

By Senator Diaz

36-01365-20

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1 A bill to be entitled
2 An act relating to higher education; amending s.
3 1001.7065, F.S.; revising standards for the preeminent
4 state research universities program; requiring such
5 standards to be reported annually in a specified plan;
6 deleting the "emerging preeminent state research
7 university" designation within the State University
8 System; conforming provisions to changes made by the
9 act; deleting the programs of excellence designation
10 within the State University System; creating the
11 "state universities of distinction" designation within
12 the State University System; requiring the Board of
13 Governors to establish standards and measures for
14 specific state university competencies; providing
15 requirements for such standards and measures;
16 authorizing the Board of Governors to annually submit
17 such programs to the Legislature for funding by a
18 specified date; amending s. 1001.92, F.S.; revising
19 the performance-based metrics for state universities
20 to include specific data beginning in a certain fiscal
21 year; authorizing the Board of Governors to approve
22 other metrics; prohibiting the adjustment of such
23 metrics and benchmarks once specified data has been
24 received; amending s. 1004.085, F.S.; requiring
25 innovative pricing techniques and payment options to
26 include an opt-out provision; amending s. 1004.346,
27 F.S.; removing a limitation on the length of time a
28 Phosphate Research and Activities Board member may
29 serve after expiration of his or her term; amending s.

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30 1011.90, F.S.; providing requirements for a specified
31 legislative budget request; requiring the Board of
32 Governors to define specified classifications in
33 regulation and provide such classifications in
34 specified budget requests; prohibiting the growth rate
35 of administrators at a state university from exceeding
36 the growth rate of faculty at such university;
37 providing effective dates.

38
39 Be It Enacted by the Legislature of the State of Florida:

40
41 Section 1. Effective upon this act becoming a law,
42 subsections (2), (3), (5), (6), and (7) of section 1001.7065,
43 Florida Statutes, are amended to read:

44 1001.7065 Preeminent state research universities program.-

45 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
46 following academic and research excellence standards are
47 established for the preeminent state research universities
48 program and shall be reported annually in the Board of Governors
49 Accountability Plan:

50 (a) An average weighted grade point average of 4.0 or
51 higher on a 4.0 scale and an average SAT score of 1800 or higher
52 on a 2400-point scale or 1200 or higher on a 1600-point scale
53 for fall semester incoming freshmen, as reported annually.

54 (b) A top-50 ranking on at least two well-known and highly
55 respected national public university rankings, including, but
56 not limited to, the U.S. News and World Report rankings,
57 reflecting national preeminence, using most recent rankings.

58 (c) A freshman retention rate of 90 percent or higher for

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59 full-time, first-time-in-college students, ~~as reported annually~~
60 ~~to the Integrated Postsecondary Education Data System (IPEDS).~~

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

72 (e) Six or more faculty members at the state university who
73 are members of a national academy, ~~as reported by the Center for~~
74 ~~Measuring University Performance in the Top American Research~~
75 ~~Universities (TARU) annual report or the official membership~~
76 ~~directories maintained by each national academy.~~

77 (f) Total annual research expenditures, including federal
78 research expenditures, of \$200 million or more, ~~as reported~~
79 ~~annually by the National Science Foundation (NSF).~~

80 (g) Total annual research expenditures in diversified
81 nonmedical sciences of \$150 million or more, ~~based on data~~
82 ~~reported annually by the NSF.~~

83 (h) A top-100 university national ranking for research
84 expenditures in five or more science, technology, engineering,
85 or mathematics fields of study, ~~as reported annually by the NSF.~~

86 (i) One hundred or more total patents awarded by the United
87 States Patent and Trademark Office for the most recent 3-year

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88 period.

89 (j) Four hundred or more doctoral degrees awarded annually,
90 including professional doctoral degrees awarded in medical and
91 health care disciplines, ~~as reported in the Board of Governors~~
92 ~~Annual Accountability Report.~~

93 (k) Two hundred or more postdoctoral appointees annually,
94 ~~as reported in the TARU annual report.~~

95 (l) An endowment of \$500 million or more, ~~as reported in~~
96 ~~the Board of Governors Annual Accountability Report.~~

97 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

98 ~~(a)~~ The Board of Governors shall designate each state
99 university that annually meets at least 11 of the 12 academic
100 and research excellence standards identified in subsection (2)
101 as a "preeminent state research university."

102 ~~(b)~~ ~~The Board of Governors shall designate each state~~
103 ~~university that annually meets at least 6 of the 12 academic and~~
104 ~~research excellence standards identified in subsection (2) as an~~
105 ~~"emerging preeminent state research university."~~

106 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
107 SUPPORT.—

108 (a) A state university that is designated as a preeminent
109 state research university shall submit to the Board of Governors
110 a 5-year benchmark plan with target rankings on key performance
111 metrics for national excellence. Upon approval by the Board of
112 Governors, and upon the university's meeting the benchmark plan
113 goals annually, the Board of Governors shall award the
114 university its proportionate share of any funds provided
115 annually to support the program created under this section.

116 (b) ~~A state university designated as an emerging preeminent~~

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117 ~~state research university shall submit to the Board of Governors~~
 118 ~~a 5-year benchmark plan with target rankings on key performance~~
 119 ~~metrics for national excellence. Upon approval by the Board of~~
 120 ~~Governors, and upon the university's meeting the benchmark plan~~
 121 ~~goals annually, the Board of Governors shall award the~~
 122 ~~university its proportionate share of any funds provided~~
 123 ~~annually to support the program created under this section.~~

124 (e) The award of funds under this subsection is contingent
 125 upon funding provided by the Legislature to support the
 126 preeminent state research universities program created under
 127 this section. Funding increases appropriated beyond the amounts
 128 funded in the previous fiscal year shall be distributed equally
 129 to ~~as follows:~~

130 ~~1. each designated preeminent state research university~~
 131 ~~that meets the criteria in paragraph (a) shall receive an equal~~
 132 ~~amount of funding.~~

133 ~~2. Each designated emerging preeminent state research~~
 134 ~~university that meets the criteria in paragraph (b) shall,~~
 135 ~~beginning in the 2018-2019 fiscal year, receive an amount of~~
 136 ~~funding that is equal to one-fourth of the total increased~~
 137 ~~amount awarded to each designated preeminent state research~~
 138 ~~university.~~

139 (6) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
 140 AUTHORITY.—The Board of Governors is encouraged to identify and
 141 grant all reasonable, feasible authority and flexibility to
 142 ensure that each designated preeminent state research university
 143 ~~and each designated emerging preeminent state research~~
 144 ~~university~~ is free from unnecessary restrictions.

145 (7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE

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146 THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors
147 shall establish standards and measures whereby state
148 universities that focus on one core competency unique to the
149 State University System which achieves excellence at the
150 national or state level, meets state workforce needs, and
151 fosters an innovation economy that focuses on areas such as
152 health care, security, transportation, and science, technology,
153 engineering, and mathematics (STEM), including supply chain
154 management, individual undergraduate, graduate, and professional
155 degree programs in state universities which objectively reflect
156 national excellence can be identified. The Board of Governors
157 may annually submit such programs and make recommendations to
158 the Legislature by January ~~September 1~~ for funding, ~~2018,~~ ~~as to~~
159 ~~how any such programs could be enhanced and promoted.~~

160 Section 2. Subsection (1) of section 1001.92, Florida
161 Statutes, is amended to read:

162 1001.92 State University System Performance-Based
163 Incentive.—

164 (1) A State University System Performance-Based Incentive
165 shall be awarded to state universities using performance-based
166 metrics adopted by the Board of Governors of the State
167 University System. Beginning with the Board of Governors'
168 determination of each university's performance improvement and
169 achievement ratings ~~for 2018,~~ and the related distribution of
170 annual ~~the 2018-2019~~ fiscal year appropriation, the performance-
171 based metrics must include:

172 (a) Beginning in fiscal year 2021-2022, a single graduation
173 rate metric comprised of 4-year graduation rates for first-time-
174 in-college students and 2-year graduation rates for Florida

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175 College System institution associate in arts transfer students;

176 (b) Retention rates;

177 (c) Postgraduation education rates;

178 (d) Degree production;

179 (e) Affordability;

180 (f) Postgraduation employment and salaries, including wage
181 thresholds that reflect the added value of a baccalaureate
182 degree;

183 (g) Access rate, based on the percentage of undergraduate
184 students enrolled during the fall term who received a Pell Grant
185 during the fall term; and

186 (h) Beginning in fiscal year 2021-2022, the 6-year
187 graduation rate for students who are awarded a Pell Grant in
188 their first year.

189
190 The Board of Governors may approve ~~and other metrics approved by~~
191 ~~the board~~ in a publicly formally noticed meeting. The board
192 shall adopt benchmarks to evaluate each state university's
193 performance on the metrics to measure the state university's
194 achievement of institutional excellence or need for improvement
195 and minimum requirements for eligibility to receive performance
196 funding. Benchmarks and metrics may not be adjusted after
197 university performance data has been received by the Board of
198 Governors ~~Access rate benchmarks must be differentiated and~~
199 ~~scored to reflect the varying access rate levels among the state~~
200 ~~universities; however, the scoring system may not include bonus~~
201 ~~points.~~

202 Section 3. Subsection (4) of section 1004.085, Florida
203 Statutes, is amended to read:

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204 1004.085 Textbook and instructional materials
205 affordability.—

206 (4) Each Florida College System institution and state
207 university board of trustees is authorized to adopt policies in
208 consultation with providers, including bookstores, which allow
209 for the use of innovative pricing techniques and payment options
210 for textbooks and instructional materials. Such policies may
211 include bulk pricing arrangements that enable students to
212 purchase course materials or texts that are delivered digitally;
213 delivered through other technologies that are, or the licenses
214 of which are, required for use within a course; or delivered in
215 a print format. Innovative pricing techniques and payment
216 options must include an opt-in or opt-out provision for students
217 and may be approved only if there is documented evidence that
218 the options reduce the cost of textbooks and instructional
219 materials for students taking a course.

220 Section 4. Paragraph (c) of subsection (2) of section
221 1004.346, Florida Statutes, is amended to read:

222 1004.346 Florida Industrial and Phosphate Research
223 Institute.—

224 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
225 Research and Activities Board is created to monitor the
226 expenditure of funds appropriated to the university from the
227 Phosphate Research Trust Fund.

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

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233 Section 5. Subsection (4) of section 1011.90, Florida
234 Statutes, is amended to read:
235 1011.90 State university funding.—
236 (4) The Board of Governors shall establish and validate a
237 cost-estimating system consistent with the requirements of
238 subsection (1) and shall report as part of its legislative
239 budget request the actual expenditures for the fiscal year
240 ending the previous June 30. The legislative budget request must
241 also include 5-year trend information on the number of faculty
242 and administrators at each university and the proportion of FTE
243 dedicated to instruction and research compared to
244 administration. The Board of Governors, by regulation, shall
245 define faculty and administrator classifications and shall also
246 report the definitions in the legislative budget request. The
247 growth rate of administrators at a state university may not
248 exceed the growth rate of faculty at such university.
249 Expenditure analysis, operating budgets, and annual financial
250 statements of each university must be prepared using the
251 standard financial reporting procedures and formats prescribed
252 by the Board of Governors. These formats shall be the same as
253 used for the 2000-2001 fiscal year reports. Any revisions to
254 these financial and reporting procedures and formats must be
255 approved by the Executive Office of the Governor and the
256 appropriations committees of the Legislature jointly under ~~the~~
257 ~~provisions of~~ s. 216.023(3). The Board of Governors shall
258 continue to collect and maintain at a minimum management
259 information existing on June 30, 2002. The expenditure analysis
260 report shall include total expenditures from all sources for the
261 general operation of the university and shall be in such detail

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262 as needed to support the legislative budget request.

263 Section 6. Except as otherwise expressly provided in this
264 act and except for this section, which shall take effect upon
265 this act becoming a law, this act shall take effect July 1,
266 2020.