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LEGISLATIVE ACTION

Senate

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House

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.