

1                   A bill to be entitled  
2           An act relating to the organization and operation of  
3           state universities; amending s. 1001.706, F.S.;  
4           requiring the Board of Governors to require state  
5           universities to conduct an annual assessment related  
6           to intellectual freedom and viewpoint diversity at  
7           each state university; providing Board of Governor  
8           requirements relating to such assessment; providing  
9           requirements for the Office of Inspector General;  
10          requiring the Board of Governors to match certain  
11          student information with specified educational and  
12          employment records; requiring the Board of Governors  
13          to enter into an agreement with the Department of  
14          Economic Opportunity for certain purposes; providing  
15          requirements for such agreement; amending s.  
16          1001.7065, F.S.; revising the standards for the  
17          preeminent state research universities program;  
18          requiring the Board of Governors to use a certain plan  
19          for determining preeminence designations and awards  
20          for a specified fiscal year; amending s. 1001.92,  
21          F.S.; revising the state university system  
22          performance-based incentives; revising the  
23          performance-based metrics to include specific data  
24          beginning in a certain fiscal year; authorizing the  
25          Board of Governors to approve other metrics;

26 | prohibiting the adjustment of such metrics once  
27 | specified data has been received; providing for the  
28 | future repeal of s. 1001.92(1)(h), F.S., relating to a  
29 | specific performance-based metric for the State  
30 | University System Performance-Based Incentive;  
31 | amending s. 1004.28, F.S.; providing that state  
32 | appropriations transferred to specified entities by  
33 | state university board of trustees may only be used  
34 | for specified purposes; revising a specified reporting  
35 | requirement; amending s. 1004.335, F.S.; clarifying  
36 | that the University of South Florida St. Petersburg  
37 | and the University of South Florida Sarasota/Manatee  
38 | are branch campuses; amending s. 1004.41, F.S.;  
39 | requiring the University of Florida Board of Trustees  
40 | to approve appointments to specified boards of  
41 | directors and other entities relating to the J. Hillis  
42 | Miller Health Center; providing that state  
43 | appropriations transferred to certain entities by the  
44 | University of Florida Board of Trustees may only be  
45 | used for specified purposes; amending s. 1007.23,  
46 | F.S.; requiring the statewide articulation agreement  
47 | to provide for a reverse transfer agreement; providing  
48 | for an associate degree to be awarded to certain  
49 | students by Florida College System institutions;  
50 | providing requirement for state universities; amending

51 s. 1009.215, F.S.; providing that students enrolled in  
 52 a specified pilot program who are eligible to receive  
 53 Bright Futures Scholarships are also eligible for such  
 54 scholarship funds for designated terms under specified  
 55 circumstances; amending s. 1009.24, F.S.; conforming a  
 56 cross-reference; amending s. 1011.90, F.S.; providing  
 57 requirements for certain legislative budget requests;  
 58 prohibiting certain ratios relating to student  
 59 enrollment from growing faster than a specified rate;  
 60 providing an effective date.

61

62 Be It Enacted by the Legislature of the State of Florida:

63

64 Section 1. Paragraph (e) of subsection (5) of section  
 65 1001.706, Florida Statutes, is amended and paragraph (j) is  
 66 added to subsection (3) and paragraph (i) is added to subsection  
 67 (5) of that section, to read:

68 1001.706 Powers and duties of the Board of Governors.—

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

71 (j) The Board of Governors shall require each institution  
 72 to conduct an annual assessment of the intellectual freedom and  
 73 viewpoint diversity at that institution. The Board of Governors  
 74 shall select or create an objective, non-partisan, and  
 75 statistically valid survey, to be used by each institution, that

76 considers the extent to which competing ideas and perspectives  
77 are presented and members of the university community feel free  
78 to express their beliefs and viewpoints on campus and in the  
79 classroom. The Board of Governors shall annually compile and  
80 publish the assessments by September 1 of each year, beginning  
81 September 1, 2020.

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

83 (e) The Board of Governors shall maintain an effective  
84 information system to provide accurate, timely, and cost-  
85 effective information about each university. The board shall  
86 continue to collect and maintain, at a minimum, management  
87 information as such information existed on June 30, 2002. The  
88 Office of the Inspector General shall annually verify the  
89 accuracy of the data used to implement ss. 1001.7065 and  
90 1001.92.

91 (i) The Board of Governors shall match individual student  
92 information with information in the files of state and federal  
93 agencies that maintain educational and employment records. The  
94 board must enter into an agreement with the Department of  
95 Economic Opportunity that allows access to the individual  
96 reemployment assistance wage records maintained by the  
97 department. The agreement must protect individual privacy and  
98 provide that student information may be used only for the  
99 purposes of auditing or evaluating higher education programs  
100 offered by state universities.

101 Section 2. Subsections (3) through (7) of section  
102 1001.7065, Florida Statutes, are renumbered as subsections (4)  
103 through (8), respectively, paragraphs (c), (d), (j), (k), and  
104 (l) of subsection (2) are amended, and a new subsection (3) is  
105 added to that section, to read:

106 1001.7065 Preeminent state research universities program.—

107 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The  
108 following academic and research excellence standards are  
109 established for the preeminent state research universities  
110 program:

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

115 (d) A 4-year graduation rate of 60 percent or higher for  
116 full-time, first-time-in-college students, as reported annually  
117 in the Board of Governors Accountability Plan ~~to the IPEDS.~~  
118 ~~However, for the 2018 determination of a state university's~~  
119 ~~preeminence designation and the related distribution of the~~  
120 ~~2018-2019 fiscal year appropriation associated with preeminence~~  
121 ~~and emerging preeminence, a university is considered to have~~  
122 ~~satisfied this graduation rate measure by attaining a 6-year~~  
123 ~~graduation rate of 70 percent or higher by October 1, 2017, for~~  
124 ~~full-time, first-time-in-college students, as reported to the~~  
125 ~~IPEDS and confirmed by the Board of Governors.~~

126 (j) Four hundred or more doctoral degrees awarded  
127 annually, including professional doctoral degrees awarded in  
128 medical and health care disciplines, as reported annually in the  
129 Board of Governors ~~Annual~~ Accountability Plan Report.

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

133 (l) An endowment of \$500 million or more, as reported  
134 annually in the Board of Governors ~~Annual~~ Accountability Plan  
135 Report.

136 (3) The Board of Governors shall use its 2019  
137 Accountability Plan for determining a state university's  
138 preeminence designation and distributing awards for the 2019-  
139 2020 fiscal year appropriation. This subsection shall expire on  
140 July 1, 2020.

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

143 1001.92 State University System Performance-Based  
144 Incentive.—

145 (1) A State University System Performance-Based Incentive  
146 shall be awarded to state universities using performance-based  
147 metrics adopted by the Board of Governors of the State  
148 University System. Beginning with the Board of Governors'  
149 determination of each university's performance improvement and  
150 achievement ratings ~~for 2018~~, and the related distribution of

151 the annual 2018-2019 fiscal year appropriation, the performance-  
152 based metrics must include:

153 (a) 4-year graduation rates;

154 (b) Beginning in fiscal year 2020-2021, 2-year graduation  
155 rates for full-time 2+2 associate degree transfer students from  
156 Florida College System institutions, with points deducted for  
157 decreases in the enrollment of associate in arts degree transfer  
158 students;

159 (c) Retention rates;

160 (d) Postgraduation education rates;

161 (e) Degree production;

162 (f) Affordability;

163 (g) Postgraduation employment and salaries, including wage  
164 thresholds that reflect the added value of a baccalaureate  
165 degree;

166 (h) Access rate, based on the percentage of undergraduate  
167 students enrolled during the fall term who received a Pell Grant  
168 during the fall term;

169 (i) Beginning in fiscal year 2020-2021, 6-year graduation  
170 rates for students who are eligible for a Pell Grant as compared  
171 with students who are not eligible for a Pell Grant, with points  
172 deducted for decreases in the enrollment of students who are  
173 eligible for a Pell Grant; and

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

176  
 177 The Board of Governors may approve ~~and other metrics approved by~~  
 178 ~~the board~~ in a publicly formally noticed meeting. The board  
 179 shall adopt benchmarks to evaluate each state university's  
 180 performance on the metrics to measure the state university's  
 181 achievement of institutional excellence or need for improvement  
 182 and minimum requirements for eligibility to receive performance  
 183 funding. Benchmarks and metrics may not be adjusted after  
 184 university performance data has been received by the Board of  
 185 Governors ~~Access rate benchmarks must be differentiated and~~  
 186 ~~scored to reflect the varying access rate levels among the state~~  
 187 ~~universities; however, the scoring system may not include bonus~~  
 188 ~~points.~~

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

191 Section 5. Paragraph (b) of subsection (2) of section  
 192 1004.28, Florida Statutes, is amended to read:

193 1004.28 Direct-support organizations; use of property;  
 194 board of directors; activities; audit; facilities.—

195 (2) USE OF PROPERTY.—

196 (b) The board of trustees, in accordance with regulations  
 197 and guidelines of the Board of Governors, shall prescribe by  
 198 regulation conditions with which a university direct-support  
 199 organization must comply in order to use property, facilities,  
 200 or personal services at any state university, including that



201 personal services must comply with s. 1012.976. Such regulations  
202 shall provide for budget and audit review and oversight by the  
203 board of trustees, including thresholds for approval of  
204 purchases, acquisitions, projects, and issuance of debt.  
205 Beginning ~~No later than~~ July 1, 2019, the transfer of a state  
206 appropriation by the board of trustees to any direct-support  
207 organization and its not-for-profit subsidiaries and affiliates  
208 may ~~only~~ include only funds pledged for capital projects.  
209 ~~Beginning July 1, 2019, and annually thereafter,~~ Each university  
210 board of trustees shall annually report to the Legislature the  
211 amount of state appropriations transferred to any direct-support  
212 organization and its not-for-profit subsidiaries and affiliates  
213 during the previous fiscal year, the purpose for which the funds  
214 were transferred, and the remaining balance of any funds  
215 transferred.

216 Section 6. Subsection (1), paragraphs (a) and (g) of  
217 subsection (4), subsection (5), and paragraph (a) of subsection  
218 (6) of section 1004.335, Florida Statutes, are amended to read:  
219 1004.335 Accreditation consolidation of University of  
220 South Florida branch campuses.—

221 (1) The University of South Florida Consolidation Planning  
222 Study and Implementation Task Force is established to develop  
223 recommendations to improve service to students by phasing out  
224 the separate accreditation of the University of South Florida  
225 St. Petersburg branch campus and the University of South Florida

226 | Sarasota/Manatee branch campus, which were conferred by the  
227 | Southern Association of Colleges and Schools Commission on  
228 | Colleges (SACSCOC) pursuant to ss. 1004.33 and 1004.34,  
229 | respectively.

230 |         (4) No later than February 15, 2019, the task force must  
231 | submit a report to the University of South Florida Board of  
232 | Trustees which includes, at a minimum, recommendations on the  
233 | following:

234 |             (a) Identification of specific degrees in programs of  
235 | strategic significance, including health care, science,  
236 | technology, engineering, mathematics, and other program  
237 | priorities to be offered at the University of South Florida St.  
238 | Petersburg branch campus and the University of South Florida  
239 | Sarasota/Manatee branch campus and the timeline for the  
240 | development and delivery of programs on each campus;

241 |             (g) Developing and delivering integrated academic  
242 | programs, student and faculty governance, and administrative  
243 | services to better serve the students, faculty, and staff at the  
244 | University of South Florida College of Marine Science, the  
245 | University of South Florida Sarasota/Manatee branch campus, and  
246 | the University of South Florida St. Petersburg branch campus.

247 |         (5) No later than March 15, 2019, the Board of Trustees of  
248 | the University of South Florida, after considering the  
249 | recommendations of the task force, must adopt and submit to the  
250 | Board of Governors an implementation plan that:

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

256 (b) Minimizes disruption to students attending ~~any the~~  
257 University of South Florida or any of its branch campuses ~~campus~~  
258 so that the consolidation of SACSCOC accreditation does not  
259 impede a student's ability to graduate within 4 years after  
260 initial first-time-in-college enrollment.

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

265 (d) Requires that, on each regularly scheduled submission  
266 date subsequent to July 1, 2020, the University of South Florida  
267 report consolidated data for all of the university's campuses  
268 and students to the Integrated Postsecondary Education Data  
269 System and to the Board of Governors. The Board of Governors  
270 shall use the consolidated data for purposes of determining  
271 eligibility for funding pursuant to ss. 1001.7065 and 1001.92.

272 (6) Notwithstanding ss. 1001.7065 and 1001.92 or any Board  
273 of Governors regulation to the contrary relating to the  
274 calculation of graduation rates and retention rates, a student  
275 who meets all of the following criteria may not be counted by

276 the Board of Governors when calculating or confirming the  
277 graduation rate or the retention rate of the University of South  
278 Florida under those sections:

279 (a) The student was admitted to and initially enrolled  
280 before the spring 2020 semester as a first-time-in-college  
281 student at the University of South Florida St. Petersburg branch  
282 campus or the University of South Florida Sarasota/Manatee  
283 branch campus.

284 Section 7. Paragraph (b) of subsection (4) and paragraph  
285 (b) of subsection (5) of section 1004.41, Florida Statutes, are  
286 amended, paragraph (g) is added to subsection (4), and paragraph  
287 (f) is added to subsection (5) of that section, to read:

288 1004.41 University of Florida; J. Hillis Miller Health  
289 Center.—

290 (4)

291 (b) The University of Florida Board of Trustees shall  
292 provide in the lease or by separate contract or agreement with  
293 Shands Teaching Hospital and Clinics, Inc., for the following:

294 1. Approval of the articles of incorporation of Shands  
295 Teaching Hospital and Clinics, Inc., by the University of  
296 Florida Board of Trustees.

297 2. Governance of Shands Teaching Hospital and Clinics,  
298 Inc., by a board of directors appointed, subject to removal, and  
299 chaired by the President of the University of Florida, or his or  
300 her designee, and vice chaired by the Vice President for Health

301 Affairs of the University of Florida or his or her designee. The  
 302 University of Florida Board of Trustees shall approve all  
 303 appointments to the board and its not-for-profit subsidiaries  
 304 and affiliates.

305 3. Use of hospital facilities and personnel in support of  
 306 community service and patient care, research programs, and the  
 307 teaching roles of the health center.

308 4. Continued recognition of the collective bargaining  
 309 units and collective bargaining agreements as currently composed  
 310 and recognition of the certified labor organizations  
 311 representing those units and agreements.

312 5. Use of hospital facilities and personnel in connection  
 313 with research programs conducted by the health center.

314 6. Reimbursement to Shands Teaching Hospital and Clinics,  
 315 Inc., for indigent patients, state-mandated programs,  
 316 underfunded state programs, and costs to Shands Teaching  
 317 Hospital and Clinics, Inc., for support of the teaching and  
 318 research programs of the health center. Such reimbursement shall  
 319 be appropriated to either the health center or Shands Teaching  
 320 Hospital and Clinics, Inc., each year by the Legislature after  
 321 review and approval of the request for funds.

322 7. Audit of the financial statements of Shands Teaching  
 323 Hospital and Clinics, Inc., in accordance with generally  
 324 accepted accounting principles as prescribed by the Governmental  
 325 Accounting Standards Board for a separate corporation affiliated

326 with a government entity that holds a voting majority interest  
327 of the affiliated corporation's governing board. The financial  
328 statements shall be provided to the University of Florida Board  
329 of Trustees for attachment to its audited financial statement  
330 which is provided to the Auditor General. The University of  
331 Florida may obtain additional financial information from Shands  
332 Teaching Hospital and Clinics, Inc., upon request by the Auditor  
333 General. This subparagraph applies equally to any not-for-profit  
334 subsidiary of Shands Teaching Hospital and Clinics, Inc., which  
335 directly delivers health care services and also qualifies as an  
336 instrumentality of the state under the governance control and  
337 the primary purpose standards specified in this section.

338 (g) Beginning July 1, 2019, the transfer of state  
339 appropriations by the University of Florida Board of Trustees to  
340 Shands Teaching Hospital and Clinic, Inc., and its not-for-  
341 profit subsidiaries and affiliates may only include funds  
342 pledged for capital projects, for the delivery of health care  
343 services, as matching dollars for intergovernmental services, or  
344 for funding graduate medical education.

345 (5)

346 (b) The University of Florida Board of Trustees shall  
347 provide in the lease or by separate contract or agreement with  
348 Shands Jacksonville Medical Center, Inc., and Shands  
349 Jacksonville HealthCare, Inc., for the following:

350 1. Approval of the articles of incorporation of Shands

351 Jacksonville Medical Center, Inc., and of Shands Jacksonville  
352 HealthCare, Inc., by the University of Florida Board of  
353 Trustees, which may act through the president of the university  
354 or his or her designee. In approving the articles of  
355 incorporation of Shands Jacksonville Medical Center, Inc., and  
356 of Shands Jacksonville HealthCare, Inc., the president of the  
357 university, or his or her designee, may act as the chair of the  
358 board of directors, or the president of the university or his or  
359 her designee or members of the University of Florida Board of  
360 Trustees may act as the approving body of Shands Jacksonville  
361 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.

362 2. Governance of Shands Jacksonville Medical Center, Inc.,  
363 and of Shands Jacksonville HealthCare, Inc., by boards of  
364 directors appointed, subject to removal, and chaired by the  
365 President of the University of Florida, or his or her designee.  
366 One director of each board may be so appointed after being  
367 nominated by the mayor of the City of Jacksonville subject to  
368 the applicable standards for directors of such board. If there  
369 is a vice chair of the board of directors of Shands Jacksonville  
370 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.,  
371 the Vice President for Health Affairs of the University of  
372 Florida, or his or her designee or the designee of the president  
373 of the university, shall hold that position. The University of  
374 Florida Board of Trustees shall approve all appointments to the  
375 board and its not-for-profit subsidiaries and affiliates.

376           3. Use of the Shands Jacksonville Medical Center, Inc.,  
377 hospital facilities and personnel in support of community  
378 service and patient care, research programs, and the teaching  
379 roles of the health center of the University of Florida Board of  
380 Trustees.

381           4. Reimbursement to Shands Jacksonville Medical Center,  
382 Inc., for indigent patients, state-mandated programs,  
383 underfunded state programs, and costs to the not-for-profit  
384 corporation for support of the teaching and research programs of  
385 the health center. Such reimbursement shall be appropriated to  
386 either the health center or the not-for-profit corporation each  
387 year by the Legislature after review and approval of the request  
388 for funds.

389           5. Audit of the financial statements of Shands  
390 Jacksonville Medical Center, Inc., and Shands Jacksonville  
391 HealthCare, Inc., in accordance with generally accepted  
392 accounting principles as prescribed by the Governmental  
393 Accounting Standards Board for a separate corporation affiliated  
394 with a government entity that holds a voting majority interest  
395 of the affiliated corporation's governing board. The financial  
396 statements shall be provided to the University of Florida Board  
397 of Trustees for attachment to its audited financial statement  
398 which is provided to the Auditor General. The University of  
399 Florida may obtain additional financial information from Shands  
400 Jacksonville Medical Center, Inc., and Shands Jacksonville



401 HealthCare, Inc., upon request by the Auditor General. This  
402 subparagraph applies equally to any not-for-profit subsidiary  
403 which directly delivers health care services and also qualifies  
404 as an instrumentality of the state under the governance control  
405 and primary purpose standards specified in this section.

406 (f) Beginning July 1, 2019, the transfer of state  
407 appropriations by the University of Florida Board of Trustees to  
408 Shands Jacksonville Medical Center, Inc., and Shands  
409 Jacksonville HealthCare, Inc., and any of their not-for-profit  
410 subsidiaries and affiliates may only include funds pledged for  
411 capital projects, for the delivery of health care services, as  
412 matching dollars for intergovernmental services, or for funding  
413 graduate medical education.

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

416 1007.23 Statewide articulation agreement.—

417 (7) The articulation agreement must specifically provide  
418 for a reverse transfer agreement for Florida College System  
419 associate in arts degree-seeking students who transfer to a  
420 state university before earning an associate in arts degree.  
421 Students must be awarded an associate in arts degree by the  
422 Florida College System institution upon completion of degree  
423 requirements at the state university if the student earned a  
424 majority of the credit hours from the Florida College System  
425 institution. State universities must identify students who have

426 completed requirements for the associate in arts degree and  
427 transfer credits earned at the state university back to the  
428 Florida College System institution so that the associate in arts  
429 degree may be awarded by the Florida College System institution.

430 Section 9. Upon the expiration and reversion of the  
431 amendment made to section 1009.215, Florida Statutes, pursuant  
432 to section 13, chapter 2018-10, Laws of Florida, subsection (3)  
433 of section 1009.215, Florida Statutes, is amended to read:

434 1009.215 Student enrollment pilot program for the spring  
435 and summer terms.—

436 (3) Students who are enrolled in the pilot program and who  
437 are eligible to receive Bright Futures Scholarships under ss.  
438 1009.53-1009.536 shall be eligible to receive the scholarship  
439 award for attendance during the spring and summer terms. This  
440 student cohort shall also be eligible to receive Bright Futures  
441 Scholarships for the fall semester term to be used for off-  
442 campus or online coursework, if Bright Futures Scholarship  
443 funding is provided by the Legislature for three terms for that  
444 academic year for other eligible students ~~no more than 2~~  
445 ~~semesters or the equivalent in any fiscal year, including the~~  
446 ~~summer term.~~

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

449 1009.24 State university student fees.—

450 (16) Each university board of trustees may establish a

451 tuition differential for undergraduate courses upon receipt of  
452 approval from the Board of Governors. However, beginning July 1,  
453 2014, the Board of Governors may only approve the establishment  
454 of or an increase in tuition differential for a state research  
455 university designated as a preeminent state research university  
456 pursuant to s. 1001.7065(4) ~~s. 1001.7065(3)~~. The tuition  
457 differential shall promote improvements in the quality of  
458 undergraduate education and shall provide financial aid to  
459 undergraduate students who exhibit financial need.

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

476 to undergraduate students who exhibit financial need, including  
477 students who are scholarship recipients under s. 1009.984, to  
478 meet the cost of university attendance. This expenditure for  
479 need-based financial aid shall not supplant the amount of need-  
480 based aid provided to undergraduate students in the preceding  
481 fiscal year from financial aid fee revenues, the direct  
482 appropriation for financial assistance provided to state  
483 universities in the General Appropriations Act, or from private  
484 sources. The total amount of tuition differential waived under  
485 subparagraph (b)7. may be included in calculating the  
486 expenditures for need-based financial aid to undergraduate  
487 students required by this subsection. If the entire tuition and  
488 fee costs of resident students who have applied for and received  
489 Pell Grant funds have been met and the university has excess  
490 funds remaining from the 30 percent of the revenues from the  
491 tuition differential required to be used to assist students who  
492 exhibit financial need, the university may expend the excess  
493 portion in the same manner as required for the other 70 percent  
494 of the tuition differential revenues.

495 (b) Each tuition differential is subject to the following  
496 conditions:

497 1. The tuition differential may be assessed on one or more  
498 undergraduate courses or on all undergraduate courses at a state  
499 university.

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

501 by campus or center location, and by institution. Each  
502 university board of trustees shall strive to maintain and  
503 increase enrollment in degree programs related to math, science,  
504 high technology, and other state or regional high-need fields  
505 when establishing tuition differentials by course.

506 3. For each state university that is designated as a  
507 preeminent state research university by the Board of Governors,  
508 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
509 tuition differential may be increased by no more than 6 percent  
510 of the total charged for the aggregate sum of these fees in the  
511 preceding fiscal year. The tuition differential may be increased  
512 if the university meets or exceeds performance standard targets  
513 for that university established annually by the Board of  
514 Governors for the following performance standards, amounting to  
515 no more than a 2-percent increase in the tuition differential  
516 for each performance standard:

517 a. An increase in the 4-year graduation rate for full-  
518 time, first-time-in-college students, as reported annually to  
519 the Integrated Postsecondary Education Data System.

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

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

523 4. The aggregate sum of undergraduate tuition and fees per  
524 credit hour, including the tuition differential, may not exceed  
525 the national average of undergraduate tuition and fees at 4-year

526 degree-granting public postsecondary educational institutions.

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

531         6. The tuition differential may not be charged to any  
 532 student who was in attendance at the university before July 1,  
 533 2007, and who maintains continuous enrollment.

534         7. The tuition differential may be waived by the  
 535 university for students who meet the eligibility requirements  
 536 for the Florida public student assistance grant established in  
 537 s. 1009.50.

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

541         (c) A university board of trustees may submit a proposal  
 542 to the Board of Governors to implement a tuition differential  
 543 for one or more undergraduate courses. At a minimum, the  
 544 proposal shall:

545             1. Identify the course or courses for which the tuition  
 546 differential will be assessed.

547             2. Indicate the amount that will be assessed for each  
 548 tuition differential proposed.

549             3. Indicate the purpose of the tuition differential.

550             4. Indicate how the revenues from the tuition differential

551 will be used.

552 5. Indicate how the university will monitor the success of  
553 the tuition differential in achieving the purpose for which the  
554 tuition differential is being assessed.

555 (d) The Board of Governors shall review each proposal and  
556 advise the university board of trustees of approval of the  
557 proposal, the need for additional information or revision to the  
558 proposal, or denial of the proposal. The Board of Governors  
559 shall establish a process for any university to revise a  
560 proposal or appeal a decision of the board.

561 (e) The Board of Governors shall submit a report to the  
562 President of the Senate, the Speaker of the House of  
563 Representatives, and the Governor describing the implementation  
564 of the provisions of this subsection no later than February 1 of  
565 each year. The report shall summarize proposals received by the  
566 board during the preceding fiscal year and actions taken by the  
567 board in response to such proposals. In addition, the report  
568 shall provide the following information for each university that  
569 has been approved by the board to assess a tuition differential:

570 1. The course or courses for which the tuition  
571 differential was assessed and the amount assessed.

572 2. The total revenues generated by the tuition  
573 differential.

574 3. With respect to waivers authorized under subparagraph  
575 (b)7., the number of students eligible for a waiver, the number

576 of students receiving a waiver, and the value of waivers  
577 provided.

578 4. Detailed expenditures of the revenues generated by the  
579 tuition differential.

580 5. Changes in retention rates, graduation rates, the  
581 percentage of students graduating with more than 110 percent of  
582 the hours required for graduation, pass rates on licensure  
583 examinations, the number of undergraduate course offerings, the  
584 percentage of undergraduate students who are taught by faculty,  
585 student-faculty ratios, and the average salaries of faculty who  
586 teach undergraduate courses.

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

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

593 1011.90 State university funding.—

594 (4) The Board of Governors shall establish and validate a  
595 cost-estimating system consistent with the requirements of  
596 subsection (1) and shall report as part of its legislative  
597 budget request the actual expenditures for the fiscal year  
598 ending the previous June 30. The legislative budget request must  
599 also include 5-year trend information on the number of faculty  
600 and administrators at each university. The Board of Governors,



601 by regulation, shall define faculty and administrative personnel  
602 classifications and shall also report the definitions in the  
603 legislative budget request. The growth rate of administrators at  
604 any state university may not exceed the growth rate of faculty.  
605 Expenditure analysis, operating budgets, and annual financial  
606 statements of each university must be prepared using the  
607 standard financial reporting procedures and formats prescribed  
608 by the Board of Governors. These formats shall be the same as  
609 used for the 2000-2001 fiscal year reports. Any revisions to  
610 these financial and reporting procedures and formats must be  
611 approved by the Executive Office of the Governor and the  
612 appropriations committees of the Legislature jointly under the  
613 provisions of s. 216.023(3). The Board of Governors shall  
614 continue to collect and maintain at a minimum management  
615 information existing on June 30, 2002. The expenditure analysis  
616 report shall include total expenditures from all sources for the  
617 general operation of the university and shall be in such detail  
618 as needed to support the legislative budget request.

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