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1 A bill to be entitled
2 An act relating to the Florida Bright Futures Scholarship
3 Program; amending s. 1009.53, F.S.; revising the Florida
4 Bright Futures Scholarship Program beginning with initial
5 awards to students for the 2011 fall term; amending s.
6 1009.531, F.S., relating to student eligibility
7 requirements for initial awards, to conform to changes
8 made by the act; updating a cross-reference to high school
9 graduation requirements; creating s. 1009.5315, F.S.;
10 providing that, for students receiving initial awards
11 beginning with the 2011 fall term, the Florida Bright
12 Futures Scholarship Program shall consist of five levels
13 of awards; specifying student eligibility requirements and
14 award amounts for each level of award; defining the term
15 "tuition and fees" for purposes of award amounts;
16 providing requirements for renewal of awards; amending s.
17 1009.532, F.S., relating to student eligibility
18 requirements for renewal awards, to conform to changes
19 made by the act; amending s. 1009.538, F.S., relating to
20 the calculation of awards for students attending nonpublic
21 institutions, to conform to changes made by the act;
22 amending s. 1009.24, F.S., relating to state university
23 student fees, to conform to changes made by the act;
24 providing that the tuition differential shall be included
25 in the calculation of Florida Bright Futures Scholarship
26 Program award amounts beginning with initial awards to
27 students for the 2011 fall term; providing an effective
28 date.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

Section 1. Subsections (2) and (3), paragraph (a) of subsection (4), and subsection (7) of section 1009.53, Florida Statutes, are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(2) The Bright Futures Scholarship Program consists of three types of awards: the Florida Academic Scholarship, the Florida Medallion Scholarship, and the Florida Gold Seal Vocational Scholarship. Beginning with initial awards for the 2011 fall term, the Bright Futures Scholarship Program consists of five levels of Florida Bright Futures Scholarships.

(3) The Department of Education shall administer the Bright Futures Scholarship Program according to rules and procedures established by the State Board of Education. A single application must be sufficient for a student to apply for any of the three types of awards or for any of the five levels of awards beginning with initial awards for the 2011 fall term. The department must advertise the availability of the scholarship program and must notify students, teachers, parents, guidance counselors, and principals or other relevant school administrators of the criteria and application procedures. The department must begin this process of notification no later than January 1 of each year.

(4) Funding for the Bright Futures Scholarship Program must be allocated from the Education Enhancement Trust Fund and must be provided before allocations from that fund are

57 | calculated for disbursement to other educational entities.

58 | (a) If funds appropriated are not adequate to provide the
 59 | maximum allowable award to each eligible applicant, awards in
 60 | all three components of the program or in all five levels of the
 61 | program beginning with initial awards for the 2011 fall term
 62 | must be prorated using the same percentage reduction.

63 | (7) A student may receive only one type or level of award
 64 | from the Florida Bright Futures Scholarship Program at a time,
 65 | but may transfer from one type or level of award to another
 66 | through the renewal application process, if the student's
 67 | eligibility status changes. However, a student is not eligible
 68 | to transfer from a Florida Medallion Scholarship or a Florida
 69 | Gold Seal Vocational Scholarship to a Florida Academic
 70 | Scholarship. A student who receives an award from the program
 71 | may also receive a federal family education loan or a federal
 72 | direct loan, and the value of the award must be considered in
 73 | the certification or calculation of the student's loan
 74 | eligibility.

75 | Section 2. Subsections (1), (4), and (5) of section
 76 | 1009.531, Florida Statutes, are amended to read:

77 | 1009.531 Florida Bright Futures Scholarship Program;
 78 | student eligibility requirements for initial awards.—

79 | (1) ~~Effective January 1, 2008,~~ In order to be eligible for
 80 | an initial award from any of the three types of scholarships or
 81 | for an initial award beginning with the 2011 fall term from any
 82 | of the five levels of scholarships under the Florida Bright
 83 | Futures Scholarship Program, a student must:

84 | (a) Be a Florida resident as defined in s. 1009.40 and

85 rules of the State Board of Education.

86 (b) Earn a standard Florida high school diploma or its
 87 equivalent as described in s. 1003.428, s. 1003.429, s. 1003.43,
 88 or s. 1003.435 unless:

89 1. The student completes a home education program
 90 according to s. 1002.41; or

91 2. The student earns a high school diploma from a non-
 92 Florida school while living with a parent or guardian who is on
 93 military or public service assignment away from Florida.

94 (c) Be accepted by and enroll in an eligible Florida
 95 public or independent postsecondary education institution.

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

98 (e) Not have been found guilty of, or entered a plea of
 99 nolo contendere to, a felony charge, unless the student has been
 100 granted clemency by the Governor and Cabinet sitting as the
 101 Executive Office of Clemency.

102 (f) Apply for a scholarship from the program by high
 103 school graduation.

104 (4) Each school district shall annually provide to each
 105 high school student a complete and accurate Florida Bright
 106 Futures Scholarship Evaluation Report and Key. The report shall
 107 be disseminated at the beginning of each school year. The report
 108 must include all high school coursework attempted, the number of
 109 credits earned toward each type or level of award, and the
 110 calculation of the grade point average for each type or level of
 111 award. The report must also identify all requirements not met
 112 per type or level of award, including the grade point average

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113 requirement, as well as identify the types or levels of awards
114 for which the student has met the academic requirements. The
115 student report cards must contain a disclosure that the grade
116 point average calculated for purposes of the Florida Bright
117 Futures Scholarship Program may differ from the grade point
118 average on the report card.

119 (5) A student who wishes to qualify for a particular type
120 or level of award within the Florida Bright Futures Scholarship
121 Program, ~~but who~~ does not meet all of the requirements for that
122 type or level of award, may, nevertheless, receive the award for
123 that type or level if the principal of the student's school or
124 the district superintendent verifies that the deficiency is
125 caused by the fact that school district personnel provided
126 inaccurate or incomplete information to the student. The school
127 district must provide a means for the student to correct the
128 deficiencies and the student must correct them, either by
129 completing comparable work at the postsecondary institution or
130 by completing a directed individualized study program developed
131 and administered by the school district. If the student does not
132 complete the requirements by December 31 immediately following
133 high school graduation, the student is ineligible to participate
134 in the program.

135 Section 3. Section 1009.5315, Florida Statutes, is created
136 to read:

137 1009.5315 Florida Bright Futures Scholarship Program
138 awards.-

139 (1) For students receiving initial awards beginning with
140 the 2011 fall term, the Florida Bright Futures Scholarship

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141 Program shall consist of five levels of awards. A student is
142 eligible for one of the five levels of awards if the student
143 meets the general eligibility requirements for the program under
144 s. 1009.531 and the requirements for one of the five levels as
145 follows:

146 (a) A Level I award requires that the student:

147 1.a. Has achieved at least a 3.0 weighted grade point
148 average as calculated pursuant to s. 1009.531, or its
149 equivalent, in high school courses that are designated by the
150 State Board of Education as college preparatory academic courses
151 and has attained a score of at least 970 on the combined reading
152 and mathematics sections of the SAT Reasoning Test or an
153 equivalent score on the ACT Assessment Program; or

154 b. Has completed a college preparatory curriculum in a
155 home education program pursuant to s. 1002.41 during grades 11
156 and 12 that has been documented through a transcript approved by
157 the Department of Education, has completed the International
158 Baccalaureate curriculum but failed to earn the International
159 Baccalaureate Diploma, or has completed the Advanced
160 International Certificate of Education curriculum but failed to
161 earn the Advanced International Certificate of Education
162 Diploma, and has attained a score of at least 970 on the
163 combined reading and mathematics sections of the SAT Reasoning
164 Test or an equivalent score on the ACT Assessment Program.

165 2. Has completed a program of community service work, as
166 approved by the district school board or the administrators of a
167 nonpublic school, which shall include a minimum of 75 hours of
168 service work and require the student to identify a social

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169 problem that interests him or her, develop a plan for his or her
170 personal involvement in addressing the problem, and, through
171 papers or other presentations, evaluate and reflect upon his or
172 her experience.

173 (b) A Level II award requires that the student:

174 1.a. Has achieved at least a 3.5 weighted grade point
175 average as calculated pursuant to s. 1009.531, or its
176 equivalent, in high school courses that are designated by the
177 State Board of Education as college preparatory academic courses
178 and has attained a score of at least 1100 on the combined
179 reading and mathematics sections of the SAT Reasoning Test or an
180 equivalent score on the ACT Assessment Program; or

181 b. Has completed a college preparatory curriculum in a
182 home education program pursuant to s. 1002.41 during grades 11
183 and 12 that has been documented through a transcript approved by
184 the Department of Education, has completed the International
185 Baccalaureate curriculum but failed to earn the International
186 Baccalaureate Diploma, or has completed the Advanced
187 International Certificate of Education curriculum but failed to
188 earn the Advanced International Certificate of Education
189 Diploma, and has attained a score of at least 1100 on the
190 combined reading and mathematics sections of the SAT Reasoning
191 Test or an equivalent score on the ACT Assessment Program.

192 2. Has completed a program of community service work, as
193 approved by the district school board or the administrators of a
194 nonpublic school, which shall include a minimum of 75 hours of
195 service work and require the student to identify a social
196 problem that interests him or her, develop a plan for his or her

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197 personal involvement in addressing the problem, and, through
198 papers or other presentations, evaluate and reflect upon his or
199 her experience.

200 (c) A Level III award requires that the student:

201 1.a. Has achieved at least a 3.5 weighted grade point
202 average as calculated pursuant to s. 1009.531, or its
203 equivalent, in high school courses that are designated by the
204 State Board of Education as college preparatory academic courses
205 and has attained a score of at least 1200 on the combined
206 reading and mathematics sections of the SAT Reasoning Test or an
207 equivalent score on the ACT Assessment Program; or

208 b. Has completed a college preparatory curriculum in a
209 home education program pursuant to s. 1002.41 during grades 11
210 and 12 that has been documented through a transcript approved by
211 the Department of Education, has completed the International
212 Baccalaureate curriculum but failed to earn the International
213 Baccalaureate Diploma, or has completed the Advanced
214 International Certificate of Education curriculum but failed to
215 earn the Advanced International Certificate of Education
216 Diploma, and has attained a score of at least 1200 on the
217 combined reading and mathematics sections of the SAT Reasoning
218 Test or an equivalent score on the ACT Assessment Program.

219 2. Has completed a program of community service work, as
220 approved by the district school board or the administrators of a
221 nonpublic school, which shall include a minimum of 75 hours of
222 service work and require the student to identify a social
223 problem that interests him or her, develop a plan for his or her
224 personal involvement in addressing the problem, and, through

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225 papers or other presentations, evaluate and reflect upon his or
226 her experience.

227 (d) A Level IV award requires that the student:

228 1.a. Has achieved at least a 3.5 weighted grade point
229 average as calculated pursuant to s. 1009.531, or its
230 equivalent, in high school courses that are designated by the
231 State Board of Education as college preparatory academic courses
232 and has attained a score of at least 1300 on the combined
233 reading and mathematics sections of the SAT Reasoning Test or an
234 equivalent score on the ACT Assessment Program;

235 b. Has completed a college preparatory curriculum in a
236 home education program pursuant to s. 1002.41 during grades 11
237 and 12 that has been documented through a transcript approved by
238 the Department of Education, has completed the International
239 Baccalaureate curriculum but failed to earn the International
240 Baccalaureate Diploma, or has completed the Advanced
241 International Certificate of Education curriculum but failed to
242 earn the Advanced International Certificate of Education
243 Diploma, and has attained a score of at least 1300 on the
244 combined reading and mathematics sections of the SAT Reasoning
245 Test or an equivalent score on the ACT Assessment Program;

246 c. Has been awarded an International Baccalaureate Diploma
247 from the International Baccalaureate Office or an Advanced
248 International Certificate of Education Diploma from the
249 University of Cambridge International Examinations Office;

250 d. Has been recognized by the merit or achievement
251 programs of the National Merit Scholarship Corporation as a
252 scholar or finalist; or

253 e. Has been recognized by the National Hispanic
 254 Recognition Program as a scholar recipient.

255 2. Has completed a program of community service work, as
 256 approved by the district school board or the administrators of a
 257 nonpublic school, which shall include a minimum of 75 hours of
 258 service work and require the student to identify a social
 259 problem that interests him or her, develop a plan for his or her
 260 personal involvement in addressing the problem, and, through
 261 papers or other presentations, evaluate and reflect upon his or
 262 her experience.

263 (e) A Level V award requires that the student:

264 1.a. Has achieved at least a 3.5 weighted grade point
 265 average as calculated pursuant to s. 1009.531, or its
 266 equivalent, in high school courses that are designated by the
 267 State Board of Education as college preparatory academic courses
 268 and has attained a score of at least 1400 on the combined
 269 reading and mathematics sections of the SAT Reasoning Test or an
 270 equivalent score on the ACT Assessment Program;

271 b. Has completed a college preparatory curriculum in a
 272 home education program pursuant to s. 1002.41 during grades 11
 273 and 12 that has been documented through a transcript approved by
 274 the Department of Education, has completed the International
 275 Baccalaureate curriculum but failed to earn the International
 276 Baccalaureate Diploma, or has completed the Advanced
 277 International Certificate of Education curriculum but failed to
 278 earn the Advanced International Certificate of Education
 279 Diploma, and has attained a score of at least 1400 on the
 280 combined reading and mathematics sections of the SAT Reasoning

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281 Test or an equivalent score on the ACT Assessment Program;
282 c. Has been awarded an International Baccalaureate Diploma
283 from the International Baccalaureate Office or an Advanced
284 International Certificate of Education Diploma from the
285 University of Cambridge International Examinations Office and
286 has attained a score of at least 1400 on the combined reading
287 and mathematics sections of the SAT Reasoning Test or an
288 equivalent score on the ACT Assessment Program;
289 d. Has been recognized by the merit or achievement
290 programs of the National Merit Scholarship Corporation as a
291 scholar or finalist and has attained a score of at least 1400 on
292 the combined reading and mathematics sections of the SAT
293 Reasoning Test or an equivalent score on the ACT Assessment
294 Program; or
295 e. Has been recognized by the National Hispanic
296 Recognition Program as a scholar recipient and has attained a
297 score of at least 1400 on the combined reading and mathematics
298 sections of the SAT Reasoning Test or an equivalent score on the
299 ACT Assessment Program.
300 2. Has completed a program of community service work, as
301 approved by the district school board or the administrators of a
302 nonpublic school, which shall include a minimum of 75 hours of
303 service work and require the student to identify a social
304 problem that interests him or her, develop a plan for his or her
305 personal involvement in addressing the problem, and, through
306 papers or other presentations, evaluate and reflect upon his or
307 her experience.

308 (2) (a) For purposes of this section, the term "tuition and
 309 fees" includes the following fees to the extent assessed by a
 310 community college or state university:

- 311 1. Tuition.
- 312 2. Financial aid fee.
- 313 3. Activity and service fee.
- 314 4. Health fee.
- 315 5. Athletic fee.
- 316 6. Capital improvement fee.
- 317 7. Building fee.
- 318 8. Transportation access fee.
- 319 9. Student affairs facility use fee.
- 320 10. Tuition differential fee.

321 (b) Beginning with Florida Bright Futures Scholarships
 322 initially awarded for the 2011 fall term, the amount of awards
 323 pursuant to subsection (1) shall be as follows:

324 1. A Level I award shall pay 100 percent of the cost of
 325 tuition and fees that a student incurs while enrolled in a
 326 certificate, diploma, or associate degree program at a community
 327 college or career center. A student who completes an associate
 328 degree program is eligible for a Level II award for the cost of
 329 tuition and fees for a baccalaureate degree program at a
 330 community college, a state university, or a comparable eligible
 331 independent postsecondary education institution pursuant to s.
 332 1009.533.

333 2. A Level II award shall pay 25 percent of the cost of
 334 tuition and fees that a student incurs while enrolled in a
 335 baccalaureate degree program at a state university or a fixed

336 amount calculated according to s. 1009.538 at a comparable
337 eligible independent postsecondary education institution
338 pursuant to s. 1009.533. A student who is eligible for a Level
339 II award is eligible for a Level I award if the student enrolls
340 at a community college or career center.

341 3. A Level III award shall pay 50 percent of the cost of
342 tuition and fees that a student incurs while enrolled in a
343 baccalaureate degree program at a state university or a fixed
344 amount calculated according to s. 1009.538 at a comparable
345 eligible independent postsecondary education institution
346 pursuant to s. 1009.533. A student who is eligible for a Level
347 III award is eligible for a Level I award if the student enrolls
348 at a community college or career center.

349 4. A Level IV award shall pay 75 percent of the cost of
350 tuition and fees that a student incurs while enrolled in a
351 baccalaureate degree program at a state university or a fixed
352 amount calculated according to s. 1009.538 at a comparable
353 eligible independent postsecondary education institution
354 pursuant to s. 1009.533. A student who is eligible for a Level
355 IV award is eligible for a Level I award if the student enrolls
356 at a community college or career center.

357 5. A Level V award shall pay 100 percent of the cost of
358 tuition and fees that a student incurs while enrolled in a
359 baccalaureate degree program at a state university or a fixed
360 amount calculated according to s. 1009.538 at a comparable
361 eligible independent postsecondary education institution
362 pursuant to s. 1009.533. A student who is eligible for a Level V

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363 award is eligible for a Level I award if the student enrolls at
364 a community college or career center.

365 (3) To be eligible to renew any of the five levels of
366 awards, a student must maintain the equivalent of a cumulative
367 grade point average of 3.0 on a 4.0 scale and meet the
368 eligibility requirements for renewal under s. 1009.532.

369 Section 4. Subsection (1) of section 1009.532, Florida
370 Statutes, is amended to read:

371 1009.532 Florida Bright Futures Scholarship Program;
372 student eligibility requirements for renewal awards.-

373 (1) To be eligible to renew a scholarship from any of the
374 three types of scholarships or, beginning with initial awards
375 for the 2011 fall term, from any of the five levels of
376 scholarships under the Florida Bright Futures Scholarship
377 Program, a student must:

378 (a) Effective for students funded in the 2009-2010
379 academic year and thereafter, earn at least 24 semester credit
380 hours or the equivalent in the last academic year in which the
381 student earned a scholarship if the student was enrolled full
382 time, or a prorated number of credit hours as determined by the
383 Department of Education if the student was enrolled less than
384 full time for any part of the academic year. If a student fails
385 to earn the minimum number of hours required to renew the
386 scholarship, the student shall lose his or her eligibility for
387 renewal for a period equivalent to 1 academic year. Such student
388 is eligible to restore the award the following academic year if
389 the student earns the hours for which he or she was enrolled at
390 the level defined by the department and meets the grade point

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391 average for renewal. A student is eligible for such restoration
392 one time. The department shall notify eligible recipients of the
393 provisions of this paragraph. Each institution shall notify
394 award recipients of the provisions of this paragraph during the
395 registration process.

396 (b) Maintain the cumulative grade point average required
397 by the scholarship program, except that:

398 1. If a recipient's grades fall beneath the average
399 required to renew a Florida Academic Scholarship, but are
400 sufficient to renew a Florida Medallion Scholarship or a Florida
401 Gold Seal Vocational Scholarship, the Department of Education
402 may grant a renewal from one of those other scholarship
403 programs, if the student meets the renewal eligibility
404 requirements;

405 2. If, at any time during the eligibility period, a
406 student's grades are insufficient to renew the scholarship, the
407 student may restore eligibility by improving the grade point
408 average to the required level. A student is eligible for such a
409 restoration one time. The Legislature encourages education
410 institutions to assist students to calculate whether or not it
411 is possible to raise the grade point average during the summer
412 term. If the institution determines that it is possible, the
413 education institution may so inform the department, which may
414 reserve the student's award if funds are available. The renewal,
415 however, must not be granted until the student achieves the
416 required cumulative grade point average. If the summer term is
417 not sufficient to raise the grade point average to the required
418 renewal level, the student's next opportunity for renewal is the

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419 fall semester of the following academic year; or

420 3. If a student is receiving a Florida Bright Futures
 421 Scholarship, is a servicemember of the Florida National Guard or
 422 United States Reserves while attending a postsecondary
 423 institution, is called to active duty or state active duty, as
 424 defined in s. 250.01, prior to completing his or her degree, and
 425 meets all other requirements for the scholarship, the student
 426 shall be eligible to continue the scholarship for 2 years after
 427 completing active duty or state active duty.

428 (c) Reimburse or make satisfactory arrangements to
 429 reimburse the institution for the award amount received for
 430 courses dropped after the end of the drop and add period or
 431 courses from which the student withdraws after the end of the
 432 drop and add period unless the student has received an exception
 433 pursuant to s. 1009.53(11).

434 Section 5. Section 1009.538, Florida Statutes, is amended
 435 to read:

436 1009.538 Bright Futures Scholarship recipients attending
 437 nonpublic institutions; calculation of awards.—

438 (1) Notwithstanding ss. 1009.53, 1009.534, 1009.535, and
 439 1009.536, a student who receives any award under the Florida
 440 Bright Futures Scholarship Program, who is enrolled in a
 441 nonpublic postsecondary education institution, and who is
 442 assessed tuition and fees that are the same as those of a full-
 443 time student at that institution, shall receive a fixed award
 444 calculated by using the average tuition and fee calculation as
 445 prescribed by the Department of Education for full-time
 446 attendance at a public postsecondary education institution at

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447 the comparable level. If the student is enrolled part-time and
448 is assessed tuition and fees at a reduced level, the award shall
449 be either one-half of the maximum award or three-fourths of the
450 maximum award, depending on the level of fees assessed.

451 (2) Notwithstanding ss. 1009.53 and 1009.5315, a student
452 who receives an initial award under the Florida Bright Futures
453 Scholarship Program beginning with the 2011 fall term, who is
454 enrolled in a nonpublic postsecondary education institution, and
455 who is assessed tuition and fees that are the same as those of a
456 full-time student at that institution shall receive a fixed
457 award calculated by using the average tuition and fee
458 calculation pursuant to s. 1009.5315 as prescribed by the
459 Department of Education for full-time attendance at a public
460 postsecondary education institution at the comparable level. If
461 the student is enrolled part-time and is assessed tuition and
462 fees at a reduced level, the award shall be either one-half of
463 the maximum award or three-fourths of the maximum award,
464 depending on the level of fees assessed.

465 Section 6. Paragraph (d) of subsection (4) and paragraph
466 (b) of subsection (16) of section 1009.24, Florida Statutes, are
467 amended to read:

468 1009.24 State university student fees.—

469 (4)

470 (d) The sum of the activity and service, health, and
471 athletic fees a student is required to pay to register for a
472 course shall not exceed 40 percent of the tuition established in
473 law or in the General Appropriations Act. No university shall be
474 required to lower any fee in effect on the effective date of

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475 | this act in order to comply with this subsection. Within the 40
 476 | percent cap, universities may not increase the aggregate sum of
 477 | activity and service, health, and athletic fees more than 5
 478 | percent per year unless specifically authorized in law or in the
 479 | General Appropriations Act. A university may increase its
 480 | athletic fee to defray the costs associated with changing
 481 | National Collegiate Athletic Association divisions. Any such
 482 | increase in the athletic fee may exceed both the 40 percent cap
 483 | and the 5 percent cap imposed by this subsection. Any such
 484 | increase must be approved by the athletic fee committee in the
 485 | process outlined in subsection (12) and cannot exceed \$2 per
 486 | credit hour. Notwithstanding the provisions of ss. 1009.534,
 487 | 1009.535, and 1009.536, that portion of any increase in an
 488 | athletic fee pursuant to this subsection that causes the sum of
 489 | the activity and service, health, and athletic fees to exceed
 490 | the 40 percent cap or the annual increase in such fees to exceed
 491 | the 5 percent cap shall not be included in calculating the
 492 | amount a student receives for a Florida Academic Scholars award,
 493 | a Florida Medallion Scholars award, or a Florida Gold Seal
 494 | Vocational Scholars award. Notwithstanding the provisions of s.
 495 | 1009.5315, that portion of any increase in an athletic fee
 496 | pursuant to this subsection that causes the sum of the activity
 497 | and service, health, and athletic fees to exceed the 40 percent
 498 | cap or the annual increase in such fees to exceed the 5 percent
 499 | cap shall not be included in calculating the amount a student
 500 | receives for a Florida Bright Futures Scholarship Program award.

501 | (16) Each university board of trustees may establish a
 502 | tuition differential for undergraduate courses upon receipt of

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503 approval from the Board of Governors. The tuition differential
504 shall promote improvements in the quality of undergraduate
505 education and shall provide financial aid to undergraduate
506 students who exhibit financial need.

507 (b) Each tuition differential is subject to the following
508 conditions:

509 1. The tuition differential may be assessed on one or more
510 undergraduate courses or on all undergraduate courses at a state
511 university.

512 2. The tuition differential may vary by course or courses,
513 campus or center location, and by institution. Each university
514 board of trustees shall strive to maintain and increase
515 enrollment in degree programs related to math, science, high
516 technology, and other state or regional high-need fields when
517 establishing tuition differentials by course.

518 3. For each state university that has total research and
519 development expenditures for all fields of at least \$100 million
520 per year as reported annually to the National Science
521 Foundation, the aggregate sum of tuition and the tuition
522 differential may not be increased by more than 15 percent of the
523 total charged for the aggregate sum of these fees in the
524 preceding fiscal year. For each state university that has total
525 research and development expenditures for all fields of less
526 than \$100 million per year as reported annually to the National
527 Science Foundation, the aggregate sum of tuition and the tuition
528 differential may not be increased by more than 15 percent of the
529 total charged for the aggregate sum of these fees in the
530 preceding fiscal year.

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531 4. The aggregate sum of undergraduate tuition and fees per
532 credit hour, including the tuition differential, may not exceed
533 the national average of undergraduate tuition and fees at 4-year
534 degree-granting public postsecondary educational institutions.

535 5. The tuition differential may not be calculated as a
536 part of the scholarship programs established in ss. 1009.53-
537 1009.538. However, beginning with initial awards for the 2011
538 fall term under the Florida Bright Futures Scholarship Program,
539 the tuition differential shall be included in the calculation
540 for an award pursuant to ss. 1009.5315 and 1009.538.

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

545 7. The tuition differential may not be charged to any
546 student who was in attendance at the university before July 1,
547 2007, and who maintains continuous enrollment.

548 8. The tuition differential may be waived by the
549 university for students who meet the eligibility requirements
550 for the Florida public student assistance grant established in
551 s. 1009.50.

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

555 Section 7. This act shall take effect July 1, 2010.