

By the Committee on Education; and Senator Diaz

581-03020-20

20201402c1

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 removing funding provisions for emerging preeminent
7 state research universities; deleting the programs of
8 excellence designation within the State University
9 System; creating the "state universities of
10 distinction" designation within the State University
11 System; requiring the Board of Governors to establish
12 standards and measures for specific state university
13 competencies; providing requirements for such
14 standards and measures; authorizing the Board of
15 Governors to annually submit such programs to the
16 Legislature for funding by a specified date; amending
17 s. 1001.92, F.S.; revising the performance-based
18 metrics for state universities to include specific
19 data beginning in a certain fiscal year; authorizing
20 the Board of Governors to approve other metrics;
21 prohibiting the adjustment of such metrics and
22 benchmarks once specified data has been received;
23 amending s. 1004.085, F.S.; requiring innovative
24 pricing techniques and payment options to include an
25 opt-out provision; amending s. 1004.346, F.S.;
26 removing a limitation on the length of time a
27 Phosphate Research and Activities Board member may
28 serve after expiration of his or her term; amending s.
29 1011.90, F.S.; providing requirements for a specified

581-03020-20

20201402c1

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

37
38 Be It Enacted by the Legislature of the State of Florida:

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

43 1001.7065 Preeminent state research universities program.—

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

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

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

57 (c) A freshman retention rate of 90 percent or higher for
58 full-time, first-time-in-college students, ~~as reported annually~~

581-03020-20

20201402c1

59 ~~to the Integrated Postsecondary Education Data System (IPEDS).~~

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

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

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

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

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

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

581-03020-20

20201402c1

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

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

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

96 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
97 SUPPORT.—

98 (a) A state university that is designated as a preeminent
99 state research university shall submit to the Board of Governors
100 a 5-year benchmark plan with target rankings on key performance
101 metrics for national excellence. Upon approval by the Board of
102 Governors, and upon the university's meeting the benchmark plan
103 goals annually, the Board of Governors shall award the
104 university its proportionate share of any funds provided
105 annually to support the program created under this section.

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

115 (c) The award of funds under this subsection is contingent
116 upon funding provided by the Legislature to support the

581-03020-20

20201402c1

117 preeminent state research universities program created under
118 this section. Funding increases appropriated beyond the amounts
119 funded in the previous fiscal year shall be distributed as
120 determined annually by the Legislature to as follows:

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

124 ~~2. Each designated emerging preeminent state research~~
125 ~~university that meets the criteria in paragraph (b) shall,~~
126 ~~beginning in the 2018-2019 fiscal year, receive an amount of~~
127 ~~funding that is equal to one-fourth of the total increased~~
128 ~~amount awarded to each designated preeminent state research~~
129 ~~university.~~

130 (7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE
131 THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors
132 shall establish standards and measures whereby state
133 universities that focus on one core competency unique to the
134 State University System which achieves excellence at the
135 national or state level, meets state workforce needs, and
136 fosters an innovation economy that focuses on areas such as
137 health care, security, transportation, and science, technology,
138 engineering, and mathematics (STEM), including supply chain
139 management, individual undergraduate, graduate, and professional
140 degree programs in state universities which objectively reflect
141 national excellence can be identified. The Board of Governors
142 may annually submit such programs and make recommendations to
143 the Legislature by January September 1 for funding, 2018, as to
144 how any such programs could be enhanced and promoted.

145 Section 2. Subsection (1) of section 1001.92, Florida

581-03020-20

20201402c1

146 Statutes, is amended to read:

147 1001.92 State University System Performance-Based
148 Incentive.—

149 (1) A State University System Performance-Based Incentive
150 shall be awarded to state universities using performance-based
151 metrics adopted by the Board of Governors of the State
152 University System. Beginning with the Board of Governors'
153 determination of each university's performance improvement and
154 achievement ratings ~~for 2018~~, and the related distribution of
155 annual the 2018-2019 fiscal year appropriation, the performance-
156 based metrics must include:

157 (a) Beginning in fiscal year 2021-2022, a single graduation
158 rate metric comprised of 4-year graduation rates for first-time-
159 in-college students and 2-year graduation rates for Florida
160 College System institution associate in arts transfer students;

161 (b) Retention rates;

162 (c) Postgraduation education rates;

163 (d) Degree production;

164 (e) Affordability;

165 (f) Postgraduation employment and salaries, including wage
166 thresholds that reflect the added value of a baccalaureate
167 degree;

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

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

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581-03020-20

20201402c1

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

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

189 1004.085 Textbook and instructional materials
190 affordability.—

191 (4) Each Florida College System institution and state
192 university board of trustees is authorized to adopt policies in
193 consultation with providers, including bookstores, which allow
194 for the use of innovative pricing techniques and payment options
195 for textbooks and instructional materials. Such policies may
196 include bulk pricing arrangements that enable students to
197 purchase course materials or texts that are delivered digitally;
198 delivered through other technologies that are, or the licenses
199 of which are, required for use within a course; or delivered in
200 a print format. Innovative pricing techniques and payment
201 options must include an opt-in or opt-out provision for students
202 and may be approved only if there is documented evidence that
203 the options reduce the cost of textbooks and instructional

581-03020-20

20201402c1

204 materials for students taking a course.

205 Section 4. Paragraph (c) of subsection (2) of section
206 1004.346, Florida Statutes, is amended to read:

207 1004.346 Florida Industrial and Phosphate Research
208 Institute.—

209 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
210 Research and Activities Board is created to monitor the
211 expenditure of funds appropriated to the university from the
212 Phosphate Research Trust Fund.

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

218 Section 5. Subsection (4) of section 1011.90, Florida
219 Statutes, is amended to read:

220 1011.90 State university funding.—

221 (4) The Board of Governors shall establish and validate a
222 cost-estimating system consistent with the requirements of
223 subsection (1) and shall report as part of its legislative
224 budget request the actual expenditures for the fiscal year
225 ending the previous June 30. The legislative budget request must
226 also include 5-year trend information on the number of faculty
227 and administrators at each university and the proportion of FTE
228 dedicated to instruction and research compared to
229 administration. The Board of Governors, by regulation, shall
230 define faculty and administrator classifications and shall also
231 report the definitions in the legislative budget request. The
232 growth rate of administrators at a state university may not

581-03020-20

20201402c1

233 exceed the growth rate of faculty at such university.
234 Expenditure analysis, operating budgets, and annual financial
235 statements of each university must be prepared using the
236 standard financial reporting procedures and formats prescribed
237 by the Board of Governors. These formats shall be the same as
238 used for the 2000-2001 fiscal year reports. Any revisions to
239 these financial and reporting procedures and formats must be
240 approved by the Executive Office of the Governor and the
241 appropriations committees of the Legislature jointly under ~~the~~
242 ~~provisions of~~ s. 216.023(3). The Board of Governors shall
243 continue to collect and maintain at a minimum management
244 information existing on June 30, 2002. The expenditure analysis
245 report shall include total expenditures from all sources for the
246 general operation of the university and shall be in such detail
247 as needed to support the legislative budget request.

248 Section 6. Except as otherwise expressly provided in this
249 act and except for this section, which shall take effect upon
250 this act becoming a law, this act shall take effect July 1,
251 2020.