



595224

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2012	.	
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The Committee on Budget Subcommittee on Higher Education
Appropriations (Oelrich) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1001.765, Florida Statutes, is created
to read:

1001.765 State universities of academic and research
excellence and national preeminence.-

(1) This section may be cited as the "State Universities of
Academic and Research Excellence and National Preeminence Act."

(2) A collaborative partnership is established between the
Board of Governors and the Legislature to elevate the academic



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13 and research excellence and national preeminence of Florida's
14 highest-performing state research universities in accordance
15 with this section. The partnership stems from the State
16 University System Governance Agreement executed on March 24,
17 2010, wherein the Board of Governors and leaders of the
18 Legislature agreed to a framework for the collaborative exercise
19 of their joint authority and shared responsibility for the State
20 University System. Specifically, the governance agreement
21 confirmed the commitment of the Board of Governors and the
22 Legislature to continue collaboration on accountability
23 measures, the use of data, and recommendations derived from such
24 data.

25 (3) (a) Beginning with the 2012-2013 academic year, a state
26 research university that has substantially met at least 11 of
27 the academic and research excellence standards identified in
28 subsection (4), as verified by the Board of Governors, may
29 establish student tuition and fees at differentiated and market
30 rates in addition to the tuition differential fee,
31 notwithstanding the percentages and dollar amount limitations in
32 s. 1009.24, as approved by the university's board of trustees
33 and the Board of Governors. Tuition and fee increases may occur
34 no more than once each academic year and must be implemented
35 beginning with the fall term.

36 (b) A qualified beneficiary having a prepaid advance
37 payment contract pursuant to s. 1009.98(2) (b) that was in effect
38 prior to the first year a state university receives tuition and
39 fee authority under this subsection, and that remains in effect,
40 is exempt from the payment of any increase to tuition and fees
41 assessed pursuant to this subsection. A qualified beneficiary



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42 having a prepaid advance payment contract pursuant to s.
43 1009.98(2)(b) that is entered into the first year a state
44 university receives tuition and fee authority under this
45 subsection, or thereafter, is liable for the difference between
46 the highest rate of tuition and fees covered by the advance
47 payment contract and the tuition and fees assessed pursuant to
48 this subsection by the state university the student attends.

49 (4) Academic and research excellence standards for state
50 universities of national preeminence are:

51 (a) An average weighted grade point average of 3.8 or
52 higher on a 4.0 scale and an average SAT score of 1800 or higher
53 for fall semester incoming freshman, as reported annually.

54 (b) A top 50 ranking on at least two well-known and highly
55 respected national public university rankings, reflecting
56 national preeminence, using most recent rankings.

57 (c) A freshman retention rate of 90 percent or higher for
58 full-time first-time-in-college students, as reported annually
59 to the Integrated Postsecondary Education Data System (IPEDS).

60 (d) A 6-year graduation rate of 70 percent or higher for
61 full-time first-time-in-college students, as reported annually
62 to the IPEDS.

63 (e) Six or more faculty members at the state university who
64 are members of a national academy, as reported by the Center for
65 Measuring University Performance in the Top American Research
66 Universities (TARU) annual report.

67 (f) Total annual research expenditures, including federal
68 research expenditures, of \$200 million or more, as reported in
69 the TARU annual report.

70 (g) Total annual research expenditures in diversified



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71 nonmedical sciences of \$100 million or more, based on data
72 reported annually by the National Science Foundation (NSF).

73 (h) A top 100 university national ranking for research
74 expenditures in five or more science, technology, engineering,
75 or mathematics fields of study, as reported annually by the NSF.

76 (i) One hundred or more total patents awarded by the United
77 States Patent and Trademark Office for the most recent 3-year
78 period.

79 (j) Two hundred fifty or more doctoral degrees awarded
80 annually, as reported in the TARU annual report.

81 (k) Two hundred or more postdoctoral appointees annually,
82 as reported in the TARU annual report.

83 (l) A national quality ranking higher than predicted based
84 on available financial resources rankings, as reported annually
85 by U.S. News and World Report.

86 (m) An endowment of \$400 million or more, as reported in
87 the TARU annual report.

88 (n) Annual giving of \$50 million or more, as reported in
89 the TARU annual report.

90 (5) Fees collected pursuant to s. 1009.24 that are used to
91 pledge or secure revenue bonds or to secure debt shall be
92 maintained at the appropriate level to meet all debt service
93 obligations of the state university.

94 (6) (a) For the 2012-2013 fiscal year, a state university
95 that meets the requirements of subsection (3), as of February 1,
96 2012, shall submit to the Board of Governors, no later than May
97 31, 2012, the university's proposal for increasing tuition and
98 fee rates for the 2012-2013 academic year as provided for in
99 this section. Upon approval of the university's proposal, the



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100 Board of Governors shall request an amendment to increase the
101 budget authority in the Education/General Student and Other Fees
102 Trust Fund necessary to accommodate the additional tuition and
103 fee revenues generated by the university's approved rates.
104 Notwithstanding the \$1 million limitation on increases to an
105 approved operating budget contained in ss. 216.181(11) and
106 216.292(3), a budget amendment exceeding that dollar amount is
107 subject to notice and objection procedures set forth in s.
108 216.177.

109 (b) A state university that meets the requirements of
110 subsection (3) shall annually submit to the Board of Governors,
111 no later than May 31, the university's tuition and fee rate
112 proposal as provided for in this section. Upon approval of the
113 university's proposal, the Board of Governors shall request, in
114 the board's annual legislative budget request, budget authority
115 in the Education/General Student and Other Fees Trust Fund
116 necessary to accommodate tuition and fee revenues generated by
117 the university's approved rates.

118 (7) In order to provide a jointly shared educational
119 experience, a state university that has met the requirements of
120 subsection (3) may require its incoming first-time-in-college
121 students to take a 9-to-12-credit set of courses specifically
122 determined by the university. The state university may require
123 that this set of courses be taken at the university and may
124 stipulate that credit for such courses may not be earned through
125 any acceleration mechanism, pursuant to s. 1007.27 or s.
126 1007.271, or other transfer credit.

127 (8) The Board of Governors is encouraged to identify and
128 grant additional authority and flexibilities as may be



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129 appropriate to achieve state university and State University
130 System goals. In addition, the Board of Governors is encouraged
131 to identify state university programs of academic and research
132 excellence and make recommendations to the Legislature for
133 flexibilities designed to move those programs higher in
134 appropriate nationally recognized rankings.

135 (9) The Board of Governors shall oversee implementation of
136 this section.

137 Section 2. This act shall take effect upon becoming a law.
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139 ===== T I T L E A M E N D M E N T =====

140 And the title is amended as follows:

141 Delete everything before the enacting clause
142 and insert:

143 A bill to be entitled

144 An act relating to state universities of academic and
145 research excellence and national preeminence; creating
146 s. 1001.765, F.S.; providing a short title;
147 establishing a collaborative partnership between the
148 Board of Governors of the State University System and
149 the Legislature to elevate the academic and research
150 excellence and national preeminence of the highest-
151 performing state research universities; authorizing a
152 state research university that meets specified
153 criteria, verified by the Board of Governors, to
154 establish student tuition and fees at differentiated
155 and market rates; providing certain conditions for
156 implementing tuition and fee increases; establishing
157 academic and research excellence standards for state



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158 universities of national preeminence; specifying
159 requirements relating to debt service obligations;
160 establishing procedures to obtain certain budget
161 authorization for the 2012-2013 fiscal year;
162 establishing procedures for institutional legislative
163 budget requests for certain tuition and fee increases;
164 authorizing state universities of national preeminence
165 to establish required courses for certain students;
166 encouraging the Board of Governors to identify, grant,
167 and recommend flexibilities to achieve goals and
168 improve the national rankings of programs of
169 excellence; requiring the Board of Governors to
170 oversee implementation; providing an effective date.