

1 A bill to be entitled
2 An act relating to postsecondary access and
3 affordability; amending s. 446.021, F.S.; revising
4 definitions relating to state apprenticeship and job-
5 training programs; amending s. 446.032, F.S.;
6 conforming provisions; amending s. 446.045, F.S.;
7 revising criteria for certain appointments to the
8 State Apprenticeship Advisory Council; amending s.
9 446.081, F.S.; limiting applicability of state
10 apprenticeship and job-training program requirements
11 with respect to certain provisions for veterans,
12 minority persons, and women; amending s. 446.091,
13 F.S.; conforming provisions; amending s. 446.092,
14 F.S.; revising criteria for apprenticeship
15 occupations; amending s. 1001.7065, F.S.; specifying
16 that the costs of instructional materials are not
17 included in tuition for certain online degree
18 programs; amending s. 1004.015, F.S.; revising the
19 membership of the Higher Education Coordinating
20 Council; creating s. 1004.084, F.S.; requiring the
21 Board of Governors of the State University System and
22 the State Board of Education to submit annual reports
23 to the Governor and Legislature relating to college
24 affordability; amending s. 1004.085, F.S.; revising
25 provisions relating to textbook affordability to
26 include instructional materials; defining the term

27 "instructional materials"; requiring Florida College
28 System institution and state university boards of
29 trustees to identify wide variances in the costs of,
30 and in the frequency of changes in the selection of,
31 textbooks and instructional materials for certain
32 courses; requiring the boards of trustees to send
33 identified courses to the academic department chairs
34 for review; providing for legislative review and
35 repeal of specified provisions; requiring
36 postsecondary institutions to consult with certain
37 school districts to identify certain practices;
38 requiring cost-benefit analyses relating to textbooks
39 and instructional materials; providing reporting
40 requirements; amending s. 1004.92, F.S.; revising the
41 program standards for career, adult, and community
42 education programs; providing for rulemaking; amending
43 s. 1009.23, F.S.; requiring Florida College System
44 institutions to provide a public notice relating to
45 increases in tuition and fees; amending s. 1009.24,
46 F.S.; revising provisions relating to the assessment
47 of a tuition differential by a state university board
48 of trustees; revising requirements for the use of
49 tuition differential revenues; deleting a requirement
50 that a certain percentage of tuition differential
51 revenues be used for the purpose of improvements in
52 the quality of undergraduate education; requiring

53 state universities to provide a public notice relating
 54 to increases in tuition and fees; creating s.
 55 1011.802, F.S.; creating the Florida Apprenticeship
 56 Grant Program within the Department of Education to
 57 provide grants to specific centers and institutions
 58 for the creation of new apprenticeship programs or the
 59 expansion of existing apprenticeship programs;
 60 providing requirements related to applications,
 61 program priority, use of grant funds, and quarterly
 62 reports; creating s. 1011.803, F.S.; creating the
 63 Rapid Response Grant Program; providing for the
 64 purpose, requirements, and administration of the
 65 program; requiring certain career centers to provide
 66 quarterly reports; requiring an annual analysis of the
 67 program; providing appropriations; providing an
 68 effective date.

69

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

71

72 Section 1. Subsections (2), (4), and (9) of section
 73 446.021, Florida Statutes, are amended to read:

74 446.021 Definitions of terms used in ss. 446.011-446.092.—
 75 As used in ss. 446.011-446.092, the term:

76 (2) "Apprentice" means a person at least 16 years of age
 77 who is engaged in learning a recognized skilled trade through
 78 actual work experience under the supervision of a journeyworker

79 ~~journeymen craftsmen~~, which training should be combined with
80 properly coordinated studies of related technical and
81 supplementary subjects, and who has entered into a written
82 agreement, which may be cited as an apprentice agreement, with a
83 registered apprenticeship sponsor who may be ~~either~~ an employer,
84 an association of employers, or a local joint apprenticeship
85 committee.

86 (4) "Journeyworker Journeyman" means a worker who has
87 attained a level of skill and the abilities and competencies
88 recognized within an industry as having mastered the skills and
89 competencies required for the occupation. The term includes a
90 mentor, technician, or specialist or other skilled worker who
91 has documented sufficient skills and knowledge of an occupation,
92 either through formal apprenticeship or through practical on-
93 the-job experience and formal training ~~person working in an~~
94 ~~apprenticeable occupation who has successfully completed a~~
95 ~~registered apprenticeship program or who has worked the number~~
96 ~~of years required by established industry practices for the~~
97 ~~particular trade or occupation.~~

98 (9) "Related instruction" means an organized and
99 systematic form of instruction designed to provide the
100 apprentice with knowledge of the theoretical and technical
101 subjects related to a specific trade or occupation. Such
102 instruction may be given in a classroom, through occupational or
103 industrial courses or correspondence courses of equivalent
104 value, through electronic media, or through other forms of self-

105 study approved by the department.

106 Section 2. Subsection (1) of section 446.032, Florida
 107 Statutes, is amended to read:

108 446.032 General duties of the department for
 109 apprenticeship training.—The department shall:

110 (1) Establish uniform minimum standards and policies
 111 governing apprentice programs and agreements. The standards and
 112 policies shall govern the terms and conditions of the
 113 apprentice's employment and training, including the quality
 114 training of the apprentice for, but not limited to, such matters
 115 as ratios of apprentices to journeymen ~~journeymen~~, safety,
 116 related instruction, and on-the-job training; but these
 117 standards and policies may not include rules, standards, or
 118 guidelines that require the use of apprentices and job trainees
 119 on state, county, or municipal contracts. The department may
 120 adopt rules necessary to administer the standards and policies.

121 Section 3. Paragraph (b) of subsection (2) of section
 122 446.045, Florida Statutes, is amended to read:

123 446.045 State Apprenticeship Advisory Council.—

124 (2) (b) The Commissioner of Education or the commissioner's
 125 designee shall serve ex officio as chair of the State
 126 Apprenticeship Advisory Council, but may not vote. The state
 127 director of the Office of Apprenticeship of the United States
 128 Department of Labor shall serve ex officio as a nonvoting member
 129 of the council. The Governor shall appoint to the council four
 130 members representing employee organizations and four members

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131 representing employer organizations. Each of these eight members
132 shall represent industries that have registered apprenticeship
133 programs. The Governor shall also appoint two public members who
134 are knowledgeable about registered apprenticeship and
135 apprenticeable occupations and who are independent of any joint
136 or nonjoint organization, ~~one of whom shall be recommended by~~
137 ~~joint organizations,~~ ~~and one of whom shall be recommended by~~
138 ~~nonjoint organizations.~~ Members shall be appointed for 4-year
139 staggered terms. A vacancy shall be filled for the remainder of
140 the unexpired term.

141 Section 4. Subsection (4) is added to section 446.081,
142 Florida Statutes, to read:

143 446.081 Limitation.—

144 (4) Nothing in ss. 446.011-446.092 or in any rules
145 adopted, or in any apprentice agreement approved, under those
146 sections shall operate to invalidate any special provision for
147 veterans, minority persons, or women in the standards,
148 apprentice qualifications, or operation of the program, which is
149 not otherwise prohibited by law, executive order, or authorized
150 regulation.

151 Section 5. Section 446.091, Florida Statutes, is amended
152 to read:

153 446.091 On-the-job training program.—All provisions of ss.
154 446.011-446.092 relating to apprenticeship and
155 preapprenticeship, including, but not limited to, programs,
156 agreements, standards, administration, procedures, definitions,

157 expenditures, local committees, powers and duties, limitations,
 158 grievances, and ratios of apprentices and job trainees to
 159 journeyworkers ~~journeymen~~ on state, county, and municipal
 160 contracts, shall be appropriately adapted and made applicable to
 161 a program of on-the-job training authorized under those
 162 provisions for persons other than apprentices.

163 Section 6. Section 446.092, Florida Statutes, is amended
 164 to read:

165 446.092 Criteria for apprenticeship occupations.—An
 166 apprenticeable occupation is a skilled trade which possesses all
 167 of the following characteristics:

168 (1) It is customarily learned in a practical way through a
 169 structured, systematic program of on-the-job, supervised
 170 training.

171 (2) It is clearly identified and commonly recognized
 172 throughout an ~~the~~ industry ~~or recognized with a positive view~~
 173 ~~towards changing technology.~~

174 (3) It involves manual, mechanical, or technical skills
 175 and knowledge which, in accordance with the industry standards
 176 for the occupation, would require a minimum of 2,000 hours of
 177 on-the-job ~~work and~~ training, which hours are excluded from the
 178 time spent at related instruction.

179 (4) It requires related instruction to supplement on-the-
 180 job training. Such instruction may be given in a classroom,
 181 through occupational or industrial courses or ~~through~~
 182 correspondence courses of equivalent value, through electronic

183 media, or through other forms of self-study approved by the
 184 department.

185 ~~(5) It involves the development of skill sufficiently~~
 186 ~~broad to be applicable in like occupations throughout an~~
 187 ~~industry, rather than of restricted application to the products~~
 188 ~~or services of any one company.~~

189 ~~(6) It does not fall into any of the following categories:~~

190 ~~(a) Selling, retailing, or similar occupations in the~~
 191 ~~distributive field.~~

192 ~~(b) Managerial occupations.~~

193 ~~(c) Professional and scientific vocations for which~~
 194 ~~entrance requirements customarily require an academic degree.~~

195 Section 7. Paragraph (k) of subsection (4) of section
 196 1001.7065, Florida Statutes, is amended to read:

197 1001.7065 Preeminent state research universities program.—

198 (4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR
 199 ONLINE LEARNING.—A state research university that, as of July 1,
 200 2013, meets all 12 of the academic and research excellence
 201 standards identified in subsection (2), as verified by the Board
 202 of Governors, shall establish an institute for online learning.
 203 The institute shall establish a robust offering of high-quality,
 204 fully online baccalaureate degree programs at an affordable cost
 205 in accordance with this subsection.

206 (k) The university shall establish a tuition structure for
 207 its online institute in accordance with this paragraph,
 208 notwithstanding any other provision of law.

209 1. For students classified as residents for tuition
210 purposes, tuition for an online baccalaureate degree program
211 shall be set at no more than 75 percent of the tuition rate as
212 specified in the General Appropriations Act pursuant to s.
213 1009.24(4) and 75 percent of the tuition differential pursuant
214 to s. 1009.24(16). No distance learning fee, fee for campus
215 facilities, or fee for on-campus services may be assessed,
216 except that online students shall pay the university's
217 technology fee, financial aid fee, and Capital Improvement Trust
218 Fund fee. The revenues generated from the Capital Improvement
219 Trust Fund fee shall be dedicated to the university's institute
220 for online learning.

221 2. For students classified as nonresidents for tuition
222 purposes, tuition may be set at market rates in accordance with
223 the business plan.

224 3. Tuition for an online degree program shall include all
225 costs associated with instruction, materials, and enrollment,
226 excluding costs associated with the provision of textbooks and
227 instructional materials pursuant to s. 1004.085 and physical
228 laboratory supplies.

229 4. Subject to the limitations in subparagraph 1., tuition
230 may be differentiated by degree program as appropriate to the
231 instructional and other costs of the program in accordance with
232 the business plan. Pricing must incorporate innovative
233 approaches that incentivize persistence and completion,
234 including, but not limited to, a fee for assessment, a bundled

235 or all-inclusive rate, and sliding scale features.

236 5. The university must accept advance payment contracts
237 and student financial aid.

238 6. Fifty percent of the net revenues generated from the
239 online institute of the university shall be used to enhance and
240 enrich the online institute offerings, and 50 percent of the net
241 revenues generated from the online institute shall be used to
242 enhance and enrich the university's campus state-of-the-art
243 research programs and facilities.

244 7. The institute may charge additional local user fees
245 pursuant to s. 1009.24(14) upon the approval of the Board of
246 Governors.

247 8. The institute shall submit a proposal to the president
248 of the university authorizing additional user fees for the
249 provision of voluntary student participation in activities and
250 additional student services.

251 Section 8. Subsection (2) of section 1004.015, Florida
252 Statutes, is amended to read:

253 1004.015 Higher Education Coordinating Council.—

254 (2) Members of the council shall include:

255 (a) One member of the Board of Governors, appointed by the
256 chair of the Board of Governors.

257 (b) The Chancellor of the State University System.

258 (c) The Chancellor of the Florida College System.

259 (d) The Chancellor of Career and Adult Education.

260 (e) ~~(d)~~ One member of the State Board of Education,

261 appointed by the chair of the State Board of Education.

262 (f)~~(e)~~ The Executive Director of the Florida Association
 263 of Postsecondary Schools and Colleges.

264 (g)~~(f)~~ The president of the Independent Colleges and
 265 Universities of Florida.

266 (h)~~(g)~~ The president of Workforce Florida, Inc., or his or
 267 her designee.

268 (i)~~(h)~~ The president of Enterprise Florida, Inc., or a
 269 designated member of the Stakeholders Council appointed by the
 270 president.

271 (j)~~(i)~~ Three representatives of the business community,
 272 one appointed by the President of the Senate, one appointed by
 273 the Speaker of the House of Representatives, and one appointed
 274 by the Governor, who are committed to developing and enhancing
 275 world class workforce infrastructure necessary for Florida's
 276 citizens to compete and prosper in the ever-changing economy of
 277 the 21st century.

278 Section 9. Section 1004.084, Florida Statutes, is created
 279 to read:

280 1004.084 College affordability.-

281 (1) The Board of Governors and the State Board of
 282 Education shall annually identify strategies to promote college
 283 affordability for all Floridians by evaluating, at a minimum,
 284 the impact of:

285 (a) Tuition and fees at public colleges and universities.

286 (b) Federal, state, and institutional financial aid

287 policies on the actual cost of attendance for students and their
 288 families.

289 (c) The costs of textbooks and instructional materials.

290 (2) By December 31 of each year, beginning in 2015, the
 291 Board of Governors and the State Board of Education shall submit
 292 a report on their respective college affordability initiatives
 293 to the Governor, the President of the Senate, and the Speaker of
 294 the House of Representatives.

295 Section 10. Section 1004.085, Florida Statutes, is amended
 296 to read:

297 1004.085 Textbook and instructional materials
 298 affordability.—

299 (1) As used in this section, the term "instructional
 300 materials" means educational materials for use within a course
 301 which may be available in printed or digital format.

302 (2)~~(1)~~ An ~~No~~ employee of a Florida College System
 303 institution or state university may not demand or receive any
 304 payment, loan, subscription, advance, deposit of money, service,
 305 or anything of value, present or promised, in exchange for
 306 requiring students to purchase a specific textbook or
 307 instructional material for coursework or instruction.

308 (3)~~(2)~~ An employee may receive:

309 (a) Sample copies, instructor copies, or instructional
 310 materials. These materials may not be sold for any type of
 311 compensation if they are specifically marked as free samples not
 312 for resale.

313 (b) Royalties or other compensation from sales of
314 textbooks or instructional materials that include the
315 instructor's own writing or work.

316 (c) Honoraria for academic peer review of course
317 materials.

318 (d) Fees associated with activities such as reviewing,
319 critiquing, or preparing support materials for textbooks or
320 instructional materials pursuant to guidelines adopted by the
321 State Board of Education or the Board of Governors.

322 (e) Training in the use of course materials and learning
323 technologies.

324 (4) Each Florida College System institution and state
325 university board of trustees shall, each semester, examine the
326 cost of textbooks and instructional materials by course and
327 course section for all general education courses offered at the
328 institution to identify any variance in the cost of textbooks
329 and instructional materials among different sections of the same
330 course and the percentage of textbooks and instructional
331 materials that remain in use for more than one term. Courses
332 that have a wide variance in costs among sections or that have
333 frequent changes in textbook and instructional material
334 selections shall be identified and sent to the appropriate
335 academic department chair for review. This subsection is
336 repealed July 1, 2017, unless reviewed and saved from repeal
337 through reenactment by the Legislature.

338 (5)~~(3)~~ Each Florida College System institution

339 ~~institutions~~ and state university ~~universities~~ shall post
340 prominently in the course registration system and on its website
341 ~~on their websites~~, as early as is feasible, but at least ~~not~~
342 ~~less than~~ 30 days before ~~prior to~~ the first day of class for
343 each term, a hyperlink to lists ~~list~~ of ~~each textbook~~ required
344 and recommended textbooks and instructional materials for each
345 course offered at the institution during the upcoming term. The
346 lists ~~posted list~~ must include the International Standard Book
347 Number (ISBN) for each required and recommended textbook and
348 instructional material or other identifying information, which
349 must include, at a minimum, all of the following: the title, all
350 authors listed, publishers, edition number, copyright date,
351 published date, and other relevant information necessary to
352 identify the specific ~~textbook or~~ textbooks or instructional
353 materials required and recommended for each course. The State
354 Board of Education and the Board of Governors shall include in
355 the policies, procedures, and guidelines adopted under
356 subsection (6) ~~(4)~~ certain limited exceptions to this
357 notification requirement for classes added after the
358 notification deadline.

359 (6) ~~(4)~~ The State Board of Education and the Board of
360 Governors each shall adopt textbook and instructional material
361 affordability policies, procedures, and guidelines for
362 implementation by Florida College System institutions and state
363 universities, respectively, that further efforts to minimize the
364 cost of textbooks and instructional materials for students

365 attending such institutions while maintaining the quality of
366 education and academic freedom. The policies, procedures, and
367 guidelines shall address ~~provide for the following:~~

368 (a) The adoption of textbooks ~~that textbook and~~
369 instructional materials ~~adoptions are made~~ with sufficient lead
370 time so that ~~to~~ bookstores may ~~so as to~~ confirm availability of
371 the requested materials and, where possible, maximize ~~ensure~~
372 ~~maximum~~ availability of used textbooks or instructional
373 materials ~~books~~.

374 (b) Confirmation by the course instructor or academic
375 department offering the course, before the textbook or
376 instructional material adoption is finalized ~~That, in the~~
377 ~~textbook adoption process,~~ of the intent to use all items
378 ordered, particularly each individual item sold as part of a
379 bundled package, ~~is confirmed by the course instructor or the~~
380 ~~academic department offering the course before the adoption is~~
381 ~~finalized~~.

382 (c) Determination by ~~That~~ a course instructor or the
383 academic department offering the course ~~determines,~~ before a
384 textbook or instructional material is adopted, of the extent to
385 which a new edition differs significantly and substantively from
386 earlier versions and the value to the student of changing to a
387 new edition or the extent to which an open-access textbook or
388 instructional material is available ~~may exist and be used~~.

389 (d) ~~That the establishment of policies shall address~~ The
390 availability of required and recommended textbooks and

391 instructional materials to students otherwise unable to afford
392 the cost, including consideration of the extent to which an
393 open-access textbook or instructional material may be used.

394 (e) Participation by ~~That~~ course instructors and academic
395 departments ~~are encouraged to participate~~ in the development,
396 adaptation, and review of open-access textbooks and
397 instructional materials and, in particular, open-access
398 textbooks and instructional materials for high-demand general
399 education courses.

400 (f) Consultation with school districts to identify
401 practices that impact the cost of dual enrollment textbooks and
402 instructional materials to school districts, including but not
403 limited to, the length of time that textbooks or instructional
404 materials remain in use.

405 (g) Selection of textbooks and instructional materials
406 through cost-benefit analyses that enable students to obtain the
407 highest-quality product at the lowest available price, by
408 considering:

409 1. Purchasing digital textbooks in bulk.

410 2. Expanding the use of open-access textbooks and
411 instructional materials.

412 3. Providing rental options for textbooks and
413 instructional materials.

414 4. Increasing the availability and use of affordable
415 digital textbooks and learning objects.

416 5. Developing mechanisms to assist in buying, renting,

417 selling, and sharing textbooks and instructional materials.

418 6. The length of time that textbooks and instructional
419 materials remain in use.

420 (7) The board of trustees of each Florida College System
421 institution and state university shall report, by September 30
422 of each year, beginning in 2015, to the Chancellor of the
423 Florida College System or the Chancellor of the State University
424 System, as applicable, the textbook and instructional material
425 selection process for general education courses with a wide cost
426 variance identified pursuant to subsection (4) and high-
427 enrollment courses; specific initiatives of the institution
428 designed to reduce the costs of textbooks and instructional
429 materials; policies implemented in accordance with subsection
430 (6); the number of courses and course sections that were not
431 able to meet the textbook and instructional materials posting
432 deadline for the previous academic year; and any additional
433 information determined by the chancellors. By November 1 of each
434 year, beginning in 2015, each chancellor shall provide a summary
435 of the information provided by institutions to the State Board
436 of Education and the Board of Governors, as applicable.

437 Section 11. Paragraph (b) of subsection (2) of section
438 1004.92, Florida Statutes, is amended, and subsection (4) is
439 added to that section, to read:

440 1004.92 Purpose and responsibilities for career
441 education.—

442 (2)

443 (b) Department of Education accountability for career
444 education includes, but is not limited to:

445 1. The provision of timely, accurate technical assistance
446 to school districts and Florida College System institutions.

447 2. The provision of timely, accurate information to the
448 State Board of Education, the Legislature, and the public.

449 3. The development of policies, rules, and procedures that
450 facilitate institutional attainment of the accountability
451 standards and coordinate the efforts of all divisions within the
452 department.

453 4. The development of program standards and industry-
454 driven benchmarks for career, adult, and community education
455 programs, which must be updated every 3 years. The standards
456 must reflect the quality components of a career and technical
457 education program and include career, academic, and workplace
458 skills; viability of distance learning for instruction; and
459 work/learn cycles that are responsive to business and industry.

460 5. Overseeing school district and Florida College System
461 institution compliance with the provisions of this chapter.

462 6. Ensuring that the educational outcomes for the
463 technical component of career programs are uniform and designed
464 to provide a graduate who is capable of entering the workforce
465 on an equally competitive basis regardless of the institution of
466 choice.

467 (4) The State Board of Education shall adopt rules to
468 administer this section.

469 Section 12. Subsection (20) is added to section 1009.23,
 470 Florida Statutes, to read:

471 1009.23 Florida College System institution student fees.—

472 (20) Each Florida College System institution shall
 473 publicly notice and notify all enrolled students of any proposal
 474 to increase tuition or fees at least 28 days before its
 475 consideration at a board of trustees meeting. The notice must:

476 (a) Include the date and time of the meeting at which the
 477 proposal will be considered.

478 (b) Specifically outline the details of existing tuition
 479 and fees, the rationale for the proposed increase, and how the
 480 funds from the proposed increase will be used.

481 (c) Be posted on the institution's website and issued in a
 482 press release.

483 Section 13. Paragraph (b) of subsection (4) and subsection
 484 (16) of section 1009.24, Florida Statutes, are amended, and
 485 subsection (20) is added to that section, to read:

486 1009.24 State university student fees.—

487 (4)

488 (b) The Board of Governors, ~~or the board's designee,~~ may
 489 establish tuition for graduate and professional programs, and
 490 out-of-state fees for all programs. Except as otherwise provided
 491 in this section, the sum of tuition and out-of-state fees
 492 assessed to nonresident students must be sufficient to offset
 493 the full instructional cost of serving such students. However,
 494 adjustments to out-of-state fees or tuition for graduate

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495 programs and professional programs may not exceed 15 percent in
496 any year.

497 (16) Each university board of trustees may assess
498 ~~establish~~ a tuition differential for undergraduate courses if
499 such fee was approved by the Board of Governors before July 1,
500 2014 upon receipt of approval from the Board of Governors.
501 ~~However, beginning July 1, 2014, the Board of Governors may only~~
502 ~~approve the establishment of or an increase in tuition~~
503 ~~differential for a state research university designated as a~~
504 ~~preeminent state research university pursuant to s.~~
505 ~~1001.7065(3).~~ The tuition differential shall promote
506 improvements in the quality of undergraduate education and shall
507 provide financial aid to undergraduate students who exhibit
508 financial need.

509 (a) ~~Thirty Seventy percent of the revenues from the~~
510 ~~tuition differential shall be expended for purposes of~~
511 ~~undergraduate education. Such expenditures may include, but are~~
512 ~~not limited to, increasing course offerings, improving~~
513 ~~graduation rates, increasing the percentage of undergraduate~~
514 ~~students who are taught by faculty, decreasing student-faculty~~
515 ~~ratios, providing salary increases for faculty who have a~~
516 ~~history of excellent teaching in undergraduate courses,~~
517 ~~improving the efficiency of the delivery of undergraduate~~
518 ~~education through academic advisement and counseling, and~~
519 ~~reducing the percentage of students who graduate with excess~~
520 ~~hours. This expenditure for undergraduate education may not be~~

521 ~~used to pay the salaries of graduate teaching assistants. Except~~
522 ~~as otherwise provided in this subsection, the remaining 30~~
523 percent of the revenues from the tuition differential, or the
524 equivalent amount of revenue from private sources, shall be
525 expended to provide financial aid to undergraduate students who
526 exhibit financial need, including students who are scholarship
527 recipients under s. 1009.984, to meet the cost of university
528 attendance. This expenditure for need-based financial aid shall
529 not supplant the amount of need-based aid provided to
530 undergraduate students in the preceding fiscal year from
531 financial aid fee revenues, the direct appropriation for
532 financial assistance provided to state universities in the
533 General Appropriations Act, or from private sources. The total
534 amount of tuition differential waived under subparagraph (b) 7.
535 ~~(b) 8.~~ may be included in calculating the expenditures for need-
536 based financial aid to undergraduate students required by this
537 subsection. This expenditure for need-based financial aid is not
538 required if the entire tuition and fee costs of resident
539 students who have applied for and received Pell Grant funds have
540 been met and the university has excess funds remaining from the
541 30 percent of the revenues from the tuition differential
542 required to be used to assist students who exhibit financial
543 need, ~~the university may expend the excess portion in the same~~
544 ~~manner as required for the other 70 percent of the tuition~~
545 ~~differential revenues.~~

546 (b) Each tuition differential is subject to the following

547 conditions:

548 1. The tuition differential may be assessed on one or more
549 undergraduate courses or on all undergraduate courses at a state
550 university.

551 2. The tuition differential may vary by course or courses,
552 by campus or center location, and by institution. Each
553 university board of trustees shall strive to maintain and
554 increase enrollment in degree programs related to math, science,
555 high technology, and other state or regional high-need fields
556 when establishing tuition differentials by course.

557 ~~3. For each state university that is designated as a~~
558 ~~preeminent state research university by the Board of Governors,~~
559 ~~pursuant to s. 1001.7065, the aggregate sum of tuition and the~~
560 ~~tuition differential may be increased by no more than 6 percent~~
561 ~~of the total charged for the aggregate sum of these fees in the~~
562 ~~preceding fiscal year. The tuition differential may be increased~~
563 ~~if the university meets or exceeds performance standard targets~~
564 ~~for that university established annually by the Board of~~
565 ~~Governors for the following performance standards, amounting to~~
566 ~~no more than a 2-percent increase in the tuition differential~~
567 ~~for each performance standard:~~

568 ~~a. An increase in the 6-year graduation rate for full-~~
569 ~~time, first-time-in-college students, as reported annually to~~
570 ~~the Integrated Postsecondary Education Data System.~~

571 ~~b. An increase in the total annual research expenditures.~~

572 ~~c. An increase in the total patents awarded by the United~~

573 ~~States Patent and Trademark Office for the most recent years.~~

574 ~~3.4.~~ The aggregate sum of undergraduate tuition and fees
575 per credit hour, including the tuition differential, may not
576 exceed the national average of undergraduate tuition and fees at
577 4-year degree-granting public postsecondary educational
578 institutions.

579 ~~4.5.~~ The tuition differential shall not be included in any
580 award under the Florida Bright Futures Scholarship Program
581 established pursuant to ss. 1009.53-1009.538.

582 ~~5.6.~~ Beneficiaries having prepaid tuition contracts
583 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
584 2007, and which remain in effect, are exempt from the payment of
585 the tuition differential.

586 ~~6.7.~~ The tuition differential may not be charged to any
587 student who was in attendance at the university before July 1,
588 2007, and who maintains continuous enrollment.

589 ~~7.8.~~ The tuition differential may be waived by the
590 university for students who meet the eligibility requirements
591 for the Florida public student assistance grant established in
592 s. 1009.50.

593 ~~9.~~ ~~Subject to approval by the Board of Governors, the~~
594 ~~tuition differential authorized pursuant to this subsection may~~
595 ~~take effect with the 2009 fall term.~~

596 (c) Each state university that is designated as a
597 preeminent state research university by the Board of Governors
598 pursuant to s. 1001.7065 may increase the tuition differential

599 annually in accordance with this subsection. However, the
600 aggregate sum of tuition and the tuition differential may be
601 increased by no more than 6 percent of the total charged for the
602 aggregate sum of these fees in the preceding fiscal year. The
603 tuition differential may be increased only if the university
604 meets or exceeds performance standard targets for that
605 university established annually by the Board of Governors for
606 the following performance standards, amounting to no more than a
607 2-percent increase in the tuition differential for each
608 performance standard:

609 1. An increase in the 6-year graduation rate for full-
610 time, first-time-in-college students, as reported annually to
611 the Integrated Postsecondary Education Data System.

612 2. An increase in total annual research expenditures.

613 3. An increase in total patents awarded by the United
614 States Patent and Trademark Office for the most recent years.

615 ~~(c) A university board of trustees may submit a proposal~~
616 ~~to the Board of Governors to implement a tuition differential~~
617 ~~for one or more undergraduate courses. At a minimum, the~~
618 ~~proposal shall:~~

619 ~~1. Identify the course or courses for which the tuition~~
620 ~~differential will be assessed.~~

621 ~~2. Indicate the amount that will be assessed for each~~
622 ~~tuition differential proposed.~~

623 ~~3. Indicate the purpose of the tuition differential.~~

624 ~~4. Indicate how the revenues from the tuition differential~~

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625 ~~will be used.~~

626 ~~5. Indicate how the university will monitor the success of~~
627 ~~the tuition differential in achieving the purpose for which the~~
628 ~~tuition differential is being assessed.~~

629 ~~(d) The Board of Governors shall review each proposal and~~
630 ~~advise the university board of trustees of approval of the~~
631 ~~proposal, the need for additional information or revision to the~~
632 ~~proposal, or denial of the proposal. The Board of Governors~~
633 ~~shall establish a process for any university to revise a~~
634 ~~proposal or appeal a decision of the board.~~

635 (d)(e) The Board of Governors shall submit a report to the
636 President of the Senate, the Speaker of the House of
637 Representatives, and the Governor describing the implementation
638 of the provisions of this subsection no later than February 1 of
639 each year. The report shall ~~summarize proposals received by the~~
640 ~~board during the preceding fiscal year and actions taken by the~~
641 ~~board in response to such proposals. In addition, the report~~
642 ~~shall~~ provide the following information for each university that
643 assesses ~~has been approved by the board to assess~~ a tuition
644 differential:

645 1. The course or courses for which the tuition
646 differential was assessed and the amount assessed.

647 2. The total revenues generated by the tuition
648 differential.

649 3. With respect to waivers authorized under subparagraph
650 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the

651 number of students receiving a waiver, and the value of waivers
 652 provided.

653 4. Detailed expenditures of the revenues generated by the
 654 tuition differential.

655 5. Changes in retention rates, graduation rates, the
 656 percentage of students graduating with more than 110 percent of
 657 the hours required for graduation, pass rates on licensure
 658 examinations, the number of undergraduate course offerings, the
 659 percentage of undergraduate students who are taught by faculty,
 660 student-faculty ratios, and the average salaries of faculty who
 661 teach undergraduate courses.

662 (e)-(f) A No state university is not shall be required to
 663 lower a any tuition differential that was approved by the Board
 664 of Governors and in effect before July 1, 2014 ~~prior to January~~
 665 ~~1, 2009~~, in order to comply with ~~the provisions of~~ this
 666 subsection.

667 (20) Each state university shall publicly notice and
 668 notify all enrolled students of any proposal to increase tuition
 669 or fees at least 28 days before its consideration at a board of
 670 trustees meeting. The notice must:

671 (a) Include the date and time of the meeting at which the
 672 proposal will be considered.

673 (b) Specifically outline the details of existing tuition
 674 and fees, the rationale for the proposed increase, and how the
 675 funds from the proposed increase will be used.

676 (c) Be posted on the university's website and issued in a

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677 press release.

678 Section 14. Section 1011.802, Florida Statutes, is created
679 to read:

680 1011.802 Florida Apprenticeship Grant (FLAG) Program.—

681 (1) The Florida Apprenticeship Grant Program is created to
682 provide grants to career centers, charter technical career
683 centers, and Florida College System institutions on a
684 competitive basis to establish new apprenticeship programs and
685 expand existing apprenticeship programs. The Division of Career
686 and Adult Education within the Department of Education shall
687 administer the grant program.

688 (2) Applications from career centers, charter technical
689 career centers, and Florida College System institutions must
690 contain projected enrollment and projected costs for the new or
691 expanded apprenticeship program.

692 (3) The department shall give priority to apprenticeship
693 programs in the areas of information technology, health, and
694 machining and manufacturing. Grant funds may be used for
695 instructional equipment, supplies, personnel, student services,
696 and other expenses associated with the creation or expansion of
697 an apprenticeship program. Grant funds may not be used for
698 recurring instructional costs or for a center's or an
699 institution's indirect costs. Grant recipients must submit
700 quarterly reports in a format prescribed by the department.

701 Section 15. Section 1011.803, Florida Statutes, is created
702 to read:

703 1011.803 Rapid Response Grant Program.—

704 (1) The Rapid Response Grant Program is established to
705 provide a competitive grant process for the expansion or
706 implementation of high-demand postsecondary programs at career
707 centers, as defined in ss. 1001.44 and 1002.34.

708 (2) Each career center applying for a grant shall submit
709 an application to the Department of Education in the format
710 prescribed by the department. The application must include, but
711 is not limited to, program expansion or development details,
712 projected enrollment, and projected costs.

713 (3) Each career center that is awarded a grant under this
714 section shall submit quarterly reports to the department in the
715 format prescribed by the department. Grant funds may not be used
716 to supplant current funds and must be used to expand enrollment
717 in existing postsecondary programs or develop new postsecondary
718 programs.

719 (4) The Department of Education shall administer the
720 program and shall conduct an annual analysis and assessment of
721 the effectiveness of the postsecondary programs funded under
722 this section in meeting labor market demand.

723 Section 16. For the 2015-2016 fiscal year:

724 (1) The sum of \$3 million in recurring funds is
725 appropriated from the General Revenue Fund to the Department of
726 Education to implement the Florida Apprenticeship Grant Program.

727 (2) The sum of \$10 million in recurring funds is
728 appropriated from the General Revenue Fund to the Department of

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729 | Education to implement the Rapid Response Grant Program.

730 | Section 17. This act shall take effect July 1, 2015.