submit an~~
338 ~~alternative proposal. Objections or alternative proposals shall~~
339 ~~be submitted to the Division of Florida Colleges and must be~~
340 ~~considered by the State Board of Education in making its~~
341 ~~decision to approve or deny a Florida College System~~
342 ~~institution's proposal.~~

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

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

347 ~~2. The extent to which students will be able to complete~~
348 ~~the degree in the geographic region proposed to be served by the~~

576-03323-14

20141148c1

349 ~~Florida College System institution.~~

350 ~~3. The level of financial commitment of the college or~~
351 ~~university to the development, implementation, and maintenance~~
352 ~~of the specified degree program, including timelines.~~

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

356 ~~5. The ability of the Florida College System institution~~
357 ~~and the college or university to develop and approve the~~
358 ~~curriculum for the specified degree program within 6 months~~
359 ~~after an agreement between the Florida College System~~
360 ~~institution and the college or university is signed.~~

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

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

366 ~~1. A description of the planning process and timeline for~~
367 ~~implementation.~~

368 ~~2. An analysis of workforce demand and unmet need for~~
369 ~~graduates of the program on a district, regional, or statewide~~
370 ~~basis, as appropriate, including evidence from entities~~
371 ~~independent of the institution.~~

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

374 ~~4. The program cost analysis of creating a new~~
375 ~~baccalaureate degree when compared to alternative proposals and~~
376 ~~other program delivery options.~~

377 ~~5. The program's admission requirements, academic content,~~

576-03323-14

20141148c1

378 ~~curriculum, faculty credentials, student to teacher ratios, and~~
379 ~~accreditation plan.~~

380 ~~6. The program's enrollment projections and funding~~
381 ~~requirements.~~

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

383 ~~(e) The Division of Florida Colleges to review the~~
384 ~~proposal, notify the Florida College System institution of any~~
385 ~~deficiencies in writing within 30 days following receipt of the~~
386 ~~proposal, and provide the Florida College System institution~~
387 ~~with an opportunity to correct the deficiencies. Within 45 days~~
388 ~~following receipt of a completed proposal by the Division of~~
389 ~~Florida Colleges, the Commissioner of Education shall recommend~~
390 ~~approval or disapproval of the proposal to the State Board of~~
391 ~~Education. The State Board of Education shall consider such~~
392 ~~recommendation, the proposal, and any objections or alternative~~
393 ~~proposals at its next meeting. If the State Board of Education~~
394 ~~disapproves the Florida College System institution's proposal,~~
395 ~~it shall provide the Florida College System institution with~~
396 ~~written reasons for that determination.~~

397 ~~(f) The Florida College System institution to obtain from~~
398 ~~the Commission on Colleges of the Southern Association of~~
399 ~~Colleges and Schools accreditation as a baccalaureate-degree-~~
400 ~~granting institution if approved by the State Board of Education~~
401 ~~to offer its first baccalaureate degree program.~~

402 ~~(g) The Florida College System institution to notify the~~
403 ~~Commission on Colleges of the Southern Association of Colleges~~
404 ~~and Schools of subsequent degree programs that are approved by~~
405 ~~the State Board of Education and to comply with the~~
406 ~~association's required substantive change protocols for~~

576-03323-14

20141148c1

407 ~~accreditation purposes.~~

408 (5) ~~(h)~~ A The Florida College System institution authorized
409 to offer baccalaureate degrees must ~~to~~ annually, and upon
410 request of the State Board of Education, the Commissioner of
411 Education, the Chancellor of the Florida College System, or the
412 Legislature, report its status using the following performance
413 and compliance indicators:

414 (a) ~~1.~~ Obtaining and maintaining appropriate Southern
415 Association of Colleges and Schools accreditation;

416 (b) ~~2.~~ Maintaining qualified faculty and institutional
417 resources;

418 (c) ~~3.~~ Maintaining enrollment in previously approved
419 programs;

420 (d) ~~4.~~ Managing fiscal resources appropriately;

421 (e) ~~5.~~ Complying with the primary mission and responsibility
422 requirements in subsections (1) and (2) ~~and (3)~~; and

423 (f) ~~6.~~ Other indicators of success, including program
424 completions, placements, and surveys of graduates and employers.

425

426 The State Board of Education, upon review of the performance and
427 compliance indicators specified in this subsection, may require
428 a Florida College System institution's board of trustees to
429 modify or terminate a baccalaureate degree program authorized
430 under this section.

431 (6) The State Board of Education shall adopt rules to
432 administer this section ~~prescribe format and content~~
433 ~~requirements and submission procedures for notices of intent,~~
434 ~~proposals, alternative proposals, and compliance reviews under~~
435 ~~subsection (5).~~

576-03323-14

20141148c1

436 Section 6. Paragraph (d) of subsection (3) of section
437 1009.22, Florida Statutes, is amended to read:

438 1009.22 Workforce education postsecondary student fees.—

439 (3)

440 (d) Beginning with the 2008-2009 fiscal year and in the
441 fall semester of each year thereafter, the rate for the tuition
442 and the out-of-state fee per contact hour shall be increase at
443 the beginning of each fall semester at a rate equal to
444 inflation, unless otherwise provided in the General
445 Appropriations Act. If the rate is not provided in the General
446 Appropriations Act The Office of Economic and Demographic
447 Research shall report the rate of inflation to the President of
448 the Senate, the Speaker of the House of Representatives, the
449 Governor, and the State Board of Education each year prior to
450 March 1. For purposes of this paragraph, the rate of inflation
451 shall be defined as the rate of the 12-month percentage change
452 in the Consumer Price Index for All Urban Consumers, U.S. City
453 Average, All Items, or successor reports as reported by the
454 United States Department of Labor, Bureau of Labor Statistics,
455 or its successor for December of the previous year. In the event
456 the percentage change is negative, the tuition and out-of-state
457 fee must shall remain at the same level as the prior fiscal
458 year.

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

462 1009.23 Florida College System institution student fees.—

463 (2)

464 (b) Tuition and out-of-state fees for upper-division

576-03323-14

20141148c1

465 courses must reflect the fact that the Florida College System
466 institution has a less expensive cost structure than that of a
467 state university. Therefore, the board of trustees shall
468 establish tuition and out-of-state fees for upper-division
469 courses in baccalaureate degree programs approved pursuant to s.
470 1007.33 at the same rate as lower-division courses unless
471 otherwise established by law or ~~consistent with law and provide~~
472 ~~language in the General Appropriations Act.~~ However, the board
473 of trustees may vary tuition and out-of-state fees only as
474 provided in subsection (6) and s. 1009.26(11).

475 (3)

476 (c) Beginning with the 2008-2009 fiscal year and in the
477 fall semester of each year thereafter, the rate for the tuition
478 and the out-of-state fee shall be increase ~~at the beginning of~~
479 ~~each fall semester at a rate equal to inflation, unless~~
480 ~~otherwise~~ provided in the General Appropriations Act. If the
481 rate is not provided in the General Appropriations Act ~~The~~
482 ~~Office of Economic and Demographic Research shall report the~~
483 ~~rate of inflation to the President of the Senate, the Speaker of~~
484 ~~the House of Representatives, the Governor, and the State Board~~
485 ~~of Education each year prior to March 1. For purposes of this~~
486 ~~paragraph, the rate of inflation shall be defined as the rate of~~
487 ~~the 12-month percentage change in the Consumer Price Index for~~
488 ~~All Urban Consumers, U.S. City Average, All Items, or successor~~
489 ~~reports as reported by the United States Department of Labor,~~
490 ~~Bureau of Labor Statistics, or its successor for December of the~~
491 ~~previous year. In the event the percentage change is negative,~~
492 the tuition and the out-of-state fee per credit hour must ~~shall~~
493 remain at the same levels as the prior fiscal year.

576-03323-14

20141148c1

494 Section 8. Paragraph (b) of subsection (4) and paragraph
495 (b) of subsection (16) of section 1009.24, Florida Statutes, are
496 amended to read:

497 1009.24 State university student fees.-

498 (4)

499 (b) Beginning with the 2008-2009 fiscal year and in the
500 fall semester of each year thereafter, the rate for the resident
501 undergraduate tuition per credit hour shall be ~~increase at the~~
502 ~~beginning of each fall semester at a rate equal to inflation,~~
503 ~~unless otherwise~~ provided in the General Appropriations Act. If
504 the rate is not provided in the General Appropriations Act ~~The~~
505 ~~Office of Economic and Demographic Research shall report the~~
506 ~~rate of inflation to the President of the Senate, the Speaker of~~
507 ~~the House of Representatives, the Governor, and the Board of~~
508 ~~Governors each year prior to March 1. For purposes of this~~
509 ~~paragraph, the rate of inflation shall be defined as the rate of~~
510 ~~the 12-month percentage change in the Consumer Price Index for~~
511 ~~All Urban Consumers, U.S. City Average, All Items, or successor~~
512 ~~reports as reported by the United States Department of Labor,~~
513 ~~Bureau of Labor Statistics, or its successor for December of the~~
514 ~~previous year. In the event the percentage change is negative,~~
515 the resident undergraduate tuition must ~~shall~~ remain at the same
516 level as the prior fiscal year.

517 (16) Each university board of trustees may establish a
518 tuition differential for undergraduate courses upon receipt of
519 approval from the Board of Governors. The tuition differential
520 must ~~shall~~ promote improvements in the quality of undergraduate
521 education and shall provide financial aid to undergraduate
522 students who exhibit financial need.

576-03323-14

20141148c1

523 (b) Each tuition differential is subject to the following
524 conditions:

525 1. The tuition differential may be assessed on one or more
526 undergraduate courses or on all undergraduate courses at a state
527 university.

528 2. The tuition differential may vary by course or courses,
529 campus or center location, and by institution. Each university
530 board of trustees shall strive to maintain and increase
531 enrollment in degree programs related to math, science, high
532 technology, and other state or regional high-need fields when
533 establishing tuition differentials by course.

534 3. For each state university that has total research and
535 development expenditures for all fields of at least \$100 million
536 per year as reported annually to the National Science
537 Foundation, the aggregate sum of tuition and the tuition
538 differential may not be increased by more than 6 ~~15~~ percent of
539 the total charged for the aggregate sum of these fees in the
540 preceding fiscal year. For each state university that has total
541 research and development expenditures for all fields of less
542 than \$100 million per year as reported annually to the National
543 Science Foundation, the aggregate sum of tuition and the tuition
544 differential may not be increased by more than 6 ~~15~~ percent of
545 the total charged for the aggregate sum of these fees in the
546 preceding fiscal year.

547 4. The aggregate sum of undergraduate tuition and fees per
548 credit hour, including the tuition differential, may not exceed
549 the national average of undergraduate tuition and fees at 4-year
550 degree-granting public postsecondary educational institutions.

551 5. The tuition differential may ~~shall~~ not be included in

576-03323-14

20141148c1

552 any award under the Florida Bright Futures Scholarship Program
553 established pursuant to ss. 1009.53-1009.538.

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

558 7. The tuition differential may not be charged to any
559 student who was in attendance at the university before July 1,
560 2007, and who maintains continuous enrollment.

561 8. The tuition differential may be waived by the university
562 for students who meet the eligibility requirements for the
563 Florida public student assistance grant established in s.
564 1009.50.

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

568 Section 9. Subsection (1) and paragraph (a) of subsection
569 (2) of section 1009.55, Florida Statutes, are amended to read:

570 1009.55 Rosewood Family Scholarship Program.—

571 (1) There is created a Rosewood Family Scholarship Program
572 for the direct descendants of the Rosewood families, not to
573 exceed 50 ~~25~~ scholarships per year.

574 (2) The Rosewood Family Scholarship Program shall be
575 administered by the Department of Education. The State Board of
576 Education shall adopt rules for administering this program which
577 shall at a minimum provide for the following:

578 (a) The annual award to a student shall be up to \$6,100
579 ~~\$4,000~~ but should not exceed an amount in excess of tuition and
580 registration fees.

576-03323-14

20141148c1

581 Section 10. Section 1009.893, Florida Statutes, is created
582 to read:

583 1009.893 Florida National Merit Scholar Incentive Program.-

584 (1) As used in this section, the term:

585 (a) "Department" means the Department of Education.

586 (b) "Incentive program" means the Florida National Merit
587 Scholar Incentive Program.

588 (2) The Florida National Merit Scholar Incentive Program is
589 created to reward any Florida high school graduate who receives
590 recognition as a National Merit Scholar or National Achievement
591 Scholar and who initially enrolls in the 2014-2015 academic
592 year, or later, in a degree program, certificate program, or
593 applied technology program at an eligible Florida public or
594 independent postsecondary educational institution.

595 (3) The department shall administer the incentive program
596 according to rules and procedures established by the State Board
597 of Education. The department shall advertise the availability of
598 the incentive program and notify students, teachers, parents,
599 certified school counselors, and principals or other relevant
600 school administrators of the criteria and application
601 procedures.

602 (4) In order to be eligible for an award under the
603 incentive program, a student must:

604 (a) Be a state resident as defined in s. 1009.40 and rules
605 of the State Board of Education.

606 (b) Earn a standard Florida high school diploma or its
607 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.4282,
608 or s. 1003.435 unless:

609 1. The student completes a home education program according

576-03323-14

20141148c1

610 to s. 1002.41; or

611 2. The student earns a high school diploma from a non-
612 Florida school while living with a parent or guardian who is on
613 military or public service assignment away from this state.

614 (c) Be accepted by and enroll in a Florida public or
615 independent postsecondary educational institution that meets the
616 eligibility requirements specified in s. 1009.533.

617 (d) Be enrolled for at least 6 semester credit hours or the
618 equivalent in quarter hours or clock hours.

619 (5) (a) An eligible student who is a National Merit Scholar
620 or National Achievement Scholar and who attends a public
621 postsecondary educational institution must receive an incentive
622 award equal to the institutional cost of attendance minus the
623 sum of the student's Florida Bright Futures Scholarship and
624 National Merit Scholarship or National Achievement Scholarship.

625 (b) An eligible student who is a National Merit Scholar or
626 National Achievement Scholar and who attends an independent
627 postsecondary educational institution must receive an incentive
628 award equal to the highest cost of attendance at a Florida
629 public university, as reported by the Board of Governors of the
630 State University System, minus the sum of the student's Florida
631 Bright Futures Scholarship and National Merit Scholarship or
632 National Achievement Scholarship.

633 (6) (a) To be eligible for a renewal award, a student must
634 meet the renewal requirements for the Florida Bright Futures
635 Scholarship Program set forth in s. 1009.532(1) (a) and for the
636 Florida Academic Scholars award set forth in s. 1009.534(3).

637 (b) A student may receive the incentive award for a maximum
638 of 100 percent of the number of credit hours required to

576-03323-14

20141148c1

639 complete an associate degree program or a baccalaureate degree
640 program or receive an award for a maximum of 100 percent of the
641 credit hours or clock hours required to complete up to 90 credit
642 hours of a program that terminates in a career certificate.

643 (7) The department shall annually issue awards from the
644 incentive program. Before the registration period each semester,
645 the department shall transmit payment for each award to the
646 president or director of the postsecondary educational
647 institution, or his or her representative, except that the
648 department may withhold payment if the receiving institution
649 fails to report or to make refunds to the department as required
650 in this section.

651 (a) Each institution shall certify to the department the
652 eligibility status of each student to receive a disbursement
653 within 30 days before the end of its regular registration
654 period, inclusive of a drop and add period. An institution is
655 not required to reevaluate the student eligibility after the end
656 of the drop and add period.

657 (b) An institution that receives funds from the incentive
658 program must certify to the department the amount of funds
659 disbursed to each student and remit to the department any
660 undisbursed advances within 60 days after the end of regular
661 registration.

662 (c) If funds appropriated are not adequate to provide the
663 maximum allowable award to each eligible student, awards must be
664 prorated using the same percentage reduction.

665 (8) Funds from any award within the incentive program may
666 not be used to pay for remedial coursework or developmental
667 education.

576-03323-14

20141148c1

668 (9) A student may use an award for a summer term if funds
669 are available and appropriated by the Legislature.

670 (10) Funds appropriated by the Legislature for the
671 incentive program awards may be deposited into the State Student
672 Financial Assistance Trust Fund. Notwithstanding s. 216.301 and
673 pursuant to s. 216.351, any balance in the trust fund at the end
674 of any fiscal year which has been allocated to the incentive
675 program must remain in the incentive program and shall be
676 available for carrying out the purposes of this section. The
677 department shall allocate funds to the appropriate institutions
678 and collect and maintain data regarding the incentive program
679 within the student financial assistance database as specified in
680 s. 1009.94.

681 (11) The State Board of Education shall adopt rules
682 necessary to administer this section.

683 (12) Subsection (4) of s. 1009.40 does not apply to awards
684 issued under this section.

685 Section 11. This act shall take effect upon becoming a law
686 and shall apply retroactively to March 31, 2014.