

1 A bill to be entitled
2 An act relating to higher education; amending s.
3 1001.03, F.S.; requiring the State Board of Education
4 to require Florida College System institutions to
5 conduct an annual assessment related to intellectual
6 freedom and viewpoint diversity at each institution;
7 providing State Board of Education requirements
8 relating to such assessment; amending s. 1001.706,
9 F.S.; requiring the Board of Governors to require
10 state universities to conduct an annual assessment
11 related to intellectual freedom and viewpoint
12 diversity at each university; providing Board of
13 Governors requirements relating to such assessment;
14 requiring selection of a president to be from a
15 specified number of candidates; deleting a requirement
16 that certain boards of trustees comply with specified
17 provisions for the procurement of professional
18 services; amending s. 1001.7065, F.S.; revising
19 standards for the preeminent state research
20 universities program; requiring such standards to be
21 reported annually in a specified plan; repealing the
22 programs of excellence designation within the State
23 University System; creating the "state universities of
24 distinction" designation within the State University
25 System; requiring the Board of Governors to establish

26 standards and measures for specific state university
27 competencies; providing requirements for such
28 standards and measures; authorizing the Board of
29 Governors to annually submit such programs to the
30 Legislature for funding by a specified date; amending
31 s. 1001.92, F.S.; revising the performance-based
32 metrics for state universities to include specific
33 data beginning in a certain fiscal year; authorizing
34 the Board of Governors to approve other metrics;
35 prohibiting the adjustment of such metrics and
36 benchmarks once specified data has been received;
37 amending s. 1004.085, F.S.; requiring innovative
38 pricing techniques and payment options to include an
39 opt-out provision; amending s. 1004.346, F.S.;

40 removing a limitation on the length of time a
41 Phosphate Research and Activities Board member may
42 serve after expiration of his or her term; creating s.
43 1004.6499, F.S.; creating the Florida Institute for
44 Great Citizenship for a specified purpose; providing
45 goals of the institute; amending s. 1009.50, F.S.;

46 requiring that grants administered through the Florida
47 Public Student Assistance Grant Program not exceed a
48 certain amount; authorizing students who receive an
49 award in the fall or spring term to receive an award
50 in the summer term, subject to the availability of

51 funds; prohibiting institutions from dispensing grants
52 to students whose expected family contribution exceeds
53 a certain amount; requiring institutions to certify
54 the amount of funds disbursed within a specified
55 timeframe; requiring institutions to remit any
56 undisbursed advances within a specified timeframe;
57 providing an exception; requiring institutions that
58 receive moneys through the program to prepare and
59 submit to the department by a specified date a
60 biennial report that includes a financial audit
61 conducted by the Auditor General; authorizing the
62 department to conduct its own annual or biennial audit
63 under certain circumstances; authorizing the
64 department to suspend or revoke an institution's
65 eligibility or request a refund of moneys overpaid to
66 the institution under certain circumstances; providing
67 a timeframe for such refunds; amending s. 1009.505,
68 F.S.; requiring grants administered through the
69 Florida Public Postsecondary Career Education Student
70 Assistance Grant Program to not exceed a certain
71 amount; authorizing students who receive an award in
72 the fall or spring term to receive an award in the
73 summer term, subject to the availability of funds;
74 requiring institutions to certify the amount of funds
75 disbursed within a specified timeframe; requiring

76 | institutions to remit any undisbursed advances within
77 | a specified timeframe; providing an exception;
78 | requiring institutions that receive moneys through the
79 | program to prepare and submit to the department by a
80 | specified date a biennial report that includes a
81 | financial audit conducted by the Auditor General;
82 | authorizing the department to conduct its own annual
83 | or biennial audit under certain circumstances;
84 | authorizing the department to suspend or revoke an
85 | institution's eligibility or request a refund of
86 | moneys overpaid to the institution under certain
87 | circumstances; providing a timeframe for such refunds;
88 | authorizing funds appropriated for state student
89 | assistance grants to be deposited in a specified trust
90 | fund; requiring that any balance in the trust fund at
91 | the end of any fiscal year which has been allocated to
92 | the Florida Public Postsecondary Career Education
93 | Student Assistance Grant Program remain in the trust
94 | fund, subject to certain statutory exceptions;
95 | amending s. 1009.51, F.S.; requiring that grants
96 | administered through the Florida Private Student
97 | Assistance Grant Program not exceed a certain amount;
98 | authorizing students who receive an award in the fall
99 | or spring term to receive an award in the summer term,
100 | subject to the availability of funds; prohibiting

101 institutions from dispensing grants to students whose
102 expected family contribution exceeds a certain amount;
103 requiring institutions to certify the amount of funds
104 disbursed within a specified timeframe; requiring
105 institutions to remit any undisbursed advances within
106 a specified timeframe; providing an exception;
107 revising a requirement for a biennial report; amending
108 s. 1009.52, F.S.; requiring that grants administered
109 through the Florida Postsecondary Student Assistance
110 Grant Program not exceed a certain amount; authorizing
111 students who receive an award in the fall or spring
112 term to receive an award in the summer term, subject
113 to the availability of funds; prohibiting institutions
114 from dispensing grants to students whose expected
115 family contribution exceeds a certain amount;
116 requiring institutions to certify the amount of funds
117 disbursed within a specified timeframe; requiring
118 institutions to remit any undisbursed advances within
119 a specified timeframe; providing an exception;
120 revising a requirement for a biennial report; amending
121 s. 1009.893, F.S.; revising and specifying eligibility
122 for initial awards under the Benacquisto Scholarship
123 Program; revising requirements for a student to
124 receive a renewal award; providing a timeframe within
125 which students may receive an award; providing an

126 | exception to renewal requirements; amending s.
127 | 1011.45, F.S.; revising the date by which a university
128 | must annually submit a spending plan to the
129 | university's board of trustees for approval; revising
130 | the date by which the Board of Governors must annually
131 | review and approve such plan; authorizing certain
132 | expenditures in a carry forward spending plan to
133 | include a commitment of funds to a contingency reserve
134 | for certain purposes; amending s. 1011.90, F.S.;
135 | providing requirements for a specified legislative
136 | budget request; requiring the Board of Governors to
137 | define specified classifications by regulation and
138 | report such definitions in such budget requests;
139 | prohibiting the growth rate of administrators at a
140 | state university from exceeding the growth rate of
141 | faculty at such university; amending s. 1013.45, F.S.;
142 | authorizing university boards of trustees to use other
143 | factors, including price, for the procurement of
144 | professional services; requiring certain procedures to
145 | conform to specified requirements; deleting a
146 | provision prohibiting boards from modifying specified
147 | rules; amending s. 1013.841, F.S.; revising the date
148 | by which a Florida College System institution must
149 | annually submit a spending plan to the institution's
150 | board of trustees for approval; revising the date by

151 which the State Board of Education must annually
152 review and publish such plans; authorizing certain
153 expenditures in a carry forward spending plan to
154 include a commitment of funds to a contingency reserve
155 for certain purposes; providing effective dates.
156

157 Be It Enacted by the Legislature of the State of Florida:
158

159 Section 1. Subsection (19) is added to section 1001.03,
160 Florida Statutes, to read:

161 1001.03 Specific powers of State Board of Education.—

162 (19) INTELLECTUAL FREEDOM AND VIEWPOINT DIVERSITY

163 ASSESSMENT.—The State Board of Education shall require each
164 Florida College System institution to conduct an annual
165 assessment of the intellectual freedom and viewpoint diversity
166 at that institution. The State Board of Education shall select
167 or create an objective, nonpartisan, and statistically valid
168 survey to be used by each institution that considers the extent
169 to which competing ideas and perspectives are presented and
170 members of the college community feel free to express their
171 beliefs and viewpoints on campus and in the classroom. The State
172 Board of Education shall annually compile and publish the
173 assessments by September 1 of each year beginning on September
174 1, 2021.

175 Section 2. Paragraph (a) of subsection (6) and paragraph

176 (a) of subsection (7) of section 1001.706, Florida Statutes, are
 177 amended, and paragraph (k) is added to subsection (3) of that
 178 section, to read:

179 1001.706 Powers and duties of the Board of Governors.—

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

182 (k) The Board of Governors shall require each state
 183 university to conduct an annual assessment of the intellectual
 184 freedom and viewpoint diversity at that institution. The Board
 185 of Governors shall select or create an objective, nonpartisan,
 186 and statistically valid survey to be used by each state
 187 university that considers the extent to which competing ideas
 188 and perspectives are presented and members of the university
 189 community feel free to express their beliefs and viewpoints on
 190 campus and in the classroom. The Board of Governors shall
 191 annually compile and publish the assessments by September 1 of
 192 each year beginning on September 1, 2021.

193 (6) POWERS AND DUTIES RELATING TO PERSONNEL.—

194 (a) The Board of Governors, or the board's designee, shall
 195 establish the personnel program for all employees of a state
 196 university. The Board of Governors shall confirm the
 197 presidential selection and reappointment by a university board
 198 of trustees as a means of acknowledging that system cooperation
 199 is expected. The selection of a president by a university board
 200 of trustees shall be from among at least three candidates.

201 (7) POWERS AND DUTIES RELATING TO PROPERTY.—

202 (a) The Board of Governors shall develop guidelines for
 203 university boards of trustees relating to the acquisition of
 204 real and personal property and the sale and disposal thereof and
 205 the approval and execution of contracts for the purchase, sale,
 206 lease, license, or acquisition of commodities, goods, equipment,
 207 contractual services, leases of real and personal property, and
 208 construction. The acquisition may include purchase by
 209 installment or lease-purchase. Such contracts may provide for
 210 payment of interest on the unpaid portion of the purchase price.
 211 Title to all real property acquired prior to January 7, 2003,
 212 and to all real property acquired with funds appropriated by the
 213 Legislature shall be vested in the Board of Trustees of the
 214 Internal Improvement Trust Fund and shall be transferred and
 215 conveyed by it. ~~Notwithstanding any other provisions of this~~
 216 ~~subsection, each board of trustees shall comply with the~~
 217 ~~provisions of s. 287.055 for the procurement of professional~~
 218 ~~services as defined therein.~~ Any acquisition pursuant to this
 219 paragraph is subject to the provisions of s. 1010.62.

220 Section 3. Effective upon this act becoming a law,
 221 subsections (2), (5), and (7) of section 1001.7065, Florida
 222 Statutes, are amended to read:

223 1001.7065 Preeminent state research universities program.—

224 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
 225 following academic and research excellence standards are

226 established for the preeminent state research universities
 227 program and shall be reported annually in the Board of Governors
 228 Accountability Plan:

229 (a) An average weighted grade point average of 4.0 or
 230 higher on a 4.0 scale and an average SAT score of ~~1800 or higher~~
 231 ~~on a 2400-point scale or~~ 1200 or higher on a 1600-point scale or
 232 an average ACT score of 25 or higher on a 36 score scale, using
 233 the latest published national concordance table developed
 234 jointly by the College Board and ACT, Inc., for fall semester
 235 incoming freshmen, as reported annually.

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

240 (c) A freshman retention rate of 90 percent or higher for
 241 full-time, first-time-in-college students, ~~as reported annually~~
 242 ~~to the Integrated Postsecondary Education Data System (IPEDS).~~

243 (d) A 4-year graduation rate of 60 percent or higher for
 244 full-time, first-time-in-college students, ~~as reported annually~~
 245 ~~to the IPEDS. However, for the 2018 determination of a state~~
 246 ~~university's preeminence designation and the related~~
 247 ~~distribution of the 2018-2019 fiscal year appropriation~~
 248 ~~associated with preeminence and emerging preeminence, a~~
 249 ~~university is considered to have satisfied this graduation rate~~
 250 ~~measure by attaining a 6-year graduation rate of 70 percent or~~

251 ~~higher by October 1, 2017, for full-time, first-time-in-college~~
252 ~~students, as reported to the IPEDS and confirmed by the Board of~~
253 ~~Governors.~~

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

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

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

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

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

271 (j) Four hundred or more doctoral degrees awarded
272 annually, including professional doctoral degrees awarded in
273 medical and health care disciplines, ~~as reported in the Board of~~
274 ~~Governors Annual Accountability Report.~~

275 (k) Two hundred or more postdoctoral appointees annually,

276 | ~~as reported in the TARU annual report.~~

277 | (1) An endowment of \$500 million or more, ~~as reported in~~
 278 | ~~the Board of Governors Annual Accountability Report.~~

279 | (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
 280 | SUPPORT.—

281 | (a) A state university that is designated as a preeminent
 282 | state research university shall submit to the Board of Governors
 283 | a 5-year benchmark plan with target rankings on key performance
 284 | metrics for national excellence. Upon approval by the Board of
 285 | Governors, and upon the university's meeting the benchmark plan
 286 | goals annually, the Board of Governors shall award the
 287 | university its proportionate share of any funds provided
 288 | annually to support the program created under this section.

289 | (b) A state university designated as an emerging
 290 | preeminent state research university shall submit to the Board
 291 | of Governors a 5-year benchmark plan with target rankings on key
 292 | performance metrics for national excellence. ~~Upon approval by~~
 293 | ~~the Board of Governors, and upon the university's meeting the~~
 294 | ~~benchmark plan goals annually, the Board of Governors shall~~
 295 | ~~award the university its proportionate share of any funds~~
 296 | ~~provided annually to support the program created under this~~
 297 | ~~section.~~

298 | (c) The award of funds under this subsection is contingent
 299 | upon funding provided by the Legislature to support the
 300 | preeminent state research universities program created under

301 this section. Funding increases appropriated beyond the amounts
302 funded in the previous fiscal year shall be distributed to ~~as~~
303 ~~follows:~~

304 ~~1.~~ 1. each designated preeminent state research university
305 that meets the criteria in paragraph (a). Each designated
306 preeminent state research university shall receive an equal
307 amount of funding.

308 ~~2.~~ ~~Each designated emerging preeminent state research~~
309 ~~university that meets the criteria in paragraph (b) shall,~~
310 ~~beginning in the 2018-2019 fiscal year, receive an amount of~~
311 ~~funding that is equal to one-fourth of the total increased~~
312 ~~amount awarded to each designated preeminent state research~~
313 ~~university.~~

314 (7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE
315 THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors
316 shall establish standards and measures whereby state
317 universities that focus on one core competency unique to the
318 State University System that achieves excellence at the national
319 or state level, meets state workforce needs, and fosters an
320 innovation economy that focuses on areas such as health care,
321 security, transportation, and science, technology, engineering,
322 and mathematics (STEM), including supply chain management,
323 ~~individual undergraduate, graduate, and professional degree~~
324 ~~programs in state universities which objectively reflect~~
325 national excellence can be identified. The Board of Governors

326 | may annually submit such programs, excluding those from
 327 | preeminent state research universities, and ~~make recommendations~~
 328 | to the Legislature by January ~~September 1~~ for funding, ~~2018,~~ as
 329 | ~~to how any such programs could be enhanced and promoted.~~

330 | Section 4. Subsection (1) of section 1001.92, Florida
 331 | Statutes, is amended to read:

332 | 1001.92 State University System Performance-Based
 333 | Incentive.—

334 | (1) A State University System Performance-Based Incentive
 335 | shall be awarded to state universities using performance-based
 336 | metrics adopted by the Board of Governors of the State
 337 | University System. Beginning with the Board of Governors'
 338 | determination of each university's performance improvement and
 339 | achievement ratings ~~for 2018,~~ and the related distribution of
 340 | annual ~~the 2018-2019~~ fiscal year appropriation, the performance-
 341 | based metrics must include:

342 | (a) Beginning in fiscal year 2021-2022, a single
 343 | graduation rate metric comprised of 4-year graduation rates for
 344 | first-time-in-college students and 2-year graduation rates for
 345 | Florida College System institution associate in arts transfer
 346 | students;

347 | (b) Retention rates;

348 | (c) Postgraduation education rates;

349 | (d) Degree production;

350 | (e) Affordability;

351 (f) Postgraduation employment and salaries, including wage
352 thresholds that reflect the added value of a baccalaureate
353 degree;

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

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

360
361 The Board of Governors may approve ~~and other metrics approved by~~
362 ~~the board~~ in a publicly ~~formally~~ noticed meeting. The board
363 shall adopt benchmarks to evaluate each state university's
364 performance on the metrics to measure the state university's
365 achievement of institutional excellence or need for improvement
366 and minimum requirements for eligibility to receive performance
367 funding. Benchmarks and metrics may not be adjusted after
368 university performance data has been received by the Board of
369 Governors ~~Access rate benchmarks must be differentiated and~~
370 ~~scored to reflect the varying access rate levels among the state~~
371 ~~universities; however, the scoring system may not include bonus~~
372 ~~points.~~

373 Section 5. Subsection (4) of section 1004.085, Florida
374 Statutes, is amended to read:

375 1004.085 Textbook and instructional materials

376 affordability.—

377 (4) Each Florida College System institution and state
378 university board of trustees is authorized to adopt policies in
379 consultation with providers, including bookstores, which allow
380 for the use of innovative pricing techniques and payment options
381 for textbooks and instructional materials. Such policies may
382 include bulk pricing arrangements that enable students to
383 purchase course materials or texts that are delivered digitally;
384 delivered through other technologies that are, or the licenses
385 of which are, required for use within a course; or delivered in
386 a print format. Innovative pricing techniques and payment
387 options must include an opt-in or opt-out provision for students
388 and may be approved only if there is documented evidence that
389 the options reduce the cost of textbooks and instructional
390 materials for students taking a course.

391 Section 6. Effective upon this act becoming a law,
392 paragraph (c) of subsection (2) of section 1004.346, Florida
393 Statutes, is amended to read:

394 1004.346 Florida Industrial and Phosphate Research
395 Institute.—

396 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
397 Research and Activities Board is created to monitor the
398 expenditure of funds appropriated to the university from the
399 Phosphate Research Trust Fund.

400 (c) Members of the board appointed by the Governor shall

401 be appointed to 3-year terms. A board member may continue to
 402 serve until a successor is appointed, ~~but not more than 180 days~~
 403 ~~after the expiration of his or her term.~~ A board member is
 404 eligible for reappointment to subsequent terms.

405 Section 7. Section 1004.6499, Florida Statutes, is created
 406 to read:

407 1004.6499 Florida Institute for Great Citizenship.—

408 (1) The Florida Institute for Great Citizenship is
 409 established at the Florida State University for the purpose of
 410 providing Floridians with a bipartisan, world-class institute
 411 for intellectual diversity.

412 (2) The goals of the institute are to:

413 (a) Create undergraduate, graduate, post-doctoral, and
 414 professional-level fellowship opportunities for advanced study
 415 in civic literacy and engagement, political history, public
 416 policy, government institutions, debate, and civic discourse.

417 (b) Create regular forums for civic engagement and public
 418 policy discussions that are open to all students and the general
 419 public, thereby fostering civil discourse and the development of
 420 public policy research.

421 (c) Create a shared understanding of government
 422 institutions, their history, and the development of public
 423 policy through the publishing of publicly accessible research
 424 and materials.

425 (d) Create a curriculum for educating K-12 and

426 postsecondary students on how to engage their government and
 427 become great advocates for themselves and their community.

428 (e) Become a national and state resource on polling
 429 information and survey methodology.

430 (3) The institute shall establish affiliate institutes at
 431 the University of Florida with a focus on American ideals and at
 432 Florida International University with a focus on free market
 433 economics.

434 Section 8. Section 1009.50, Florida Statutes, is amended
 435 to read:

436 1009.50 Florida Public Student Assistance Grant Program;
 437 eligibility for grants.—

438 (1) There is hereby created a Florida Public Student
 439 Assistance Grant Program. The program shall be administered by
 440 the participating institutions in accordance with rules of the
 441 state board.

442 (2) (a) State student assistance grants through the program
 443 may be made only to degree-seeking students who enroll in at
 444 least 6 semester hours, or the equivalent per term, and who meet
 445 the general requirements for student eligibility as provided in
 446 s. 1009.40, except as otherwise provided in this section. The
 447 grants shall be awarded annually for the amount of demonstrated
 448 unmet need for the cost of education and may not exceed the
 449 maximum annual award ~~an amount equal to the average prior~~
 450 ~~academic year cost of tuition fees and other registration fees~~

451 ~~for 30 credit hours at state universities or such other amount~~
452 ~~as~~ specified in the General Appropriations Act, ~~to any~~
453 ~~recipient~~. A demonstrated unmet need of less than \$200 shall
454 render the applicant ineligible for a state student assistance
455 grant. Recipients of the grants must have been accepted at a
456 state university or Florida College System institution
457 authorized by Florida law. If funds are available, a student who
458 received an award in the fall or spring term may receive an
459 award in the summer term. A student is eligible for the award
460 for 110 percent of the number of credit hours required to
461 complete the program in which enrolled, except as otherwise
462 provided in s. 1009.40(3).

463 (b) A student applying for a Florida public student
464 assistance grant shall be required to apply for the Pell Grant.
465 The Pell Grant entitlement shall be considered when conducting
466 an assessment of the financial resources available to each
467 student.

468 (c) ~~Priority in the distribution of grant moneys shall be~~
469 ~~given to students with the lowest total family resources, in~~
470 ~~accordance with a nationally recognized system of need analysis.~~
471 ~~Using the system of need analysis, the department shall~~
472 ~~establish a maximum expected family contribution.~~ An institution
473 may not make a grant from this program to a student whose
474 expected family contribution exceeds one and one-half times the
475 maximum Pell Grant-eligible family contribution level.

476 ~~established by the department.~~ An institution may not impose
477 additional criteria to determine a student's eligibility to
478 receive a grant award.

479 (d) Each participating institution shall report~~7~~ to the
480 department by the established date~~7~~ the eligible students
481 eligible for the program for ~~to whom grant moneys are disbursed~~
482 each academic term. Each institution shall also report to the
483 department necessary demographic and eligibility data for such
484 students.

485 (3) Based on the unmet financial need of an eligible
486 applicant, the amount of a Florida public student assistance
487 grant must be between \$200 and the ~~weighted average of the cost~~
488 ~~of tuition and other registration fees for 30 credit hours at~~
489 ~~state universities per academic year or~~ the amount specified in
490 the General Appropriations Act.

491 (4) (a) The funds appropriated for the Florida Public
492 Student Assistance Grant shall be distributed to eligible
493 institutions in accordance with a formula approved by the State
494 Board of Education. The formula must ~~shall~~ consider at least the
495 prior year's distribution of funds, the number of ~~full-time~~
496 eligible applicants who did not receive awards, the
497 standardization of the expected family contribution, and
498 provisions for unused funds.

499 (b) Payment of Florida public student assistance grants
500 shall be transmitted to the president of the state university or

501 Florida College System institution, or to his or her
 502 representative, in advance of the registration period.
 503 Institutions shall notify students of the amount of their
 504 awards.

505 (c) The eligibility status of each student to receive a
 506 disbursement shall be determined by each institution as of the
 507 end of its regular registration period, inclusive of a drop-add
 508 period. Institutions shall not be required to reevaluate a
 509 student's eligibility status after this date for purposes of
 510 changing eligibility determinations previously made.

511 (d) Institutions shall certify to the department within 30
 512 days after the end of regular registration each term the amount
 513 of funds disbursed to each student and shall remit to the
 514 department any undisbursed advances within 60 days after the end
 515 of regular registration each spring term. An exception to the
 516 remittance deadline may be granted if the institution documents
 517 to the department how it plans to disburse awards to students
 518 for the subsequent summer term. An institution that uses funds
 519 for the summer term shall certify to the department the amount
 520 of funds disbursed to each student and shall remit to the
 521 department any undisbursed advances within 30 days after the end
 522 of the summer term ~~any advances by June 1 of each year.~~

523 (e) Each institution that receives moneys through the
 524 Florida Public Student Assistance Grant Program shall prepare a
 525 biennial report that includes a financial audit, conducted by

526 | the Auditor General, of the institution's administration of the
527 | program and a complete accounting of moneys allocated to the
528 | institution for the program. Such report shall be submitted to
529 | the department by March 1 every other year. The department may
530 | conduct its own annual or biennial audit of an institution's
531 | administration of the program and its allocated funds in lieu of
532 | the required biennial report and financial audit report. The
533 | department may suspend or revoke an institution's eligibility to
534 | receive future moneys for the program or may request a refund of
535 | any moneys overpaid to the institution for the program if the
536 | department finds that an institution has not complied with this
537 | section. Any refund requested pursuant to this paragraph shall
538 | be remitted within 60 days after notification by the department.

539 | (5) Funds appropriated by the Legislature for state
540 | student assistance grants may be deposited in the State Student
541 | Financial Assistance Trust Fund. Notwithstanding ~~the provisions~~
542 | ~~of~~ s. 216.301 and pursuant to s. 216.351, any balance in the
543 | trust fund at the end of any fiscal year which has been
544 | allocated to the Florida Public Student Assistance Grant Program
545 | shall remain therein and shall be available for carrying out the
546 | purposes of this section.

547 | (6) The State Board of Education shall establish rules
548 | necessary to implement this section.

549 | Section 9. Subsections (5) and (6) of section 1009.505,
550 | Florida Statutes, are renumbered as subsections (6) and (7),

551 respectively, a new subsection (5) is added to that section, and
552 subsections (3) and (4) of that section are amended, to read:

553 1009.505 Florida Public Postsecondary Career Education
554 Student Assistance Grant Program.—

555 (3) (a) Student assistance grants through the program may
556 be made only to certificate-seeking students enrolled at least
557 half-time in a public postsecondary career certificate program
558 who meet the general requirements for student eligibility as
559 provided in s. 1009.40, except as otherwise provided in this
560 section. The grants shall be awarded annually to any recipient
561 for the amount of demonstrated unmet need for the cost of
562 education and may not exceed the ~~average annual cost of tuition~~
563 ~~and registration fees or such other~~ amount as specified in the
564 General Appropriations Act. A demonstrated unmet need of less
565 than \$200 shall render the applicant ineligible for a grant
566 under this section. Recipients of the grants must have been
567 accepted at a Florida College System institution authorized by
568 Florida law or a career center operated by a district school
569 board under s. 1001.44. If funds are available, a student who
570 received an award in the fall or spring term may receive an
571 award in the summer term. A student is eligible for the award
572 for 110 percent of the number of clock hours required to
573 complete the program in which enrolled.

574 (b) A student applying for a Florida public postsecondary
575 career education student assistance grant shall be required to

576 | apply for the Pell Grant. A Pell Grant entitlement shall be
577 | considered when conducting an assessment of the financial
578 | resources available to each student; however, a Pell Grant
579 | entitlement shall not be required as a condition of receiving a
580 | grant under this section.

581 | (c) Each participating institution shall report~~7~~ to the
582 | department by the established date~~7~~ the eligible students
583 | eligible for the program for to whom grant moneys are disbursed
584 | each academic term. Each institution shall also report to the
585 | department necessary demographic and eligibility data for such
586 | students.

587 | (4) (a) The funds appropriated for the Florida Public
588 | Postsecondary Career Education Student Assistance Grant Program
589 | shall be distributed to eligible Florida College System
590 | institutions and district school boards in accordance with a
591 | formula approved by the department.

592 | (b) Payment of Florida public postsecondary career
593 | education student assistance grants shall be transmitted to the
594 | president of the Florida College System institution or to the
595 | district school superintendent, or to the designee thereof, in
596 | advance of the registration period. Institutions shall notify
597 | students of the amount of their awards.

598 | (c) The eligibility status of each student to receive a
599 | disbursement shall be determined by each institution as of the
600 | end of its regular registration period, inclusive of a drop-add

601 period. Institutions shall not be required to reevaluate a
602 student's eligibility status after this date for purposes of
603 changing eligibility determinations previously made.

604 (d) Participating institutions shall certify to the
605 department within 30 days after the end of regular registration
606 each term the amount of funds disbursed to each student and
607 shall remit to the department any undisbursed advances within 60
608 days after the end of regular registration each spring term. An
609 exception to the remittance deadline may be granted if the
610 institution documents to the department how it plans to disburse
611 awards to students for the subsequent summer term. An
612 institution that uses funds for the summer term shall certify to
613 the department the amount of funds disbursed to each student and
614 shall remit to the department any undisbursed advances within 30
615 days after the end of the summer term ~~by June 1 of each year.~~

616 (e) Each institution that receives moneys through the
617 Florida Public Postsecondary Career Education Student Assistance
618 Grant Program shall prepare a biennial report that includes a
619 financial audit, conducted by the Auditor General, of the
620 institution's administration of the program and a complete
621 accounting of moneys allocated to the institution for the
622 program. Such report shall be submitted to the department by
623 March 1 every other year. The department may conduct its own
624 annual or biennial audit of an institution's administration of
625 the program and its allocated funds in lieu of the required

626 biennial report and financial audit report. The department may
627 suspend or revoke an institution's eligibility to receive future
628 moneys for the program or may request a refund of any moneys
629 overpaid to the institution if the department finds that an
630 institution has not complied with this section. Any refund
631 requested pursuant to this paragraph shall be remitted within 60
632 days after notification by the department.

633 (5) Funds appropriated by the Legislature for state
634 student assistance grants may be deposited in the State Student
635 Financial Assistance Trust Fund. Notwithstanding s. 216.301 and
636 pursuant to s. 216.351, any balance in the trust fund at the end
637 of any fiscal year which has been allocated to the Florida
638 Public Postsecondary Career Education Student Assistance Grant
639 Program shall remain therein and shall be available for carrying
640 out the purposes of this section.

641 Section 10. Section 1009.51, Florida Statutes, is amended
642 to read:

643 1009.51 Florida Private Student Assistance Grant Program;
644 eligibility for grants.—

645 (1) There is created a Florida Private Student Assistance
646 Grant Program. The program shall be administered by the
647 participating institutions in accordance with rules of the State
648 Board of Education.

649 (2) (a) Florida private student assistance grants ~~from the~~
650 ~~State Student Financial Assistance Trust Fund~~ may be made only

651 to full-time degree-seeking students who meet the general
652 requirements for student eligibility as provided in s. 1009.40,
653 except as otherwise provided in this section. Such grants shall
654 be awarded for the amount of demonstrated unmet need for tuition
655 and fees and may not exceed the maximum annual award ~~an amount~~
656 ~~equal to the average tuition and other registration fees for 30~~
657 ~~credit hours at state universities plus \$1,000 per academic~~
658 ~~year, or as specified in the General Appropriations Act, to any~~
659 ~~applicant~~. A demonstrated unmet need of less than \$200 shall
660 render the applicant ineligible for a Florida private student
661 assistance grant. Recipients of such grants must have been
662 accepted at a baccalaureate-degree-granting independent
663 nonprofit college or university, which is accredited by the
664 Commission on Colleges of the Southern Association of Colleges
665 and Schools and which is located in and chartered as a domestic
666 corporation by the state. If funds are available, a student who
667 received an award in the fall or spring term may receive an
668 award in the summer term. No student may receive an award for
669 more than the equivalent of 9 semesters or 14 quarters of full-
670 time enrollment, except as otherwise provided in s. 1009.40(3).

671 (b) A student applying for a Florida private student
672 assistance grant shall be required to apply for the Pell Grant.
673 The Pell Grant entitlement shall be considered when conducting
674 an assessment of the financial resources available to each
675 student.

676 (c) ~~Priority in the distribution of grant moneys shall be~~
677 ~~given to students with the lowest total family resources, in~~
678 ~~accordance with a nationally recognized system of need analysis.~~
679 ~~Using the system of need analysis, the department shall~~
680 ~~establish a maximum expected family contribution.~~ An institution
681 may not make a grant from this program to a student whose
682 expected family contribution exceeds one and one-half times the
683 maximum Pell Grant-eligible family contribution ~~the level~~
684 ~~established by the department.~~ An institution may not impose
685 additional criteria to determine a student's eligibility to
686 receive a grant award.

687 (d) Each participating institution shall report~~7~~ to the
688 department by the established date~~7~~, the ~~eligible~~ students
689 eligible for the program for to whom grant moneys are disbursed
690 each academic term. Each institution shall also report to the
691 department necessary demographic and eligibility data for such
692 students.

693 (3) Based on the unmet financial need of an eligible
694 applicant, the amount of a Florida private student assistance
695 grant must be between \$200 and ~~the average cost of tuition and~~
696 ~~other registration fees for 30 credit hours at state~~
697 ~~universities plus \$1,000 per academic year or the amount~~
698 specified in the General Appropriations Act.

699 (4) (a) The funds appropriated for the Florida Private
700 Student Assistance Grant shall be distributed to eligible

701 institutions in accordance with a formula approved by the State
702 Board of Education. The formula must ~~shall~~ consider at least the
703 prior year's distribution of funds, the number of ~~full-time~~
704 eligible applicants who did not receive awards, the
705 standardization of the expected family contribution, and
706 provisions for unused funds.

707 (b) Payment of Florida private student assistance grants
708 shall be transmitted to the president of the college or
709 university, or to his or her representative, in advance of the
710 registration period. Institutions shall notify students of the
711 amount of their awards.

712 (c) The eligibility status of each student to receive a
713 disbursement shall be determined by each institution as of the
714 end of its regular registration period, inclusive of a drop-add
715 period. Institutions shall not be required to reevaluate a
716 student's eligibility status after this date for purposes of
717 changing eligibility determinations previously made.

718 (d) Institutions shall certify to the department within 30
719 days after the end of regular registration each term the amount
720 of funds disbursed to each student and shall remit to the
721 department any undisbursed advances within 60 days after the end
722 of regular registration each spring term. An exception to the
723 remittance deadline may be granted if the institution documents
724 to the department how it plans to disburse awards to students
725 for the subsequent summer term. An institution that uses funds

726 for the summer term shall certify to the department the amount
727 of funds disbursed to each student and shall remit to the
728 department any undisbursed advances within 30 days after the end
729 of the summer term ~~by June 1 of each year.~~

730 (e) Each institution that receives moneys through the
731 Florida Private Student Assistance Grant Program shall prepare a
732 biennial report that includes a financial audit, conducted by an
733 independent certified public accountant, of the institution's
734 administration of the program and a complete accounting of
735 moneys ~~in the State Student Financial Assistance Trust Fund~~
736 allocated to the institution for the program. Such report shall
737 be submitted to the department by March 1 every other year. The
738 department may conduct its own annual or biennial audit of an
739 institution's administration of the program and its allocated
740 funds in lieu of the required biennial report and financial
741 audit report. The department may suspend or revoke an
742 institution's eligibility to receive future moneys ~~from the~~
743 ~~trust fund~~ for the program or request a refund of any moneys
744 overpaid to the institution ~~through the trust fund~~ for the
745 program if the department finds that an institution has not
746 complied with ~~the provisions of~~ this section. Any refund
747 requested pursuant to this paragraph shall be remitted within 60
748 days after notification by the department.

749 (5) Funds appropriated by the Legislature for Florida
750 private student assistance grants may be deposited in the State

751 Student Financial Assistance Trust Fund. Notwithstanding ~~the~~
752 ~~provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance
753 in the trust fund at the end of any fiscal year which has been
754 allocated to the Florida Private Student Assistance Grant
755 Program shall remain therein and shall be available for carrying
756 out the purposes of this section and as otherwise provided by
757 law.

758 (6) The State Board of Education shall adopt rules
759 necessary to implement this section.

760 Section 11. Section 1009.52, Florida Statutes, is amended
761 to read:

762 1009.52 Florida Postsecondary Student Assistance Grant
763 Program; eligibility for grants.—

764 (1) There is created a Florida Postsecondary Student
765 Assistance Grant Program. The program shall be administered by
766 the participating institutions in accordance with rules of the
767 State Board of Education.

768 (2) (a) Florida postsecondary student assistance grants
769 ~~through the State Student Financial Assistance Trust Fund~~ may be
770 made only to full-time degree-seeking students who meet the
771 general requirements for student eligibility as provided in s.
772 1009.40, except as otherwise provided in this section. Such
773 grants shall be awarded for the amount of demonstrated unmet
774 need for tuition and fees and may not exceed the maximum annual
775 award ~~an amount equal to the average prior academic year cost of~~

776 ~~tuition and other registration fees for 30 credit hours at state~~
777 ~~universities plus \$1,000 per academic year, or as specified in~~
778 ~~the General Appropriations Act, to any applicant.~~ A demonstrated
779 unmet need of less than \$200 shall render the applicant
780 ineligible for a Florida postsecondary student assistance grant.
781 Recipients of such grants must have been accepted at a
782 postsecondary institution that is located in this ~~the~~ state and
783 that is:

- 784 1. A private nursing diploma school approved by the
785 Florida Board of Nursing; or
786 2. A college or university licensed by the Commission for
787 Independent Education, excluding those institutions the students
788 of which are eligible to receive a Florida private student
789 assistance grant pursuant to s. 1009.51.

790
791 If funds are available, a student who received an award in the
792 fall or spring term may receive an award in the summer term. No
793 student may receive an award for more than the equivalent of 9
794 semesters or 14 quarters of full-time enrollment, except as
795 otherwise provided in s. 1009.40(3).

796 (b) A student applying for a Florida postsecondary student
797 assistance grant shall be required to apply for the Pell Grant.
798 The Pell Grant entitlement shall be considered when conducting
799 an assessment of the financial resources available to each
800 student.

801 (c) ~~Priority in the distribution of grant moneys shall be~~
802 ~~given to students with the lowest total family resources, in~~
803 ~~accordance with a nationally recognized system of need analysis.~~
804 ~~Using the system of need analysis, the department shall~~
805 ~~establish a maximum expected family contribution.~~ An institution
806 may not make a grant from this program to a student whose
807 expected family contribution exceeds one and one-half times the
808 maximum Pell Grant-eligible family contribution ~~the level~~
809 ~~established by the department.~~ An institution may not impose
810 additional criteria to determine a student's eligibility to
811 receive a grant award.

812 (d) Each participating institution shall report~~7~~ to the
813 department by the established date~~7~~ the eligible students
814 eligible for the program for to whom grant moneys are disbursed
815 each academic term. Each institution shall also report to the
816 department necessary demographic and eligibility data for such
817 students.

818 (3) Based on the unmet financial need of an eligible
819 applicant, the amount of a Florida postsecondary student
820 assistance grant must be between \$200 and ~~the average cost of~~
821 ~~tuition and other registration fees for 30 credit hours at state~~
822 ~~universities plus \$1,000 per academic year or the amount~~
823 specified in the General Appropriations Act.

824 (4) (a) The funds appropriated for the Florida
825 Postsecondary Student Assistance Grant shall be distributed to

826 eligible institutions in accordance with a formula approved by
827 the State Board of Education. The formula must ~~shall~~ consider at
828 least the prior year's distribution of funds, the number of
829 ~~full-time~~ eligible applicants who did not receive awards, the
830 standardization of the expected family contribution, and
831 provisions for unused funds.

832 (b) Payment of Florida postsecondary student assistance
833 grants shall be transmitted to the president of the eligible
834 institution, or to his or her representative, in advance of the
835 registration period. Institutions shall notify students of the
836 amount of their awards.

837 (c) The eligibility status of each student to receive a
838 disbursement shall be determined by each institution as of the
839 end of its regular registration period, inclusive of a drop-add
840 period. Institutions shall not be required to reevaluate a
841 student's eligibility status after this date for purposes of
842 changing eligibility determinations previously made.

843 (d) Institutions shall certify to the department within 30
844 days after the end of regular registration each term the amount
845 of funds disbursed to each student and shall remit to the
846 department any undisbursed advances within 60 days after the end
847 of regular registration each spring term. An exception to the
848 remittance deadline may be granted if the institution documents
849 to the department how it plans to disburse awards to students
850 for the subsequent summer term. An institution that uses funds

851 for the summer term shall certify to the department the amount
852 of funds disbursed to each student and shall remit to the
853 department any undisbursed advances within 30 days after the end
854 of the summer term ~~by June 1 of each year.~~

855 (e) Each institution that receives moneys through the
856 Florida Postsecondary Student Assistance Grant Program shall
857 prepare a biennial report that includes a financial audit,
858 conducted by an independent certified public accountant, of the
859 institution's administration of the program and a complete
860 accounting of moneys ~~in the State Student Financial Assistance~~
861 ~~Trust Fund allocated to the institution~~ for the program. Such
862 report shall be submitted to the department by March 1 every
863 other year. The department may conduct its own annual or
864 biennial audit of an institution's administration of the program
865 and its allocated funds in lieu of the required biennial report
866 and financial audit report. The department may suspend or revoke
867 an institution's eligibility to receive future moneys ~~from the~~
868 ~~trust fund~~ for the program or request a refund of any moneys
869 overpaid to the institution ~~through the trust fund~~ for the
870 program if the department finds that an institution has not
871 complied with ~~the provisions of~~ this section. Any refund
872 requested pursuant to this paragraph shall be remitted within 60
873 days after notification by the department.

874 (5) Any institution that was eligible to receive state
875 student assistance grants on January 1, 1989, and that is not

876 eligible to receive grants pursuant to s. 1009.51 is eligible to
 877 receive grants pursuant to this section.

878 (6) Funds appropriated by the Legislature for Florida
 879 postsecondary student assistance grants may be deposited in the
 880 State Student Financial Assistance Trust Fund. Notwithstanding
 881 ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any
 882 balance in the trust fund at the end of any fiscal year which
 883 has been allocated to the Florida Postsecondary Student
 884 Assistance Grant Program shall remain therein and shall be
 885 available for carrying out the purposes of this section and as
 886 otherwise provided by law.

887 (7) The State Board of Education shall adopt rules
 888 necessary to implement this section.

889 Section 12. Subsections (2), (4), (5), and (6) of section
 890 1009.893, Florida Statutes, are amended to read:

891 1009.893 Benacquisto Scholarship Program.—

892 (2) The Benacquisto Scholarship Program is created to
 893 reward a high school graduate who receives recognition as a
 894 National Merit Scholar ~~or National Achievement Scholar~~ and who
 895 initially enrolls in the 2014-2015 academic year or, later, in a
 896 baccalaureate degree program at an eligible Florida public or
 897 independent postsecondary educational institution.

898 (4) In order to be eligible for an initial award under the
 899 scholarship program, a student must meet the requirements of
 900 paragraph (a) or paragraph (b).

901 (a) A student who is a resident of this state, as
 902 determined in s. 1009.40 and rules of the State Board of
 903 Education, must:

904 1. Earn a standard Florida high school diploma or its
 905 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
 906 or s. 1003.435 unless:

907 a. The student completes a home education program
 908 according to s. 1002.41; or

909 b. The student earns a high school diploma from a non-
 910 Florida school while living with a parent who is on military or
 911 public service assignment out of this state;

912 2. Be accepted by and enroll in a Florida public or
 913 independent postsecondary educational institution that is
 914 regionally accredited; and

915 3. Be enrolled full-time in a baccalaureate degree program
 916 at an eligible regionally accredited Florida public or
 917 independent postsecondary educational institution during the
 918 fall academic term following high school graduation.

919 (b) A student who initially enrolls in a baccalaureate
 920 degree program in the 2018-2019 academic year or later and who
 921 is not a resident of this state, as determined in s. 1009.40 and
 922 rules of the State Board of Education, must:

923 1. Physically reside in this state on or near the campus
 924 of the postsecondary educational institution in which the
 925 student is enrolled;

926 2. Earn a high school diploma from a school outside
 927 Florida which is comparable to a standard Florida high school
 928 diploma or its equivalent pursuant to s. 1002.3105, s.
 929 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home
 930 education program in another state; and

931 3. Be accepted by and enrolled full-time in a
 932 baccalaureate degree program at an eligible regionally
 933 accredited Florida public or independent postsecondary
 934 educational institution during the fall academic term following
 935 high school graduation.

936 (5) (a) 1. An eligible student who meets the requirements of
 937 paragraph (4) (a), who is a National Merit Scholar ~~or National~~
 938 ~~Achievement Scholar~~, and who attends a Florida public
 939 postsecondary educational institution shall receive a
 940 scholarship award equal to the institutional cost of attendance
 941 minus the sum of the student's Florida Bright Futures
 942 Scholarship and National Merit Scholarship ~~or National~~
 943 ~~Achievement Scholarship~~.

944 2. An eligible student who meets the requirements of
 945 paragraph (4) (b), who is a National Merit Scholar, and who
 946 attends a Florida public postsecondary educational institution
 947 shall receive a scholarship award equal to the institutional
 948 cost of attendance for a resident of this state minus the
 949 student's National Merit Scholarship. Such student is exempt
 950 from the payment of out-of-state fees.

951 (b) An eligible student who is a National Merit Scholar ~~or~~
952 ~~National Achievement Scholar~~ and who attends a Florida
953 independent postsecondary educational institution shall receive
954 a scholarship award equal to the highest cost of attendance for
955 a resident of this state enrolled at a Florida public
956 university, as reported by the Board of Governors of the State
957 University System, minus the sum of the student's Florida Bright
958 Futures Scholarship and National Merit Scholarship ~~or National~~
959 ~~Achievement Scholarship~~.

960 (6) (a) To be eligible for a renewal award, a student must
961 be enrolled full time, earn all credits for which he or she was
962 enrolled, and maintain a 3.0 or higher grade point average. An
963 eligible Benacquisto Scholar who has fewer than 12 credits
964 remaining to complete his or her first baccalaureate degree may
965 receive funding for one term in order to complete the degree.

966 (b) A student's renewal status is not affected by
967 subsequent changes in the residency status of the student or the
968 residency status of the student's family.

969 (c) ~~(b)~~ A student may receive the scholarship award for a
970 maximum of 100 percent of the number of credit hours required to
971 complete a baccalaureate degree program, or until completion of
972 a baccalaureate degree program, whichever comes first.

973 (d) A student may receive an award for up to 5 years
974 following high school graduation and may not receive the award
975 for more than 10 semesters.

976 (e) A student who receives an award under this program and
977 fails to meet the renewal requirements due to a verifiable
978 illness or other documented emergency may be granted an
979 exception pursuant to s. 1009.40(1)(b)4.

980 Section 13. Subsection (2) and paragraphs (e) and (f) of
981 subsection (3) of section 1011.45, Florida Statutes, are
982 amended, and paragraph (g) is added to subsection (3) of that
983 section, to read:

984 1011.45 End of year balance of funds.—Unexpended amounts
985 in any fund in a university current year operating budget shall
986 be carried forward and included as the balance forward for that
987 fund in the approved operating budget for the following year.

988 (2) Each university that retains a state operating fund
989 carry forward balance in excess of the 7 percent minimum shall
990 submit a spending plan for its excess carry forward balance. The
991 spending plan shall be submitted to the university's board of
992 trustees for review, approval, or, if necessary, amendment by
993 September 30 ~~1~~, 2020, and each September 30 ~~1~~ thereafter. The
994 Board of Governors shall review, approve, and amend, if
995 necessary, each university's carry forward spending plan by
996 November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~
997 thereafter.

998 (3) A university's carry forward spending plan shall
999 include the estimated cost per planned expenditure and a
1000 timeline for completion of the expenditure. Authorized

1001 expenditures in a carry forward spending plan may include:

1002 (e) Operating expenditures that support the university
1003 mission and that are nonrecurring; ~~and~~

1004 (f) Any purpose specified by the board or in the General
1005 Appropriations Act; and

1006 (g) A commitment of funds to a contingency reserve for
1007 expenses incurred as a result of a state of emergency declared
1008 by the Governor pursuant to s. 252.36.

1009 Section 14. Subsection (4) of section 1011.90, Florida
1010 Statutes, is amended to read:

1011 1011.90 State university funding.—

1012 (4) The Board of Governors shall establish and validate a
1013 cost-estimating system consistent with the requirements of
1014 subsection (1) and shall report as part of its legislative
1015 budget request the actual expenditures for the fiscal year
1016 ending the previous June 30. The legislative budget request must
1017 also include 5-year trend information on the number of faculty
1018 and administrators at each university and the proportion of FTE
1019 dedicated to instruction and research compared to
1020 administration. The Board of Governors, by regulation, shall
1021 define faculty and administrator classifications and shall also
1022 report the definitions in the legislative budget request. The
1023 growth rate of administrators at a state university may not
1024 exceed the growth rate of faculty at such university.

1025 Expenditure analysis, operating budgets, and annual financial

1026 statements of each university must be prepared using the
 1027 standard financial reporting procedures and formats prescribed
 1028 by the Board of Governors. These formats shall be the same as
 1029 used for the 2000-2001 fiscal year reports. Any revisions to
 1030 these financial and reporting procedures and formats must be
 1031 approved by the Executive Office of the Governor and the
 1032 appropriations committees of the Legislature jointly under ~~the~~
 1033 ~~provisions of~~ s. 216.023(3). The Board of Governors shall
 1034 continue to collect and maintain at a minimum management
 1035 information existing on June 30, 2002. The expenditure analysis
 1036 report shall include total expenditures from all sources for the
 1037 general operation of the university and shall be in such detail
 1038 as needed to support the legislative budget request.

1039 Section 15. Subsection (4) of section 1013.45, Florida
 1040 Statutes, is amended, and paragraph (f) is added to subsection
 1041 (1) of that section, to read:

1042 1013.45 Educational facilities contracting and
 1043 construction techniques.—

1044 (1) Boards may employ procedures to contract for
 1045 construction of new facilities, or for additions, remodeling,
 1046 renovation, maintenance, or repairs to existing facilities, that
 1047 will include, but not be limited to:

1048 (f) University boards of trustees may use other factors,
 1049 including price, for the procurement of construction management
 1050 and program management in accordance with regulations of the

1051 Board of Governors.

1052 (4) Except as otherwise provided in this section and s.
1053 481.229, the services of a registered architect must be used for
1054 the development of plans for the erection, enlargement, or
1055 alteration of any educational facility. The services of a
1056 registered architect are not required for a minor renovation
1057 project for which the construction cost is less than \$50,000 or
1058 for the placement or hookup of relocatable educational
1059 facilities that conform with standards adopted under s. 1013.37.
1060 However, boards must provide compliance with building code
1061 requirements and ensure that these structures are adequately
1062 anchored for wind resistance as required by law. A district
1063 school board shall reuse existing construction documents or
1064 design criteria packages if such reuse is feasible and
1065 practical. If a school district's 5-year educational facilities
1066 work plan includes the construction of two or more new schools
1067 for students in the same grade group and program, such as
1068 elementary, middle, or high school, the district school board
1069 shall require that prototype design and construction be used for
1070 the construction of these schools. Notwithstanding s. 287.055, a
1071 board may purchase the architectural services for the design of
1072 educational or ancillary facilities under an existing contract
1073 agreement for professional services held by a district school
1074 board in the State of Florida, provided that the purchase is to
1075 the economic advantage of the purchasing board, the services

1076 conform to the standards prescribed by rules of the State Board
 1077 of Education, and such reuse is not without notice to, and
 1078 permission from, the architect of record whose plans or design
 1079 criteria are being reused. Plans shall be reviewed for
 1080 compliance with the State Requirements for Educational
 1081 Facilities. Rules adopted under this section must establish
 1082 uniform prequalification, selection, bidding, and negotiation
 1083 procedures applicable to construction management contracts and
 1084 the design-build process. This section does not supersede any
 1085 small, woman-owned or minority-owned business enterprise
 1086 preference program adopted by a board. Except as otherwise
 1087 provided in this section, the ~~negotiation~~ procedures applicable
 1088 to construction management, program management, ~~contracts~~ and
 1089 the design-build process must conform to the requirements of s.
 1090 287.055. ~~A board may not modify any rules regarding construction~~
 1091 ~~management contracts or the design-build process.~~

1092 Section 16. Paragraph (b) of subsection (2), paragraph (b)
 1093 of subsection (3), and paragraphs (e) and (f) of subsection (4)
 1094 of section 1013.841, Florida Statutes, are amended, and
 1095 paragraph (g) is added to subsection (4) of that section, to
 1096 read:

1097 1013.841 End of year balance of Florida College System
 1098 institution funds.—

1099 (2) (b) Each Florida College System institution with a
 1100 final FTE less than 15,000 for the prior year that retains a

1101 state operating fund carry forward balance in excess of the 5
1102 percent minimum shall submit a spending plan for its excess
1103 carry forward balance. The spending plan shall include all
1104 excess carry forward funds from state operating funds. The
1105 spending plan shall be submitted to the Florida College System
1106 institution's board of trustees for approval by September 30 ~~±~~,
1107 2020, and each September 30 ~~±~~ thereafter. The State Board of
1108 Education shall review and publish each Florida College System
1109 institution's carry forward spending plan by November 15 ~~October~~
1110 ~~±~~, 2020, and each November 15 ~~October~~ ~~±~~ thereafter.

1111 (3) (b) Each Florida College System institution with a
1112 final FTE of 15,000 or greater for the prior year that retains a
1113 state operating fund carry forward balance in excess of the 7
1114 percent minimum shall submit a spending plan for its excess
1115 carry forward balance. The spending plan shall include all
1116 excess carry forward funds from state operating funds. The
1117 spending plan shall be submitted to the Florida College System
1118 institution's board of trustees for approval by September 30 ~~±~~,
1119 2020, and each September 30 ~~±~~ thereafter. The State Board of
1120 Education shall review and publish each Florida College System
1121 institution's carry forward spending plan by November 15 ~~October~~
1122 ~~±~~, 2020, and each November 15 ~~October~~ ~~±~~ thereafter.

1123 (4) A Florida College System institution identified in
1124 paragraph (3) (a) must include in its carry forward spending plan
1125 the estimated cost per planned expenditure and a timeline for

1126 completion of the expenditure. Authorized expenditures in a
1127 carry forward spending plan may include:

1128 (e) Operating expenditures that support the Florida
1129 College System institution's mission which are nonrecurring; ~~and~~

1130 (f) Any purpose approved by the state board or specified
1131 in the General Appropriations Act; and

1132 (g) A commitment of funds to a contingency reserve for
1133 expenses incurred as a result of a state of emergency declared
1134 by the Governor pursuant to s. 252.36.

1135 Section 17. Except as otherwise expressly provided in this
1136 act and except for this section, which shall take effect upon
1137 this act becoming a law, this act shall take effect July 1,
1138 2020.