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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/06/2017	.	
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The Committee on Appropriations (Galvano) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. This act shall be cited as the "Florida  
Excellence in Higher Education Act of 2018."

Section 2. Paragraph (b) of subsection (5) of section  
1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—



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11 (b) The Board of Governors shall develop a strategic plan  
12 specifying goals and objectives for the State University System  
13 and each constituent university, including each university's  
14 contribution to overall system goals and objectives. The  
15 strategic plan must:

16 1. Include performance metrics and standards common for all  
17 institutions and metrics and standards unique to institutions  
18 depending on institutional core missions, including, but not  
19 limited to, student admission requirements, retention,  
20 graduation, percentage of graduates who have attained  
21 employment, percentage of graduates enrolled in continued  
22 education, licensure passage, average wages of employed  
23 graduates, average cost per graduate, excess hours, student loan  
24 burden and default rates, faculty awards, total annual research  
25 expenditures, patents, licenses and royalties, intellectual  
26 property, startup companies, annual giving, endowments, and  
27 well-known, highly respected national rankings for institutional  
28 and program achievements.

29 2. Consider reports and recommendations of the Higher  
30 Education Coordinating Council pursuant to s. 1004.015 and the  
31 Articulation Coordinating Committee pursuant to s. 1007.01.

32 3. Include student enrollment and performance data  
33 delineated by method of instruction, including, but not limited  
34 to, traditional, online, and distance learning instruction.

35 4. Include criteria for designating baccalaureate degree  
36 and master's degree programs at specified universities as high-  
37 demand programs of emphasis. Fifty percent of the criteria for  
38 designation as high-demand programs of emphasis must be based on  
39 achievement of performance outcome thresholds determined by the



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40 Board of Governors, and 50 percent of the criteria must be based  
41 on achievement of performance outcome thresholds specifically  
42 linked to:

43 a. Job placement in employment of 36 hours or more per week  
44 and average full-time wages of graduates of the degree programs  
45 1 year and 5 years after graduation, based in part on data  
46 provided in the economic security report of employment and  
47 earning outcomes produced annually pursuant to s. 445.07.

48 b. Data-driven gap analyses, conducted by the Board of  
49 Governors, of the state's job market demands and the outlook for  
50 jobs that require a baccalaureate or higher degree. Each state  
51 university must use the gap analyses to identify internship  
52 opportunities for students to benefit from mentorship by  
53 industry experts, earn industry certifications, and become  
54 employed in high-demand fields.

55 Section 3. Paragraph (d) of subsection (2), paragraph (c)  
56 of subsection (5), and subsections (6), (7), and (8) of section  
57 1001.7065, Florida Statutes, are amended to read:

58 1001.7065 Preeminent state research universities program.-

59 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.-The  
60 following academic and research excellence standards are  
61 established for the preeminent state research universities  
62 program:

63 (d) A 4-year graduation rate of 60 percent or higher for  
64 full-time, first-time-in-college students, as reported annually  
65 to the IPEDS. However, for the 2018 determination of a state  
66 university's preeminence designation and the related  
67 distribution of the 2018-2019 fiscal year appropriation  
68 associated with preeminence and emerging preeminence, a



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69 university is considered to have satisfied this graduation rate  
70 measure by attaining a 6-year graduation rate of 70 percent or  
71 higher by October 1, 2017, for full-time, first-time-in-college  
72 students, as reported annually to the IPEDS and confirmed by the  
73 Board of Governors.

74 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
75 SUPPORT.—

76 (c) The award of funds under this subsection is contingent  
77 upon funding provided by the Legislature ~~in the General~~  
78 ~~Appropriations Act~~ to support the preeminent state research  
79 universities program created under this section. Funding  
80 increases appropriated beyond the amounts funded in the previous  
81 fiscal year shall be distributed as follows:

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

85 2. Each designated emerging preeminent state research  
86 university that meets the criteria in paragraph (b) shall,  
87 beginning in the 2018-2019 fiscal year, receive an amount of  
88 funding that is equal to one-fourth ~~one-half~~ of the total  
89 increased amount awarded to each designated preeminent state  
90 research university.

91 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~  
92 ~~REQUIREMENT AUTHORITY.—In order to provide a jointly shared~~  
93 ~~educational experience, a university that is designated a~~  
94 ~~preeminent state research university may require its incoming~~  
95 ~~first-time-in-college students to take a six-credit set of~~  
96 ~~unique courses specifically determined by the university and~~  
97 ~~published on the university's website. The university may~~



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98 ~~stipulate that credit for such courses may not be earned through~~  
99 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~  
100 ~~or any other transfer credit. All accelerated credits earned up~~  
101 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~  
102 ~~applied toward graduation at the student's request.~~

103 (6) ~~(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
104 AUTHORITY.—The Board of Governors is encouraged to identify and  
105 grant all reasonable, feasible authority and flexibility to  
106 ensure that each designated preeminent state research university  
107 and each designated emerging preeminent state research  
108 university is free from unnecessary restrictions.

109 (7) ~~(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE  
110 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~  
111 establish standards and measures whereby individual  
112 undergraduate, graduate, and professional degree programs in  
113 state universities which ~~that~~ objectively reflect national  
114 excellence can be identified and make recommendations to the  
115 Legislature by September 1, 2018, as to how any such programs  
116 could be enhanced and promoted.

117 Section 4. Subsections (1), (2), and (4) of section  
118 1001.92, Florida Statutes, are amended to read:

119 1001.92 State University System Performance-Based  
120 Incentive.—

121 (1) A State University System Performance-Based Incentive  
122 shall be awarded to state universities using performance-based  
123 metrics adopted by the Board of Governors of the State  
124 University System. Beginning with the Board of Governors'  
125 determination of each university's performance improvement and  
126 achievement ratings for 2018, and the related distribution of



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127 the 2018-2019 fiscal year appropriation, the performance-based  
128 metrics must include 4-year graduation rates; retention rates;  
129 postgraduation education rates; degree production;  
130 affordability; postgraduation employment and salaries, including  
131 wage thresholds that reflect the added value of a baccalaureate  
132 degree; access, with benchmarks that reward institutions with  
133 access rates at or above 50 percent; and other metrics approved  
134 by the board in a formally noticed meeting. The board shall  
135 adopt benchmarks to evaluate each state university's performance  
136 on the metrics to measure the state university's achievement of  
137 institutional excellence or need for improvement and minimum  
138 requirements for eligibility to receive performance funding.

139 (2) Each fiscal year, the amount of funds available for  
140 allocation to the state universities based on the performance-  
141 based funding model shall consist of the state's investment in  
142 performance funding plus institutional investments consisting of  
143 funds deducted from the base funding of each state university in  
144 the State University System in an amount provided by the  
145 Legislature in the General Appropriations Act. The Board of  
146 Governors shall establish minimum performance funding  
147 eligibility thresholds for the state's investment and the  
148 institutional investments. A state university that meets the  
149 minimum institutional investment eligibility threshold, but  
150 fails to meet the minimum state investment eligibility  
151 threshold, shall have its institutional investment restored but  
152 is ineligible for a share of the state's investment in  
153 performance funding. The institutional investment shall be  
154 restored for each institution eligible for the state's  
155 investment under the performance-based funding model.



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156 (4) Distributions of performance funding, as provided in  
157 this section, shall be made by the Legislature to each of the  
158 state universities ~~listed in the Education and General~~  
159 ~~Activities category in the General Appropriations Act.~~

160 Section 5. Subsections (2), (3), and (4) and paragraph (b)  
161 of subsection (5) of section 1004.28, Florida Statutes, are  
162 amended to read:

163 1004.28 Direct-support organizations; use of property;  
164 board of directors; activities; audit; facilities.—

165 (2) USE OF PROPERTY.—

166 (a) Each state university board of trustees is authorized  
167 to permit the use of property, facilities, and personal services  
168 at any state university by any university direct-support  
169 organization, and, subject to the provisions of this section,  
170 direct-support organizations may establish accounts with the  
171 State Board of Administration for investment of funds pursuant  
172 to part IV of chapter 218. Beginning July 1, 2023, a state  
173 university board of trustees may not permit any university  
174 direct-support organization to use personal services.

175 (b) The board of trustees, in accordance with regulations  
176 ~~rules~~ and guidelines of the Board of Governors, shall prescribe  
177 by regulation ~~rule~~ conditions with which a university direct-  
178 support organization must comply in order to use property,  
179 facilities, or personal services at any state university. Such  
180 regulations ~~rules~~ shall provide for budget and audit review and  
181 oversight by the board of trustees.

182 (c) The board of trustees shall not permit the use of  
183 property, facilities, or personal services at any state  
184 university by any university direct-support organization that



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185 does not provide equal employment opportunities to all persons  
186 regardless of race, color, religion, gender, age, or national  
187 origin.

188 (d) The board of trustees may not permit the use of state  
189 funds for travel expenses by any university direct-support  
190 organization.

191 (3) BOARD OF DIRECTORS.—The chair of the university board  
192 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to  
193 the board of directors and the executive committee of any  
194 direct-support organization established under this section. The  
195 president of the university for which the direct-support  
196 organization is established, or his or her designee, shall also  
197 serve on the board of directors and the executive committee of  
198 any direct-support organization established to benefit that  
199 university.

200 (4) ACTIVITIES; RESTRICTION.—A university direct-support  
201 organization is prohibited from giving, either directly or  
202 indirectly, any gift to a political committee as defined in s.  
203 106.011 for any purpose ~~other than those certified by a majority~~  
204 ~~roll call vote of the governing board of the direct-support~~  
205 ~~organization at a regularly scheduled meeting as being directly~~  
206 ~~related to the educational mission of the university.~~

207 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS  
208 EXEMPTION.—

209 (b) All records of the organization other than the  
210 auditor's report, management letter, any records related to the  
211 expenditure of state funds, any records related to the  
212 expenditure of private funds for travel, and any supplemental  
213 data requested by the Board of Governors, the university board





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214 of trustees, the Auditor General, and the Office of Program  
215 Policy Analysis and Government Accountability shall be  
216 confidential and exempt from s. 119.07(1).

217 Section 6. Section 1004.6497, Florida Statutes, is created  
218 to read:

219 1004.6497 World Class Faculty and Scholar Program.—

220 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty  
221 and Scholar Program is established to fund, beginning in the  
222 2017-2018 fiscal year, and support the efforts of state  
223 universities to recruit and retain exemplary faculty and  
224 research scholars. It is the intent of the Legislature to  
225 elevate the national competitiveness of Florida's state  
226 universities through faculty and scholar recruitment and  
227 retention.

228 (2) INVESTMENTS.—Retention, recruitment, and recognition  
229 efforts, activities, and investments may include, but are not  
230 limited to, investments in research-centric cluster hires,  
231 faculty research and research commercialization efforts,  
232 instructional and research infrastructure, undergraduate student  
233 participation in research, professional development, awards for  
234 outstanding performance, and postdoctoral fellowships.

235 (3) FUNDING AND USE.—Funding for the program shall be as  
236 provided by the Legislature. Each state university shall use the  
237 funds only for the purpose and investments authorized under this  
238 section. These funds may not be used to construct buildings.

239 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of  
240 Governors shall provide to the Governor, the President of the  
241 Senate, and the Speaker of the House of Representatives a report  
242 summarizing information from the universities in the State



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243 University System, including, but not limited to:

244 (a) Specific expenditure information as it relates to the  
245 investments identified in subsection (2).

246 (b) The impact of those investments in elevating the  
247 national competitiveness of the universities, specifically  
248 relating to:

249 1. The success in recruiting research faculty and the  
250 resulting research funding;

251 2. The 4-year graduation rate for undergraduate students;

252 3. The number of undergraduate courses offered with fewer  
253 than 50 students; and

254 4. The increase in national academic standing of targeted  
255 programs, specifically advancement in ranking of the targeted  
256 programs among top 50 universities in well-known and highly  
257 respected national public university rankings, including, but  
258 not limited to, the U.S. News and World Report rankings, which  
259 reflect national preeminence, using the most recent rankings.

260 Section 7. Section 1004.6498, Florida Statutes, is created  
261 to read:

262 1004.6498 State University Professional and Graduate Degree  
263 Excellence Program.—

264 (1) PURPOSE.—The State University Professional and Graduate  
265 Degree Excellence Program is established to fund, beginning in  
266 the 2017-2018 fiscal year, and support the efforts of state  
267 universities to enhance the quality and excellence of  
268 professional and graduate schools and degree programs in  
269 medicine, law, and business and expand the economic impact of  
270 state universities.

271 (2) INVESTMENTS.—Quality improvement efforts may include,



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272 but are not limited to, targeted investments in faculty,  
273 students, research, infrastructure, and other strategic  
274 endeavors to elevate the national and global prominence of state  
275 university medicine, law, and graduate-level business programs.

276 (3) FUNDING AND USE.—Funding for the program shall be as  
277 provided by the Legislature. Each state university shall use the  
278 funds only for the purpose and investments authorized under this  
279 section. These funds may not be used to construct buildings.

280 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of  
281 Governors shall provide to the Governor, the President of the  
282 Senate, and the Speaker of the House of Representatives a report  
283 summarizing information from the universities in the State  
284 University System, including, but not limited to:

285 (a) Specific expenditure information as it relates to the  
286 investments identified in subsection (2).

287 (b) The impact of those investments in elevating the  
288 national and global prominence of the state university medicine,  
289 law, and graduate-level business programs, specifically relating  
290 to:

291 1. The first-time pass rate on the United States Medical  
292 Licensing Examination;

293 2. The first-time pass rate on The Florida Bar Examination;

294 3. The percentage of graduates enrolled or employed at a  
295 wage threshold that reflects the added value of a graduate-level  
296 business degree;

297 4. The advancement in the rankings of the state university  
298 medicine, law, and graduate-level programs in well-known and  
299 highly respected national graduate-level university rankings,  
300 including, but not limited to, the U.S. News and World Report



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301 rankings, which reflect national preeminence, using the most  
302 recent rankings; and

303 5. The added economic benefit of the universities to the  
304 state.

305 Section 8. Paragraph (c) of subsection (5) of section  
306 1008.30, Florida Statutes, is amended to read:

307 1008.30 Common placement testing for public postsecondary  
308 education.—

309 (5)

310 (c) A university board of trustees may contract with a  
311 Florida College System institution board of trustees for the  
312 Florida College System institution to provide developmental  
313 education on the state university campus. Any state university  
314 in which the percentage of incoming students requiring  
315 developmental education equals or exceeds the average percentage  
316 of such students for the Florida College System may offer  
317 developmental education without contracting with a Florida  
318 College System institution; however, any state university  
319 offering college-preparatory instruction as of January 1, 1996,  
320 may continue to provide developmental education instruction as  
321 defined in s. 1008.02(1) such services.

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

324 1009.22 Workforce education postsecondary student fees.—

325 (7) Each district school board and Florida College System  
326 institution board of trustees is authorized to establish a  
327 separate fee for technology, not to exceed 5 percent of tuition  
328 per credit hour or credit-hour equivalent for resident students  
329 and not to exceed 5 percent of tuition and the out-of-state fee



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330 per credit hour or credit-hour equivalent for nonresident  
331 students. Revenues generated from the technology fee shall be  
332 used to enhance instructional technology resources for students  
333 and faculty ~~and shall not be included in any award under the~~  
334 ~~Florida Bright Futures Scholarship Program~~. Fifty percent of  
335 technology fee revenues may be pledged by a Florida College  
336 System institution board of trustees as a dedicated revenue  
337 source for the repayment of debt, including lease-purchase  
338 agreements, not to exceed the useful life of the asset being  
339 financed. Revenues generated from the technology fee may not be  
340 bonded.

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

343 1009.23 Florida College System institution student fees.—

344 (10) Each Florida College System institution board of  
345 trustees is authorized to establish a separate fee for  
346 technology, which may not exceed 5 percent of tuition per credit  
347 hour or credit-hour equivalent for resident students and may not  
348 exceed 5 percent of tuition and the out-of-state fee per credit  
349 hour or credit-hour equivalent for nonresident students.

350 Revenues generated from the technology fee shall be used to  
351 enhance instructional technology resources for students and  
352 faculty. The technology fee may apply to both college credit and  
353 developmental education ~~and shall not be included in any award~~  
354 ~~under the Florida Bright Futures Scholarship Program~~. Fifty  
355 percent of technology fee revenues may be pledged by a Florida  
356 College System institution board of trustees as a dedicated  
357 revenue source for the repayment of debt, including lease-  
358 purchase agreements, not to exceed the useful life of the asset



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359 being financed. Revenues generated from the technology fee may  
360 not be bonded.

361 Section 11. Subsection (13), paragraph (r) of subsection  
362 (14), paragraphs (a) and (b) of subsection (15), paragraphs (a),  
363 (b), and (e) of subsection (16), and subsection (20) of section  
364 1009.24, Florida Statutes, are amended to read:

365 1009.24 State university student fees.-

366 (13) Each university board of trustees may establish a  
367 technology fee of up to 5 percent of the tuition per credit  
368 hour. The revenue from this fee shall be used to enhance  
369 instructional technology resources for students and faculty. ~~The~~  
370 ~~technology fee may not be included in any award under the~~  
371 ~~Florida Bright Futures Scholarship Program established pursuant~~  
372 ~~to ss. 1009.53-1009.538.~~

373 (14) Except as otherwise provided in subsection (15), each  
374 university board of trustees is authorized to establish the  
375 following fees:

376 (r) Traffic and parking fines, charges for parking decals,  
377 and transportation access fees. Only universitywide  
378 transportation access fees may be included in any state  
379 financial assistance award authorized under part III of this  
380 chapter, as specifically authorized by law or the General  
381 Appropriations Act.

382  
383 With the exception of housing rental rates and except as  
384 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)  
385 shall be based on reasonable costs of services. The Board of  
386 Governors shall adopt regulations and timetables necessary to  
387 implement the fees and fines authorized under this subsection.



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388 The fees assessed under this subsection may be used for debt  
389 only as authorized under s. 1010.62.

390 (15) (a) Unless otherwise required, a university board of  
391 trustees may adopt, and the Board of Governors may approve:

392 1. A proposal from a university board of trustees to  
393 establish a new student fee that is not specifically authorized  
394 by this section.

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

398 3.a. A proposal from a university board of trustees to  
399 implement flexible tuition policies, such as undergraduate or  
400 graduate block tuition, block tuition differential, or market  
401 tuition rates for graduate-level online courses or graduate-  
402 level courses offered through a university's continuing  
403 education program. A block tuition policy for resident  
404 undergraduate students or undergraduate-level courses must ~~shall~~  
405 be based on the per-credit-hour undergraduate tuition  
406 established under subsection (4). A block tuition policy for  
407 nonresident undergraduate students must ~~shall~~ be based on the  
408 per-credit-hour undergraduate tuition and out-of-state fee  
409 established under subsection (4). Flexible tuition policies,  
410 including block tuition, may not increase the state's fiscal  
411 liability or obligation.

412 b. A block tuition policy, which must be adopted by each  
413 university board of trustees for implementation beginning in the  
414 fall 2018 academic semester. The policy must apply to the  
415 entering freshman class of full-time, first-time-in-college  
416 students and may be extended to include other enrolled students.



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417 The policy must, at a minimum:

418 (I) Include block tuition and any required fees, including,  
419 but not limited to, tuition differential fees, activity and  
420 service fees, financial aid fees, capital improvement fees,  
421 athletic fees, health fees, and technology fees.

422 (II) Require the university to maximize the application of  
423 appropriate accelerated credits to minimize unnecessary credits  
424 and excess hours.

425 (III) Enable students to have the flexibility to earn at  
426 least 30 credits per academic year in any combination of fall,  
427 spring, and summer academic terms or semesters.

428 (b) A proposal developed pursuant to paragraph (a) shall be  
429 submitted in accordance with the public notification  
430 requirements of subsection (20) and guidelines established by  
431 the Board of Governors. Approval by the Board of Governors of  
432 such ~~proposals~~ ~~proposal~~ must be made in accordance with ~~the~~  
433 ~~provisions of~~ this subsection. Each state university board of  
434 trustees must, by April 1, 2018, submit to the Board of  
435 Governors its board-approved block tuition policy, adopted  
436 pursuant to subparagraph (a)3., along with information on the  
437 potential impact of the policy on students. By August 1, 2018,  
438 the Chancellor of the State University System must submit to the  
439 Governor, the President of the Senate, and the Speaker of the  
440 House of Representatives a summary report of such policies, the  
441 status of the board's review and approval of such policies, and  
442 the board's recommendations for improving block tuition and fee  
443 benefits for students.

444 (16) Each university board of trustees may establish a  
445 tuition differential for undergraduate courses upon receipt of





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446 approval from the Board of Governors. However, beginning July 1,  
447 2014, the Board of Governors may only approve the establishment  
448 of or an increase in tuition differential for a state research  
449 university designated as a preeminent state research university  
450 pursuant to s. 1001.7065(3). The tuition differential shall  
451 promote improvements in the quality of undergraduate education  
452 and shall provide financial aid to undergraduate students who  
453 exhibit financial need.

454 (a) Seventy percent of the revenues from the tuition  
455 differential shall be expended for purposes of undergraduate  
456 education. Such expenditures may include, but are not limited  
457 to, increasing course offerings, improving graduation rates,  
458 increasing the percentage of undergraduate students who are  
459 taught by faculty, decreasing student-faculty ratios, providing  
460 salary increases for faculty who have a history of excellent  
461 teaching in undergraduate courses, improving the efficiency of  
462 the delivery of undergraduate education through academic  
463 advisement and counseling, and reducing the percentage of  
464 students who graduate with excess hours. This expenditure for  
465 undergraduate education may not be used to pay the salaries of  
466 graduate teaching assistants. Except as otherwise provided in  
467 this subsection, the remaining 30 percent of the revenues from  
468 the tuition differential, or the equivalent amount of revenue  
469 from private sources, shall be expended to provide financial aid  
470 to undergraduate students who exhibit financial need, including  
471 students who are scholarship recipients under s. 1009.984, to  
472 meet the cost of university attendance. This expenditure for  
473 need-based financial aid shall not supplant the amount of need-  
474 based aid provided to undergraduate students in the preceding



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475 fiscal year from financial aid fee revenues, the direct  
476 appropriation for financial assistance provided to state  
477 universities in the General Appropriations Act, or from private  
478 sources. The total amount of tuition differential waived under  
479 subparagraph (b) 7. ~~(b) 8.~~ may be included in calculating the  
480 expenditures for need-based financial aid to undergraduate  
481 students required by this subsection. If the entire tuition and  
482 fee costs of resident students who have applied for and received  
483 Pell Grant funds have been met and the university has excess  
484 funds remaining from the 30 percent of the revenues from the  
485 tuition differential required to be used to assist students who  
486 exhibit financial need, the university may expend the excess  
487 portion in the same manner as required for the other 70 percent  
488 of the tuition differential revenues.

489 (b) Each tuition differential is subject to the following  
490 conditions:

491 1. The tuition differential may be assessed on one or more  
492 undergraduate courses or on all undergraduate courses at a state  
493 university.

494 2. The tuition differential may vary by course or courses,  
495 by campus or center location, and by institution. Each  
496 university board of trustees shall strive to maintain and  
497 increase enrollment in degree programs related to math, science,  
498 high technology, and other state or regional high-need fields  
499 when establishing tuition differentials by course.

500 3. For each state university that is designated as a  
501 preeminent state research university by the Board of Governors,  
502 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
503 tuition differential may be increased by no more than 6 percent



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504 of the total charged for the aggregate sum of these fees in the  
505 preceding fiscal year. The tuition differential may be increased  
506 if the university meets or exceeds performance standard targets  
507 for that university established annually by the Board of  
508 Governors for the following performance standards, amounting to  
509 no more than a 2-percent increase in the tuition differential  
510 for each performance standard:

511 a. An increase in the 4-year ~~6-year~~ graduation rate for  
512 full-time, first-time-in-college students, as reported annually  
513 to the Integrated Postsecondary Education Data System.

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

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

517 4. The aggregate sum of undergraduate tuition and fees per  
518 credit hour, including the tuition differential, may not exceed  
519 the national average of undergraduate tuition and fees at 4-year  
520 degree-granting public postsecondary educational institutions.

521 ~~5. The tuition differential shall not be included in any~~  
522 ~~award under the Florida Bright Futures Scholarship Program~~  
523 ~~established pursuant to ss. 1009.53-1009.538.~~

524 ~~5.6.~~ Beneficiaries having prepaid tuition contracts  
525 pursuant to s. 1009.98(2)(b) which were in effect on July 1,  
526 2007, and which remain in effect, are exempt from the payment of  
527 the tuition differential.

528 ~~6.7.~~ The tuition differential may not be charged to any  
529 student who was in attendance at the university before July 1,  
530 2007, and who maintains continuous enrollment.

531 ~~7.8.~~ The tuition differential may be waived by the  
532 university for students who meet the eligibility requirements



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533 for the Florida public student assistance grant established in  
534 s. 1009.50.

535 ~~8.9.~~ Subject to approval by the Board of Governors, the  
536 tuition differential authorized pursuant to this subsection may  
537 take effect with the 2009 fall term.

538 (e) The Board of Governors shall submit a report to the  
539 President of the Senate, the Speaker of the House of  
540 Representatives, and the Governor describing the implementation  
541 of the provisions of this subsection no later than February 1 of  
542 each year. The report shall summarize proposals received by the  
543 board during the preceding fiscal year and actions taken by the  
544 board in response to such proposals. In addition, the report  
545 shall provide the following information for each university that  
546 has been approved by the board to assess a tuition differential:

547 1. The course or courses for which the tuition differential  
548 was assessed and the amount assessed.

549 2. The total revenues generated by the tuition  
550 differential.

551 3. With respect to waivers authorized under subparagraph  
552 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the  
553 number of students receiving a waiver, and the value of waivers  
554 provided.

555 4. Detailed expenditures of the revenues generated by the  
556 tuition differential.

557 5. Changes in retention rates, graduation rates, the  
558 percentage of students graduating with more than 110 percent of  
559 the hours required for graduation, pass rates on licensure  
560 examinations, the number of undergraduate course offerings, the  
561 percentage of undergraduate students who are taught by faculty,



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562 student-faculty ratios, and the average salaries of faculty who  
563 teach undergraduate courses.

564 (20) Each state university shall publicly notice and notify  
565 all enrolled students of any proposal to change ~~increase~~ tuition  
566 or fees at least 28 days before its consideration at a board of  
567 trustees meeting. The notice must:

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

570 (b) Specifically outline the details of existing tuition  
571 and fees, the rationale for the proposed change ~~increase~~, and  
572 how the funds from the proposed change ~~increase~~ will be used.

573 (c) Be posted on the university's website and issued in a  
574 press release.

575 Section 12. Subsection (9) of section 1009.53, Florida  
576 Statutes, is amended to read:

577 1009.53 Florida Bright Futures Scholarship Program.—

578 (9) A student may use a Florida Academic Scholars ~~an~~ award  
579 for summer term enrollment beginning in the 2018 summer term, as  
580 funded by the Legislature. A student may use a Florida Medallion  
581 Scholars award for summer term enrollment beginning in the 2019  
582 summer term, as funded by the Legislature. A student may use  
583 other Florida Bright Futures Scholarship Program awards for  
584 summer term enrollment, if funded by the Legislature ~~if funds~~  
585 ~~are available.~~

586 Section 13. Subsection (2) of section 1009.534, Florida  
587 Statutes, is amended to read:

588 1009.534 Florida Academic Scholars award.—

589 (2) A Florida Academic Scholar who is enrolled in a  
590 certificate, diploma, associate, or baccalaureate degree program



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591 at a public or nonpublic postsecondary education institution is  
592 eligible, beginning in the 2017-2018 academic year, for an award  
593 equal to the amount necessary to pay 100 percent of tuition and  
594 fees established under ss. 1009.22(3), (5), (6), and (7);  
595 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
596 (13), (14)(r), and (16), as applicable, and is eligible for an  
597 additional \$300 each fall and spring academic semester or the  
598 equivalent for textbooks, ~~specified in the General~~  
599 ~~Appropriations Act~~ to assist with the payment of educational  
600 expenses.

601 Section 14. Subsection (2) of section 1009.535, Florida  
602 Statutes, is amended to read:

603 1009.535 Florida Medallion Scholars award.—

604 (2) A Florida Medallion Scholar who is enrolled in a  
605 certificate, diploma, associate, or baccalaureate degree program  
606 at a public or nonpublic postsecondary education institution is  
607 eligible, beginning in the fall 2018 semester, for an award  
608 equal to the amount necessary to pay 75 percent of tuition and  
609 fees established under ss. 1009.22(3), (5), (6), and (7);  
610 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
611 (13), (14)(r), and (16), as applicable ~~specified in the General~~  
612 ~~Appropriations Act~~ to assist with the payment of educational  
613 expenses.

614 Section 15. Subsections (1), (2), and (4) and paragraph (c)  
615 of subsection (5) of section 1009.701, Florida Statutes, are  
616 amended to read:

617 1009.701 First Generation Matching Grant Program.—

618 (1) The First Generation Matching Grant Program is created  
619 to enable each state university and Florida College System



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620 institution to provide donors with a matching grant incentive  
621 for contributions that will create grant-based student financial  
622 aid for undergraduate students who demonstrate financial need  
623 and whose parents, as defined in s. 1009.21(1), have not earned  
624 a baccalaureate degree. In the case of any individual who  
625 regularly resided with and received support from only one  
626 parent, an individual whose only such parent did not complete a  
627 baccalaureate degree would also be eligible.

628 (2) Funds appropriated by the Legislature for the program  
629 shall be allocated by the Office of Student Financial Assistance  
630 to match private contributions on a dollar-for-dollar basis;  
631 however, beginning in the 2018-2019 fiscal year, such funds  
632 shall be allocated at a ratio of \$2 of state funds to \$1 of  
633 private contributions. Contributions made to a state university  
634 or a Florida College System institution and pledged for the  
635 purposes of this section are eligible for state matching funds  
636 appropriated for this program and are not eligible for any other  
637 state matching grant program. Pledged contributions are not  
638 eligible for matching prior to the actual collection of the  
639 total funds. The Office of Student Financial Assistance shall  
640 reserve a proportionate allocation of the total appropriated  
641 funds for each state university and Florida College System  
642 institution on the basis of full-time equivalent enrollment.  
643 Funds that remain unmatched as of December 1 shall be  
644 reallocated to state universities and colleges that have  
645 remaining unmatched private contributions for the program on the  
646 basis of full-time equivalent enrollment.

647 (4) Each participating state university and Florida College  
648 System institution shall establish an application process,



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649 determine student eligibility for initial and renewal awards in  
650 conformance with subsection (5), identify the amount awarded to  
651 each recipient, and notify recipients of the amount of their  
652 awards.

653 (5) In order to be eligible to receive a grant pursuant to  
654 this section, an applicant must:

655 (c) Be accepted at a state university or Florida College  
656 System institution.

657 Section 16. Subsections (2), (4), and (5) of section  
658 1009.893, Florida Statutes, are amended to read:

659 1009.893 Benacquisto Scholarship Program.—

660 (2) The Benacquisto Scholarship Program is created to  
661 reward a ~~any Florida~~ high school graduate who receives  
662 recognition as a National Merit Scholar or National Achievement  
663 Scholar and who initially enrolls in the 2014-2015 academic year  
664 or, later, in a baccalaureate degree program at an eligible  
665 Florida public or independent postsecondary educational  
666 institution.

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

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

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

676 a.1. The student completes a home education program  
677 according to s. 1002.41; or





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

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

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

688           (b) A student who initially enrolls in a baccalaureate  
689 degree program in the 2018-2019 academic year or later and who  
690 is not a resident of this state, as determined in s. 1009.40 and  
691 rules of the State Board of Education, must:

692           1. Physically reside in this state on or near the campus of  
693 the postsecondary educational institution in which the student  
694 is enrolled;

695           2. Earn a high school diploma from a school outside Florida  
696 which is comparable to a standard Florida high school diploma or  
697 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.  
698 1003.4282, or s. 1003.435 or must complete a home education  
699 program in another state; and

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

704           (5) (a) 1. An eligible student who meets the requirements of  
705 paragraph (4) (a), who is a National Merit Scholar or National  
706 Achievement Scholar, and who attends a Florida public



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707 postsecondary educational institution shall receive a  
708 scholarship award equal to the institutional cost of attendance  
709 minus the sum of the student's Florida Bright Futures  
710 Scholarship and National Merit Scholarship or National  
711 Achievement Scholarship.

712 2. An eligible student who meets the requirements under  
713 paragraph (4) (b), who is a National Merit Scholar, and who  
714 attends a Florida public postsecondary educational institution  
715 shall receive a scholarship award equal to the institutional  
716 cost of attendance for a resident of this state minus the  
717 student's National Merit Scholarship. Such student is exempt  
718 from the payment of out-of-state fees.

719 (b) An eligible student who is a National Merit Scholar or  
720 National Achievement Scholar and who attends a Florida  
721 independent postsecondary educational institution shall receive  
722 a scholarship award equal to the highest cost of attendance for  
723 a resident of this state enrolled at a Florida public  
724 university, as reported by the Board of Governors of the State  
725 University System, minus the sum of the student's Florida Bright  
726 Futures Scholarship and National Merit Scholarship or National  
727 Achievement Scholarship.

728 Section 17. Section 1009.894, Florida Statutes, is created  
729 to read:

730 1009.894 Florida Farmworker Student Scholarship Program.—  
731 The Legislature recognizes the vital contribution of farmworkers  
732 to the economy of this state. The Florida Farmworker Student  
733 Scholarship Program is created to provide scholarships for  
734 farmworkers, as defined in s. 420.503, and the children of such  
735 farmworkers.



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736       (1) The Department of Education shall administer the  
737 Florida Farmworker Student Scholarship Program according to  
738 rules and procedures established by the State Board of  
739 Education. Beginning in the 2017-2018 academic year, up to 50  
740 scholarships shall be awarded annually according to the criteria  
741 established in subsection (2) and contingent upon an  
742 appropriation by the Legislature.

743       (2) (a) To be eligible for an initial scholarship, a student  
744 must, at a minimum:

745           1. Have a resident status as required by s. 1009.40 and  
746 rules of the State Board of Education;

747           2. Earn a minimum cumulative weighted grade point average  
748 of 3.5 for all high school courses creditable toward a diploma;

749           3. Complete a minimum of 30 hours of community service; and

750           4. Have at least a 90 percent attendance rate and not have  
751 had any disciplinary action brought against him or her, as  
752 documented on the student's high school transcript.

753  
754 For purposes of this section, students who are undocumented for  
755 federal immigration purposes are not eligible for an award.

756       (b) The department shall rank eligible initial applicants  
757 for the purposes of awarding scholarships based on need, as  
758 determined by the department.

759       (c) To renew a scholarship awarded pursuant to this  
760 section, a student must maintain at least a cumulative grade  
761 point average of 2.5 or higher on a 4.0 scale for college  
762 coursework.

763       (3) A scholarship recipient must enroll in a minimum of 12  
764 credit hours per term, or the equivalent, at a public



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765 postsecondary educational institution in this state to receive  
766 funding.

767 (4) A scholarship recipient may receive an award for a  
768 maximum of 100 percent of the number of credit hours required to  
769 complete an associate or baccalaureate degree program or receive  
770 an award for a maximum of 100 percent of the credit hours or  
771 clock hours required to complete up to 90 credit hours of a  
772 program that terminates in a career certificate. The scholarship  
773 recipient is eligible for an award equal to the amount required  
774 to pay the tuition and fees established under ss. 1009.22(3),  
775 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);  
776 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a  
777 public postsecondary educational institution in this state.  
778 Renewal scholarship awards must take precedence over new  
779 scholarship awards in a year in which funds are not sufficient  
780 to accommodate both initial and renewal awards. The scholarship  
781 must be prorated for any such year.

782 (5) Subject to appropriation by the Legislature, the  
783 department shall annually issue awards from the scholarship  
784 program. Before the registration period each semester, the  
785 department shall transmit payment for each award to the  
786 president or director of the postsecondary educational  
787 institution, or his or her representative. However, the  
788 department may withhold payment if the receiving institution  
789 fails to submit the following reports or make the following  
790 refunds to the department:

791 (a) Each institution shall certify to the department the  
792 eligibility status of each student to receive a disbursement  
793 within 30 days before the end of its regular registration



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794 period, inclusive of a drop and add period. An institution is  
795 not required to reevaluate the student eligibility after the end  
796 of the drop and add period.

797 (b) An institution that receives funds from the scholarship  
798 program must certify to the department the amount of funds  
799 disbursed to each student and remit to the department any  
800 undisbursed advance within 60 days after the end of the regular  
801 registration period.

802 (6) The department shall allocate funds to the appropriate  
803 institutions and collect and maintain data regarding the  
804 scholarship program within the student financial assistance  
805 database as specified in s. 1009.94.

806 Section 18. Present paragraphs (e) and (f) of subsection  
807 (10) of section 1009.98, Florida Statutes, are redesignated as  
808 paragraphs (f) and (g), respectively, and a new paragraph (e) is  
809 added to that subsection, to read:

810 1009.98 Stanley G. Tate Florida Prepaid College Program.—

811 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

812 (e) Notwithstanding the number of credit hours used by a  
813 state university to assess the amount for registration fees,  
814 tuition, tuition differential, or local fees, the amount paid by  
815 the board to any state university on behalf of a qualified  
816 beneficiary of an advance payment contract purchased before July  
817 1, 2024, may not exceed the number of credit hours taken by that  
818 qualified beneficiary at the state university.

819 Section 19. The provisions of this act creating ss.  
820 1004.6497, 1004.6498, and 1009.894, Florida Statutes, and the  
821 provisions amending ss. 1009.22, 1009.23, 1009.24, 1009.53, and  
822 1009.534(2), Florida Statutes, apply retroactively to July 1,



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823 2017.

824 Section 20. The Division of Law Revision and Information is  
825 directed to substitute the term "Effective Access to Student  
826 Education Grant Program" for "Florida Resident Access Grant  
827 Program" and the term "Effective Access to Student Education  
828 grant" for "Florida resident access grant" wherever those terms  
829 appear in the Florida Statutes.

830 Section 21. For the 2018-2019 fiscal year, \$129,292,554 in  
831 recurring funds from the Educational Enhancement Trust Fund and  
832 \$1,736,404 in recurring funds from the General Revenue Fund are  
833 appropriated to the Department of Education to implement this  
834 act. Of these funds, \$2,959,916 from the Educational Enhancement  
835 Trust Fund shall be used for 2019 summer term awards for Florida  
836 Bright Futures Academic Scholars, \$27,582,720 from the  
837 Educational Enhancement Trust Fund shall be used for 2019 summer  
838 term awards for Florida Bright Futures Medallion Scholars,  
839 \$98,749,918 from the Educational Enhancement Trust Fund shall be  
840 used for Florida Bright Futures Scholarship Program awards,  
841 \$1,236,404 from the General Revenue Fund shall be used for the  
842 Benacquisto Scholarship Program, and \$500,000 from the General  
843 Revenue Fund shall be used for the Florida Farmworker Student  
844 Scholarship Program.

845 Section 22. This act shall take effect upon becoming a law.

846

847 ===== T I T L E A M E N D M E N T =====

848 And the title is amended as follows:

849 Delete everything before the enacting clause

850 and insert:

851 A bill to be entitled



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852 An act relating to higher education; providing a short  
853 title; amending s. 1001.706, F.S.; requiring state  
854 universities to identify internship opportunities in  
855 high-demand fields; amending s. 1001.7065, F.S.;  
856 revising the preeminent state research universities  
857 program graduation rate requirements and funding  
858 distributions; specifying funding as provided by the  
859 Legislature; deleting the authority for such  
860 universities to stipulate a special course requirement  
861 for incoming students; requiring the Board of  
862 Governors to establish certain standards by a  
863 specified date; amending s. 1001.92, F.S.; requiring  
864 certain performance-based metrics to include specified  
865 graduation rates and access benchmarks; specifying  
866 funding as provided by the Legislature; amending s.  
867 1004.28, F.S.; directing a state university board of  
868 trustees to limit the services, activities, and  
869 expenses of its direct-support organizations;  
870 requiring the chair of the board of trustees to  
871 appoint at least one representative to the board of  
872 directors and executive committee of a university  
873 direct-support organization; requiring the disclosure  
874 of certain financial documents; creating s. 1004.6497,  
875 F.S.; establishing the World Class Faculty and Scholar  
876 Program; providing the purpose and intent; authorizing  
877 state university investments in certain faculty  
878 retention, recruitment, and recognition activities;  
879 specifying funding as provided by the Legislature;  
880 requiring an annual report to the Governor and the



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881 Legislature by a specified date; creating s.  
882 1004.6498, F.S.; establishing the State University  
883 Professional and Graduate Degree Excellence Program;  
884 providing the purpose; listing the quality improvement  
885 efforts that may be used to elevate the prominence of  
886 state university medicine, law, and graduate-level  
887 business programs; specifying funding as provided by  
888 the Legislature; requiring an annual report to the  
889 Governor and the Legislature by a specified date;  
890 amending s. 1008.30, F.S.; authorizing certain state  
891 universities to continue to provide developmental  
892 education instruction; amending s. 1009.22, F.S.;  
893 removing the prohibition on the inclusion of a  
894 technology fee in the funds for the Florida Bright  
895 Futures Scholarship Program award; amending s.  
896 1009.23, F.S.; removing the prohibition on the  
897 inclusion of a technology fee in the funds for the  
898 Florida Bright Futures Scholarship Program award;  
899 amending s. 1009.24, F.S.; removing the prohibition on  
900 the inclusion of a technology fee and a tuition  
901 differential fee in the funds for the Florida Bright  
902 Futures Scholarship Program award; requiring each  
903 state university board of trustees to implement a  
904 block tuition policy for specified undergraduate  
905 students beginning in a specified academic semester;  
906 requiring the Chancellor of the State University  
907 System to submit a report to the Governor and the  
908 Legislature by a specified date; amending s. 1009.53,  
909 F.S.; authorizing students to use certain Florida





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910 Bright Futures Scholarship Program awards for summer  
911 term enrollment beginning in specified years;  
912 specifying funding as provided by the Legislature;  
913 amending s. 1009.534, F.S.; specifying Florida  
914 Academic Scholars award amounts to cover tuition,  
915 fees, textbooks, and other educational expenses;  
916 amending s. 1009.535, F.S.; specifying Florida  
917 Medallion Scholars award amounts to cover specified  
918 tuition and fees; amending s. 1009.701, F.S.; revising  
919 the state-to-private match requirement for  
920 contributions to the First Generation Matching Grant  
921 Program beginning in a specified fiscal year;  
922 extending the program to include Florida College  
923 System institution students; amending s. 1009.893,  
924 F.S.; extending coverage of the Benacquisto  
925 Scholarship Program to include tuition and fees for  
926 qualified nonresident students; creating s. 1009.894,  
927 F.S.; creating the Florida Farmworker Student  
928 Scholarship Program; providing a purpose; requiring  
929 the Department of Education to administer the  
930 scholarship program; providing student eligibility  
931 criteria; specifying award amounts and distributions;  
932 amending s. 1009.98, F.S.; providing that certain  
933 payments from the Florida Prepaid College Board to a  
934 state university on behalf of a qualified beneficiary  
935 may not exceed a specified amount; providing for  
936 retroactive application; providing a directive to the  
937 Division of Law Revision and Information; providing  
938 appropriations; providing an effective date.