

By the Committees on Budget Subcommittee on Higher Education Appropriations; and Higher Education; and Senators Oelrich and Lynn

605-04237-12

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1 A bill to be entitled
2 An act relating to state universities of academic and
3 research excellence and national preeminence; creating
4 s. 1001.765, F.S.; providing a short title;
5 establishing a collaborative partnership between the
6 Board of Governors of the State University System and
7 the Legislature to elevate the academic and research
8 excellence and national preeminence of the highest-
9 performing state research universities; authorizing a
10 state research university that meets specified
11 criteria, verified by the Board of Governors, to
12 establish student tuition and fees at differentiated
13 and market rates; providing certain conditions for
14 implementing tuition and fee increases; establishing
15 academic and research excellence standards for state
16 universities of national preeminence; specifying
17 requirements relating to debt service obligations;
18 establishing procedures to obtain certain budget
19 authorization for the 2012-2013 fiscal year;
20 establishing procedures for institutional legislative
21 budget requests for certain tuition and fee increases;
22 authorizing state universities of national preeminence
23 to establish required courses for certain students;
24 encouraging the Board of Governors to identify, grant,
25 and recommend flexibilities to achieve goals and
26 improve the national rankings of programs of
27 excellence; requiring the Board of Governors to
28 oversee implementation; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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

34 1001.765 State universities of academic and research
35 excellence and national preeminence.-

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

38 (2) A collaborative partnership is established between the
39 Board of Governors and the Legislature to elevate the academic
40 and research excellence and national preeminence of Florida's
41 highest-performing state research universities in accordance
42 with this section. The partnership stems from the State
43 University System Governance Agreement executed on March 24,
44 2010, wherein the Board of Governors and leaders of the
45 Legislature agreed to a framework for the collaborative exercise
46 of their joint authority and shared responsibility for the State
47 University System. Specifically, the governance agreement
48 confirmed the commitment of the Board of Governors and the
49 Legislature to continue collaboration on accountability
50 measures, the use of data, and recommendations derived from such
51 data.

52 (3) (a) Beginning with the 2012-2013 academic year, a state
53 research university that has substantially met at least 11 of
54 the academic and research excellence standards identified in
55 subsection (4), as verified by the Board of Governors, may
56 establish student tuition and fees at differentiated and market
57 rates in addition to the tuition differential fee,
58 notwithstanding the percentages and dollar amount limitations in

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59 s. 1009.24, as approved by the university's board of trustees
60 and the Board of Governors. Tuition and fee increases may occur
61 no more than once each academic year and must be implemented
62 beginning with the fall term.

63 (b) A qualified beneficiary having a prepaid advance
64 payment contract pursuant to s. 1009.98(2)(b) that was in effect
65 prior to the first year a state university receives tuition and
66 fee authority under this subsection, and that remains in effect,
67 is exempt from the payment of any increase to tuition and fees
68 assessed pursuant to this subsection. A qualified beneficiary
69 having a prepaid advance payment contract pursuant to s.
70 1009.98(2)(b) that is entered into the first year a state
71 university receives tuition and fee authority under this
72 subsection, or thereafter, is liable for the difference between
73 the highest rate of tuition and fees covered by the advance
74 payment contract and the tuition and fees assessed pursuant to
75 this subsection by the state university the student attends.

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

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

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

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

87 (d) A 6-year graduation rate of 70 percent or higher for

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88 full-time first-time-in-college students, as reported annually
89 to the IPEDS.

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

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

97 (g) Total annual research expenditures in diversified
98 nonmedical sciences of \$100 million or more, based on data
99 reported annually by the National Science Foundation (NSF).

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

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

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

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

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

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

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

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

121 (6) (a) For the 2012-2013 fiscal year, a state university
122 that meets the requirements of subsection (3), as of February 1,
123 2012, shall submit to the Board of Governors, no later than May
124 31, 2012, the university's proposal for increasing tuition and
125 fee rates for the 2012-2013 academic year as provided for in
126 this section. Upon approval of the university's proposal, the
127 Board of Governors shall request an amendment to increase the
128 budget authority in the Education/General Student and Other Fees
129 Trust Fund necessary to accommodate the additional tuition and
130 fee revenues generated by the university's approved rates.
131 Notwithstanding the \$1 million limitation on increases to an
132 approved operating budget contained in ss. 216.181(11) and
133 216.292(3), a budget amendment exceeding that dollar amount is
134 subject to notice and objection procedures set forth in s.
135 216.177.

136 (b) A state university that meets the requirements of
137 subsection (3) shall annually submit to the Board of Governors,
138 no later than May 31, the university's tuition and fee rate
139 proposal as provided for in this section. Upon approval of the
140 university's proposal, the Board of Governors shall request, in
141 the board's annual legislative budget request, budget authority
142 in the Education/General Student and Other Fees Trust Fund
143 necessary to accommodate tuition and fee revenues generated by
144 the university's approved rates.

145 (7) In order to provide a jointly shared educational

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146 experience, a state university that has met the requirements of
147 subsection (3) may require its incoming first-time-in-college
148 students to take a 9-to-12-credit set of courses specifically
149 determined by the university. The state university may require
150 that this set of courses be taken at the university and may
151 stipulate that credit for such courses may not be earned through
152 any acceleration mechanism, pursuant to s. 1007.27 or s.
153 1007.271, or other transfer credit. All accelerated credits
154 earned up to the limits specified in ss. 1007.27 and 1007.271
155 shall be applied toward graduation at the student's request.

156 (8) The Board of Governors is encouraged to identify and
157 grant additional authority and flexibilities as may be
158 appropriate to achieve state university and State University
159 System goals. In addition, the Board of Governors is encouraged
160 to identify state university programs of academic and research
161 excellence and make recommendations to the Legislature for
162 flexibilities designed to move those programs higher in
163 appropriate nationally recognized rankings.

164 (9) The Board of Governors shall oversee implementation of
165 this section.

166 Section 2. This act shall take effect upon becoming a law.