

## ENROLLED

HB 7129, Engrossed 1

2012 Legislature

1  
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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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

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

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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. All accelerated credits  
155 earned up to the limits specified in ss. 1007.27 and 1007.271  
156 shall be applied toward graduation at the student's request.

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

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

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