



404368

LEGISLATIVE ACTION

Senate

.  
. .  
. .  
. .  
. .

House

---

The Committee on Education (Diaz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (j) is added to subsection (3) of  
section 1001.706, Florida Statutes, paragraph (e) of subsection  
(5) of that section is amended, and paragraph (i) is added to  
that subsection, to read:

1001.706 Powers and duties of the Board of Governors.—

(3) POWERS AND DUTIES RELATING TO ORGANIZATION AND  
OPERATION OF STATE UNIVERSITIES.—



404368

12       (j) The Board of Governors shall require each institution  
13 to conduct an annual assessment of the intellectual freedom and  
14 viewpoint diversity at that institution. The Board of Governors  
15 shall select or create an objective, nonpartisan, and  
16 statistically valid survey, to be used by each institution, that  
17 considers the extent to which competing ideas and perspectives  
18 are presented and members of the university community feel free  
19 to express their beliefs and viewpoints on campus and in the  
20 classroom. The Board of Governors shall annually compile and  
21 publish the assessments by September 1 of each year, beginning  
22 with September 1, 2020.

23       (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

24       (e) The Board of Governors shall maintain an effective  
25 information system to provide accurate, timely, and cost-  
26 effective information about each university. The board shall  
27 continue to collect and maintain, at a minimum, management  
28 information as such information existed on June 30, 2002. The  
29 Office of the Inspector General shall annually verify the  
30 accuracy of the data used to implement ss. 1001.7065 and  
31 1001.92.

32       (i) The Board of Governors shall match individual student  
33 information with information in the files of state and federal  
34 agencies that maintain educational and employment records. The  
35 board must enter into an agreement with the Department of  
36 Economic Opportunity that allows access to the individual  
37 reemployment assistance wage records maintained by the  
38 department. The agreement must protect individual privacy and  
39 provide that student information may be used only for the  
40 purposes of auditing or evaluating higher education programs



41 offered by state universities.

42 Section 2. Subsections (3) through (7) of section  
43 1001.7065, Florida Statutes, are renumbered as subsections (4)  
44 through (8), respectively, a new subsection (3) is added to that  
45 section, and paragraphs (c), (d), (j), (k), and (l) of  
46 subsection (2) are amended, to read:

47 1001.7065 Preeminent state research universities program.—

48 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The  
49 following academic and research excellence standards are  
50 established for the preeminent state research universities  
51 program:

52 (c) A freshman retention rate of 90 percent or higher for  
53 full-time, first-time-in-college students, as reported annually  
54 in the Board of Governors Accountability Plan to the Integrated  
55 Postsecondary Education Data System (IPEDS).

56 (d) A 4-year graduation rate of 60 percent or higher for  
57 full-time, first-time-in-college students, as reported annually  
58 in the Board of Governors Accountability Plan to the IPEDS.  
59 ~~However, for the 2018 determination of a state university's~~  
60 ~~preeminence designation and the related distribution of the~~  
61 ~~2018-2019 fiscal year appropriation associated with preeminence~~  
62 ~~and emerging preeminence, a university is considered to have~~  
63 ~~satisfied this graduation rate measure by attaining a 6-year~~  
64 ~~graduation rate of 70 percent or higher by October 1, 2017, for~~  
65 ~~full-time, first-time-in-college students, as reported to the~~  
66 ~~IPEDS and confirmed by the Board of Governors.~~

67 (j) Four hundred or more doctoral degrees awarded annually,  
68 including professional doctoral degrees awarded in medical and  
69 health care disciplines, as reported annually in the Board of



404368

70 ~~Governors Annual~~ Accountability Plan Report.

71 (k) Two hundred or more postdoctoral appointees annually,  
72 as reported annually in the Board of Governors Accountability  
73 Plan ~~TARU annual report~~.

74 (1) An endowment of \$500 million or more, as reported  
75 annually in the Board of Governors ~~Annual~~ Accountability Plan  
76 Report.

77 (3) The Board of Governors shall use its 2019  
78 Accountability Plan for determining a state university's  
79 preeminence designation and distributing awards for the 2019-  
80 2020 fiscal year appropriation. This subsection shall expire on  
81 July 1, 2020.

82 Section 3. Subsection (1) of section 1001.92, Florida  
83 Statutes, is amended to read:

84 1001.92 State University System Performance-Based  
85 Incentive.—

86 (1) A State University System Performance-Based Incentive  
87 shall be awarded to state universities using performance-based  
88 metrics adopted by the Board of Governors of the State  
89 University System. Beginning with the Board of Governors'  
90 determination of each university's performance improvement and  
91 achievement ratings ~~for 2018~~, and the related distribution of  
92 the annual 2018-2019 fiscal year appropriation, the performance-  
93 based metrics must include:

94 (a) 4-year graduation rates;

95 (b) Beginning in fiscal year 2020-2021, 2-year graduation  
96 rates for full-time 2+2 associate degree transfer students from  
97 Florida College System institutions, with points deducted for  
98 decreases in the enrollment of associate in arts degree transfer



404368

99 students;

100 (c) Retention rates;

101 (d) Postgraduation education rates;

102 (e) Degree production;

103 (f) Affordability;

104 (g) Postgraduation employment and salaries, including wage  
105 thresholds that reflect the added value of a baccalaureate  
106 degree;

107 (h) Access rate, based on the percentage of undergraduate  
108 students enrolled during the fall term who received a Pell Grant  
109 during the fall term;

110 (i) Beginning in fiscal year 2020-2021, 6-year graduation  
111 rates for students who are eligible for a Pell Grant as compared  
112 with students who are not eligible for a Pell Grant, with points  
113 deducted for decreases in the enrollment of students who are  
114 eligible for a Pell Grant; and

115 (j) Beginning in fiscal year 2020-2021, the percent of  
116 students graduating without excess hours.

117  
118 The Board of Governors may approve ~~and other metrics approved by~~  
119 ~~the board~~ in a publicly formally noticed meeting. The board  
120 shall adopt benchmarks to evaluate each state university's  
121 performance on the metrics to measure the state university's  
122 achievement of institutional excellence or need for improvement  
123 and minimum requirements for eligibility to receive performance  
124 funding. Benchmarks and metrics may not be adjusted after  
125 university performance data has been received by the Board of  
126 Governors ~~Access rate benchmarks must be differentiated and~~  
127 ~~scored to reflect the varying access rate levels among the state~~



404368

128 ~~universities; however, the scoring system may not include bonus~~  
129 ~~points.~~

130 Section 4. Section 1001.92(1)(h), Florida Statutes, as  
131 amended by this act is repealed on June 30, 2020.

132 Section 5. Paragraph (b) of subsection (2) of section  
133 1004.28, Florida Statutes, is amended to read:

134 1004.28 Direct-support organizations; use of property;  
135 board of directors; activities; audit; facilities.—

136 (2) USE OF PROPERTY.—

137 (b) The board of trustees, in accordance with regulations  
138 and guidelines of the Board of Governors, shall prescribe by  
139 regulation conditions with which a university direct-support  
140 organization must comply in order to use property, facilities,  
141 or personal services at any state university, including that  
142 personal services must comply with s. 1012.976. Such regulations  
143 shall provide for budget and audit review and oversight by the  
144 board of trustees, including thresholds for approval of  
145 purchases, acquisitions, projects, and issuance of debt.

146 ~~Beginning No later than~~ July 1, 2019, the transfer of a state  
147 appropriation by the board of trustees to any direct-support  
148 organization and its not-for-profit subsidiaries and affiliates  
149 may ~~only~~ include only funds pledged for capital projects.

150 ~~Beginning July 1, 2019, and annually thereafter,~~ Each university  
151 board of trustees shall annually report to the Legislature the  
152 amount of state appropriations transferred to any direct-support  
153 organization and its not-for-profit subsidiaries and affiliates  
154 during the previous fiscal year, the purpose for which the funds  
155 were transferred, and the remaining balance of any funds  
156 transferred.



404368

157 Section 6. Subsections (1), (4), and (5), and paragraph (a)  
158 of subsection (6) of section 1004.335, Florida Statutes, are  
159 amended to read:

160 1004.335 Accreditation consolidation of University of South  
161 Florida branch campuses.—

162 (1) The University of South Florida Consolidation Planning  
163 Study and Implementation Task Force is established to develop  
164 recommendations to improve service to students by phasing out  
165 the separate accreditation of the University of South Florida  
166 St. Petersburg branch campus and the University of South Florida  
167 Sarasota/Manatee branch campus, which were conferred by the  
168 Southern Association of Colleges and Schools Commission on  
169 Colleges (SACSCOC) pursuant to ss. 1004.33 and 1004.34,  
170 respectively.

171 (4) No later than February 15, 2019, the task force must  
172 submit a report to the University of South Florida Board of  
173 Trustees which includes, at a minimum, recommendations on the  
174 following:

175 (a) Identification of specific degrees in programs of  
176 strategic significance, including health care, science,  
177 technology, engineering, mathematics, and other program  
178 priorities to be offered at the University of South Florida St.  
179 Petersburg branch campus and the University of South Florida  
180 Sarasota/Manatee branch campus and the timeline for the  
181 development and delivery of programs on each campus;

182 (b) Maintaining the unique identity of each campus and an  
183 assessment of whether a separate educational mission is  
184 beneficial to the future of each campus;

185 (c) Maintaining faculty input from all campuses during the



404368

186 review and development of general education requirements to  
187 reflect the distinctive identity of each campus;

188 (d) Developing the research capacity at each campus;

189 (e) Equitable distribution of programs and resources to  
190 establish pathways to admission for all students who require  
191 bridge programming and financial aid;

192 (f) Establishing budget transparency and accountability  
193 regarding the review and approval of student fees among  
194 campuses, including fee differentials and athletic fees, to  
195 enable the identification of the equitable distribution of  
196 resources to each campus, including the University of South  
197 Florida Health; and

198 (g) Developing and delivering integrated academic programs,  
199 student and faculty governance, and administrative services to  
200 better serve the students, faculty, and staff at the University  
201 of South Florida College of Marine Science, the University of  
202 South Florida Sarasota/Manatee branch campus, and the University  
203 of South Florida St. Petersburg branch campus.

204 (5) No later than March 15, 2019, the Board of Trustees of  
205 the University of South Florida, after considering the  
206 recommendations of the task force, must adopt and submit to the  
207 Board of Governors an implementation plan that:

208 (a) Establishes a timeline for each step that is necessary  
209 to terminate the separate accreditation for each campus no later  
210 than June 30, 2020, while maintaining branch campus status for  
211 both campuses, so that there is no lapse in institutional  
212 accreditation for any campus during the phasing-out process.

213 (b) Minimizes disruption to students attending any the  
214 University of South Florida or any of its branch campuses ~~campus~~





215 so that the consolidation of SACSCOC accreditation does not  
216 impede a student's ability to graduate within 4 years after  
217 initial first-time-in-college enrollment.

218 (c) Requires that, on or before July 1, 2020, the entirety  
219 of the University of South Florida, including all branch  
220 campuses and other component units of the university, operate  
221 under a single institutional accreditation from the SACSCOC.

222 (d) Requires that, on each regularly scheduled submission  
223 date subsequent to July 1, 2020, the University of South Florida  
224 report consolidated data for all of the university's campuses  
225 and students to the Integrated Postsecondary Education Data  
226 System and to the Board of Governors. The Board of Governors  
227 shall use the consolidated data for purposes of determining  
228 eligibility for funding pursuant to ss. 1001.7065 and 1001.92.

229 (6) Notwithstanding ss. 1001.7065 and 1001.92 or any Board  
230 of Governors regulation to the contrary relating to the  
231 calculation of graduation rates and retention rates, a student  
232 who meets all of the following criteria may not be counted by  
233 the Board of Governors when calculating or confirming the  
234 graduation rate or the retention rate of the University of South  
235 Florida under those sections:

236 (a) The student was admitted to and initially enrolled  
237 before the spring 2020 semester as a first-time-in-college  
238 student at the University of South Florida St. Petersburg branch  
239 campus or the University of South Florida Sarasota/Manatee  
240 branch campus.

241 Section 7. Paragraph (b) of subsection (4) and paragraph  
242 (b) of subsection (5) of section 1004.41, Florida Statutes, are  
243 amended, paragraph (g) is added to subsection (4), and paragraph



404368

244 (f) is added to subsection (5) of that section, to read:  
245 1004.41 University of Florida; J. Hillis Miller Health  
246 Center.—  
247 (4)  
248 (b) The University of Florida Board of Trustees shall  
249 provide in the lease or by separate contract or agreement with  
250 Shands Teaching Hospital and Clinics, Inc., for the following:  
251 1. Approval of the articles of incorporation of Shands  
252 Teaching Hospital and Clinics, Inc., by the University of  
253 Florida Board of Trustees.  
254 2. Governance of Shands Teaching Hospital and Clinics,  
255 Inc., by a board of directors appointed, subject to removal, and  
256 chaired by the President of the University of Florida, or his or  
257 her designee, and vice chaired by the Vice President for Health  
258 Affairs of the University of Florida or his or her designee. The  
259 University of Florida Board of Trustees shall approve all  
260 appointments to the board and its not-for-profit subsidiaries  
261 and affiliates.  
262 3. Use of hospital facilities and personnel in support of  
263 community service and patient care, research programs, and the  
264 teaching roles of the health center.  
265 4. Continued recognition of the collective bargaining units  
266 and collective bargaining agreements as currently composed and  
267 recognition of the certified labor organizations representing  
268 those units and agreements.  
269 5. Use of hospital facilities and personnel in connection  
270 with research programs conducted by the health center.  
271 6. Reimbursement to Shands Teaching Hospital and Clinics,  
272 Inc., for indigent patients, state-mandated programs,



404368

273 underfunded state programs, and costs to Shands Teaching  
274 Hospital and Clinics, Inc., for support of the teaching and  
275 research programs of the health center. Such reimbursement shall  
276 be appropriated to either the health center or Shands Teaching  
277 Hospital and Clinics, Inc., each year by the Legislature after  
278 review and approval of the request for funds.

279         7. Audit of the financial statements of Shands Teaching  
280 Hospital and Clinics, Inc., in accordance with generally  
281 accepted accounting principles as prescribed by the Governmental  
282 Accounting Standards Board for a separate corporation affiliated  
283 with a government entity that holds a voting majority interest  
284 of the affiliated corporation's governing board. The financial  
285 statements shall be provided to the University of Florida Board  
286 of Trustees for attachment to its audited financial statement  
287 which is provided to the Auditor General. The University of  
288 Florida may obtain additional financial information from Shands  
289 Teaching Hospital and Clinics, Inc., upon request by the Auditor  
290 General. This subparagraph applies equally to any not-for-profit  
291 subsidiary of Shands Teaching Hospital and Clinics, Inc., which  
292 directly delivers health care services and also qualifies as an  
293 instrumentality of the state under the governance control and  
294 the primary purpose standards specified in this section.

295         (g) Beginning July 1, 2019, the transfer of state  
296 appropriations by the University of Florida Board of Trustees to  
297 Shands Teaching Hospital and Clinic, Inc., and its not-for-  
298 profit subsidiaries and affiliates may only include funds  
299 pledged for capital projects, for the delivery of health care  
300 services, as matching dollars for intergovernmental services, or  
301 for funding graduate medical education.



404368

302 (5)  
303 (b) The University of Florida Board of Trustees shall  
304 provide in the lease or by separate contract or agreement with  
305 Shands Jacksonville Medical Center, Inc., and Shands  
306 Jacksonville HealthCare, Inc., for the following:  
307 1. Approval of the articles of incorporation of Shands  
308 Jacksonville Medical Center, Inc., and of Shands Jacksonville  
309 HealthCare, Inc., by the University of Florida Board of  
310 Trustees, which may act through the president of the university  
311 or his or her designee. In approving the articles of  
312 incorporation of Shands Jacksonville Medical Center, Inc., and  
313 of Shands Jacksonville HealthCare, Inc., the president of the  
314 university, or his or her designee, may act as the chair of the  
315 board of directors, or the president of the university or his or  
316 her designee or members of the University of Florida Board of  
317 Trustees may act as the approving body of Shands Jacksonville  
318 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.  
319 2. Governance of Shands Jacksonville Medical Center, Inc.,  
320 and of Shands Jacksonville HealthCare, Inc., by boards of  
321 directors appointed, subject to removal, and chaired by the  
322 President of the University of Florida, or his or her designee.  
323 One director of each board may be so appointed after being  
324 nominated by the mayor of the City of Jacksonville subject to  
325 the applicable standards for directors of such board. If there  
326 is a vice chair of the board of directors of Shands Jacksonville  
327 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.,  
328 the Vice President for Health Affairs of the University of  
329 Florida, or his or her designee or the designee of the president  
330 of the university, shall hold that position. The University of



331 Florida Board of Trustees shall approve all appointments to the  
332 board and its not-for-profit subsidiaries and affiliates.

333         3. Use of the Shands Jacksonville Medical Center, Inc.,  
334 hospital facilities and personnel in support of community  
335 service and patient care, research programs, and the teaching  
336 roles of the health center of the University of Florida Board of  
337 Trustees.

338         4. Reimbursement to Shands Jacksonville Medical Center,  
339 Inc., for indigent patients, state-mandated programs,  
340 underfunded state programs, and costs to the not-for-profit  
341 corporation for support of the teaching and research programs of  
342 the health center. Such reimbursement shall be appropriated to  
343 either the health center or the not-for-profit corporation each  
344 year by the Legislature after review and approval of the request  
345 for funds.

346         5. Audit of the financial statements of Shands Jacksonville  
347 Medical Center, Inc., and Shands Jacksonville HealthCare, Inc.,  
348 in accordance with generally accepted accounting principles as  
349 prescribed by the Governmental Accounting Standards Board for a  
350 separate corporation affiliated with a government entity that  
351 holds a voting majority interest of the affiliated corporation's  
352 governing board. The financial statements shall be provided to  
353 the University of Florida Board of Trustees for attachment to  
354 its audited financial statement which is provided to the Auditor  
355 General. The University of Florida may obtain additional  
356 financial information from Shands Jacksonville Medical Center,  
357 Inc., and Shands Jacksonville HealthCare, Inc., upon request by  
358 the Auditor General. This subparagraph applies equally to any  
359 not-for-profit subsidiary which directly delivers health care



360 services and also qualifies as an instrumentality of the state  
361 under the governance control and primary purpose standards  
362 specified in this section.

363 (f) Beginning July 1, 2019, the transfer of state  
364 appropriations by the University of Florida Board of Trustees to  
365 Shands Jacksonville Medical Center, Inc., and Shands  
366 Jacksonville HealthCare, Inc., and any of their not-for-profit  
367 subsidiaries and affiliates may only include funds pledged for  
368 capital projects, for the delivery of health care services, as  
369 matching dollars for intergovernmental services, or for funding  
370 graduate medical education.

371 Section 8. Subsection (7) is added to section 1007.23,  
372 Florida Statutes, to read:

373 1007.23 Statewide articulation agreement.—

374 (7) The articulation agreement must specifically provide  
375 for a reverse transfer agreement for Florida College System  
376 associate in arts degree-seeking students who transfer to a  
377 state university before earning an associate in arts degree.  
378 Students must be awarded an associate in arts degree by the  
379 Florida College System institution upon completion of degree  
380 requirements at the state university if the student earned a  
381 majority of the credit hours from the Florida College System  
382 institution. State universities must identify students who have  
383 completed requirements for the associate in arts degree and  
384 transfer credits earned at the state university back to the  
385 Florida College System institution so that the associate in arts  
386 degree may be awarded by the Florida College System institution.

387 Section 9. Upon the expiration and reversion of the  
388 amendment made to section 1009.215, Florida Statutes, pursuant



404368

389 to section 13, chapter 2018-10, Laws of Florida, subsection (3)  
390 of section 1009.215, Florida Statutes, is amended to read:

391 1009.215 Student enrollment pilot program for the spring  
392 and summer terms.-

393 (3) Students who are enrolled in the pilot program and who  
394 are eligible to receive Bright Futures Scholarships under ss.  
395 1009.53-1009.536 shall be eligible to receive the scholarship  
396 award for attendance during the spring and summer terms. This  
397 student cohort shall also be eligible to receive Bright Futures  
398 Scholarships for the fall semester term to be used for off-  
399 campus or online coursework, if Bright Futures Scholarship  
400 funding is provided by the Legislature for three terms for that  
401 academic year for other eligible students no more than 2  
402 semesters or the equivalent in any fiscal year, including the  
403 summer term.

404 Section 10. Subsection (16) of section 1009.24, Florida  
405 Statutes, is amended to read:

406 1009.24 State university student fees.-

407 (16) Each university board of trustees may establish a  
408 tuition differential for undergraduate courses upon receipt of  
409 approval from the Board of Governors. However, beginning July 1,  
410 2014, the Board of Governors may only approve the establishment  
411 of or an increase in tuition differential for a state research  
412 university designated as a preeminent state research university  
413 pursuant to s. 1001.7065(4) ~~s. 1001.7065(3)~~. The tuition  
414 differential shall promote improvements in the quality of  
415 undergraduate education and shall provide financial aid to  
416 undergraduate students who exhibit financial need.

417 (a) Seventy percent of the revenues from the tuition



418 differential shall be expended for purposes of undergraduate  
419 education. Such expenditures may include, but are not limited  
420 to, increasing course offerings, improving graduation rates,  
421 increasing the percentage of undergraduate students who are  
422 taught by faculty, decreasing student-faculty ratios, providing  
423 salary increases for faculty who have a history of excellent  
424 teaching in undergraduate courses, improving the efficiency of  
425 the delivery of undergraduate education through academic  
426 advisement and counseling, and reducing the percentage of  
427 students who graduate with excess hours. This expenditure for  
428 undergraduate education may not be used to pay the salaries of  
429 graduate teaching assistants. Except as otherwise provided in  
430 this subsection, the remaining 30 percent of the revenues from  
431 the tuition differential, or the equivalent amount of revenue  
432 from private sources, shall be expended to provide financial aid  
433 to undergraduate students who exhibit financial need, including  
434 students who are scholarship recipients under s. 1009.984, to  
435 meet the cost of university attendance. This expenditure for  
436 need-based financial aid shall not supplant the amount of need-  
437 based aid provided to undergraduate students in the preceding  
438 fiscal year from financial aid fee revenues, the direct  
439 appropriation for financial assistance provided to state  
440 universities in the General Appropriations Act, or from private  
441 sources. The total amount of tuition differential waived under  
442 subparagraph (b)7. may be included in calculating the  
443 expenditures for need-based financial aid to undergraduate  
444 students required by this subsection. If the entire tuition and  
445 fee costs of resident students who have applied for and received  
446 Pell Grant funds have been met and the university has excess





447 funds remaining from the 30 percent of the revenues from the  
448 tuition differential required to be used to assist students who  
449 exhibit financial need, the university may expend the excess  
450 portion in the same manner as required for the other 70 percent  
451 of the tuition differential revenues.

452 (b) Each tuition differential is subject to the following  
453 conditions:

454 1. The tuition differential may be assessed on one or more  
455 undergraduate courses or on all undergraduate courses at a state  
456 university.

457 2. The tuition differential may vary by course or courses,  
458 by campus or center location, and by institution. Each  
459 university board of trustees shall strive to maintain and  
460 increase enrollment in degree programs related to math, science,  
461 high technology, and other state or regional high-need fields  
462 when establishing tuition differentials by course.

463 3. For each state university that is designated as a  
464 preeminent state research university by the Board of Governors,  
465 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
466 tuition differential may be increased by no more than 6 percent  
467 of the total charged for the aggregate sum of these fees in the  
468 preceding fiscal year. The tuition differential may be increased  
469 if the university meets or exceeds performance standard targets  
470 for that university established annually by the Board of  
471 Governors for the following performance standards, amounting to  
472 no more than a 2-percent increase in the tuition differential  
473 for each performance standard:

474 a. An increase in the 4-year graduation rate for full-time,  
475 first-time-in-college students, as reported annually to the



404368

476 Integrated Postsecondary Education Data System.

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

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

480       4. The aggregate sum of undergraduate tuition and fees per  
481 credit hour, including the tuition differential, may not exceed  
482 the national average of undergraduate tuition and fees at 4-year  
483 degree-granting public postsecondary educational institutions.

484       5. Beneficiaries having prepaid tuition contracts pursuant  
485 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and  
486 which remain in effect, are exempt from the payment of the  
487 tuition differential.

488       6. The tuition differential may not be charged to any  
489 student who was in attendance at the university before July 1,  
490 2007, and who maintains continuous enrollment.

491       7. The tuition differential may be waived by the university  
492 for students who meet the eligibility requirements for the  
493 Florida public student assistance grant established in s.  
494 1009.50.

495       8. Subject to approval by the Board of Governors, the  
496 tuition differential authorized pursuant to this subsection may  
497 take effect with the 2009 fall term.

498       (c) A university board of trustees may submit a proposal to  
499 the Board of Governors to implement a tuition differential for  
500 one or more undergraduate courses. At a minimum, the proposal  
501 shall:

502           1. Identify the course or courses for which the tuition  
503 differential will be assessed.

504           2. Indicate the amount that will be assessed for each



404368

505 tuition differential proposed.

506         3. Indicate the purpose of the tuition differential.

507         4. Indicate how the revenues from the tuition differential  
508 will be used.

509         5. Indicate how the university will monitor the success of  
510 the tuition differential in achieving the purpose for which the  
511 tuition differential is being assessed.

512         (d) The Board of Governors shall review each proposal and  
513 advise the university board of trustees of approval of the  
514 proposal, the need for additional information or revision to the  
515 proposal, or denial of the proposal. The Board of Governors  
516 shall establish a process for any university to revise a  
517 proposal or appeal a decision of the board.

518         (e) The Board of Governors shall submit a report to the  
519 President of the Senate, the Speaker of the House of  
520 Representatives, and the Governor describing the implementation  
521 of the provisions of this subsection no later than February 1 of  
522 each year. The report shall summarize proposals received by the  
523 board during the preceding fiscal year and actions taken by the  
524 board in response to such proposals. In addition, the report  
525 shall provide the following information for each university that  
526 has been approved by the board to assess a tuition differential:

527             1. The course or courses for which the tuition differential  
528 was assessed and the amount assessed.

529             2. The total revenues generated by the tuition  
530 differential.

531             3. With respect to waivers authorized under subparagraph  
532 (b)7., the number of students eligible for a waiver, the number  
533 of students receiving a waiver, and the value of waivers



534 provided.

535 4. Detailed expenditures of the revenues generated by the  
536 tuition differential.

537 5. Changes in retention rates, graduation rates, the  
538 percentage of students graduating with more than 110 percent of  
539 the hours required for graduation, pass rates on licensure  
540 examinations, the number of undergraduate course offerings, the  
541 percentage of undergraduate students who are taught by faculty,  
542 student-faculty ratios, and the average salaries of faculty who  
543 teach undergraduate courses.

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

548 Section 11. Subsection (4) of section 1011.90, Florida  
549 Statutes, is amended to read:

550 1011.90 State university funding.—

551 (4) The Board of Governors shall establish and validate a  
552 cost-estimating system consistent with the requirements of  
553 subsection (1) and shall report as part of its legislative  
554 budget request the actual expenditures for the fiscal year  
555 ending the previous June 30. The legislative budget request must  
556 also include 5-year trend information on the number of faculty  
557 and administrators at each university. The Board of Governors,  
558 by regulation, shall define faculty and administrative personnel  
559 classifications and shall also report the definitions in the  
560 legislative budget request. The growth rate of administrators at  
561 any state university may not exceed the growth rate of faculty.  
562 Expenditure analysis, operating budgets, and annual financial



404368

563 statements of each university must be prepared using the  
564 standard financial reporting procedures and formats prescribed  
565 by the Board of Governors. These formats shall be the same as  
566 used for the 2000-2001 fiscal year reports. Any revisions to  
567 these financial and reporting procedures and formats must be  
568 approved by the Executive Office of the Governor and the  
569 appropriations committees of the Legislature jointly under the  
570 provisions of s. 216.023(3). The Board of Governors shall  
571 continue to collect and maintain at a minimum management  
572 information existing on June 30, 2002. The expenditure analysis  
573 report shall include total expenditures from all sources for the  
574 general operation of the university and shall be in such detail  
575 as needed to support the legislative budget request.

576 Section 12. This act shall take effect July 1, 2019.

577  
578 ===== T I T L E A M E N D M E N T =====

579 And the title is amended as follows:

580 Delete everything before the enacting clause  
581 and insert:

582 A bill to be entitled  
583 An act relating to the organization and operation of  
584 state universities; amending s. 1001.706, F.S. ;  
585 requiring the Board of Governors to require state  
586 universities to conduct an annual assessment related  
587 to intellectual freedom and viewpoint diversity at  
588 each state university; providing requirements for the  
589 Board of Governors relating to such assessment;  
590 providing requirements for the Office of Inspector  
591 General; requiring the Board of Governors to match



592 certain student information with specified educational  
593 and employment records; requiring the Board of  
594 Governors to enter into an agreement with the  
595 Department of Economic Opportunity for certain  
596 purposes; providing requirements for such agreement;  
597 amending s. 1001.7065, F.S.; revising the standards  
598 for the preeminent state research universities  
599 program; requiring the Board of Governors to use a  
600 certain plan for determining preeminence designations  
601 and awards for a specified fiscal year; providing for  
602 the expiration of a certain requirement; amending s.  
603 1001.92, F.S.; revising the state university system  
604 performance-based incentives; revising the  
605 performance-based metrics to include specific data  
606 beginning in a certain fiscal year; authorizing the  
607 Board of Governors to approve other metrics;  
608 prohibiting the adjustment of such metrics once  
609 specified data has been received; providing for the  
610 future repeal of s. 1001.92(1)(h), F.S., relating to a  
611 specific performance-based metric for the State  
612 University System Performance-Based Incentive;  
613 amending s. 1004.28, F.S.; providing that state  
614 appropriations transferred to specified entities by  
615 state university boards of trustees may only be used  
616 for specified purposes; revising a specified reporting  
617 requirement; amending s. 1004.335, F.S.; clarifying  
618 that the University of South Florida St. Petersburg  
619 and the University of South Florida Sarasota/Manatee  
620 are branch campuses; amending s. 1004.41, F.S.;



404368

621 requiring the University of Florida Board of Trustees  
622 to approve appointments to specified boards of  
623 directors and other entities relating to the J. Hillis  
624 Miller Health Center; providing that state  
625 appropriations transferred to certain entities by the  
626 University of Florida Board of Trustees may be used  
627 only for specified purposes; amending s. 1007.23,  
628 F.S.; requiring the statewide articulation agreement  
629 to provide for a reverse transfer agreement; providing  
630 for an associate degree to be awarded to certain  
631 students by Florida College System institutions;  
632 providing requirements for state universities in that  
633 process; amending s. 1009.215, F.S.; providing that  
634 students enrolled in a specified pilot program who are  
635 eligible to receive Bright Futures Scholarships are  
636 also eligible for such scholarship funds for  
637 designated terms under specified circumstances;  
638 amending s. 1009.24, F.S.; conforming a cross-  
639 reference; amending s. 1011.90, F.S.; providing  
640 requirements for certain legislative budget requests;  
641 requiring the Board of Governors to adopt regulations  
642 to provide specified definitions; prohibiting  
643 administrator growth rate from exceeding faculty  
644 growth rate; providing an effective date.