

HB 7129

2012

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

(3) (a) Beginning with the 2012-2013 academic year, a state research university that has substantially met at least 11 of the academic and research excellence standards identified in subsection (4), as verified by the Board of Governors, may

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57 establish student tuition and fees at differentiated and market
58 rates in addition to the tuition differential fee,
59 notwithstanding the percentages and dollar amount limitations in
60 s. 1009.24, as approved by the university's board of trustees
61 and the Board of Governors. Tuition and fee increases may occur
62 no more than once each academic year and must be implemented
63 beginning with the fall term.

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

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

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

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

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

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

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

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

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

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

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

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

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

111 (l) A national quality ranking higher than predicted based
112 on available financial resources rankings, as reported annually

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113 by U.S. News and World Report.

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

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

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

122 (6) (a) For the 2012-2013 fiscal year, a state university
123 that meets the requirements of subsection (3), as of February 1,
124 2012, shall submit to the Board of Governors, no later than May
125 31, 2012, the university's proposal for increasing tuition and
126 fee rates for the 2012-2013 academic year as provided for in
127 this section. Upon approval of the university's proposal, the
128 Board of Governors shall request an amendment to increase the
129 budget authority in the Education/General Student and Other Fees
130 Trust Fund necessary to accommodate the additional tuition and
131 fee revenues generated by the university's approved rates.
132 Notwithstanding the \$1 million limitation on increases to an
133 approved operating budget contained in ss. 216.181(11) and
134 216.292(3), a budget amendment exceeding that dollar amount is
135 subject to notice and objection procedures set forth in s.
136 216.177.

137 (b) A state university that meets the requirements of
138 subsection (3) shall annually submit to the Board of Governors,
139 no later than May 31, the university's tuition and fee rate
140 proposal as provided for in this section. Upon approval of the

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141 university's proposal, the Board of Governors shall request, in
142 the board's annual legislative budget request, budget authority
143 in the Education/General Student and Other Fees Trust Fund
144 necessary to accommodate tuition and fee revenues generated by
145 the university's approved rates.

146 (7) In order to provide a jointly shared educational
147 experience, a state university that has met the requirements of
148 subsection (3) may require its incoming first-time-in college
149 students to take a 9-to-12-credit set of courses specifically
150 determined by the university. The state university may require
151 that this set of courses be taken at the university and may
152 stipulate that credit for such courses may not be earned through
153 any acceleration mechanism, pursuant to s. 1007.27 or s.
154 1007.271, or other transfer credit.

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

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

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