

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
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.—

62 (1) The following performance-based metrics must be used
 63 in 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
 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
102 calculated by the Division of Florida Colleges.

103 (d) A continuing education, or transfer, rate of 72
104 percent or higher for students graduating with an associate of
105 arts 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
117 ~~time-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~~
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
 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:

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
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
211 hours, including, but not limited to, college credits earned
212 through articulated acceleration mechanisms pursuant to s.
213 1007.27;

214 2. Complete an associate in arts degree; and

215 3. Meet the university's transfer requirements.

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

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

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

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

233 (c) To assist the state universities and Florida Community
 234 College institutions with implementing the "2+2" targeted
 235 pathway programs effectively, the State Board of Community
 236 Colleges and the Board of Governors shall collaborate to
 237 eliminate barriers in executing "2+2" targeted pathway
 238 articulation agreements.

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

241 1007.27 Articulated acceleration mechanisms.—

242 (2)(a) The Department of Education shall annually identify
 243 and publish the minimum scores, maximum credit, and course or
 244 courses for which credit is to be awarded for each College Level
 245 Examination Program (CLEP) subject examination, College Board
 246 Advanced Placement Program examination, Advanced International
 247 Certificate of Education examination, International
 248 Baccalaureate examination, Excelsior College subject
 249 examination, Defense Activity for Non-Traditional Education
 250 Support (DANTES) subject standardized test, and Defense Language

251 Proficiency Test (DLPT). The department shall use student
252 performance data in subsequent postsecondary courses to
253 determine the appropriate examination scores and courses for
254 which credit is to be granted. Minimum scores may vary by
255 subject area based on available performance data. In addition,
256 the department shall identify such courses in the general
257 education core curriculum of each state university and Florida
258 College System institution.

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

266 Section 8. Paragraph (c) of subsection (5) of section
267 1008.30, Florida Statutes, is amended to read:

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

270 (5)

271 (c) A university board of trustees may contract with a
272 Florida College System institution board of trustees for the
273 Florida College System institution to provide developmental
274 education on the state university campus. Any state university
275 in which the percentage of incoming students requiring

276 developmental education equals or exceeds the average percentage
 277 of such students for the Florida College System may offer
 278 developmental education without contracting with a Florida
 279 College System institution; however, any state university
 280 offering college-preparatory instruction as of January 1, 1996,
 281 may continue to provide developmental education instruction
 282 pursuant to s. 1008.02(1) ~~such services~~.

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

285 1009.22 Workforce education postsecondary student fees.—

286 (7) Each district school board and Florida College System
 287 institution board of trustees is authorized to establish a
 288 separate fee for technology, not to exceed 5 percent of tuition
 289 per credit hour or credit-hour equivalent for resident students
 290 and not to exceed 5 percent of tuition and the out-of-state fee
 291 per credit hour or credit-hour equivalent for nonresident
 292 students. Revenues generated from the technology fee shall be
 293 used to enhance instructional technology resources for students
 294 and faculty and may ~~shall~~ not be included in an ~~any~~ award under
 295 the Florida Bright Futures Scholarship Program, except as
 296 authorized for the Florida Academic Scholars award under s.
 297 1009.534. Fifty percent of technology fee revenues may be
 298 pledged by a Florida College System institution board of
 299 trustees as a dedicated revenue source for the repayment of
 300 debt, including lease-purchase agreements, not to exceed the

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301 useful life of the asset being financed. Revenues generated from
302 the technology fee may not be bonded.

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

305 1009.23 Florida College System institution student fees.-

306 (10) Each Florida College System institution board of
307 trustees is authorized to establish a separate fee for
308 technology, which may not exceed 5 percent of tuition per credit
309 hour or credit-hour equivalent for resident students and may not
310 exceed 5 percent of tuition and the out-of-state fee per credit
311 hour or credit-hour equivalent for nonresident students.

312 Revenues generated from the technology fee shall be used to
313 enhance instructional technology resources for students and
314 faculty. The technology fee may apply to both college credit and
315 developmental education and may ~~shall~~ not be included in an ~~any~~
316 award under the Florida Bright Futures Scholarship Program,
317 except as authorized for the Florida Academic Scholars award
318 under s. 1009.534. Fifty percent of technology fee revenues may
319 be pledged by a Florida College System institution board of
320 trustees as a dedicated revenue source for the repayment of
321 debt, including lease-purchase agreements, not to exceed the
322 useful life of the asset being financed. Revenues generated from
323 the technology fee may not be bonded.

324 Section 11. Subsection (13), paragraph (a) of subsection
325 (15), and paragraph (b) of subsection (16) of section 1009.24,

326 Florida Statutes, are amended to read:

327 1009.24 State university student fees.—

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

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

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

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

343 3. A proposal from a university board of trustees to
 344 implement flexible tuition policies, such as undergraduate or
 345 graduate block tuition, block tuition differential, or market
 346 tuition rates for graduate-level online courses or graduate-
 347 level courses offered through a university's continuing
 348 education program. A block tuition policy for resident
 349 undergraduate students or undergraduate-level courses must ~~shall~~
 350 be adopted by each university board of trustees for

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

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

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

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

375 2. The tuition differential may vary by course or courses,

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

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

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

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

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

399 4. The aggregate sum of undergraduate tuition and fees per
400 credit hour, including the tuition differential, may not exceed

401 the national average of undergraduate tuition and fees at 4-year
402 degree-granting public postsecondary educational institutions.

403 5. The tuition differential shall not be included in an
404 ~~any~~ award under the Florida Bright Futures Scholarship Program
405 established pursuant to ss. 1009.53-1009.538, except as
406 authorized for the Florida Academic Scholars award under s.
407 1009.534.

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

412 7. The tuition differential may not be charged to any
413 student who was in attendance at the university before July 1,
414 2007, and who maintains continuous enrollment.

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

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

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

424 1009.534 Florida Academic Scholars award.—

425 (2) A Florida Academic Scholar who is enrolled in a

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

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

439 1009.701 First Generation Matching Grant Program.—

440 (2) Funds appropriated by the Legislature for the program
 441 shall be allocated by the Office of Student Financial Assistance
 442 to match private contributions at ~~on~~ a ratio of \$2 of state
 443 funds to \$1 of private contributions ~~dollar-for-dollar basis.~~
 444 Contributions made to a state university and pledged for the
 445 purposes of this section are eligible for state matching funds
 446 appropriated for this program and are not eligible for any other
 447 state matching grant program. Pledged contributions are not
 448 eligible for matching prior to the actual collection of the
 449 total funds. The Office of Student Financial Assistance shall
 450 reserve a proportionate allocation of the total appropriated

451 funds for each state university on the basis of full-time
452 equivalent enrollment. Funds that remain unmatched as of
453 December 1 shall be reallocated to state universities that have
454 remaining unmatched private contributions for the program on the
455 basis of full-time equivalent enrollment.

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

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

460 (1) The Legislature finds and declares that independent
461 nonprofit colleges and universities eligible to participate in
462 the William L. Boyd, IV, Effective Access to Student Education
463 ~~Florida Resident Access~~ Grant Program are an integral part of
464 the higher education system in this state and that a significant
465 number of state residents choose this form of higher education.
466 The Legislature further finds that a strong and viable system of
467 independent nonprofit colleges and universities reduces the tax
468 burden on the citizens of the state. Because the William L.
469 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
470 ~~Access~~ Grant Program is not related to a student's financial
471 need or other criteria upon which financial aid programs are
472 based, it is the intent of the Legislature that the William L.
473 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
474 ~~Access~~ Grant Program not be considered a financial aid program
475 but rather a tuition assistance program for its citizens.

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

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

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

501 ~~access~~ grant if:

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

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

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

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

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

526 provided in s. 1009.40(3).

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

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

539 Section 15. Subsections (2), (4), and (5) of section
540 1009.893, Florida Statutes, are amended to read:

541 1009.893 Benacquisto Scholarship Program.—

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

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

551 paragraph (a) or paragraph (b).÷

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

555 1.~~(b)~~ Earn a standard Florida high school diploma or its
556 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
557 or s. 1003.435 unless:

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

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

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

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

570 (b) A student who initially enrolls in a baccalaureate
571 degree program in the 2017-2018 academic year or later and who
572 is not a resident of this state, as determined pursuant to s.
573 1009.40 and rules of the State Board of Education, must:

574 1. Physically reside in this state on or near the campus
575 of the postsecondary educational institution in which the

576 student is enrolled;

577 2. Earn a high school diploma from a school outside
578 Florida which is comparable to a standard Florida high school
579 diploma or its equivalent pursuant to s. 1002.3105, s.
580 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home
581 education program in another state; and

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

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

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

601 from the payment of out-of-state fees.

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

611 Section 16. The Division of Law Revision and Information
612 is directed to prepare a reviser's bill for the 2018 Regular
613 Session to substitute the term "Effective Access to Student
614 Education Grant Program" for "Florida Resident Access Grant
615 Program" and the term "Effective Access to Student Education
616 grant" for "Florida resident access grant" wherever those terms
617 appear in the Florida Statutes.

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