

By Senator Galvano

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1 A bill to be entitled
2 An act relating to higher education; providing a short
3 title; amending s. 1001.66, F.S.; revising
4 requirements for the performance-based metrics used to
5 award Florida College System institutions with
6 performance-based incentives; amending s. 1001.67,
7 F.S.; revising the Distinguished Florida College
8 System Institution Program excellence standards
9 requirements; amending s. 1001.7065, F.S.; revising
10 the preeminent state research universities program
11 graduation rate requirements and funding
12 distributions; deleting the authority for such
13 universities to stipulate a special course requirement
14 for incoming students; requiring the Board of
15 Governors to establish certain standards by a
16 specified date; amending s. 1001.92, F.S.; requiring
17 certain performance-based metrics to include specified
18 graduation rates; amending s. 1007.23, F.S.; requiring
19 each Florida Community College System institution to
20 execute at least one "2+2" Targeted Pathway
21 articulation agreement by a specified time; providing
22 requirements and student eligibility for the
23 agreements; requiring the State Board of Community
24 Colleges and the Board of Governors to collaborate to
25 eliminate barriers for the agreements; amending s.
26 1007.27, F.S.; requiring school districts to notify
27 students about certain lists and equivalencies;
28 amending s. 1008.30, F.S.; providing that certain
29 state universities may continue to provide
30 developmental education instruction; amending ss.
31 1009.22 and 1009.23, F.S.; revising the prohibition on
32 the inclusion of a technology fee in the Florida

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33 Bright Futures Scholarship Program award; amending s.
34 1009.24, F.S.; revising the prohibition on the
35 inclusion of a technology fee in the Florida Bright
36 Futures Scholarship Program award; requiring each
37 state university board of trustees to implement a
38 block tuition policy for specified undergraduate
39 students or undergraduate-level courses by a specified
40 time; revising the conditions for differential
41 tuition; amending s. 1009.534, F.S.; specifying
42 Florida Academic Scholars award amounts to cover
43 tuition, fees, textbooks, and other college-related
44 expenses; amending s. 1009.701, F.S.; revising the
45 state-to-private match requirement for contributions
46 to the First Generation Matching Grant Program;
47 amending s. 1009.89, F.S.; renaming the Florida
48 Resident Access Grant Program; amending s. 1009.893,
49 F.S.; extending coverage of Benacquisto Scholarships
50 to include tuition and fees for qualified nonresident
51 students; providing a directive to the Division of Law
52 Revision and Information; providing an effective date.
53

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

55
56 Section 1. This act shall be cited as the "Florida
57 Excellence in Higher Education Act of 2017."

58 Section 2. Subsection (1) of section 1001.66, Florida
59 Statutes, is amended to read:

60 1001.66 Florida College System Performance-Based
61 Incentive.—

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62 (1) The following performance-based metrics must be used in
63 awarding a Florida College System Performance-Based Incentive
64 shall be awarded to a Florida College System institution:
65 ~~institutions using performance-based metrics~~

66 (a) The distinguished college performance measures and
67 respective excellence standards specified in s. 1001.67(1);

68 (b) A graduation rate for first-time-in-college students
69 enrolled in an associate of arts degree program who graduate
70 with a baccalaureate degree in 4 years after initially enrolling
71 in an associates of arts degree program; and

72 (c) One performance-based metric on college affordability
73 adopted by the State Board of Education. ~~The performance-based~~
74 metrics must include retention rates; program completion and
75 graduation rates; postgraduation employment, salaries, and
76 continuing education for workforce education and baccalaureate
77 programs, with wage thresholds that reflect the added value of
78 the certificate or degree; and outcome measures appropriate for
79 associate of arts degree recipients.

80
81 The state board shall adopt benchmarks to evaluate each
82 institution's performance on the metrics to measure the
83 institution's achievement of institutional excellence or need
84 for improvement and ~~the~~ minimum requirements for eligibility to
85 receive performance funding.

86 Section 3. Subsection (1) of section 1001.67, Florida
87 Statutes, is amended to read:

88 1001.67 Distinguished Florida College System Institution
89 Program.—A collaborative partnership is established between the
90 State Board of Education and the Legislature to recognize the

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91 excellence of Florida's highest-performing Florida College
92 System institutions.

93 (1) EXCELLENCE STANDARDS.—The following excellence
94 standards are established for the program:

95 (a) A 100 ~~150~~ percent-of-normal-time completion rate of 50
96 percent or higher, as calculated by the Division of Florida
97 Colleges.

98 (b) A 100 ~~150~~ percent-of-normal-time completion rate for
99 Pell Grant recipients of 40 percent or higher, as calculated by
100 the Division of Florida Colleges.

101 (c) A retention rate of 70 percent or higher, as calculated
102 by the Division of Florida Colleges.

103 (d) A continuing education, or transfer, rate of 72 percent
104 or higher for students graduating with an associate of arts
105 degree, as reported by the Florida Education and Training
106 Placement Information Program (FETPIP).

107 (e) A licensure passage rate on the National Council
108 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
109 percent or higher for first-time exam takers, as reported by the
110 Board of Nursing.

111 (f) A ~~job placement or continuing education or job~~
112 placement rate of 88 percent or higher for workforce programs,
113 as reported by FETPIP, with wage thresholds that reflect the
114 added value of the applicable certificate or degree. This
115 paragraph does not apply to associate of arts degrees.

116 (g) An excess hours rate of 40 percent or lower for ~~A time-~~
117 ~~to-degree for students graduating with an~~ associate of arts
118 degree recipients who graduate with 72 or more credit hours, as
119 calculated by the Division of Florida Colleges ~~of 2.25 years or~~

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120 ~~less for first-time-in-college students with accelerated college~~
121 ~~credits, as reported by the Southern Regional Education Board.~~

122 Section 4. Paragraph (d) of subsection (2), paragraph (c)
123 of subsection (5), and subsections (6), (7), and (8) of section
124 1001.7065, Florida Statutes, are amended to read:

125 1001.7065 Preeminent state research universities program.—

126 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
127 following academic and research excellence standards are
128 established for the preeminent state research universities
129 program:

130 (d) A 4-year ~~6-year~~ graduation rate of 50 ~~70~~ percent or
131 higher for full-time, first-time-in-college students, as
132 calculated by the Board of Governors ~~reported annually to the~~
133 ~~IPEDS~~.

134 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
135 SUPPORT.—

136 (c) The award of funds under this subsection is contingent
137 upon funding provided in the General Appropriations Act to
138 support the preeminent state research universities program
139 created under this section. Funding increases appropriated
140 beyond the amounts funded in the previous fiscal year shall be
141 distributed as follows:

142 1. Each designated preeminent state research university
143 that meets the criteria in paragraph (a) shall receive an equal
144 amount of funding.

145 2. Each designated emerging preeminent state research
146 university that meets the criteria in paragraph (b) shall
147 receive an amount of funding that is equal to one-fourth ~~one-~~
148 ~~half~~ of the total increased amount awarded to each designated

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149 preeminent state research university.

150 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
151 ~~REQUIREMENT AUTHORITY.—In order to provide a jointly shared~~
152 ~~educational experience, a university that is designated a~~
153 ~~preeminent state research university may require its incoming~~
154 ~~first-time-in-college students to take a six-credit set of~~
155 ~~unique courses specifically determined by the university and~~
156 ~~published on the university's website. The university may~~
157 ~~stipulate that credit for such courses may not be earned through~~
158 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
159 ~~or any other transfer credit. All accelerated credits earned up~~
160 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
161 ~~applied toward graduation at the student's request.~~

162 ~~(6)(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
163 AUTHORITY.—The Board of Governors is encouraged to identify and
164 grant all reasonable, feasible authority and flexibility to
165 ensure that each designated preeminent state research university
166 and each designated emerging preeminent state research
167 university is free from unnecessary restrictions.

168 ~~(7)(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE
169 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~
170 establish standards and measures whereby individual
171 undergraduate, graduate, and professional degree programs in
172 state universities which ~~that~~ objectively reflect national
173 excellence can be identified and make recommendations to the
174 Legislature by September 1, 2017, as to how any such programs
175 could be enhanced and promoted.

176 Section 5. Subsection (1) of section 1001.92, Florida
177 Statutes, is amended to read:

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178 1001.92 State University System Performance-Based
179 Incentive.—

180 (1) A State University System Performance-Based Incentive
181 shall be awarded to state universities using performance-based
182 metrics adopted by the Board of Governors of the State
183 University System. The performance-based metrics must include 4-
184 year graduation rates; retention rates; postgraduation education
185 rates; degree production; affordability; postgraduation
186 employment and salaries, including wage thresholds that reflect
187 the added value of a baccalaureate degree; access; and other
188 metrics approved by the board in a formally noticed meeting. The
189 board shall adopt benchmarks to evaluate each state university's
190 performance on the metrics to measure the state university's
191 achievement of institutional excellence or need for improvement
192 and minimum requirements for eligibility to receive performance
193 funding.

194 Section 6. Subsection (7) is added to section 1007.23,
195 Florida Statutes, to read:

196 1007.23 Statewide articulation agreement.—

197 (7) To strengthen Florida's "2+2" system of articulation
198 and improve student retention and on-time graduation, by the
199 2018-2019 academic year, each Florida Community College System
200 institution shall execute at least one "2+2" targeted pathway
201 articulation agreement with one or more state universities to
202 establish "2+2" targeted pathway programs. The agreement must
203 provide students who graduate with an associate in arts degree
204 and who meet specified requirements guaranteed access to the
205 state university and a degree program at that university, in
206 accordance with the terms of the "2+2" targeted pathway

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207 articulation agreement.

208 (a) To participate in a "2+2" targeted pathway program, a
209 student must:

210 1. Enroll in the program before completing 30 credit hours,
211 including, but not limited to, college credits earned through
212 articulated acceleration mechanisms pursuant to s. 1007.27;

213 2. Complete an associate in arts degree; and

214 3. Meet the university's transfer requirements.

215 (b) A state university that executes a "2+2" targeted
216 pathway articulation agreement must meet the following
217 requirements in order to implement a "2+2" targeted pathway
218 program in collaboration with its partner Florida Community
219 College System institution:

220 1. Establish a 4-year on-time graduation plan for a
221 baccalaureate degree program, including, but not limited to, a
222 plan for students to complete associate in arts degree programs,
223 general education courses, common prerequisite courses, and
224 elective courses;

225 2. Advise students enrolled in the program about the
226 university's transfer and degree program requirements; and

227 3. Provide students who meet the requirements under this
228 paragraph with access to academic advisors and campus events and
229 with guaranteed admittance to the state university and a degree
230 program of the state university, in accordance with the terms of
231 the agreement.

232 (c) To assist the state universities and Florida Community
233 College institutions with implementing the "2+2" targeted
234 pathway programs effectively, the State Board of Community
235 Colleges and the Board of Governors shall collaborate to

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236 eliminate barriers in executing "2+2" targeted pathway
237 articulation agreements.

238 Section 7. Subsection (2) of section 1007.27, Florida
239 Statutes, is amended to read:

240 1007.27 Articulated acceleration mechanisms.—

241 (2) (a) The Department of Education shall annually identify
242 and publish the minimum scores, maximum credit, and course or
243 courses for which credit is to be awarded for each College Level
244 Examination Program (CLEP) subject examination, College Board
245 Advanced Placement Program examination, Advanced International
246 Certificate of Education examination, International
247 Baccalaureate examination, Excelsior College subject
248 examination, Defense Activity for Non-Traditional Education
249 Support (DANTES) subject standardized test, and Defense Language
250 Proficiency Test (DLPT). The department shall use student
251 performance data in subsequent postsecondary courses to
252 determine the appropriate examination scores and courses for
253 which credit is to be granted. Minimum scores may vary by
254 subject area based on available performance data. In addition,
255 the department shall identify such courses in the general
256 education core curriculum of each state university and Florida
257 College System institution.

258 (b) Each district school board shall notify students who
259 enroll in articulated acceleration mechanism courses or take
260 examinations pursuant to this section of the credit-by-
261 examination equivalency list adopted by rule by the State Board
262 of Education and the dual enrollment course and high school
263 subject area equivalencies approved by the state board pursuant
264 to s. 1007.271(9).

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265 Section 8. Paragraph (c) of subsection (5) of section
266 1008.30, Florida Statutes, is amended to read:

267 1008.30 Common placement testing for public postsecondary
268 education.—

269 (5)

270 (c) A university board of trustees may contract with a
271 Florida College System institution board of trustees for the
272 Florida College System institution to provide developmental
273 education on the state university campus. Any state university
274 in which the percentage of incoming students requiring
275 developmental education equals or exceeds the average percentage
276 of such students for the Florida College System may offer
277 developmental education without contracting with a Florida
278 College System institution; however, any state university
279 offering college-preparatory instruction as of January 1, 1996,
280 may continue to provide developmental education instruction
281 pursuant to s. 1008.02(1) such services.

282 Section 9. Subsection (7) of section 1009.22, Florida
283 Statutes, is amended to read:

284 1009.22 Workforce education postsecondary student fees.—

285 (7) Each district school board and Florida College System
286 institution board of trustees is authorized to establish a
287 separate fee for technology, not to exceed 5 percent of tuition
288 per credit hour or credit-hour equivalent for resident students
289 and not to exceed 5 percent of tuition and the out-of-state fee
290 per credit hour or credit-hour equivalent for nonresident
291 students. Revenues generated from the technology fee shall be
292 used to enhance instructional technology resources for students
293 and faculty and may shall not be included in an any award under

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294 the Florida Bright Futures Scholarship Program, except as
295 authorized for the Florida Academic Scholars award under s.
296 1009.534. Fifty percent of technology fee revenues may be
297 pledged by a Florida College System institution board of
298 trustees as a dedicated revenue source for the repayment of
299 debt, including lease-purchase agreements, not to exceed the
300 useful life of the asset being financed. Revenues generated from
301 the technology fee may not be bonded.

302 Section 10. Subsection (10) of section 1009.23, Florida
303 Statutes, is amended to read:

304 1009.23 Florida College System institution student fees.—

305 (10) Each Florida College System institution board of
306 trustees is authorized to establish a separate fee for
307 technology, which may not exceed 5 percent of tuition per credit
308 hour or credit-hour equivalent for resident students and may not
309 exceed 5 percent of tuition and the out-of-state fee per credit
310 hour or credit-hour equivalent for nonresident students.
311 Revenues generated from the technology fee shall be used to
312 enhance instructional technology resources for students and
313 faculty. The technology fee may apply to both college credit and
314 developmental education and may ~~shall~~ not be included in an ~~any~~
315 award under the Florida Bright Futures Scholarship Program,
316 except as authorized for the Florida Academic Scholars award
317 under s. 1009.534. Fifty percent of technology fee revenues may
318 be pledged by a Florida College System institution board of
319 trustees as a dedicated revenue source for the repayment of
320 debt, including lease-purchase agreements, not to exceed the
321 useful life of the asset being financed. Revenues generated from
322 the technology fee may not be bonded.

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323 Section 11. Subsection (13), paragraph (a) of subsection
324 (15), and paragraph (b) of subsection (16) of section 1009.24,
325 Florida Statutes, are amended to read:

326 1009.24 State university student fees.—

327 (13) Each university board of trustees may establish a
328 technology fee of up to 5 percent of the tuition per credit
329 hour. The revenue from this fee shall be used to enhance
330 instructional technology resources for students and faculty. The
331 technology fee may not be included in an ~~any~~ award under the
332 Florida Bright Futures Scholarship Program established pursuant
333 to ss. 1009.53-1009.538, except as authorized for the Florida
334 Academic Scholars award under s. 1009.534.

335 (15) (a) The Board of Governors may approve:

336 1. A proposal from a university board of trustees to
337 establish a new student fee that is not specifically authorized
338 by this section.

339 2. A proposal from a university board of trustees to
340 increase the current cap for an existing fee authorized pursuant
341 to paragraphs (14) (a)-(g).

342 3. A proposal from a university board of trustees to
343 implement flexible tuition policies, such as undergraduate or
344 graduate block tuition, block tuition differential, or market
345 tuition rates for graduate-level online courses or graduate-
346 level courses offered through a university's continuing
347 education program. A block tuition policy for resident
348 undergraduate students or undergraduate-level courses must ~~shall~~
349 be adopted by each university board of trustees for
350 implementation by the fall 2018 academic semester and must be
351 based on the per-credit-hour undergraduate tuition established

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352 under subsection (4). A block tuition policy for nonresident
353 undergraduate students must ~~shall~~ be adopted by each university
354 board of trustees for implementation by the fall 2018 academic
355 semester and must be based on the per-credit-hour undergraduate
356 tuition and out-of-state fee established under subsection (4).
357 Flexible tuition policies, including block tuition, may not
358 increase the state's fiscal liability or obligation.

359 (16) Each university board of trustees may establish a
360 tuition differential for undergraduate courses upon receipt of
361 approval from the Board of Governors. However, beginning July 1,
362 2014, the Board of Governors may only approve the establishment
363 of or an increase in tuition differential for a state research
364 university designated as a preeminent state research university
365 pursuant to s. 1001.7065(3). The tuition differential shall
366 promote improvements in the quality of undergraduate education
367 and shall provide financial aid to undergraduate students who
368 exhibit financial need.

369 (b) Each tuition differential is subject to the following
370 conditions:

371 1. The tuition differential may be assessed on one or more
372 undergraduate courses or on all undergraduate courses at a state
373 university.

374 2. The tuition differential may vary by course or courses,
375 by campus or center location, and by institution. Each
376 university board of trustees shall strive to maintain and
377 increase enrollment in degree programs related to math, science,
378 high technology, and other state or regional high-need fields
379 when establishing tuition differentials by course.

380 3. For each state university that is designated as a

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381 preeminent state research university by the Board of Governors,
382 pursuant to s. 1001.7065, the aggregate sum of tuition and the
383 tuition differential may be increased by no more than 6 percent
384 of the total charged for the aggregate sum of these fees in the
385 preceding fiscal year. The tuition differential may be increased
386 if the university meets or exceeds performance standard targets
387 for that university established annually by the Board of
388 Governors for the following performance standards, amounting to
389 no more than a 2-percent increase in the tuition differential
390 for each performance standard:

391 a. An increase in the 4-year ~~6-year~~ graduation rate for
392 full-time, first-time-in-college students, as calculated by the
393 Board of Governors reported annually to the Integrated
394 Postsecondary Education Data System.

395 b. An increase in the total annual research expenditures.

396 c. An increase in the total patents awarded by the United
397 States Patent and Trademark Office for the most recent years.

398 4. The aggregate sum of undergraduate tuition and fees per
399 credit hour, including the tuition differential, may not exceed
400 the national average of undergraduate tuition and fees at 4-year
401 degree-granting public postsecondary educational institutions.

402 5. The tuition differential shall not be included in an ~~any~~
403 award under the Florida Bright Futures Scholarship Program
404 established pursuant to ss. 1009.53-1009.538, except as
405 authorized for the Florida Academic Scholars award under s.
406 1009.534.

407 6. Beneficiaries having prepaid tuition contracts pursuant
408 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and
409 which remain in effect, are exempt from the payment of the

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410 tuition differential.

411 7. The tuition differential may not be charged to any
412 student who was in attendance at the university before July 1,
413 2007, and who maintains continuous enrollment.

414 8. The tuition differential may be waived by the university
415 for students who meet the eligibility requirements for the
416 Florida public student assistance grant established in s.
417 1009.50.

418 9. Subject to approval by the Board of Governors, the
419 tuition differential authorized pursuant to this subsection may
420 take effect with the 2009 fall term.

421 Section 12. Subsection (2) of section 1009.534, Florida
422 Statutes, is amended to read:

423 1009.534 Florida Academic Scholars award.—

424 (2) A Florida Academic Scholar who is enrolled in a
425 certificate, diploma, associate, or baccalaureate degree program
426 at a public or nonpublic postsecondary education institution is
427 eligible, beginning in the fall 2017 academic semester, for an
428 award equal to the amount required to pay 100 percent of tuition
429 and fees established under ss. 1009.22(3), (5), (6), and (7);
430 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
431 (13), (14)(r), and (16), as applicable, and is eligible for an
432 additional \$300 each fall and spring academic semester or the
433 equivalent for textbooks and college-related ~~specified in the~~
434 ~~General Appropriations Act to assist with the payment of~~
435 ~~educational expenses.~~

436 Section 13. Subsection (2) of section 1009.701, Florida
437 Statutes, is amended to read:

438 1009.701 First Generation Matching Grant Program.—

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439 (2) Funds appropriated by the Legislature for the program
440 shall be allocated by the Office of Student Financial Assistance
441 to match private contributions at ~~on~~ a ratio of \$2 of state
442 funds to \$1 of private contributions ~~dollar-for-dollar basis~~.
443 Contributions made to a state university and pledged for the
444 purposes of this section are eligible for state matching funds
445 appropriated for this program and are not eligible for any other
446 state matching grant program. Pledged contributions are not
447 eligible for matching prior to the actual collection of the
448 total funds. The Office of Student Financial Assistance shall
449 reserve a proportionate allocation of the total appropriated
450 funds for each state university on the basis of full-time
451 equivalent enrollment. Funds that remain unmatched as of
452 December 1 shall be reallocated to state universities that have
453 remaining unmatched private contributions for the program on the
454 basis of full-time equivalent enrollment.

455 Section 14. Section 1009.89, Florida Statutes, is amended
456 to read:

457 1009.89 The William L. Boyd, IV, Effective Access to
458 Student Education ~~Florida resident access~~ grants.—

459 (1) The Legislature finds and declares that independent
460 nonprofit colleges and universities eligible to participate in
461 the William L. Boyd, IV, Effective Access to Student Education
462 ~~Florida Resident Access~~ Grant Program are an integral part of
463 the higher education system in this state and that a significant
464 number of state residents choose this form of higher education.
465 The Legislature further finds that a strong and viable system of
466 independent nonprofit colleges and universities reduces the tax
467 burden on the citizens of the state. Because the William L.

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468 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
469 ~~Access~~ Grant Program is not related to a student's financial
470 need or other criteria upon which financial aid programs are
471 based, it is the intent of the Legislature that the William L.
472 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
473 ~~Access~~ Grant Program not be considered a financial aid program
474 but rather a tuition assistance program for its citizens.

475 (2) The William L. Boyd, IV, Effective Access to Student
476 Education ~~Florida Resident Access~~ Grant Program shall be
477 administered by the Department of Education. The State Board of
478 Education shall adopt rules for the administration of the
479 program.

480 (3) The department shall issue through the program a
481 William L. Boyd, IV, Effective Access to Student Education
482 ~~Florida resident access~~ grant to any full-time degree-seeking
483 undergraduate student registered at an independent nonprofit
484 college or university which is located in and chartered by the
485 state; which is accredited by the Commission on Colleges of the
486 Southern Association of Colleges and Schools; which grants
487 baccalaureate degrees; which is not a state university or
488 Florida College System institution; and which has a secular
489 purpose, so long as the receipt of state aid by students at the
490 institution would not have the primary effect of advancing or
491 impeding religion or result in an excessive entanglement between
492 the state and any religious sect. Any independent college or
493 university that was eligible to receive tuition vouchers on
494 January 1, 1989, and which continues to meet the criteria under
495 which its eligibility was established, shall remain eligible to
496 receive William L. Boyd, IV, Effective Access to Student

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497 Education ~~Florida resident access~~ grant payments.

498 (4) A person is eligible to receive such William L. Boyd,
499 IV, Effective Access to Student Education ~~Florida resident~~
500 ~~access~~ grant if:

501 (a) He or she meets the general requirements, including
502 residency, for student eligibility as provided in s. 1009.40,
503 except as otherwise provided in this section; and

504 (b)1. He or she is enrolled as a full-time undergraduate
505 student at an eligible college or university;

506 2. He or she is not enrolled in a program of study leading
507 to a degree in theology or divinity; and

508 3. He or she is making satisfactory academic progress as
509 defined by the college or university in which he or she is
510 enrolled.

511 (5) (a) Funding for the William L. Boyd, IV, Effective
512 Access to Student Education ~~Florida Resident Access~~ Grant
513 Program for eligible institutions shall be as provided in the
514 General Appropriations Act. The William L. Boyd, IV, Effective
515 Access to Student Education ~~Florida resident access~~ grant may be
516 paid on a prorated basis in advance of the registration period.
517 The department shall make such payments to the college or
518 university in which the student is enrolled for credit to the
519 student's account for payment of tuition and fees. Institutions
520 shall certify to the department the amount of funds disbursed to
521 each student and shall remit to the department any undisbursed
522 advances or refunds within 60 days of the end of regular
523 registration. A student is not eligible to receive the award for
524 more than 9 semesters or 14 quarters, except as otherwise
525 provided in s. 1009.40(3).

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526 (b) If the combined amount of the William L. Boyd, IV,
 527 Effective Access to Student Education ~~Florida resident access~~
 528 grant issued pursuant to this act and all other scholarships and
 529 grants for tuition or fees exceeds the amount charged to the
 530 student for tuition and fees, the department shall reduce the
 531 William L. Boyd, IV, Effective Access to Student Education
 532 ~~Florida resident access~~ grant issued pursuant to this act by an
 533 amount equal to such excess.

534 (6) If the number of eligible students exceeds the total
 535 authorized in the General Appropriations Act, an institution may
 536 use its own resources to assure that each eligible student
 537 receives the full benefit of the grant amount authorized.

538 Section 15. Subsections (2), (4), and (5) of section
 539 1009.893, Florida Statutes, are amended to read:

540 1009.893 Benacquisto Scholarship Program.—

541 (2) The Benacquisto Scholarship Program is created to
 542 reward a ~~any Florida~~ high school graduate who receives
 543 recognition as a National Merit Scholar or National Achievement
 544 Scholar and who initially enrolls in the 2014-2015 academic year
 545 or, later, in a baccalaureate degree program at an eligible
 546 Florida public or independent postsecondary educational
 547 institution.

548 (4) In order to be eligible for an award under the
 549 scholarship program, a student must meet the requirements of
 550 paragraph (a) or paragraph (b).÷

551 (a) A student who is a resident of the state, ~~Be a state~~
 552 ~~resident~~ as determined in s. 1009.40 and rules of the State
 553 Board of Education, must:÷

554 1. ~~(b)~~ Earn a standard Florida high school diploma or its

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555 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
556 or s. 1003.435 unless:

557 ~~a.1.~~ The student completes a home education program
558 according to s. 1002.41; or

559 ~~b.2.~~ The student earns a high school diploma from a non-
560 Florida school while living with a parent who is on military or
561 public service assignment out of this state;

562 ~~2.(e)~~ Be accepted by and enroll in a Florida public or
563 independent postsecondary educational institution that is
564 regionally accredited; and

565 ~~3.(d)~~ Be enrolled full-time in a baccalaureate degree
566 program at an eligible regionally accredited Florida public or
567 independent postsecondary educational institution during the
568 fall academic term following high school graduation.

569 (b) Beginning with the 2017-2018 academic year, a student
570 who is not a resident of this state, as determined pursuant to
571 s. 1009.40 and rules of the State Board of Education, must:

572 1. Physically reside in this state on or near the campus of
573 the postsecondary educational institution in which the student
574 is enrolled;

575 2. Earn a high school diploma from a school outside Florida
576 which is comparable to a standard Florida high school diploma or
577 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
578 1003.4282, or s. 1003.435 or must complete a home education
579 program in another state; and

580 3. Be accepted by and enrolled full-time in a baccalaureate
581 degree program at an eligible regionally accredited Florida
582 public or independent postsecondary educational institution
583 during the fall academic term following high school graduation.

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584 (5) (a) 1. An eligible student who meets the requirements of
585 paragraph (4) (a), who is a National Merit Scholar or National
586 Achievement Scholar, and who attends a Florida public
587 postsecondary educational institution shall receive a
588 scholarship award equal to the institutional cost of attendance
589 minus the sum of the student's Florida Bright Futures
590 Scholarship and National Merit Scholarship or National
591 Achievement Scholarship.

592 2. An eligible student who meets the requirements under
593 paragraph (4) (b), who is a National Merit Scholar, and who
594 attends a Florida public postsecondary educational institution
595 shall receive a scholarship award equal to the institutional
596 cost of attendance for a resident of this state less the sum of
597 the student's out-of-state fees and National Merit Scholarship.
598 Such student is exempt from the payment of out-of-state fees.

599 (b) An eligible student who is a National Merit Scholar or
600 National Achievement Scholar and who attends a Florida
601 independent postsecondary educational institution shall receive
602 a scholarship award equal to the highest cost of attendance for
603 a resident of this state enrolled at a Florida public
604 university, as reported by the Board of Governors of the State
605 University System, minus the sum of the student's Florida Bright
606 Futures Scholarship and National Merit Scholarship or National
607 Achievement Scholarship.

608 Section 16. The Division of Law Revision and Information is
609 directed to prepare a reviser's bill for the 2018 Regular
610 Session to substitute the term "Effective Access to Student
611 Education Grant Program" for "Florida Resident Access Grant
612 Program" and the term "Effective Access to Student Education

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613 grant" for "Florida resident access grant" wherever those terms
614 appear in the Florida Statutes.

615 Section 17. This act shall take effect July 1, 2017.