

1 A bill to be entitled
 2 An act relating to higher education programs;
 3 repealing s. 1001.66, F.S., relating to the Florida
 4 College System Performance-Based Incentive; repealing
 5 s. 1001.67, F.S., relating to the Distinguished
 6 Florida College System Institution Program; repealing
 7 s. 1001.7065, F.S., relating to the preeminent state
 8 research universities program; repealing s. 1001.92,
 9 F.S., relating to the State University System
 10 Performance-Based Incentive; amending ss. 381.986 and
 11 1009.24, F.S.; conforming cross-references to changes
 12 made by the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 1001.66, Florida Statutes, is repealed.

17 Section 2. Section 1001.67, Florida Statutes, is repealed.

18 Section 3. Section 1001.7065, Florida Statutes, is
 19 repealed.

20 Section 4. Section 1001.92, Florida Statutes, is repealed.

21 Section 5. Paragraph (g) of subsection (14) of section
 22 381.986, Florida Statutes, is amended to read:

23 381.986 Medical use of marijuana.—

24 (14) EXCEPTIONS TO OTHER LAWS.—

25 (g) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or

26 | any other provision of law, but subject to the requirements of
27 | this section, a research institute established by a public
28 | postsecondary educational institution, such as the H. Lee
29 | Moffitt Cancer Center and Research Institute, Inc., established
30 | under s. 1004.43, or a state university that ~~has~~ achieved the
31 | preeminent state research university designation ~~under s.~~
32 | ~~1001.7065~~ may possess, test, transport, and lawfully dispose of
33 | marijuana for research purposes as provided by this section.

34 | Section 6. Subsection (16) of section 1009.24, Florida
35 | Statutes, is amended to read:

36 | 1009.24 State university student fees.—

37 | (16) Each university board of trustees may establish a
38 | tuition differential for undergraduate courses upon receipt of
39 | approval from the Board of Governors. However, ~~beginning July 1,~~
40 | ~~2014,~~ the Board of Governors may only approve the establishment
41 | of or an increase in tuition differential for a state research
42 | university designated as a preeminent state research university
43 | ~~pursuant to s. 1001.7065(3)~~. The tuition differential shall
44 | promote improvements in the quality of undergraduate education
45 | and shall provide financial aid to undergraduate students who
46 | exhibit financial need.

47 | (a) Seventy percent of the revenues from the tuition
48 | differential shall be expended for purposes of undergraduate
49 | education. Such expenditures may include, but are not limited
50 | to, increasing course offerings, improving graduation rates,

51 increasing the percentage of undergraduate students who are
52 taught by faculty, decreasing student-faculty ratios, providing
53 salary increases for faculty who have a history of excellent
54 teaching in undergraduate courses, improving the efficiency of
55 the delivery of undergraduate education through academic
56 advisement and counseling, and reducing the percentage of
57 students who graduate with excess hours. This expenditure for
58 undergraduate education may not be used to pay the salaries of
59 graduate teaching assistants. Except as otherwise provided in
60 this subsection, the remaining 30 percent of the revenues from
61 the tuition differential, or the equivalent amount of revenue
62 from private sources, shall be expended to provide financial aid
63 to undergraduate students who exhibit financial need, including
64 students who are scholarship recipients under s. 1009.984, to
65 meet the cost of university attendance. This expenditure for
66 need-based financial aid shall not supplant the amount of need-
67 based aid provided to undergraduate students in the preceding
68 fiscal year from financial aid fee revenues, the direct
69 appropriation for financial assistance provided to state
70 universities in the General Appropriations Act, or from private
71 sources. The total amount of tuition differential waived under
72 subparagraph (b)8. may be included in calculating the
73 expenditures for need-based financial aid to undergraduate
74 students required by this subsection. If the entire tuition and
75 fee costs of resident students who have applied for and received

76 Pell Grant funds have been met and the university has excess
77 funds remaining from the 30 percent of the revenues from the
78 tuition differential required to be used to assist students who
79 exhibit financial need, the university may expend the excess
80 portion in the same manner as required for the other 70 percent
81 of the tuition differential revenues.

82 (b) Each tuition differential is subject to the following
83 conditions:

84 1. The tuition differential may be assessed on one or more
85 undergraduate courses or on all undergraduate courses at a state
86 university.

87 2. The tuition differential may vary by course or courses,
88 by campus or center location, and by institution. Each
89 university board of trustees shall strive to maintain and
90 increase enrollment in degree programs related to math, science,
91 high technology, and other state or regional high-need fields
92 when establishing tuition differentials by course.

93 3. For each state university ~~that is~~ designated as a
94 preeminent state research university by the Board of Governors,
95 ~~pursuant to s. 1001.7065,~~ the aggregate sum of tuition and the
96 tuition differential may be increased by no more than 6 percent
97 of the total charged for the aggregate sum of these fees in the
98 preceding fiscal year. The tuition differential may be increased
99 if the university meets or exceeds performance standard targets
100 for that university established annually by the Board of

101 Governors for the following performance standards, amounting to
102 no more than a 2-percent increase in the tuition differential
103 for each performance standard:

104 a. An increase in the 6-year graduation rate for full-
105 time, first-time-in-college students, as reported annually to
106 the Integrated Postsecondary Education Data System.

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

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

110 4. The aggregate sum of undergraduate tuition and fees per
111 credit hour, including the tuition differential, may not exceed
112 the national average of undergraduate tuition and fees at 4-year
113 degree-granting public postsecondary educational institutions.

114 5. The tuition differential shall not be included in any
115 award under the Florida Bright Futures Scholarship Program
116 established pursuant to ss. 1009.53-1009.538.

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

121 7. The tuition differential may not be charged to any
122 student who was in attendance at the university before July 1,
123 2007, and who maintains continuous enrollment.

124 8. The tuition differential may be waived by the
125 university for students who meet the eligibility requirements

126 | for the Florida public student assistance grant established in
127 | s. 1009.50.

128 | 9. Subject to approval by the Board of Governors, the
129 | tuition differential authorized pursuant to this subsection may
130 | take effect with the 2009 fall term.

131 | (c) A university board of trustees may submit a proposal
132 | to the Board of Governors to implement a tuition differential
133 | for one or more undergraduate courses. At a minimum, the
134 | proposal shall:

135 | 1. Identify the course or courses for which the tuition
136 | differential will be assessed.

137 | 2. Indicate the amount that will be assessed for each
138 | tuition differential proposed.

139 | 3. Indicate the purpose of the tuition differential.

140 | 4. Indicate how the revenues from the tuition differential
141 | will be used.

142 | 5. Indicate how the university will monitor the success of
143 | the tuition differential in achieving the purpose for which the
144 | tuition differential is being assessed.

145 | (d) The Board of Governors shall review each proposal and
146 | advise the university board of trustees of approval of the
147 | proposal, the need for additional information or revision to the
148 | proposal, or denial of the proposal. The Board of Governors
149 | shall establish a process for any university to revise a
150 | proposal or appeal a decision of the board.

151 (e) The Board of Governors shall submit a report to the
152 President of the Senate, the Speaker of the House of
153 Representatives, and the Governor describing the implementation
154 of the provisions of this subsection no later than February 1 of
155 each year. The report shall summarize proposals received by the
156 board during the preceding fiscal year and actions taken by the
157 board in response to such proposals. In addition, the report
158 shall provide the following information for each university that
159 has been approved by the board to assess a tuition differential:

160 1. The course or courses for which the tuition
161 differential was assessed and the amount assessed.

162 2. The total revenues generated by the tuition
163 differential.

164 3. With respect to waivers authorized under subparagraph
165 (b)8., the number of students eligible for a waiver, the number
166 of students receiving a waiver, and the value of waivers
167 provided.

168 4. Detailed expenditures of the revenues generated by the
169 tuition differential.

170 5. Changes in retention rates, graduation rates, the
171 percentage of students graduating with more than 110 percent of
172 the hours required for graduation, pass rates on licensure
173 examinations, the number of undergraduate course offerings, the
174 percentage of undergraduate students who are taught by faculty,
175 student-faculty ratios, and the average salaries of faculty who

176 | teach undergraduate courses.

177 | (f) No state university shall be required to lower any
178 | tuition differential that was approved by the Board of Governors
179 | and in effect prior to January 1, 2009, in order to comply with
180 | the provisions of this subsection.

181 | Section 7. This act shall take effect July 1, 2018.