

1 A bill to be entitled
2 An act relating to higher education; amending s.
3 215.985, F.S.; requiring employees or officers of a
4 Florida College System institution to be included in a
5 Department of Management Services' website that
6 provides specified information relating to such
7 employees or officers; amending s. 1001.03, F.S.;
8 requiring the State Board of Education to require
9 Florida College System institutions to conduct an
10 annual assessment related to intellectual freedom and
11 viewpoint diversity at each Florida College System
12 institution; providing State Board of Education
13 requirements relating to such assessment; amending s.
14 1001.706, F.S.; requiring the Board of Governors to
15 require state universities to conduct an annual
16 assessment related to intellectual freedom and
17 viewpoint diversity at each state university;
18 providing Board of Governor requirements relating to
19 such assessment; requiring the Board of Governors to
20 define data components and methodology for specified
21 purposes; requiring state universities to submit
22 annual institutional audits to the Office of Inspector
23 General; requiring the Board of Governors to match
24 certain student information with specified educational
25 and employment records; requiring the Board of

26 | Governors to enter into an agreement with the
27 | Department of Economic Opportunity for certain
28 | purposes; providing requirements for such agreement;
29 | amending s. 1001.7065, F.S.; revising the standards
30 | for the preeminent state research universities
31 | program; requiring the Board of Governors to use a
32 | certain plan for determining preeminence designations
33 | and awards for a specified fiscal year; amending s.
34 | 1001.92, F.S.; revising the state university system
35 | performance-based incentives; revising the
36 | performance-based metrics to include specific data
37 | beginning in a certain fiscal year; authorizing the
38 | Board of Governors to approve other metrics;
39 | prohibiting the adjustment of such metrics once
40 | specified data has been received; providing for the
41 | future repeal of s. 1001.92(1)(h), F.S., relating to a
42 | specific performance-based metric for the State
43 | University System Performance-Based Incentive;
44 | amending s. 1004.085, F.S.; requiring innovative
45 | pricing techniques and payment options to include an
46 | opt-out provision; amending s. 1004.28, F.S.;
47 | providing that state appropriations transferred to
48 | specified entities by state university board of
49 | trustees may only be used for specified purposes;
50 | revising a specified reporting requirement; amending

51 s. 1004.335, F.S.; clarifying that the University of
52 South Florida St. Petersburg and the University of
53 South Florida Sarasota/Manatee are branch campuses;
54 revising the date the Board of Governors will use
55 specified data to determine funding under certain
56 circumstances; requiring the Board of Governors to
57 monitor the implementation of a specified plan;
58 providing requirements for specified campuses to be
59 considered a branch campus; amending s. 1004.346,
60 F.S.; removing the limitation on the length of time a
61 Phosphate Research and Activities Board member may
62 serve after expiration of his or her term; amending s.
63 1004.41, F.S.; requiring the University of Florida
64 Board of Trustees to approve appointments to specified
65 boards of directors and other entities relating to the
66 J. Hillis Miller Health Center; providing that state
67 appropriations transferred to certain entities by the
68 University of Florida Board of Trustees may only be
69 used for specified purposes; amending s. 1007.23,
70 F.S.; requiring the statewide articulation agreement
71 to provide for a reverse transfer agreement; providing
72 for an associate degree to be awarded to certain
73 students by Florida College System institutions;
74 providing requirement for state universities;
75 requiring, by a specified academic year, Florida

76 | College System institutions and state universities to
77 | execute agreements to establish "2+2" targeted pathway
78 | programs; providing requirements for such Florida
79 | College System institutions, state universities, and
80 | agreements; specifying requirements for student
81 | participation; requiring the State Board of Education
82 | and the Board of Governors to collaborate to eliminate
83 | barriers in executing pathway articulation agreements;
84 | amending s. 1007.27, F.S.; requiring district school
85 | boards to notify students about credit-by-examination
86 | and dual enrollment equivalency lists; amending s.
87 | 1009.215, F.S.; providing that students enrolled in a
88 | specified pilot program who are eligible to receive
89 | Bright Futures Scholarships are also eligible for such
90 | scholarship funds for designated terms under specified
91 | circumstances; amending s. 1009.24, F.S.; conforming a
92 | cross-reference; amending s. 1011.90, F.S.; providing
93 | requirements for certain legislative budget requests;
94 | prohibiting certain ratios relating to student
95 | enrollment from growing faster than a specified rate;
96 | requiring the Commissioner of Education to submit
97 | specified recommendations relating to performance
98 | funds for Florida College System institutions to the
99 | State Board of Education and the Legislature by a
100 | specified date; providing requirements for the

101 implementation of any recommendations; providing
 102 effective dates.

103

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

105

106 Section 1. Subsection (6) of section 215.985, Florida
 107 Statutes, is amended to read:

108 215.985 Transparency in government spending.—

109 (6) The Department of Management Services shall establish
 110 and maintain a website that provides current information
 111 relating to each employee or officer of a state agency, a state
 112 university, a Florida College System institution, or the State
 113 Board of Administration, regardless of the appropriation
 114 category from which the person is paid.

115 (a) For each employee or officer, the information must
 116 include, at a minimum, his or her:

- 117 1. Name and salary or hourly rate of pay.
- 118 2. Position number, class code, and class title.
- 119 3. Employing agency and budget entity.

120 (b) The information must be searchable by state agency,
 121 state university, Florida College System institution, and the
 122 State Board of Administration, and by employee name, salary
 123 range, or class code and must be downloadable in a format that
 124 allows offline analysis.

125 Section 2. Subsection (18) is added to section 1001.03,

126 Florida Statutes, to read:

127 1001.03 Specific powers of State Board of Education.—

128 (18) The State Board of Education shall require each
129 Florida College System institution to conduct an annual
130 assessment of the intellectual freedom and viewpoint diversity
131 at that institution. The State Board of Education shall select
132 or create an objective, non-partisan, and statistically valid
133 survey, to be used by each institution, that considers the
134 extent to which competing ideas and perspectives are presented
135 and members of the college community feel free to express their
136 beliefs and viewpoints on campus and in the classroom. The State
137 Board of Education shall annually compile and publish the
138 assessments by September 1 of each year, beginning September 1,
139 2020.

140 Section 3. Paragraph (e) of subsection (5) of section
141 1001.706, Florida Statutes, is amended and paragraph (j) is
142 added to subsection (3) and paragraph (i) is added to subsection
143 (5) of that section, to read:

144 1001.706 Powers and duties of the Board of Governors.—

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

147 (j) The Board of Governors shall require each institution
148 to conduct an annual assessment of the intellectual freedom and
149 viewpoint diversity at that institution. The Board of Governors
150 shall select or create an objective, non-partisan, and

151 statistically valid survey, to be used by each institution, that
152 considers the extent to which competing ideas and perspectives
153 are presented and members of the university community feel free
154 to express their beliefs and viewpoints on campus and in the
155 classroom. The Board of Governors shall annually compile and
156 publish the assessments by September 1 of each year, beginning
157 September 1, 2020.

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

159 (e) The Board of Governors shall maintain an effective
160 information system to provide accurate, timely, and cost-
161 effective information about each university. The board shall
162 continue to collect and maintain, at a minimum, management
163 information as such information existed on June 30, 2002. To
164 ensure consistency, the Board of Governors shall define the data
165 components and methodology used to implement ss. 1001.7065 and
166 1001.92. Each university shall conduct an annual audit to verify
167 that the data submitted pursuant to ss. 1001.7065 and 1001.92
168 complies with the data definitions established by the board and
169 submit the audits to the Board of Governors Office of Inspector
170 General as part of the annual certification process required by
171 the Board of Governors.

172 (i) The Board of Governors shall match individual student
173 information with information in the files of state and federal
174 agencies that maintain educational and employment records. The
175 board must enter into an agreement with the Department of

176 Economic Opportunity that allows access to the individual
177 reemployment assistance wage records maintained by the
178 department. The agreement must protect individual privacy and
179 provide that student information may be used only for the
180 purposes of auditing or evaluating higher education programs
181 offered by state universities.

182 Section 4. Effective upon this act becoming law,
183 subsections (3) through (7) of section 1001.7065, Florida
184 Statutes, are renumbered as subsections (4) through (8),
185 respectively, paragraphs (c), (d), (j), (k), and (l) of
186 subsection (2) are amended, and a new subsection (3) is added to
187 that section, to read:

188 1001.7065 Preeminent state research universities program.—

189 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
190 following academic and research excellence standards are
191 established for the preeminent state research universities
192 program:

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

197 (d) A 4-year graduation rate of 60 percent or higher for
198 full-time, first-time-in-college students, as reported annually
199 in the Board of Governors Accountability Plan ~~to the IPEDS.~~
200 ~~However, for the 2018 determination of a state university's~~

201 ~~preeminence designation and the related distribution of the~~
202 ~~2018-2019 fiscal year appropriation associated with preeminence~~
203 ~~and emerging preeminence, a university is considered to have~~
204 ~~satisfied this graduation rate measure by attaining a 6-year~~
205 ~~graduation rate of 70 percent or higher by October 1, 2017, for~~
206 ~~full-time, first-time-in-college students, as reported to the~~
207 ~~IPEDS and confirmed by the Board of Governors.~~

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

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

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

218 (3) The Board of Governors shall use its 2019
219 Accountability Plan for determining a state university's
220 preeminence designation and distributing awards for the 2019-
221 2020 fiscal year appropriation. This subsection shall expire on
222 July 1, 2020.

223 Section 5. Subsection (1) of section 1001.92, Florida
224 Statutes, is amended to read:

225 1001.92 State University System Performance-Based

226 Incentive.—

227 (1) A State University System Performance-Based Incentive
228 shall be awarded to state universities using performance-based
229 metrics adopted by the Board of Governors of the State
230 University System. Beginning with the Board of Governors'
231 determination of each university's performance improvement and
232 achievement ratings ~~for 2018~~, and the related distribution of
233 the annual 2018–2019 fiscal year appropriation, the performance-
234 based metrics must include:

235 (a) 4-year graduation rates;

236 (b) Beginning in fiscal year 2020–2021, 2-year graduation
237 rates for full-time 2+2 associate degree transfer students from
238 Florida College System institutions. Points must be deducted if
239 a state university reduces the percentage of associate in arts
240 degree transfer students enrolled during the fall term;

241 (c) Retention rates;

242 (d) Postgraduation education rates;

243 (e) Degree production;

244 (f) Affordability;

245 (g) Postgraduation employment and salaries, including wage
246 thresholds that reflect the added value of a baccalaureate
247 degree;

248 (h) Access rate, based on the percentage of undergraduate
249 students enrolled during the fall term who received a Pell Grant
250 during the fall term;

251 (i) Beginning in fiscal year 2020-2021, the difference
252 between the 6-year graduation rate for students who are eligible
253 for a Pell Grant and the 6-year graduation rate for students who
254 are not eligible for a Pell Grant within each state university.
255 Points must be deducted if a state university reduces the
256 percentage of undergraduate students enrolled during the fall
257 term who are eligible to receive a Pell Grant; and

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

260
261 The Board of Governors may approve and other metrics approved by
262 the board in a publicly formally noticed meeting. The board
263 shall adopt benchmarks to evaluate each state university's
264 performance on the metrics to measure the state university's
265 achievement of institutional excellence or need for improvement
266 and minimum requirements for eligibility to receive performance
267 funding. Benchmarks and metrics may not be adjusted after
268 university performance data has been received by the Board of
269 Governors ~~Access rate benchmarks must be differentiated and~~
270 ~~scored to reflect the varying access rate levels among the state~~
271 ~~universities; however, the scoring system may not include bonus~~
272 ~~points.~~

273 Section 6. Section 1001.92(1)(h), Florida Statutes, as
274 amended by this act is repealed on June 30, 2020.

275 Section 7. Subsection (5) of section 1004.085, Florida

276 Statutes, is amended to read:

277 1004.085 Textbook and instructional materials
278 affordability.—

279 (5) Each Florida College System institution and state
280 university board of trustees is authorized to adopt policies in
281 consultation with providers, including bookstores, which allow
282 for the use of innovative pricing techniques and payment options
283 for textbooks and instructional materials. Such policies may
284 include bulk pricing arrangements that enable students to
285 purchase course materials or texts that are delivered digitally;
286 delivered through other technologies that are, or the licenses
287 of which are, required for use within a course; or delivered in
288 a print format. Innovative pricing techniques and payment
289 options must include an opt-in or opt-out provision for students
290 and may be approved only if there is documented evidence that
291 the options reduce the cost of textbooks and instructional
292 materials for students taking a course.

293 Section 8. Paragraph (b) of subsection (2) of section
294 1004.28, Florida Statutes, is amended to read:

295 1004.28 Direct-support organizations; use of property;
296 board of directors; activities; audit; facilities.—

297 (2) USE OF PROPERTY.—

298 (b) The board of trustees, in accordance with regulations
299 and guidelines of the Board of Governors, shall prescribe by
300 regulation conditions with which a university direct-support

301 organization must comply in order to use property, facilities,
 302 or personal services at any state university, including that
 303 personal services must comply with s. 1012.976. Such regulations
 304 shall provide for budget and audit review and oversight by the
 305 board of trustees, including thresholds for approval of
 306 purchases, acquisitions, projects, and issuance of debt.

307 Beginning ~~No later than~~ July 1, 2019, the transfer of a state
 308 appropriation by the board of trustees to any direct-support
 309 organization and its subsidiaries and affiliates may ~~only~~
 310 include only funds pledged for capital projects. ~~Beginning July~~
 311 ~~1, 2019, and annually thereafter,~~ Each university board of
 312 trustees shall annually report to the Legislature the amount of
 313 state appropriations transferred to any direct-support
 314 organization and its subsidiaries and affiliates during the
 315 previous fiscal year, the purpose for which the funds were
 316 transferred, and the remaining balance of any funds transferred.

317 Section 9. Subsection (7) of section 1004.335, Florida
 318 Statutes, is renumbered as subsection (8), subsection (1),
 319 paragraphs (a) and (g) of subsection (4), subsection (5), and
 320 paragraph (a) of subsection (6) are amended, and a new
 321 subsection (7) is added to that section, to read:

322 1004.335 Accreditation consolidation of University of
 323 South Florida branch campuses.—

324 (1) The University of South Florida Consolidation Planning
 325 Study and Implementation Task Force is established to develop

326 recommendations to improve service to students by phasing out
327 the separate accreditation of the University of South Florida
328 St. Petersburg branch campus and the University of South Florida
329 Sarasota/Manatee branch campus, which were conferred by the
330 Southern Association of Colleges and Schools Commission on
331 Colleges (SACSCOC) pursuant to ss. 1004.33 and 1004.34,
332 respectively.

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

337 (a) Identification of specific degrees in programs of
338 strategic significance, including health care, science,
339 technology, engineering, mathematics, and other program
340 priorities to be offered at the University of South Florida St.
341 Petersburg branch campus and the University of South Florida
342 Sarasota/Manatee branch campus and the timeline for the
343 development and delivery of programs on each campus;

344 (g) Developing and delivering integrated academic
345 programs, student and faculty governance, and administrative
346 services to better serve the students, faculty, and staff at the
347 University of South Florida College of Marine Science, the
348 University of South Florida Sarasota/Manatee branch campus, and
349 the University of South Florida St. Petersburg branch campus.

350 (5) No later than March 15, 2019, the Board of Trustees of

351 the University of South Florida, after considering the
352 recommendations of the task force, must adopt and submit to the
353 Board of Governors an implementation plan that:

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

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

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

368 (d) Requires that, on each regularly scheduled submission
369 date subsequent to July 1, 2020, the University of South Florida
370 report consolidated data for all of the university's campuses
371 and students to the Integrated Postsecondary Education Data
372 System and to the Board of Governors. The Board of Governors
373 shall use the consolidated data for purposes of determining
374 eligibility for funding pursuant to ss. 1001.7065 and 1001.92.
375 However, if the University of South Florida meets the deadline

376 outlined in paragraph (c) and the University of South Florida
377 Sarasota/Manatee and the University of South Florida St.
378 Petersburg maintain branch campus status as defined in
379 subsection (7), the Board of Governors may not use the
380 consolidated data for purposes of determining eligibility for
381 funding pursuant to s. 1001.7065 until July 1, 2022.

382

383 The Board of Governors shall monitor the fidelity of the
384 implementation of the plan.

385 (6) Notwithstanding ss. 1001.7065 and 1001.92 or any Board
386 of Governors regulation to the contrary relating to the
387 calculation of graduation rates and retention rates, a student
388 who meets all of the following criteria may not be counted by
389 the Board of Governors when calculating or confirming the
390 graduation rate or the retention rate of the University of South
391 Florida under those sections:

392 (a) The student was admitted to and initially enrolled
393 before the spring 2020 semester as a first-time-in-college
394 student at the University of South Florida St. Petersburg branch
395 campus or the University of South Florida Sarasota/Manatee
396 branch campus.

397 (7) For purposes of this section, a branch campus is an
398 instructional site located geographically apart and independent
399 of the main campus of the institution. A location is independent
400 of the main campus if the location is:

- 401 (a) Permanent in nature;
- 402 (b) Offers courses in educational programs leading to a
- 403 degree, diploma, certificate, or other recognized educational
- 404 credential;
- 405 (c) Has its own faculty and administrative or supervisory
- 406 organization; and
- 407 (d) Has its own budgetary and hiring authority.

408 Section 10. Paragraph (c) of subsection (2) of section
 409 1004.346, Florida Statutes, is amended to read:

410 1004.346 Florida Industrial and Phosphate Research
 411 Institute.—

412 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
 413 Research and Activities Board is created to monitor the
 414 expenditure of funds appropriated to the university from the
 415 Phosphate Research Trust Fund.

416 (c) Members of the board appointed by the Governor shall
 417 be appointed to 3-year terms. A board member may continue to
 418 serve until a successor is appointed, ~~but not more than 180 days~~
 419 ~~after the expiration of his or her term.~~ A board member is
 420 eligible for reappointment to subsequent terms.

421 Section 11. Paragraph (b) of subsection (4) and paragraph
 422 (b) of subsection (5) of section 1004.41, Florida Statutes, are
 423 amended, paragraph (g) is added to subsection (4), and paragraph
 424 (f) is added to subsection (5) of that section, to read:

425 1004.41 University of Florida; J. Hillis Miller Health

426 Center.—

427 (4)

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

431 1. Approval of the articles of incorporation of Shands
 432 Teaching Hospital and Clinics, Inc., by the University of
 433 Florida Board of Trustees.

434 2. Governance of Shands Teaching Hospital and Clinics,
 435 Inc., by a board of directors appointed, subject to removal, and
 436 chaired by the President of the University of Florida, or his or
 437 her designee, and vice chaired by the Vice President for Health
 438 Affairs of the University of Florida or his or her designee. The
 439 University of Florida Board of Trustees shall approve all
 440 appointments to the board and its subsidiaries and affiliates.

441 3. Use of hospital facilities and personnel in support of
 442 community service and patient care, research programs, and the
 443 teaching roles of the health center.

444 4. Continued recognition of the collective bargaining
 445 units and collective bargaining agreements as currently composed
 446 and recognition of the certified labor organizations
 447 representing those units and agreements.

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

450 6. Reimbursement to Shands Teaching Hospital and Clinics,

451 Inc., for indigent patients, state-mandated programs,
452 underfunded state programs, and costs to Shands Teaching
453 Hospital and Clinics, Inc., for support of the teaching and
454 research programs of the health center. Such reimbursement shall
455 be appropriated to either the health center or Shands Teaching
456 Hospital and Clinics, Inc., each year by the Legislature after
457 review and approval of the request for funds.

458 7. Audit of the financial statements of Shands Teaching
459 Hospital and Clinics, Inc., in accordance with generally
460 accepted accounting principles as prescribed by the Governmental
461 Accounting Standards Board for a separate corporation affiliated
462 with a government entity that holds a voting majority interest
463 of the affiliated corporation's governing board. The financial
464 statements shall be provided to the University of Florida Board
465 of Trustees for attachment to its audited financial statement
466 which is provided to the Auditor General. The University of
467 Florida may obtain additional financial information from Shands
468 Teaching Hospital and Clinics, Inc., upon request by the Auditor
469 General. This subparagraph applies equally to any not-for-profit
470 subsidiary of Shands Teaching Hospital and Clinics, Inc., which
471 directly delivers health care services and also qualifies as an
472 instrumentality of the state under the governance control and
473 the primary purpose standards specified in this section.

474 (g) Beginning July 1, 2019, the transfer of state
475 appropriations by the University of Florida Board of Trustees to

476 Shands Teaching Hospital and Clinic, Inc., and its subsidiaries
477 and affiliates may only include funds pledged for capital
478 projects; for the delivery of health care services; for matching
479 dollars for intergovernmental services; or for funding graduate
480 medical education.

481 (5)

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

486 1. Approval of the articles of incorporation of Shands
487 Jacksonville Medical Center, Inc., and of Shands Jacksonville
488 HealthCare, Inc., by the University of Florida Board of
489 Trustees, which may act through the president of the university
490 or his or her designee. In approving the articles of
491 incorporation of Shands Jacksonville Medical Center, Inc., and
492 of Shands Jacksonville HealthCare, Inc., the president of the
493 university, or his or her designee, may act as the chair of the
494 board of directors, or the president of the university or his or
495 her designee or members of the University of Florida Board of
496 Trustees may act as the approving body of Shands Jacksonville
497 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.

498 2. Governance of Shands Jacksonville Medical Center, Inc.,
499 and of Shands Jacksonville HealthCare, Inc., by boards of
500 directors appointed, subject to removal, and chaired by the

501 President of the University of Florida, or his or her designee.
502 One director of each board may be so appointed after being
503 nominated by the mayor of the City of Jacksonville subject to
504 the applicable standards for directors of such board. If there
505 is a vice chair of the board of directors of Shands Jacksonville
506 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.,
507 the Vice President for Health Affairs of the University of
508 Florida, or his or her designee or the designee of the president
509 of the university, shall hold that position. The University of
510 Florida Board of Trustees shall approve all appointments to the
511 board and its subsidiaries and affiliates.

512 3. Use of the Shands Jacksonville Medical Center, Inc.,
513 hospital facilities and personnel in support of community
514 service and patient care, research programs, and the teaching
515 roles of the health center of the University of Florida Board of
516 Trustees.

517 4. Reimbursement to Shands Jacksonville Medical Center,
518 Inc., for indigent patients, state-mandated programs,
519 underfunded state programs, and costs to the not-for-profit
520 corporation for support of the teaching and research programs of
521 the health center. Such reimbursement shall be appropriated to
522 either the health center or the not-for-profit corporation each
523 year by the Legislature after review and approval of the request
524 for funds.

525 5. Audit of the financial statements of Shands

526 Jacksonville Medical Center, Inc., and Shands Jacksonville
527 HealthCare, Inc., in accordance with generally accepted
528 accounting principles as prescribed by the Governmental
529 Accounting Standards Board for a separate corporation affiliated
530 with a government entity that holds a voting majority interest
531 of the affiliated corporation's governing board. The financial
532 statements shall be provided to the University of Florida Board
533 of Trustees for attachment to its audited financial statement
534 which is provided to the Auditor General. The University of
535 Florida may obtain additional financial information from Shands
536 Jacksonville Medical Center, Inc., and Shands Jacksonville
537 HealthCare, Inc., upon request by the Auditor General. This
538 subparagraph applies equally to any not-for-profit subsidiary
539 which directly delivers health care services and also qualifies
540 as an instrumentality of the state under the governance control
541 and primary purpose standards specified in this section.

542 (f) Beginning July 1, 2019, the transfer of state
543 appropriations by the University of Florida Board of Trustees to
544 Shands Jacksonville Medical Center, Inc., and Shands
545 Jacksonville HealthCare, Inc., and any of their subsidiaries and
546 affiliates may only include funds pledged for capital projects;
547 for the delivery of health care services; for matching dollars
548 for intergovernmental services; or for funding graduate medical
549 education.

550 Section 12. Subsections (7) and (8) are added to section

551 1007.23, Florida Statutes, to read:

552 1007.23 Statewide articulation agreement.—

553 (7) The articulation agreement must specifically provide
554 for a reverse transfer agreement for Florida College System
555 associate in arts degree-seeking students who transfer to a
556 state university before earning an associate in arts degree.
557 Students must be awarded an associate in arts degree by the
558 Florida College System institution upon completion of degree
559 requirements at the state university if the student earned a
560 majority of the credit hours from the Florida College System
561 institution. State universities must identify students who have
562 completed requirements for the associate in arts degree and
563 transfer credits earned at the state university back to the
564 Florida College System institution so that the associate in arts
565 degree may be awarded by the Florida College System institution.

566 (8) By the 2019-2020 academic year, to strengthen
567 Florida's "2+2" system of articulation and improve student
568 retention and on-time graduation, each Florida College System
569 institution shall execute at least one "2+2" targeted pathway
570 articulation agreement with one or more state universities, and
571 each state university shall execute at least one such agreement
572 with one or more Florida College System institutions to
573 establish "2+2" targeted pathway programs. The agreement must
574 provide students who graduate with an associate in arts degree
575 and who meet specified requirements guaranteed access to the

576 state university and a degree program at that university, in
577 accordance with the terms of the "2+2" targeted pathway
578 articulation agreement.

579 (a) To participate in a "2+2" targeted pathway program, a
580 student must:

581 1. Enroll in the program before completing 30 credit
582 hours, including, but not limited to, college credits earned
583 through articulated acceleration mechanisms pursuant to s.
584 1007.27;

585 2. Complete an associate in arts degree; and

586 3. Meet the university's transfer requirements.

587 (b) A state university that executes a "2+2" targeted
588 pathway articulation agreement must meet the following
589 requirements in order to implement a "2+2" targeted pathway
590 program in collaboration with its partner Florida College System
591 institution:

592 1. Establish a 4-year, on-time graduation plan for a
593 baccalaureate degree program, including, but not limited to, a
594 plan for students to complete associate in arts degree programs,
595 general education courses, common prerequisite courses, and
596 elective courses;

597 2. Advise students enrolled in the program about the
598 university's transfer and degree program requirements; and

599 3. Provide students who meet the requirements under this
600 paragraph with access to academic advisors and campus events and

601 with guaranteed admittance to the state university and a degree
 602 program of the state university, in accordance with the terms of
 603 the agreement.

604 (c) To assist the state universities and Florida College
 605 System institutions with implementing the "2+2" targeted pathway
 606 programs effectively, the State Board of Education and the Board
 607 of Governors shall collaborate to eliminate barriers in
 608 executing "2+2" targeted pathway articulation agreements.

609 Section 13. Subsection (2) of section 1007.27, Florida
 610 Statutes, is amended to read:

611 1007.27 Articulated acceleration mechanisms.—

612 (2) (a) The Department of Education shall annually identify
 613 and publish the minimum scores, maximum credit, and course or
 614 courses for which credit is to be awarded for each College Level
 615 Examination Program (CLEP) subject examination, College Board
 616 Advanced Placement Program examination, Advanced International
 617 Certificate of Education examination, International
 618 Baccalaureate examination, Excelsior College subject
 619 examination, Defense Activity for Non-Traditional Education
 620 Support (DANTES) subject standardized test, and Defense Language
 621 Proficiency Test (DLPT). The department shall use student
 622 performance data in subsequent postsecondary courses to
 623 determine the appropriate examination scores and courses for
 624 which credit is to be granted. Minimum scores may vary by
 625 subject area based on available performance data. In addition,

626 the department shall identify such courses in the general
627 education core curriculum of each state university and Florida
628 College System institution.

629 (b) Each district school board shall notify students who
630 enroll in articulated acceleration mechanism courses or who take
631 examinations pursuant to this section of the credit-by-
632 examination equivalency list adopted by rule by the State Board
633 of Education and the dual enrollment course and high school
634 subject area equivalencies approved by the state board pursuant
635 to s. 1007.271.

636 Section 14. Upon the expiration and reversion of the
637 amendment made to section 1009.215, Florida Statutes, pursuant
638 to section 13, chapter 2018-10, Laws of Florida, subsection (3)
639 of section 1009.215, Florida Statutes, is amended to read:

640 1009.215 Student enrollment pilot program for the spring
641 and summer terms.—

642 (3) Students who are enrolled in the pilot program and who
643 are eligible to receive Bright Futures Scholarships under ss.
644 1009.53-1009.536 shall be eligible to receive the scholarship
645 award for attendance during the spring and summer terms. This
646 student cohort shall also be eligible to receive Bright Futures
647 Scholarships for the fall semester term to be used for off-
648 campus or online coursework, if Bright Futures Scholarship
649 funding is provided by the Legislature for three terms for that
650 academic year for other eligible students ~~no more than 2~~

651 ~~semesters or the equivalent in any fiscal year, including the~~
652 ~~summer term.~~

653 Section 15. Subsection (16) of section 1009.24, Florida
654 Statutes, is amended to read:

655 1009.24 State university student fees.—

656 (16) Each university board of trustees may establish a
657 tuition differential for undergraduate courses upon receipt of
658 approval from the Board of Governors. However, beginning July 1,
659 2014, the Board of Governors may only approve the establishment
660 of or an increase in tuition differential for a state research
661 university designated as a preeminent state research university
662 pursuant to s. 1001.7065(4) ~~s. 1001.7065(3)~~. The tuition
663 differential shall promote improvements in the quality of
664 undergraduate education and shall provide financial aid to
665 undergraduate students who exhibit financial need.

666 (a) Seventy percent of the revenues from the tuition
667 differential shall be expended for purposes of undergraduate
668 education. Such expenditures may include, but are not limited
669 to, increasing course offerings, improving graduation rates,
670 increasing the percentage of undergraduate students who are
671 taught by faculty, decreasing student-faculty ratios, providing
672 salary increases for faculty who have a history of excellent
673 teaching in undergraduate courses, improving the efficiency of
674 the delivery of undergraduate education through academic
675 advisement and counseling, and reducing the percentage of

676 students who graduate with excess hours. This expenditure for
677 undergraduate education may not be used to pay the salaries of
678 graduate teaching assistants. Except as otherwise provided in
679 this subsection, the remaining 30 percent of the revenues from
680 the tuition differential, or the equivalent amount of revenue
681 from private sources, shall be expended to provide financial aid
682 to undergraduate students who exhibit financial need, including
683 students who are scholarship recipients under s. 1009.984, to
684 meet the cost of university attendance. This expenditure for
685 need-based financial aid shall not supplant the amount of need-
686 based aid provided to undergraduate students in the preceding
687 fiscal year from financial aid fee revenues, the direct
688 appropriation for financial assistance provided to state
689 universities in the General Appropriations Act, or from private
690 sources. The total amount of tuition differential waived under
691 subparagraph (b)7. may be included in calculating the
692 expenditures for need-based financial aid to undergraduate
693 students required by this subsection. If the entire tuition and
694 fee costs of resident students who have applied for and received
695 Pell Grant funds have been met and the university has excess
696 funds remaining from the 30 percent of the revenues from the
697 tuition differential required to be used to assist students who
698 exhibit financial need, the university may expend the excess
699 portion in the same manner as required for the other 70 percent
700 of the tuition differential revenues.

701 (b) Each tuition differential is subject to the following
702 conditions:

703 1. The tuition differential may be assessed on one or more
704 undergraduate courses or on all undergraduate courses at a state
705 university.

706 2. The tuition differential may vary by course or courses,
707 by campus or center location, and by institution. Each
708 university board of trustees shall strive to maintain and
709 increase enrollment in degree programs related to math, science,
710 high technology, and other state or regional high-need fields
711 when establishing tuition differentials by course.

712 3. For each state university that is designated as a
713 preeminent state research university by the Board of Governors,
714 pursuant to s. 1001.7065, the aggregate sum of tuition and the
715 tuition differential may be increased by no more than 6 percent
716 of the total charged for the aggregate sum of these fees in the
717 preceding fiscal year. The tuition differential may be increased
718 if the university meets or exceeds performance standard targets
719 for that university established annually by the Board of
720 Governors for the following performance standards, amounting to
721 no more than a 2-percent increase in the tuition differential
722 for each performance standard:

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

726 b. An increase in the total annual research expenditures.
727 c. An increase in the total patents awarded by the United
728 States Patent and Trademark Office for the most recent years.

729 4. The aggregate sum of undergraduate tuition and fees per
730 credit hour, including the tuition differential, may not exceed
731 the national average of undergraduate tuition and fees at 4-year
732 degree-granting public postsecondary educational institutions.

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

737 6. The tuition differential may not be charged to any
738 student who was in attendance at the university before July 1,
739 2007, and who maintains continuous enrollment.

740 7. The tuition differential may be waived by the
741 university for students who meet the eligibility requirements
742 for the Florida public student assistance grant established in
743 s. 1009.50.

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

747 (c) A university board of trustees may submit a proposal
748 to the Board of Governors to implement a tuition differential
749 for one or more undergraduate courses. At a minimum, the
750 proposal shall:

- 751 1. Identify the course or courses for which the tuition
752 differential will be assessed.
- 753 2. Indicate the amount that will be assessed for each
754 tuition differential proposed.
- 755 3. Indicate the purpose of the tuition differential.
- 756 4. Indicate how the revenues from the tuition differential
757 will be used.
- 758 5. Indicate how the university will monitor the success of
759 the tuition differential in achieving the purpose for which the
760 tuition differential is being assessed.
- 761 (d) The Board of Governors shall review each proposal and
762 advise the university board of trustees of approval of the
763 proposal, the need for additional information or revision to the
764 proposal, or denial of the proposal. The Board of Governors
765 shall establish a process for any university to revise a
766 proposal or appeal a decision of the board.
- 767 (e) The Board of Governors shall submit a report to the
768 President of the Senate, the Speaker of the House of
769 Representatives, and the Governor describing the implementation
770 of the provisions of this subsection no later than February 1 of
771 each year. The report shall summarize proposals received by the
772 board during the preceding fiscal year and actions taken by the
773 board in response to such proposals. In addition, the report
774 shall provide the following information for each university that
775 has been approved by the board to assess a tuition differential:

776 1. The course or courses for which the tuition
777 differential was assessed and the amount assessed.

778 2. The total revenues generated by the tuition
779 differential.

780 3. With respect to waivers authorized under subparagraph
781 (b)7., the number of students eligible for a waiver, the number
782 of students receiving a waiver, and the value of waivers
783 provided.

784 4. Detailed expenditures of the revenues generated by the
785 tuition differential.

786 5. Changes in retention rates, graduation rates, the
787 percentage of students graduating with more than 110 percent of
788 the hours required for graduation, pass rates on licensure
789 examinations, the number of undergraduate course offerings, the
790 percentage of undergraduate students who are taught by faculty,
791 student-faculty ratios, and the average salaries of faculty who
792 teach undergraduate courses.

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

797 Section 16. Subsection (4) of section 1011.90, Florida
798 Statutes, is amended to read:

799 1011.90 State university funding.—

800 (4) The Board of Governors shall establish and validate a

801 cost-estimating system consistent with the requirements of
802 subsection (1) and shall report as part of its legislative
803 budget request the actual expenditures for the fiscal year
804 ending the previous June 30. The legislative budget request must
805 also include 5-year trend information on the number of faculty
806 and administrators at each university. The Board of Governors,
807 by regulation, shall define faculty and administrative personnel
808 classifications and shall also report the definitions in the
809 legislative budget request. The growth rate of administrators at
810 any state university may not exceed the growth rate of faculty.
811 Expenditure analysis, operating budgets, and annual financial
812 statements of each university must be prepared using the
813 standard financial reporting procedures and formats prescribed
814 by the Board of Governors. These formats shall be the same as
815 used for the 2000-2001 fiscal year reports. Any revisions to
816 these financial and reporting procedures and formats must be
817 approved by the Executive Office of the Governor and the
818 appropriations committees of the Legislature jointly under the
819 provisions of s. 216.023(3). The Board of Governors shall
820 continue to collect and maintain at a minimum management
821 information existing on June 30, 2002. The expenditure analysis
822 report shall include total expenditures from all sources for the
823 general operation of the university and shall be in such detail
824 as needed to support the legislative budget request.

825 Section 17. By October 1, 2020, the Commissioner of

826 | Education, in consultation with Florida College System
827 | institutions and an independent entity, shall submit to the
828 | State Board of Education and Legislature recommendations for
829 | future consideration on the most efficient process to achieve a
830 | complete performance-based, continuous improvement model focused
831 | on outcomes which provides for the equitable distribution of
832 | performance funds. The implementation of any recommendations
833 | shall not occur unless affirmatively enacted by the Legislature.

834 | Section 18. Except as otherwise expressly provided in this
835 | act and except for this section, which shall take effect upon
836 | this act becoming a law, this act shall take effect July 1,
837 | 2019.