

1                                   A bill to be entitled  
2           An act relating to higher education; providing a short  
3           title; amending s. 1001.706, F.S.; requiring state  
4           universities to identify internship opportunities in  
5           high-demand fields; amending s. 1001.7065, F.S.;  
6           revising the preeminent state research universities  
7           program graduation rate requirements and funding  
8           distributions; deleting the authority for such  
9           universities to stipulate a special course requirement  
10          for incoming students; requiring the Board of  
11          Governors to establish certain standards by a  
12          specified date; amending s. 1001.92, F.S.; requiring  
13          certain performance-based metrics to include specified  
14          graduation rates and access benchmarks; amending s.  
15          1004.28, F.S.; directing a state university board of  
16          trustees to limit the services, activities, and  
17          expenses of its direct-support organizations;  
18          requiring the chair of the board of trustees to  
19          appoint at least one representative to the board of  
20          directors and executive committee of a university  
21          direct-support organization; requiring the disclosure  
22          of certain financial documents; creating s. 1004.6497,  
23          F.S.; establishing the World Class Faculty and Scholar  
24          Program; providing the purpose and intent; authorizing  
25          state university investments in certain faculty

26 retention, recruitment, and recognition activities;  
27 specifying funding as provided in the General  
28 Appropriations Act; requiring an annual report to the  
29 Governor and the Legislature by a specified date;  
30 creating s. 1004.6498, F.S.; establishing the State  
31 University Professional and Graduate Degree Excellence  
32 Program; providing the purpose; listing the quality  
33 improvement efforts that may be used to elevate the  
34 prominence of state university medicine, law, and  
35 graduate-level business programs; specifying funding  
36 as provided in the General Appropriations Act;  
37 requiring an annual report to the Governor and the  
38 Legislature by a specified date; amending s. 1008.30,  
39 F.S.; authorizing certain state universities to  
40 continue to provide developmental education  
41 instruction; amending ss. 1009.22 and 1009.23, F.S.;  
42 removing the prohibition on the inclusion of a  
43 technology fee in the Florida Bright Futures  
44 Scholarship Program award; amending s. 1009.24, F.S.;  
45 removing the prohibition on the inclusion of a  
46 technology fee and a tuition differential fee in the  
47 Florida Bright Futures Scholarship Program award;  
48 requiring each state university board of trustees to  
49 implement a block tuition policy for specified  
50 undergraduate students beginning in a specified

51 academic semester; requiring the Chancellor of the  
52 State University System to submit a report to the  
53 Governor and the Legislature by a specified date;  
54 amending s. 1009.53, F.S.; authorizing a student to  
55 use Florida Bright Futures Scholarship Program awards  
56 for summer term enrollment; amending s. 1009.534,  
57 F.S.; specifying Florida Academic Scholars award  
58 amounts to cover tuition, fees, textbooks, and other  
59 educational expenses; amending s. 1009.535, F.S.;  
60 specifying Florida Medallion Scholars award amounts to  
61 cover specified tuition and fees; amending s.  
62 1009.701, F.S.; revising the state-to-private match  
63 requirement for contributions to the First Generation  
64 Matching Grant Program beginning in a specified fiscal  
65 year; extending the program to include Florida College  
66 System institution students; amending s. 1009.893,  
67 F.S.; extending coverage of the Benacquisto  
68 Scholarship Program to include tuition and fees for  
69 qualified nonresident students; creating s. 1009.894,  
70 F.S.; creating the Florida Farmworker Student  
71 Scholarship Program; providing a purpose; requiring  
72 the Department of Education to administer the  
73 scholarship program; providing student eligibility  
74 criteria; specifying award amounts and distributions;  
75 providing for funding as specified in the General

76 Appropriations Act; amending s. 1009.98, F.S.;

77 providing that certain payments from the Florida

78 Prepaid College Board to a state university on behalf

79 of a qualified beneficiary may not exceed a specified

80 amount; providing for retroactive application;

81 providing a directive to the Division of Law Revision

82 and Information; providing an effective date.

83

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

85

86 Section 1. This act shall be cited as the "Florida

87 Excellence in Higher Education Act of 2018."

88 Section 2. Paragraph (b) of subsection (5) of section

89 1001.706, Florida Statutes, is amended to read:

90 1001.706 Powers and duties of the Board of Governors.—

91 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

92 (b) The Board of Governors shall develop a strategic plan

93 specifying goals and objectives for the State University System

94 and each constituent university, including each university's

95 contribution to overall system goals and objectives. The

96 strategic plan must:

97 1. Include performance metrics and standards common for

98 all institutions and metrics and standards unique to

99 institutions depending on institutional core missions,

100 including, but not limited to, student admission requirements,

101 retention, graduation, percentage of graduates who have attained  
102 employment, percentage of graduates enrolled in continued  
103 education, licensure passage, average wages of employed  
104 graduates, average cost per graduate, excess hours, student loan  
105 burden and default rates, faculty awards, total annual research  
106 expenditures, patents, licenses and royalties, intellectual  
107 property, startup companies, annual giving, endowments, and  
108 well-known, highly respected national rankings for institutional  
109 and program achievements.

110 2. Consider reports and recommendations of the Higher  
111 Education Coordinating Council pursuant to s. 1004.015 and the  
112 Articulation Coordinating Committee pursuant to s. 1007.01.

113 3. Include student enrollment and performance data  
114 delineated by method of instruction, including, but not limited  
115 to, traditional, online, and distance learning instruction.

116 4. Include criteria for designating baccalaureate degree  
117 and master's degree programs at specified universities as high-  
118 demand programs of emphasis. Fifty percent of the criteria for  
119 designation as high-demand programs of emphasis must be based on  
120 achievement of performance outcome thresholds determined by the  
121 Board of Governors, and 50 percent of the criteria must be based  
122 on achievement of performance outcome thresholds specifically  
123 linked to:

124 a. Job placement in employment of 36 hours or more per  
125 week and average full-time wages of graduates of the degree

126 programs 1 year and 5 years after graduation, based in part on  
127 data provided in the economic security report of employment and  
128 earning outcomes produced annually pursuant to s. 445.07.

129 b. Data-driven gap analyses, conducted by the Board of  
130 Governors, of the state's job market demands and the outlook for  
131 jobs that require a baccalaureate or higher degree. Each state  
132 university must use the gap analyses to identify internship  
133 opportunities for students to benefit from mentorship by  
134 industry experts, earn industry certifications, and become  
135 employed in high-demand fields.

136 Section 3. Paragraph (d) of subsection (2), paragraph (c)  
137 of subsection (5), and subsections (6), (7), and (8) of section  
138 1001.7065, Florida Statutes, are amended to read:

139 1001.7065 Preeminent state research universities program.—

140 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The  
141 following academic and research excellence standards are  
142 established for the preeminent state research universities  
143 program:

144 (d) A 4-year graduation rate of 60 percent or higher for  
145 full-time, first-time-in-college students, as reported annually  
146 to the IPEDS. However, for the 2018 determination of a state  
147 university's preeminence designation and the related  
148 distribution of the 2018-2019 fiscal year appropriation  
149 associated with preeminence and emerging preeminence, a  
150 university is considered to have satisfied this graduation rate

151 measure by attaining a 6-year graduation rate of 70 percent or  
 152 higher by October 1, 2017, for full-time, first-time-in-college  
 153 students, as reported ~~annually~~ to the IPEDS and confirmed by the  
 154 Board of Governors.

155 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
 156 SUPPORT.—

157 (c) The award of funds under this subsection is contingent  
 158 upon funding provided in the General Appropriations Act to  
 159 support the preeminent state research universities program  
 160 created under this section. Funding increases appropriated  
 161 beyond the amounts funded in the previous fiscal year shall be  
 162 distributed as follows:

163 1. Each designated preeminent state research university  
 164 that meets the criteria in paragraph (a) shall receive an equal  
 165 amount of funding.

166 2. Each designated emerging preeminent state research  
 167 university that meets the criteria in paragraph (b) shall,  
 168 beginning in the 2018-2019 fiscal year, receive an amount of  
 169 funding that is equal to one-fourth ~~one-half~~ of the total  
 170 increased amount awarded to each designated preeminent state  
 171 research university.

172 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~  
 173 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~  
 174 ~~educational experience, a university that is designated a~~  
 175 ~~preeminent state research university may require its incoming~~

176 ~~first-time-in-college students to take a six-credit set of~~  
177 ~~unique courses specifically determined by the university and~~  
178 ~~published on the university's website. The university may~~  
179 ~~stipulate that credit for such courses may not be earned through~~  
180 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~  
181 ~~or any other transfer credit. All accelerated credits earned up~~  
182 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~  
183 ~~applied toward graduation at the student's request.~~

184 (6)~~(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
185 AUTHORITY.—The Board of Governors is encouraged to identify and  
186 grant all reasonable, feasible authority and flexibility to  
187 ensure that each designated preeminent state research university  
188 and each designated emerging preeminent state research  
189 university is free from unnecessary restrictions.

190 (7)~~(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE  
191 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~  
192 establish standards and measures whereby individual  
193 undergraduate, graduate, and professional degree programs in  
194 state universities which ~~that~~ objectively reflect national  
195 excellence can be identified and make recommendations to the  
196 Legislature by September 1, 2018, as to how any such programs  
197 could be enhanced and promoted.

198 Section 4. Subsection (1) of section 1001.92, Florida  
199 Statutes, is amended to read:

200 1001.92 State University System Performance-Based



201 Incentive.—

202 (1) A State University System Performance-Based Incentive  
 203 shall be awarded to state universities using performance-based  
 204 metrics adopted by the Board of Governors of the State  
 205 University System. Beginning with the Board of Governors'  
 206 determination of each university's performance improvement and  
 207 achievement ratings for 2018, and the related distribution of  
 208 the 2018-2019 fiscal year appropriation, the performance-based  
 209 metrics must include 4-year graduation rates; retention rates;  
 210 postgraduation education rates; degree production;  
 211 affordability; postgraduation employment and salaries, including  
 212 wage thresholds that reflect the added value of a baccalaureate  
 213 degree; access, with benchmarks that reward institutions with  
 214 access rates at or above 50 percent; and other metrics approved  
 215 by the board in a formally noticed meeting. The board shall  
 216 adopt benchmarks to evaluate each state university's performance  
 217 on the metrics to measure the state university's achievement of  
 218 institutional excellence or need for improvement and minimum  
 219 requirements for eligibility to receive performance funding.

220 Section 5. Subsections (2), (3), and (4) and paragraph (b)  
 221 of subsection (5) of section 1004.28, Florida Statutes, are  
 222 amended to read:

223 1004.28 Direct-support organizations; use of property;  
 224 board of directors; activities; audit; facilities.—

225 (2) USE OF PROPERTY.—

226 (a) Each state university board of trustees is authorized  
227 to permit the use of property, facilities, and personal services  
228 at any state university by any university direct-support  
229 organization, and, subject to the provisions of this section,  
230 direct-support organizations may establish accounts with the  
231 State Board of Administration for investment of funds pursuant  
232 to part IV of chapter 218. Beginning July 1, 2023, a state  
233 university board of trustees may not permit any university  
234 direct-support organization to use personal services.

235 (b) The board of trustees, in accordance with regulations  
236 ~~rules~~ and guidelines of the Board of Governors, shall prescribe  
237 by regulation ~~rule~~ conditions with which a university direct-  
238 support organization must comply in order to use property,  
239 facilities, or personal services at any state university. Such  
240 regulations ~~rules~~ shall provide for budget and audit review and  
241 oversight by the board of trustees.

242 (c) The board of trustees shall not permit the use of  
243 property, facilities, or personal services at any state  
244 university by any university direct-support organization that  
245 does not provide equal employment opportunities to all persons  
246 regardless of race, color, religion, gender, age, or national  
247 origin.

248 (d) The board of trustees may not permit the use of state  
249 funds for travel expenses by any university direct-support  
250 organization.

251 (3) BOARD OF DIRECTORS.—The chair of the university board  
252 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to  
253 the board of directors and the executive committee of any  
254 direct-support organization established under this section. The  
255 president of the university for which the direct-support  
256 organization is established, or his or her designee, shall also  
257 serve on the board of directors and the executive committee of  
258 any direct-support organization established to benefit that  
259 university.

260 (4) ACTIVITIES; RESTRICTION.—A university direct-support  
261 organization is prohibited from giving, either directly or  
262 indirectly, any gift to a political committee as defined in s.  
263 106.011 for any purpose ~~other than those certified by a majority~~  
264 ~~roll call vote of the governing board of the direct-support~~  
265 ~~organization at a regularly scheduled meeting as being directly~~  
266 ~~related to the educational mission of the university.~~

267 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC  
268 MEETINGS EXEMPTION.—

269 (b) All records of the organization other than the  
270 auditor's report, management letter, any records related to the  
271 expenditure of state funds, any records related to the  
272 expenditure of private funds for travel, and any supplemental  
273 data requested by the Board of Governors, the university board  
274 of trustees, the Auditor General, and the Office of Program  
275 Policy Analysis and Government Accountability shall be

276 confidential and exempt from s. 119.07(1).

277 Section 6. Section 1004.6497, Florida Statutes, is created  
278 to read:

279 1004.6497 World Class Faculty and Scholar Program.—

280 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class  
281 Faculty and Scholar Program is established to fund, beginning in  
282 the 2017-2018 fiscal year, and support the efforts of state  
283 universities to recruit and retain exemplary faculty and  
284 research scholars. It is the intent of the Legislature to  
285 elevate the national competitiveness of Florida's state  
286 universities through faculty and scholar recruitment and  
287 retention.

288 (2) INVESTMENTS.—Retention, recruitment, and recognition  
289 efforts, activities, and investments may include, but are not  
290 limited to, investments in research-centric cluster hires,  
291 faculty research and research commercialization efforts,  
292 instructional and research infrastructure, undergraduate student  
293 participation in research, professional development, awards for  
294 outstanding performance, and postdoctoral fellowships.

295 (3) FUNDING AND USE.—Funding for the program shall be as  
296 provided in the General Appropriations Act. Each state  
297 university shall use the funds only for the purpose and  
298 investments authorized under this section. These funds may not  
299 be used to construct buildings.

300 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of

301 Governors shall provide to the Governor, the President of the  
 302 Senate, and the Speaker of the House of Representatives a report  
 303 summarizing information from the universities in the State  
 304 University System, including, but not limited to:

305 (a) Specific expenditure information as it relates to the  
 306 investments identified in subsection (2).

307 (b) The impact of those investments in elevating the  
 308 national competitiveness of the universities, specifically  
 309 relating to:

310 1. The success in recruiting research faculty and the  
 311 resulting research funding;

312 2. The 4-year graduation rate for undergraduate students;

313 3. The number of undergraduate courses offered with fewer  
 314 than 50 students; and

315 4. The increase in national academic standing of targeted  
 316 programs, specifically advancement in ranking among top 50  
 317 universities in the targeted programs in well-known and highly  
 318 respected national public university rankings, including, but  
 319 not limited to, the U.S. News and World Report rankings, which  
 320 reflect national preeminence, using the most recent rankings.

321 Section 7. Section 1004.6498, Florida Statutes, is created  
 322 to read:

323 1004.6498 State University Professional and Graduate  
 324 Degree Excellence Program.—

325 (1) PURPOSE.—The State University Professional and

326 Graduate Degree Excellence Program is established to fund,  
327 beginning in the 2017-2018 fiscal year, and support the efforts  
328 of state universities to enhance the quality and excellence of  
329 professional and graduate schools and degree programs in  
330 medicine, law, and business and expand the economic impact of  
331 state universities.

332 (2) INVESTMENTS.—Quality improvement efforts may include,  
333 but are not limited to, targeted investments in faculty,  
334 students, research, infrastructure, and other strategic  
335 endeavors to elevate the national and global prominence of state  
336 university medicine, law, and graduate-level business programs.

337 (3) FUNDING AND USE.—Funding for the program shall be as  
338 provided in the General Appropriations Act. Each state  
339 university shall use the funds only for the purpose and  
340 investments authorized under this section. These funds may not  
341 be used to construct buildings.

342 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of  
343 Governors shall provide to the Governor, the President of the  
344 Senate, and the Speaker of the House of Representatives a report  
345 summarizing information from the universities in the State  
346 University System, including, but not limited to:

347 (a) Specific expenditure information as it relates to the  
348 investments identified in subsection (2).

349 (b) The impact of those investments in elevating the  
350 national and global prominence of the state university medicine,

351 law, and graduate-level business programs, specifically relating  
352 to:

353 1. The first-time pass rate on the United States Medical  
354 Licensing Examination;

355 2. The first-time pass rate on The Florida Bar  
356 Examination;

357 3. The percentage of graduates enrolled or employed at a  
358 wage threshold that reflects the added value of a graduate-level  
359 business degree;

360 4. The advancement in the rankings of the state university  
361 medicine, law, and graduate-level programs in well-known and  
362 highly respected national graduate-level university rankings,  
363 including, but not limited to, the U.S. News and World Report  
364 rankings, which reflect national preeminence, using the most  
365 recent rankings; and

366 5. The added economic benefit of the universities to the  
367 state.

368 Section 8. Paragraph (c) of subsection (5) of section  
369 1008.30, Florida Statutes, is amended to read:

370 1008.30 Common placement testing for public postsecondary  
371 education.—

372 (5)

373 (c) A university board of trustees may contract with a  
374 Florida College System institution board of trustees for the  
375 Florida College System institution to provide developmental

376 education on the state university campus. Any state university  
377 in which the percentage of incoming students requiring  
378 developmental education equals or exceeds the average percentage  
379 of such students for the Florida College System may offer  
380 developmental education without contracting with a Florida  
381 College System institution; however, any state university  
382 offering college-preparatory instruction as of January 1, 1996,  
383 may continue to provide developmental education instruction as  
384 defined in s. 1008.02(1) ~~such services.~~

385 Section 9. Subsection (7) of section 1009.22, Florida  
386 Statutes, is amended to read:

387 1009.22 Workforce education postsecondary student fees.—

388 (7) Each district school board and Florida College System  
389 institution board of trustees is authorized to establish a  
390 separate fee for technology, not to exceed 5 percent of tuition  
391 per credit hour or credit-hour equivalent for resident students  
392 and not to exceed 5 percent of tuition and the out-of-state fee  
393 per credit hour or credit-hour equivalent for nonresident  
394 students. Revenues generated from the technology fee shall be  
395 used to enhance instructional technology resources for students  
396 and faculty ~~and shall not be included in any award under the~~  
397 ~~Florida Bright Futures Scholarship Program.~~ Fifty percent of  
398 technology fee revenues may be pledged by a Florida College  
399 System institution board of trustees as a dedicated revenue  
400 source for the repayment of debt, including lease-purchase



401 agreements, not to exceed the useful life of the asset being  
402 financed. Revenues generated from the technology fee may not be  
403 bonded.

404 Section 10. Subsection (10) of section 1009.23, Florida  
405 Statutes, is amended to read:

406 1009.23 Florida College System institution student fees.—

407 (10) Each Florida College System institution board of  
408 trustees is authorized to establish a separate fee for  
409 technology, which may not exceed 5 percent of tuition per credit  
410 hour or credit-hour equivalent for resident students and may not  
411 exceed 5 percent of tuition and the out-of-state fee per credit  
412 hour or credit-hour equivalent for nonresident students.

413 Revenues generated from the technology fee shall be used to  
414 enhance instructional technology resources for students and  
415 faculty. The technology fee may apply to both college credit and  
416 developmental education ~~and shall not be included in any award~~  
417 ~~under the Florida Bright Futures Scholarship Program.~~ Fifty  
418 percent of technology fee revenues may be pledged by a Florida  
419 College System institution board of trustees as a dedicated  
420 revenue source for the repayment of debt, including lease-  
421 purchase agreements, not to exceed the useful life of the asset  
422 being financed. Revenues generated from the technology fee may  
423 not be bonded.

424 Section 11. Subsection (13), paragraph (r) of subsection  
425 (14), paragraphs (a) and (b) of subsection (15), paragraphs (a),

426 (b), and (e) of subsection (16), and subsection (20) of section  
 427 1009.24, Florida Statutes, are amended to read:

428 1009.24 State university student fees.—

429 (13) Each university board of trustees may establish a  
 430 technology fee of up to 5 percent of the tuition per credit  
 431 hour. The revenue from this fee shall be used to enhance  
 432 instructional technology resources for students and faculty. ~~The~~  
 433 ~~technology fee may not be included in any award under the~~  
 434 ~~Florida Bright Futures Scholarship Program established pursuant~~  
 435 ~~to ss. 1009.53-1009.538.~~

436 (14) Except as otherwise provided in subsection (15), each  
 437 university board of trustees is authorized to establish the  
 438 following fees:

439 (r) Traffic and parking fines, charges for parking decals,  
 440 and transportation access fees. Only universitywide  
 441 transportation access fees may be included in any state  
 442 financial assistance award authorized under part III of chapter  
 443 1009, as specifically authorized by law or the General  
 444 Appropriations Act.

445  
 446 With the exception of housing rental rates and except as  
 447 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)  
 448 shall be based on reasonable costs of services. The Board of  
 449 Governors shall adopt regulations and timetables necessary to  
 450 implement the fees and fines authorized under this subsection.

451 The fees assessed under this subsection may be used for debt  
452 only as authorized under s. 1010.62.

453 (15) (a) The Board of Governors may approve:

454 1. A proposal from a university board of trustees to  
455 establish a new student fee that is not specifically authorized  
456 by this section.

457 2. A proposal from a university board of trustees to  
458 increase the current cap for an existing fee authorized pursuant  
459 to paragraphs (14) (a)-(g).

460 3.a. A proposal from a university board of trustees to  
461 implement flexible tuition policies, such as undergraduate or  
462 graduate block tuition, block tuition differential, or market  
463 tuition rates for graduate-level online courses or graduate-  
464 level courses offered through a university's continuing  
465 education program. A block tuition policy for resident  
466 undergraduate students or undergraduate-level courses must ~~shall~~  
467 be based on the per-credit-hour undergraduate tuition  
468 established under subsection (4). A block tuition policy for  
469 nonresident undergraduate students must ~~shall~~ be based on the  
470 per-credit-hour undergraduate tuition and out-of-state fee  
471 established under subsection (4). Flexible tuition policies,  
472 including block tuition, may not increase the state's fiscal  
473 liability or obligation.

474 b. A block tuition policy, which must be adopted by each  
475 university board of trustees for implementation beginning in the

476 fall 2018 academic semester. The policy must apply to the  
477 entering freshman class of full-time, first-time-in-college  
478 students and may be extended to include other enrolled students.  
479 The policy must, at a minimum:

480 (I) Include block tuition and any required fees,  
481 including, but not limited to, tuition differential fees,  
482 activity and service fees, financial aid fees, capital  
483 improvement fees, athletic fees, health fees, and technology  
484 fees.

485 (II) Require the university to maximize the application of  
486 appropriate accelerated credits to minimize unnecessary credits  
487 and excess hours.

488 (III) Enable students to have the flexibility to earn at  
489 least 30 credits per academic year in any combination of fall,  
490 spring, and summer academic terms or semesters.

491 (b) A proposal developed pursuant to paragraph (a) shall  
492 be submitted in accordance with the public notification  
493 requirements of subsection (20) and guidelines established by  
494 the Board of Governors. Approval by the Board of Governors of  
495 such proposals ~~proposal~~ must be made in accordance with ~~the~~  
496 ~~provisions of~~ this subsection. By April 1, 2018, each state  
497 university board of trustees must submit to the Board of  
498 Governors its block tuition policy, adopted pursuant to  
499 subparagraph (a)3., along with information on the potential  
500 impact of the policy on students. By August 1, 2018, the

501 Chancellor of the State University System must submit to the  
502 Governor, the President of the Senate, and the Speaker of the  
503 House of Representatives a summary report of such policies, the  
504 status of the board's review and approval of such policies, and  
505 the board's recommendations for improving block tuition and fee  
506 benefits for students.

507 (16) Each university board of trustees may establish a  
508 tuition differential for undergraduate courses upon receipt of  
509 approval from the Board of Governors. However, beginning July 1,  
510 2014, the Board of Governors may only approve the establishment  
511 of or an increase in tuition differential for a state research  
512 university designated as a preeminent state research university  
513 pursuant to s. 1001.7065(3). The tuition differential shall  
514 promote improvements in the quality of undergraduate education  
515 and shall provide financial aid to undergraduate students who  
516 exhibit financial need.

517 (a) Seventy percent of the revenues from the tuition  
518 differential shall be expended for purposes of undergraduate  
519 education. Such expenditures may include, but are not limited  
520 to, increasing course offerings, improving graduation rates,  
521 increasing the percentage of undergraduate students who are  
522 taught by faculty, decreasing student-faculty ratios, providing  
523 salary increases for faculty who have a history of excellent  
524 teaching in undergraduate courses, improving the efficiency of  
525 the delivery of undergraduate education through academic

526 advisement and counseling, and reducing the percentage of  
527 students who graduate with excess hours. This expenditure for  
528 undergraduate education may not be used to pay the salaries of  
529 graduate teaching assistants. Except as otherwise provided in  
530 this subsection, the remaining 30 percent of the revenues from  
531 the tuition differential, or the equivalent amount of revenue  
532 from private sources, shall be expended to provide financial aid  
533 to undergraduate students who exhibit financial need, including  
534 students who are scholarship recipients under s. 1009.984, to  
535 meet the cost of university attendance. This expenditure for  
536 need-based financial aid shall not supplant the amount of need-  
537 based aid provided to undergraduate students in the preceding  
538 fiscal year from financial aid fee revenues, the direct  
539 appropriation for financial assistance provided to state  
540 universities in the General Appropriations Act, or from private  
541 sources. The total amount of tuition differential waived under  
542 subparagraph (b) 7. ~~(b) 8.~~ may be included in calculating the  
543 expenditures for need-based financial aid to undergraduate  
544 students required by this subsection. If the entire tuition and  
545 fee costs of resident students who have applied for and received  
546 Pell Grant funds have been met and the university has excess  
547 funds remaining from the 30 percent of the revenues from the  
548 tuition differential required to be used to assist students who  
549 exhibit financial need, the university may expend the excess  
550 portion in the same manner as required for the other 70 percent

551 of the tuition differential revenues.

552 (b) Each tuition differential is subject to the following  
553 conditions:

554 1. The tuition differential may be assessed on one or more  
555 undergraduate courses or on all undergraduate courses at a state  
556 university.

557 2. The tuition differential may vary by course or courses,  
558 by campus or center location, and by institution. Each  
559 university board of trustees shall strive to maintain and  
560 increase enrollment in degree programs related to math, science,  
561 high technology, and other state or regional high-need fields  
562 when establishing tuition differentials by course.

563 3. For each state university that is designated as a  
564 preeminent state research university by the Board of Governors,  
565 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
566 tuition differential may be increased by no more than 6 percent  
567 of the total charged for the aggregate sum of these fees in the  
568 preceding fiscal year. The tuition differential may be increased  
569 if the university meets or exceeds performance standard targets  
570 for that university established annually by the Board of  
571 Governors for the following performance standards, amounting to  
572 no more than a 2-percent increase in the tuition differential  
573 for each performance standard:

574 a. An increase in the 4-year ~~6-year~~ graduation rate for  
575 full-time, first-time-in-college students, as reported annually

576 to the Integrated Postsecondary Education Data System.

577 b. An increase in the total annual research expenditures.

578 c. An increase in the total patents awarded by the United  
579 States Patent and Trademark Office for the most recent years.

580 4. The aggregate sum of undergraduate tuition and fees per  
581 credit hour, including the tuition differential, may not exceed  
582 the national average of undergraduate tuition and fees at 4-year  
583 degree-granting public postsecondary educational institutions.

584 ~~5. The tuition differential shall not be included in any~~  
585 ~~award under the Florida Bright Futures Scholarship Program~~  
586 ~~established pursuant to ss. 1009.53-1009.538.~~

587 5.6. Beneficiaries having prepaid tuition contracts  
588 pursuant to s. 1009.98(2)(b) which were in effect on July 1,  
589 2007, and which remain in effect, are exempt from the payment of  
590 the tuition differential.

591 6.7. The tuition differential may not be charged to any  
592 student who was in attendance at the university before July 1,  
593 2007, and who maintains continuous enrollment.

594 7.8. The tuition differential may be waived by the  
595 university for students who meet the eligibility requirements  
596 for the Florida public student assistance grant established in  
597 s. 1009.50.

598 8.9. Subject to approval by the Board of Governors, the  
599 tuition differential authorized pursuant to this subsection may  
600 take effect with the 2009 fall term.



601 (e) The Board of Governors shall submit a report to the  
602 President of the Senate, the Speaker of the House of  
603 Representatives, and the Governor describing the implementation  
604 of the provisions of this subsection no later than February 1 of  
605 each year. The report shall summarize proposals received by the  
606 board during the preceding fiscal year and actions taken by the  
607 board in response to such proposals. In addition, the report  
608 shall provide the following information for each university that  
609 has been approved by the board to assess a tuition differential:

610 1. The course or courses for which the tuition  
611 differential was assessed and the amount assessed.

612 2. The total revenues generated by the tuition  
613 differential.

614 3. With respect to waivers authorized under subparagraph  
615 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the  
616 number of students receiving a waiver, and the value of waivers  
617 provided.

618 4. Detailed expenditures of the revenues generated by the  
619 tuition differential.

620 5. Changes in retention rates, graduation rates, the  
621 percentage of students graduating with more than 110 percent of  
622 the hours required for graduation, pass rates on licensure  
623 examinations, the number of undergraduate course offerings, the  
624 percentage of undergraduate students who are taught by faculty,  
625 student-faculty ratios, and the average salaries of faculty who

626 | teach undergraduate courses.

627 |         (20) Each state university shall publicly notice and  
628 | notify all enrolled students of any proposal to change ~~increase~~  
629 | tuition or fees at least 28 days before its consideration at a  
630 | board of trustees meeting. The notice must:

631 |             (a) Include the date and time of the meeting at which the  
632 | proposal will be considered.

633 |             (b) Specifically outline the details of existing tuition  
634 | and fees, the rationale for the proposed change ~~increase~~, and  
635 | how the funds from the proposed change ~~increase~~ will be used.

636 |             (c) Be posted on the university's website and issued in a  
637 | press release.

638 |         Section 12. Subsection (9) of section 1009.53, Florida  
639 | Statutes, is amended to read:

640 |             1009.53 Florida Bright Futures Scholarship Program.—

641 |             (9) A student may use a Florida Academic Scholar ~~an~~ award  
642 | for summer term enrollment beginning in the 2018 summer term, as  
643 | funded in the General Appropriations Act. A student may use  
644 | other Florida Bright Futures Scholarship Program awards for  
645 | summer term enrollment, if funded in the General Appropriations  
646 | Act ~~if funds are available.~~

647 |         Section 13. Subsection (2) of section 1009.534, Florida  
648 | Statutes, is amended to read:

649 |             1009.534 Florida Academic Scholars award.—

650 |             (2) A Florida Academic Scholar who is enrolled in a

651 certificate, diploma, associate, or baccalaureate degree program  
652 at a public or nonpublic postsecondary education institution is  
653 eligible, beginning in the 2017-2018 academic year, for an award  
654 equal to the amount required to pay 100 percent of tuition and  
655 fees established under ss. 1009.22(3), (5), (6), and (7);  
656 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
657 (13), (14)(r), and (16), as applicable, and is eligible for an  
658 additional \$300 each fall and spring academic semester or the  
659 equivalent for textbooks and ~~specified in the General~~  
660 ~~Appropriations Act~~ to assist with the payment of educational  
661 expenses.

662 Section 14. Subsection (2) of section 1009.535, Florida  
663 Statutes, is amended to read:

664 1009.535 Florida Medallion Scholars award.—

665 (2) A Florida Medallion Scholar who is enrolled in a  
666 certificate, diploma, associate, or baccalaureate degree program  
667 at a public or nonpublic postsecondary education institution is  
668 eligible, beginning in the fall 2018 semester, for an award  
669 equal to the amount required to pay 75 percent of tuition and  
670 fees established under ss. 1009.22(3), (5), (6), and (7);  
671 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
672 (13), (14)(r), and (16), as applicable ~~specified in the General~~  
673 ~~Appropriations Act~~ to assist with the payment of educational  
674 expenses.

675 Section 15. Subsections (1), (2), and (4) and paragraph

676 (c) of subsection (5) of section 1009.701, Florida Statutes, are  
677 amended to read:

678 1009.701 First Generation Matching Grant Program.—

679 (1) The First Generation Matching Grant Program is created  
680 to enable each state university and Florida College System  
681 institution to provide donors with a matching grant incentive  
682 for contributions that will create grant-based student financial  
683 aid for undergraduate students who demonstrate financial need  
684 and whose parents, as defined in s. 1009.21(1), have not earned  
685 a baccalaureate degree. In the case of any individual who  
686 regularly resided with and received support from only one  
687 parent, an individual whose only such parent did not complete a  
688 baccalaureate degree would also be eligible.

689 (2) Funds appropriated by the Legislature for the program  
690 shall be allocated by the Office of Student Financial Assistance  
691 to match private contributions on a dollar-for-dollar basis;  
692 however, beginning in the 2018-2019 fiscal year, such funds  
693 shall be allocated at a ratio of \$2 of state funds to \$1 of  
694 private contributions. Contributions made to a state university  
695 or a Florida College System institution and pledged for the  
696 purposes of this section are eligible for state matching funds  
697 appropriated for this program and are not eligible for any other  
698 state matching grant program. Pledged contributions are not  
699 eligible for matching prior to the actual collection of the  
700 total funds. The Office of Student Financial Assistance shall

701 reserve a proportionate allocation of the total appropriated  
702 funds for each state university and Florida College System  
703 institution on the basis of full-time equivalent enrollment.  
704 Funds that remain unmatched as of December 1 shall be  
705 reallocated to state universities and colleges that have  
706 remaining unmatched private contributions for the program on the  
707 basis of full-time equivalent enrollment.

708 (4) Each participating state university and Florida  
709 College System institution shall establish an application  
710 process, determine student eligibility for initial and renewal  
711 awards in conformance with subsection (5), identify the amount  
712 awarded to each recipient, and notify recipients of the amount  
713 of their awards.

714 (5) In order to be eligible to receive a grant pursuant to  
715 this section, an applicant must:

716 (c) Be accepted at a state university or Florida College  
717 System institution.

718 Section 16. Subsections (2), (4), and (5) of section  
719 1009.893, Florida Statutes, are amended to read:

720 1009.893 Benacquisto Scholarship Program.—

721 (2) The Benacquisto Scholarship Program is created to  
722 reward a ~~any Florida~~ high school graduate who receives  
723 recognition as a National Merit Scholar or National Achievement  
724 Scholar and who initially enrolls in the 2014-2015 academic year  
725 or, later, in a baccalaureate degree program at an eligible

726 Florida public or independent postsecondary educational  
 727 institution.

728 (4) In order to be eligible for an award under the  
 729 scholarship program, a student must meet the requirements of  
 730 paragraph (a) or paragraph (b).

731 (a) A student who is a resident of the state, ~~Be a state~~  
 732 ~~resident~~ as determined in s. 1009.40 and rules of the State  
 733 Board of Education, must:

734 1.~~(b)~~ Earn a standard Florida high school diploma or its  
 735 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,  
 736 or s. 1003.435 unless:

737 a.~~1.~~ The student completes a home education program  
 738 according to s. 1002.41; or

739 b.~~2.~~ The student earns a high school diploma from a non-  
 740 Florida school while living with a parent who is on military or  
 741 public service assignment out of this state;

742 2.~~(c)~~ Be accepted by and enroll in a Florida public or  
 743 independent postsecondary educational institution that is  
 744 regionally accredited; and

745 3.~~(d)~~ Be enrolled full-time in a baccalaureate degree  
 746 program at an eligible regionally accredited Florida public or  
 747 independent postsecondary educational institution during the  
 748 fall academic term following high school graduation.

749 (b) A student who initially enrolls in a baccalaureate  
 750 degree program in the 2018-2019 academic year or later and who

751 is not a resident of this state, as determined in s. 1009.40 and  
752 rules of the State Board of Education, must:

753 1. Physically reside in this state on or near the campus  
754 of the postsecondary educational institution in which the  
755 student is enrolled;

756 2. Earn a high school diploma from a school outside  
757 Florida which is comparable to a standard Florida high school  
758 diploma or its equivalent pursuant to s. 1002.3105, s.  
759 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home  
760 education program in another state; and

761 3. Be accepted by and enrolled full-time in a  
762 baccalaureate degree program at an eligible regionally  
763 accredited Florida public or independent postsecondary  
764 educational institution during the fall academic term following  
765 high school graduation.

766 (5) (a) 1. An eligible student who meets the requirements of  
767 paragraph (4) (a), who is a National Merit Scholar or National  
768 Achievement Scholar, and who attends a Florida public  
769 postsecondary educational institution shall receive a  
770 scholarship award equal to the institutional cost of attendance  
771 minus the sum of the student's Florida Bright Futures  
772 Scholarship and National Merit Scholarship or National  
773 Achievement Scholarship.

774 2. An eligible student who meets the requirements under  
775 paragraph (4) (b), who is a National Merit Scholar, and who

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776 attends a Florida public postsecondary educational institution  
777 shall receive a scholarship award equal to the institutional  
778 cost of attendance for a resident of this state minus the  
779 student's National Merit Scholarship. Such student is exempt  
780 from the payment of out-of-state fees.

781 (b) An eligible student who is a National Merit Scholar or  
782 National Achievement Scholar and who attends a Florida  
783 independent postsecondary educational institution shall receive  
784 a scholarship award equal to the highest cost of attendance for  
785 a resident of this state enrolled at a Florida public  
786 university, as reported by the Board of Governors of the State  
787 University System, minus the sum of the student's Florida Bright  
788 Futures Scholarship and National Merit Scholarship or National  
789 Achievement Scholarship.

790 Section 17. Section 1009.894, Florida Statutes, is created  
791 to read:

792 1009.894 Florida Farmworker Student Scholarship Program.—  
793 The Legislature recognizes the vital contribution of farmworkers  
794 to the economy of this state. The Florida Farmworker Student  
795 Scholarship Program is created to provide scholarships for  
796 farmworkers, as defined in s. 420.503, and the children of such  
797 farmworkers.

798 (1) The Department of Education shall administer the  
799 Florida Farmworker Student Scholarship Program according to  
800 rules and procedures established by the State Board of



801 Education. Beginning in the 2017-2018 academic year, up to 50  
802 scholarships shall be awarded annually according to the criteria  
803 established in subsection (2) and contingent upon an  
804 appropriation in the General Appropriations Act.

805 (2) (a) To be eligible for an initial scholarship, a  
806 student must, at a minimum:

807 1. Have a resident status as required by s. 1009.40 and  
808 rules of the State Board of Education;

809 2. Earn a minimum cumulative weighted grade point average  
810 of 3.5 for all high school courses creditable toward a diploma;

811 3. Complete a minimum of 30 hours of community service;  
812 and

813 4. Have at least a 90 percent attendance rate and not have  
814 had any disciplinary action brought against him or her, as  
815 documented on the student's high school transcript.

816  
817 For purposes of this section, students who are undocumented for  
818 federal immigration purposes are not eligible for an award.

819 (b) The department shall rank eligible initial applicants  
820 for the purposes of awarding scholarships based on need, as  
821 determined by the department.

822 (c) To renew a scholarship awarded pursuant to this  
823 section, a student must maintain at least a cumulative grade  
824 point average of 2.5 or higher on a 4.0 scale for college  
825 coursework.

826 (3) A scholarship recipient must enroll in a minimum of 12  
827 credit hours per term, or the equivalent, at a public  
828 postsecondary educational institution in this state to receive  
829 funding.

830 (4) A scholarship recipient may receive an award for a  
831 maximum of 100 percent of the number of credit hours required to  
832 complete an associate or baccalaureate degree program or receive  
833 an award for a maximum of 100 percent of the credit hours or  
834 clock hours required to complete up to 90 credit hours of a  
835 program that terminates in a career certificate. The scholarship  
836 recipient is eligible for an award equal to the amount required  
837 to pay the tuition and fees established under ss. 1009.22(3),  
838 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);  
839 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a  
840 public postsecondary educational institution in this state.

841 Renewal scholarship awards must take precedence over new  
842 scholarship awards in a year in which funds are not sufficient  
843 to accommodate both initial and renewal awards. The scholarship  
844 must be prorated for any such year.

845 (5) Subject to appropriation in the General Appropriations  
846 Act, the department shall annually issue awards from the  
847 scholarship program. Before the registration period each  
848 semester, the department shall transmit payment for each award  
849 to the president or director of the postsecondary educational  
850 institution, or his or her representative. However, the

851 department may withhold payment if the receiving institution  
852 fails to submit the following reports or make the following  
853 refunds to the department:

854 (a) Each institution shall certify to the department the  
855 eligibility status of each student to receive a disbursement  
856 within 30 days before the end of its regular registration  
857 period, inclusive of a drop and add period. An institution is  
858 not required to reevaluate the student eligibility after the end  
859 of the drop and add period.

860 (b) An institution that receives funds from the  
861 scholarship program must certify to the department the amount of  
862 funds disbursed to each student and remit to the department any  
863 undisbursed advance within 60 days after the end of the regular  
864 registration period.

865 (6) The department shall allocate funds to the appropriate  
866 institutions and collect and maintain data regarding the  
867 scholarship program within the student financial assistance  
868 database as specified in s. 1009.94.

869 (7) Funding for this program shall be as provided in the  
870 General Appropriations Act.

871 Section 18. Present paragraphs (e) and (f) of subsection  
872 (10) of section 1009.98, Florida Statutes, are redesignated as  
873 paragraphs (f) and (g), respectively, and a new paragraph (e) is  
874 added to that subsection, to read:

875 1009.98 Stanley G. Tate Florida Prepaid College Program.—

876 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

877 (e) Notwithstanding the number of credit hours used by a  
878 state university to assess the amount for registration fees,  
879 tuition, tuition differential, or local fees, the amount paid by  
880 the board to any state university on behalf of a qualified  
881 beneficiary of an advance payment contract purchased before July  
882 1, 2024, may not exceed the number of credit hours taken by that  
883 qualified beneficiary at the state university.

884 Section 19. The provisions of this act creating ss.  
885 1004.6497, 1004.6498, and 1009.894, Florida Statutes, and the  
886 provisions amending ss. 1009.22, 1009.23, 1009.24, 1009.53, and  
887 1009.534(2), Florida Statutes, apply retroactively to July 1,  
888 2017.

889 Section 20. The Division of Law Revision and Information  
890 is directed to substitute the term "Effective Access to Student  
891 Education Grant Program" for "Florida Resident Access Grant  
892 Program" and the term "Effective Access to Student Education  
893 grant" for "Florida resident access grant" wherever those terms  
894 appear in the Florida Statutes.

895 Section 21. This act shall take effect upon becoming a  
896 law.