

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Rodrigues, R. offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (21) of section 287.057, Florida
6 Statutes, is amended to read:

7 287.057 Procurement of commodities or contractual
8 services.—

9 (21) An agency may contract for services with any
10 independent, nonprofit college or university which is located
11 within the state on the same basis as it may contract with any
12 state university or college if the independent, nonprofit
13 college or university:

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

14 (a) and Is accredited by the Southern Association of
15 Colleges and Schools; ~~or, on the same basis as it may contract~~
16 ~~with any state university and college~~

17 (b) Is authorized to operate within this state pursuant to
18 chapter 1005, offers a professional degree, and is accredited by
19 the Middle States Commission on Higher Education.

20 Section 2. Paragraph (c) of subsection (18) of section
21 1001.03, Florida Statutes, is amended to read:

22 1001.03 Specific powers of State Board of Education.—

23 (18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of
24 Education shall develop and submit the prioritized list required
25 by s. 1013.64(4). Projects considered for prioritization shall
26 be chosen from a preliminary selection group which shall include
27 the list of projects maintained pursuant to paragraph (d) and
28 the top two priorities of each Florida College System
29 institution.

30 (c) A new construction, remodeling, or renovation project
31 that has not received an appropriation in a previous year shall
32 not be considered for inclusion on the prioritized list required
33 by s. 1013.64(4), unless:

34 1. A plan is provided to reserve funds in an escrow
35 account, specific to the project, into which shall be deposited
36 each year an amount of funds equal to 0.5 percent of the total
37 value of the building for future maintenance;

38 2. There exists ~~are~~ sufficient capacity within the cash

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

39 and bonding estimate of funds by the Revenue Estimating
40 Conference to accommodate the project ~~excess funds from the~~
41 ~~allocation provided pursuant to s. 1013.60~~ within the 3-year
42 Public Education Capital Outlay funding cycle ~~planning period~~
43 ~~which are not needed to complete the projects listed pursuant to~~
44 ~~paragraph (d); and~~

45 3. The project has been recommended pursuant to s.
46 1013.31.

47 Section 3. Subsection (19) of section 1001.64, Florida
48 Statutes, is amended to read:

49 1001.64 Florida College System institution boards of
50 trustees; powers and duties.—

51 (19) Each board of trustees shall appoint, suspend, or
52 remove the president of the Florida College System institution.
53 The board of trustees shall ~~may~~ appoint a search committee. The
54 search committee shall be comprised of no more than 15 members,
55 three of whom must be members of the board of trustees and, if
56 applicable, one of whom must be the president of the alumni
57 association or his or her designee. Additional members must be
58 individuals from the institution's faculty, the student body,
59 the institution's foundation board, and, if applicable, the
60 institution's financing corporation board. However, none of the
61 individuals selected to serve on the search committee may hold
62 positions that report directly to the president. The chair of
63 the board of trustees shall appoint a member of the search

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

64 committee who is a member of the board of trustees to serve as
65 chair of the committee. A search committee must recommend at
66 least three candidates for selection by the board of trustees.

67 The board of trustees shall conduct annual evaluations of the
68 president in accordance with rules of the State Board of
69 Education and submit such evaluations to the State Board of
70 Education for review. The evaluation must address the
71 achievement of the performance goals established by the
72 accountability process implemented pursuant to s. 1008.45 and
73 the performance of the president in achieving the annual and
74 long-term goals and objectives established in the Florida
75 College System institution's employment accountability program
76 implemented pursuant to s. 1012.86.

77 Section 4. Paragraph (a) of subsection (6) and paragraph
78 (a) of subsection (7) of section 1001.706, Florida Statutes, are
79 amended, to read:

80 1001.706 Powers and duties of the Board of Governors.—

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

82 (a) The Board of Governors, or the board's designee, shall
83 establish the personnel program for all employees of a state
84 university. The Board of Governors shall confirm the
85 presidential selection and reappointment by a university board
86 of trustees as a means of acknowledging that system cooperation
87 is expected. A presidential search committee must recommend at
88 least three candidates for selection by the university board of

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

89 trustees.

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

91 (a) The Board of Governors shall develop guidelines for
92 university boards of trustees relating to the acquisition of
93 real and personal property and the sale and disposal thereof and
94 the approval and execution of contracts for the purchase, sale,
95 lease, license, or acquisition of commodities, goods, equipment,
96 contractual services, leases of real and personal property, and
97 construction. The acquisition may include purchase by
98 installment or lease-purchase. Such contracts may provide for
99 payment of interest on the unpaid portion of the purchase price.
100 Title to all real property acquired prior to January 7, 2003,
101 and to all real property acquired with funds appropriated by the
102 Legislature shall be vested in the Board of Trustees of the
103 Internal Improvement Trust Fund and shall be transferred and
104 conveyed by it. ~~Notwithstanding any other provisions of this~~
105 ~~subsection, each board of trustees shall comply with the~~
106 ~~provisions of s. 287.055 for the procurement of professional~~
107 ~~services as defined therein.~~ Any acquisition pursuant to this
108 paragraph is subject to the provisions of s. 1010.62.

109 Section 5. Effective upon this act becoming a law,
110 subsections (2), (5), and (7) of section 1001.7065, Florida
111 Statutes, are amended to read:

112 1001.7065 Preeminent state research universities program.—

113 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

114 following academic and research excellence standards are
115 established for the preeminent state research universities
116 program and shall be reported annually in the Board of Governors
117 Accountability Plan:

118 (a) An average weighted grade point average of 4.0 or
119 higher on a 4.0 scale and an average SAT score of ~~1800 or higher~~
120 ~~on a 2400-point scale or~~ 1200 or higher on a 1600-point scale or
121 an average ACT score of 25 or higher on a 36 score scale, using
122 the latest published national concordance table developed
123 jointly by the College Board and ACT, Inc., for fall semester
124 incoming freshmen, as reported annually.

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

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

132 (d) A 4-year graduation rate of 60 percent or higher for
133 full-time, first-time-in-college students, ~~as reported annually~~
134 ~~to the IPEDS. However, for the 2018 determination of a state~~
135 ~~university's preeminence designation and the related~~
136 ~~distribution of the 2018-2019 fiscal year appropriation~~
137 ~~associated with preeminence and emerging preeminence, a~~
138 ~~university is considered to have satisfied this graduation rate~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

139 ~~measure by attaining a 6-year graduation rate of 70 percent or~~
140 ~~higher by October 1, 2017, for full-time, first-time-in-college~~
141 ~~students, as reported to the IPEDS and confirmed by the Board of~~
142 ~~Governors.~~

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

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

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

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

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

160 (j) Four hundred or more doctoral degrees awarded
161 annually, including professional doctoral degrees awarded in
162 medical and health care disciplines, ~~as reported in the Board of~~
163 ~~Governors Annual Accountability Report.~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

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

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

168 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
169 SUPPORT.—

170 (a) A state university that is designated as a preeminent
171 state research university shall submit to the Board of Governors
172 a 5-year benchmark plan with target rankings on key performance
173 metrics for national excellence. Upon approval by the Board of
174 Governors, and upon the university's meeting the benchmark plan
175 goals annually, the Board of Governors shall award the
176 university its proportionate share of any funds provided
177 annually to support the program created under this section.

178 (b) A state university designated as an emerging
179 preeminent state research university shall submit to the Board
180 of Governors a 5-year benchmark plan with target rankings on key
181 performance metrics for national excellence. ~~Upon approval by~~
182 ~~the Board of Governors, and upon the university's meeting the~~
183 ~~benchmark plan goals annually, the Board of Governors shall~~
184 ~~award the university its proportionate share of any funds~~
185 ~~provided annually to support the program created under this~~
186 ~~section.~~

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

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

189 preeminent state research universities program created under
190 this section. Funding increases appropriated beyond the amounts
191 funded in the previous fiscal year shall be distributed to as
192 ~~follows:~~

193 ~~1.~~ each designated preeminent state research university
194 that meets the criteria in paragraph (a). Each designated
195 preeminent state research university shall receive an equal
196 amount of funding.

197 ~~2.~~ ~~Each designated emerging preeminent state research~~
198 ~~university that meets the criteria in paragraph (b) shall,~~
199 ~~beginning in the 2018-2019 fiscal year, receive an amount of~~
200 ~~funding that is equal to one-fourth of the total increased~~
201 ~~amount awarded to each designated preeminent state research~~
202 ~~university.~~

203 (7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE
204 THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors
205 shall establish standards and measures whereby state
206 universities that focus on one core competency unique to the
207 State University System that achieves excellence at the national
208 or state level, meets state workforce needs, and fosters an
209 innovation economy that focuses on areas such as health care,
210 security, transportation, and science, technology, engineering,
211 and mathematics (STEM), including supply chain management,
212 ~~individual undergraduate, graduate, and professional degree~~
213 ~~programs in state universities which objectively reflect~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

214 ~~national excellence~~ can be identified. The Board of Governors
215 may annually submit such programs, excluding those from
216 preeminent state research universities, and make recommendations
217 to the Legislature by January ~~September~~ 1 for funding, 2018, as
218 ~~to how any such programs could be enhanced and promoted.~~

219 Section 6. Subsection (1) of section 1001.92, Florida
220 Statutes, is amended to read:

221 1001.92 State University System Performance-Based
222 Incentive.—

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

231 (a) The 4-year graduation rate for first-time-in-college
232 students;

233 (b) Beginning in fiscal year 2021-2022, the 2-year
234 graduation rate for associate in arts transfer students ~~rates;~~

235 (c) Retention rates;

236 (d) Postgraduation education rates;

237 (e) Degree production;

238 (f) Affordability;

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

239 (g) Postgraduation employment and salaries, including wage
240 thresholds that reflect the added value of a baccalaureate
241 degree;

242 (h) Access rate, based on the percentage of undergraduate
243 students enrolled during the fall term who received a Pell Grant
244 during the fall term; and

245 (i) Beginning in fiscal year 2021-2022, the 6-year
246 graduation rate for students who are awarded a Pell Grant in
247 their first year.

248
249 The Board of Governors may approve ~~and other metrics approved by~~
250 ~~the board~~ in a publicly ~~formally~~ noticed meeting. The board
251 shall adopt benchmarks to evaluate each state university's
252 performance on the metrics to measure the state university's
253 achievement of institutional excellence or need for improvement
254 and minimum requirements for eligibility to receive performance
255 funding. Benchmarks and metrics may not be adjusted after
256 university performance data has been received by the Board of
257 Governors ~~Access rate benchmarks must be differentiated and~~
258 ~~scored to reflect the varying access rate levels among the state~~
259 ~~universities; however, the scoring system may not include bonus~~
260 ~~points.~~

261 Section 7. Subsection (4) of section 1004.085, Florida
262 Statutes, is amended to read:

263 1004.085 Textbook and instructional materials

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

264 affordability.—

265 (4) Each Florida College System institution and state
266 university board of trustees is authorized to adopt policies in
267 consultation with providers, including bookstores, which allow
268 for the use of innovative pricing techniques and payment options
269 for textbooks and instructional materials. Such policies may
270 include bulk pricing arrangements that enable students to
271 purchase course materials or texts that are delivered digitally;
272 delivered through other technologies that are, or the licenses
273 of which are, required for use within a course; or delivered in
274 a print format. Innovative pricing techniques and payment
275 options must include an opt-in or opt-out provision for students
276 and may be approved only if there is documented evidence that
277 the options reduce the cost of textbooks and instructional
278 materials for students taking a course.

279 Section 8. Effective upon this act becoming a law,
280 paragraph (c) of subsection (2) of section 1004.346, Florida
281 Statutes, is amended to read:

282 1004.346 Florida Industrial and Phosphate Research
283 Institute.—

284 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
285 Research and Activities Board is created to monitor the
286 expenditure of funds appropriated to the university from the
287 Phosphate Research Trust Fund.

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

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

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

293 Section 9. Section 1004.6499, Florida Statutes, is created
294 to read:

295 1004.6499 Florida Institute for Great Citizenship.-

296 (1) The Florida Institute for Great Citizenship is
297 established at the Florida State University for the purpose of
298 providing Floridians with a bipartisan, world-class institute
299 for intellectual diversity.

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

301 (a) Create undergraduate, graduate, post-doctoral, and
302 professional-level fellowship opportunities for advanced study
303 in civic literacy and engagement, political history, public
304 policy, government institutions, debate, and civic discourse.

305 (b) Create regular forums for civic engagement and public
306 policy discussions that are open to all students and the general
307 public, thereby fostering civil discourse and the development of
308 public policy research.

309 (c) Create a shared understanding of government
310 institutions, their history, and the development of public
311 policy through the publishing of publicly accessible research
312 and materials.

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

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

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

316 (e) Become a national and state resource on polling
317 information and survey methodology.

318 (3) The institute shall establish affiliate institutes at
319 the University of Florida with a focus on American ideals and at
320 Florida International University with a focus on free market
321 economics.

322 Section 10. Section 1009.50, Florida Statutes, is amended
323 to read:

324 1009.50 Florida Public Student Assistance Grant Program;
325 eligibility for grants.—

326 (1) There is hereby created a Florida Public Student
327 Assistance Grant Program. The program shall be administered by
328 the participating institutions in accordance with rules of the
329 state board.

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

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

339 ~~for 30 credit hours at state universities or such other amount~~
340 ~~as~~ specified in the General Appropriations Act, ~~to any~~
341 ~~recipient~~. A demonstrated unmet need of less than \$200 shall
342 render the applicant ineligible for a state student assistance
343 grant. Recipients of the grants must have been accepted at a
344 state university or Florida College System institution
345 authorized by Florida law. If funds are available, a student who
346 received an award in the fall or spring term may receive an
347 award in the summer term. Priority in the distribution of summer
348 awards shall be given to students who are within one semester of
349 completing a degree program and students who have not yet earned
350 at least 9 semester hours by attendance at one or more summer
351 sessions. A student is eligible for the award for 110 percent of
352 the number of credit hours required to complete the program in
353 which enrolled, except as otherwise provided in s. 1009.40(3).

354 (b) A student applying for a Florida public student
355 assistance grant shall be required to apply for the Pell Grant.
356 The Pell Grant entitlement shall be considered when conducting
357 an assessment of the financial resources available to each
358 student.

359 (c) Priority in the distribution of grant moneys may be
360 given to students who are within one semester of completing a
361 degree program. ~~shall be given to students with the lowest total~~
362 ~~family resources, in accordance with a nationally recognized~~
363 ~~system of need analysis. Using the system of need analysis, the~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

364 ~~department shall establish a maximum expected family~~
365 ~~contribution.~~ An institution may not make a grant from this
366 program to a student whose expected family contribution exceeds
367 one and one-half times the maximum Pell Grant-eligible family
368 contribution level established by the department. An institution
369 may not impose additional criteria to determine a student's
370 eligibility to receive a grant award.

371 (d) Each participating institution shall report~~7~~ to the
372 department by the established date~~7~~, the ~~eligible~~ students
373 eligible for the program for to whom grant moneys are disbursed
374 each academic term. Each institution shall also report to the
375 department necessary demographic and eligibility data for such
376 students.

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

383 (4) (a) The funds appropriated for the Florida Public
384 Student Assistance Grant shall be distributed to eligible
385 institutions in accordance with a formula approved by the State
386 Board of Education. The formula must ~~shall~~ consider at least the
387 prior year's distribution of funds, the number of ~~full-time~~
388 eligible applicants who did not receive awards, the

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

389 standardization of the expected family contribution, and
390 provisions for unused funds. The formula must account for
391 changes in the number of eligible students across all student
392 assistance grant programs established pursuant to this section
393 and ss. 1009.505, 1009.51, and 1009.52.

394 (b) Payment of Florida public student assistance grants
395 shall be transmitted to the president of the state university or
396 Florida College System institution, or to his or her
397 representative, in advance of the registration period.
398 Institutions shall notify students of the amount of their
399 awards.

400 (c) The eligibility status of each student to receive a
401 disbursement shall be determined by each institution as of the
402 end of its regular registration period, inclusive of a drop-add
403 period. Institutions shall not be required to reevaluate a
404 student's eligibility status after this date for purposes of
405 changing eligibility determinations previously made.

406 (d) Institutions shall certify to the department within 30
407 days after the end of regular registration each term the amount
408 of funds disbursed to each student and shall remit to the
409 department any undisbursed advances within 60 days after the end
410 of regular registration each spring term. An exception to the
411 remittance deadline may be granted if the institution documents
412 to the department how it plans to disburse awards to students
413 for the subsequent summer term. An institution that uses funds

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

414 for the summer term shall certify to the department the amount
415 of funds disbursed to each student and shall remit to the
416 department any undisbursed advances within 30 days after the end
417 of the summer term.

418 (e) Each institution that receives moneys through the
419 Florida Public Student Assistance Grant Program shall prepare a
420 biennial report that includes a financial audit, conducted by
421 the Auditor General, of the institution's administration of the
422 program and a complete accounting of moneys allocated to the
423 institution for the program. Such report shall be submitted to
424 the department by March 1 every other year. The department may
425 conduct its own annual or biennial audit of an institution's
426 administration of the program and its allocated funds in lieu of
427 the required biennial report and financial audit report. The
428 department may suspend or revoke an institution's eligibility to
429 receive future moneys for the program or may request a refund of
430 any moneys overpaid to the institution for the program if the
431 department finds that an institution has not complied with this
432 section. Any refund requested pursuant to this paragraph shall
433 be remitted within 60 days after notification by the department
434 any advances by June 1 of each year.

435 (5) Funds appropriated by the Legislature for state
436 student assistance grants may be deposited in the State Student
437 Financial Assistance Trust Fund. Notwithstanding ~~the provisions~~
438 ~~of~~ s. 216.301 and pursuant to s. 216.351, any balance in the

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

439 trust fund at the end of any fiscal year which has been
440 allocated to the Florida Public Student Assistance Grant Program
441 shall remain therein and shall be available for carrying out the
442 purposes of this section.

443 (6) The State Board of Education shall establish rules
444 necessary to implement this section.

445 Section 11. Subsections (5) and (6) of section 1009.505,
446 Florida Statutes, are renumbered as subsections (6) and (7),
447 respectively, a new subsection (5) is added to that section, and
448 subsections (3) and (4) of that section are amended, to read:

449 1009.505 Florida Public Postsecondary Career Education
450 Student Assistance Grant Program.—

451 (3)(a) Student assistance grants through the program may
452 be made only to certificate-seeking students enrolled at least
453 half-time in a public postsecondary career certificate program
454 who meet the general requirements for student eligibility as
455 provided in s. 1009.40, except as otherwise provided in this
456 section. The grants shall be awarded annually to any recipient
457 for the amount of demonstrated unmet need for the cost of
458 education and may not exceed the ~~average annual cost of tuition~~
459 ~~and registration fees or such other~~ amount as specified in the
460 General Appropriations Act. Priority in the distribution of
461 grant moneys may be given to students who are within one
462 semester of completing a certificate program. A demonstrated
463 unmet need of less than \$200 shall render the applicant

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

464 ineligible for a grant under this section. Recipients of the
465 grants must have been accepted at a Florida College System
466 institution authorized by Florida law or a career center
467 operated by a district school board under s. 1001.44. If funds
468 are available, a student who received an award in the fall or
469 spring term may receive an award in the summer term. Priority in
470 the distribution of summer awards shall be given to students who
471 are within one term of completing a certificate program. A
472 student is eligible for the award for 110 percent of the number
473 of clock hours required to complete the program in which
474 enrolled.

475 (b) A student applying for a Florida public postsecondary
476 career education student assistance grant shall be required to
477 apply for the Pell Grant. A Pell Grant entitlement shall be
478 considered when conducting an assessment of the financial
479 resources available to each student; however, a Pell Grant
480 entitlement shall not be required as a condition of receiving a
481 grant under this section.

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

488 (4) (a) The funds appropriated for the Florida Public

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

489 Postsecondary Career Education Student Assistance Grant Program
490 shall be distributed to eligible Florida College System
491 institutions and district school boards in accordance with a
492 formula approved by the department. The formula must account for
493 changes in the number of eligible students across all student
494 assistance grant programs established pursuant to this section
495 and ss. 1009.50, 1009.51, and 1009.52.

496 (b) Payment of Florida public postsecondary career
497 education student assistance grants shall be transmitted to the
498 president of the Florida College System institution or to the
499 district school superintendent, or to the designee thereof, in
500 advance of the registration period. Institutions shall notify
501 students of the amount of their awards.

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

508 (d) Participating institutions shall certify to the
509 department within 30 days after the end of regular registration
510 each term the amount of funds disbursed to each student and
511 shall remit to the department any undisbursed advances within 60
512 days after the end of regular registration each spring term. An
513 exception to the remittance deadline may be granted if the

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

514 institution documents to the department how it plans to disburse
515 awards to students for the subsequent summer term. An
516 institution that uses funds for the summer term shall certify to
517 the department the amount of funds disbursed to each student and
518 shall remit to the department any undisbursed advances within 30
519 days after the end of the summer term.

520 (e) Each institution that receives moneys through the
521 Florida Public Postsecondary Career Education Student Assistance
522 Grant Program shall prepare a biennial report that includes a
523 financial audit, conducted by the Auditor General, of the
524 institution's administration of the program and a complete
525 accounting of moneys allocated to the institution for the
526 program. Such report shall be submitted to the department by
527 March 1 every other year. The department may conduct its own
528 annual or biennial audit of an institution's administration of
529 the program and its allocated funds in lieu of the required
530 biennial report and financial audit report. The department may
531 suspend or revoke an institution's eligibility to receive future
532 moneys for the program or may request a refund of any moneys
533 overpaid to the institution if the department finds that an
534 institution has not complied with this section. Any refund
535 requested pursuant to this paragraph shall be remitted within 60
536 days after notification by the department.

537 (5) Funds appropriated by the Legislature for state
538 student assistance grants may be deposited in the State Student

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

539 Financial Assistance Trust Fund. Notwithstanding s. 216.301 and
540 pursuant to s. 216.351, any balance in the trust fund at the end
541 of any fiscal year which has been allocated to the Florida
542 Public Postsecondary Career Education Student Assistance Grant
543 Program shall remain therein and shall be available for carrying
544 out the purposes of this section by June 1 of each year.

545 Section 12. Section 1009.51, Florida Statutes, is amended
546 to read:

547 1009.51 Florida Private Student Assistance Grant Program;
548 eligibility for grants.—

549 (1) There is created a Florida Private Student Assistance
550 Grant Program. The program shall be administered by the
551 participating institutions in accordance with rules of the State
552 Board of Education.

553 (2) (a) Florida private student assistance grants ~~from the~~
554 ~~State Student Financial Assistance Trust Fund~~ may be made only
555 to full-time degree-seeking students who meet the general
556 requirements for student eligibility as provided in s. 1009.40,
557 except as otherwise provided in this section. Such grants shall
558 be awarded for the amount of demonstrated unmet need for tuition
559 and fees and may not exceed the maximum annual award ~~an~~ amount
560 ~~equal to the average tuition and other registration fees for 30~~
561 ~~credit hours at state universities plus \$1,000 per academic~~
562 ~~year, or as specified in the General Appropriations Act, to any~~
563 ~~applicant.~~ A demonstrated unmet need of less than \$200 shall

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

564 render the applicant ineligible for a Florida private student
565 assistance grant. Recipients of such grants must have been
566 accepted at a baccalaureate-degree-granting independent
567 nonprofit college or university, which is accredited by the
568 Commission on Colleges of the Southern Association of Colleges
569 and Schools and which is located in and chartered as a domestic
570 corporation by the state. If funds are available, a student who
571 received an award in the fall or spring term may receive an
572 award in the summer term. Priority in the distribution of summer
573 awards shall be given to students who are within one semester of
574 completing a degree or certificate program. No student may
575 receive an award for more than the equivalent of 9 semesters or
576 14 quarters of full-time enrollment, except as otherwise
577 provided in s. 1009.40(3).

578 (b) A student applying for a Florida private student
579 assistance grant shall be required to apply for the Pell Grant.
580 The Pell Grant entitlement shall be considered when conducting
581 an assessment of the financial resources available to each
582 student.

583 (c) Priority in the distribution of grant moneys may be
584 given to students who are within one semester of completing a
585 degree or certificate program ~~shall be given to students with~~
586 ~~the lowest total family resources, in accordance with a~~
587 ~~nationally recognized system of need analysis. Using the system~~
588 ~~of need analysis, the department shall establish a maximum~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

589 ~~expected family contribution.~~ An institution may not make a
590 grant from this program to a student whose expected family
591 contribution exceeds one and one-half times the maximum Pell
592 Grant-eligible family contribution ~~the level established by the~~
593 ~~department.~~ An institution may not impose additional criteria to
594 determine a student's eligibility to receive a grant award.

595 (d) Each participating institution shall report, to the
596 department by the established date, the ~~eligible~~ students
597 eligible for the program for to whom grant moneys are disbursed
598 each academic term. Each institution shall also report to the
599 department necessary demographic and eligibility data for such
600 students.

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

607 (4) (a) The funds appropriated for the Florida Private
608 Student Assistance Grant shall be distributed to eligible
609 institutions in accordance with a formula approved by the State
610 Board of Education. The formula must ~~shall~~ consider at least the
611 prior year's distribution of funds, the number of ~~full-time~~
612 eligible applicants who did not receive awards, the
613 standardization of the expected family contribution, and

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

614 provisions for unused funds. The formula must account for
615 changes in the number of eligible students across all student
616 assistance grant programs established pursuant to this section
617 and ss. 1009.50, 1009.505, and 1009.52.

618 (b) Payment of Florida private student assistance grants
619 shall be transmitted to the president of the college or
620 university, or to his or her representative, in advance of the
621 registration period. Institutions shall notify students of the
622 amount of their awards.

623 (c) The eligibility status of each student to receive a
624 disbursement shall be determined by each institution as of the
625 end of its regular registration period, inclusive of a drop-add
626 period. Institutions shall not be required to reevaluate a
627 student's eligibility status after this date for purposes of
628 changing eligibility determinations previously made.

629 (d) Institutions shall certify to the department within 30
630 days after the end of regular registration each term the amount
631 of funds disbursed to each student and shall remit to the
632 department any undisbursed advances within 60 days after the end
633 of regular registration each spring term. An exception to the
634 remittance deadline may be granted if the institution documents
635 to the department how it plans to disburse awards to students
636 for the subsequent summer term. An institution that uses funds
637 for the summer term shall certify to the department the amount
638 of funds disbursed to each student and shall remit to the

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

639 | department any undisbursed advances within 30 days after the end
640 | of the summer term by June 1 of each year.

641 | (e) Each institution that receives moneys through the
642 | Florida Private Student Assistance Grant Program shall prepare a
643 | biennial report that includes a financial audit, conducted by an
644 | independent certified public accountant, of the institution's
645 | administration of the program and a complete accounting of
646 | moneys ~~in the State Student Financial Assistance Trust Fund~~
647 | allocated to the institution for the program. Such report shall
648 | be submitted to the department by March 1 every other year. The
649 | department may conduct its own annual or biennial audit of an
650 | institution's administration of the program and its allocated
651 | funds in lieu of the required biennial report and financial
652 | audit report. The department may suspend or revoke an
653 | institution's eligibility to receive future moneys ~~from the~~
654 | ~~trust fund~~ for the program or request a refund of any moneys
655 | overpaid to the institution ~~through the trust fund~~ for the
656 | program if the department finds that an institution has not
657 | complied with ~~the provisions of~~ this section. Any refund
658 | requested pursuant to this paragraph shall be remitted within 60
659 | days after notification by the department.

660 | (5) Funds appropriated by the Legislature for Florida
661 | private student assistance grants may be deposited in the State
662 | Student Financial Assistance Trust Fund. Notwithstanding ~~the~~
663 | ~~provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

664 in the trust fund at the end of any fiscal year which has been
665 allocated to the Florida Private Student Assistance Grant
666 Program shall remain therein and shall be available for carrying
667 out the purposes of this section and as otherwise provided by
668 law.

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

671 Section 13. Section 1009.52, Florida Statutes, is amended
672 to read:

673 1009.52 Florida Postsecondary Student Assistance Grant
674 Program; eligibility for grants.-

675 (1) There is created a Florida Postsecondary Student
676 Assistance Grant Program. The program shall be administered by
677 the participating institutions in accordance with rules of the
678 State Board of Education.

679 (2) (a) Florida postsecondary student assistance grants
680 ~~through the State Student Financial Assistance Trust Fund~~ may be
681 made only to full-time degree-seeking students who meet the
682 general requirements for student eligibility as provided in s.
683 1009.40, except as otherwise provided in this section. Such
684 grants shall be awarded for the amount of demonstrated unmet
685 need for tuition and fees and may not exceed the maximum annual
686 award ~~an amount equal to the average prior academic year cost of~~
687 ~~tuition and other registration fees for 30 credit hours at state~~
688 ~~universities plus \$1,000 per academic year, or as specified in~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

689 the General Appropriations Act, ~~to any applicant~~. A demonstrated
690 unmet need of less than \$200 shall render the applicant
691 ineligible for a Florida postsecondary student assistance grant.
692 Recipients of such grants must have been accepted at a
693 postsecondary institution that is located in this ~~the~~ state and
694 that is:

695 1. A private nursing diploma school approved by the
696 Florida Board of Nursing; or

697 2. A college or university licensed by the Commission for
698 Independent Education, excluding those institutions the students
699 of which are eligible to receive a Florida private student
700 assistance grant pursuant to s. 1009.51.

701
702 If funds are available, a student who received an award in the
703 fall or spring term may receive an award in the summer term.
704 Priority in the distribution of summer awards shall be given to
705 students who are within one semester of completing a degree or
706 certificate program. No student may receive an award for more
707 than the equivalent of 9 semesters or 14 quarters of full-time
708 enrollment, except as otherwise provided in s. 1009.40(3).

709 (b) A student applying for a Florida postsecondary student
710 assistance grant shall be required to apply for the Pell Grant.
711 The Pell Grant entitlement shall be considered when conducting
712 an assessment of the financial resources available to each
713 student.

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

714 (c) Priority in the distribution of grant moneys may be
715 given to students who are within one semester of completing a
716 degree or certificate program shall be given to students with
717 the lowest total family resources, in accordance with a
718 nationally recognized system of need analysis. Using the system
719 of need analysis, the department shall establish a maximum
720 expected family contribution. An institution may not make a
721 grant from this program to a student whose expected family
722 contribution exceeds one and one-half times the maximum Pell
723 Grant-eligible family contribution ~~the level established by the~~
724 ~~department.~~ An institution may not impose additional criteria to
725 determine a student's eligibility to receive a grant award.

726 (d) Each participating institution shall report~~7~~ to the
727 department by the established date~~7~~, the eligible students
728 eligible for the program for ~~to whom grant moneys are disbursed~~
729 each academic term. Each institution shall also report to the
730 department necessary demographic and eligibility data for such
731 students.

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

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

738 (4) (a) The funds appropriated for the Florida
739 Postsecondary Student Assistance Grant shall be distributed to
740 eligible institutions in accordance with a formula approved by
741 the State Board of Education. The formula must ~~shall~~ consider at
742 least the prior year's distribution of funds, the number of
743 ~~full-time~~ eligible applicants who did not receive awards, the
744 standardization of the expected family contribution, and
745 provisions for unused funds. The formula must account for
746 changes in the number of eligible students across all student
747 assistance grant programs established pursuant to this section
748 and ss. 1009.50, 1009.505, and 1009.51.

749 (b) Payment of Florida postsecondary student assistance
750 grants shall be transmitted to the president of the eligible
751 institution, or to his or her representative, in advance of the
752 registration period. Institutions shall notify students of the
753 amount of their awards.

754 (c) The eligibility status of each student to receive a
755 disbursement shall be determined by each institution as of the
756 end of its regular registration period, inclusive of a drop-add
757 period. Institutions shall not be required to reevaluate a
758 student's eligibility status after this date for purposes of
759 changing eligibility determinations previously made.

760 (d) Institutions shall certify to the department within 30
761 days after the end of regular registration each term the amount
762 of funds disbursed to each student and shall remit to the

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

763 department any undisbursed advances within 60 days after the end
764 of regular registration each spring term. An exception to the
765 remittance deadline may be granted if the institution documents
766 to the department how it plans to disburse awards to students
767 for the subsequent summer term. An institution that uses funds
768 for the summer term shall certify to the department the amount
769 of funds disbursed to each student and shall remit to the
770 department any undisbursed advances within 30 days after the end
771 of the summer term by June 1 of each year.

772 (e) Each institution that receives moneys through the
773 Florida Postsecondary Student Assistance Grant Program shall
774 prepare a biennial report that includes a financial audit,
775 conducted by an independent certified public accountant, of the
776 institution's administration of the program and a complete
777 accounting of moneys ~~in the State Student Financial Assistance~~
778 ~~Trust Fund allocated to the institution~~ for the program. Such
779 report shall be submitted to the department by March 1 every
780 other year. The department may conduct its own annual or
781 biennial audit of an institution's administration of the program
782 and its allocated funds in lieu of the required biennial report
783 and financial audit report. The department may suspend or revoke
784 an institution's eligibility to receive future moneys ~~from the~~
785 ~~trust fund~~ for the program or request a refund of any moneys
786 overpaid to the institution ~~through the trust fund~~ for the
787 program if the department finds that an institution has not

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

788 complied with ~~the provisions of~~ this section. Any refund
789 requested pursuant to this paragraph shall be remitted within 60
790 days after notification by the department.

791 (5) Any institution that was eligible to receive state
792 student assistance grants on January 1, 1989, and that is not
793 eligible to receive grants pursuant to s. 1009.51 is eligible to
794 receive grants pursuant to this section.

795 (6) Funds appropriated by the Legislature for Florida
796 postsecondary student assistance grants may be deposited in the
797 State Student Financial Assistance Trust Fund. Notwithstanding
798 ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any
799 balance in the trust fund at the end of any fiscal year which
800 has been allocated to the Florida Postsecondary Student
801 Assistance Grant Program shall remain therein and shall be
802 available for carrying out the purposes of this section and as
803 otherwise provided by law.

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

806 Section 14. Subsection (2) of section 1009.534, Florida
807 Statutes, is amended to read:

808 1009.534 Florida Academic Scholars award.—

809 (2) A Florida Academic Scholar who is enrolled in a
810 certificate, diploma, associate, or baccalaureate degree program
811 at a public or nonpublic postsecondary education institution is
812 eligible, ~~beginning in the 2017-2018 academic year,~~ for an award

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

813 equal to the amount necessary to pay 100 percent of tuition and
814 fees established under ss. 1009.22(3), (5), (6), and (7);
815 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
816 (13), (14)(r), and (16), as applicable, and is eligible for an
817 additional stipend ~~\$300 each fall and spring academic semester~~
818 ~~or the equivalent~~ for textbooks, to assist with the payment of
819 educational expenses as funds are specifically appropriated in
820 the General Appropriations Act.

821 Section 15. Subsection (2) of section 1009.535, Florida
822 Statutes, is amended to read:

823 1009.535 Florida Medallion Scholars award.—

824 (2) A Florida Medallion Scholar who is enrolled in a
825 certificate, diploma, associate, or baccalaureate degree program
826 at a public or nonpublic postsecondary education institution is
827 eligible, beginning in the fall 2018 semester, for an award
828 equal to the amount necessary to pay 75 percent of tuition and
829 fees established under ss. 1009.22(3), (5), (6), and (7);
830 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
831 (13), (14)(r), and (16), as applicable, to assist with the
832 payment of educational expenses. Beginning in the fall 2021
833 semester, a Florida Medallion Scholar who is enrolled in an
834 associate degree program at a Florida College System institution
835 is eligible for an award equal to the amount necessary to pay
836 100 percent of tuition and fees established under s. 1009.23(3),
837 (4), (7), (8), (10), and (11) to assist with the payment of

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

838 | educational expenses.

839 | Section 16. Subsections (2), (4), (5), and (6) of section
840 | 1009.893, Florida Statutes, are amended to read:

841 | 1009.893 Benacquisto Scholarship Program.—

842 | (2) The Benacquisto Scholarship Program is created to
843 | reward a high school graduate who receives recognition as a
844 | National Merit Scholar ~~or National Achievement Scholar~~ and who
845 | initially enrolls in the 2014-2015 academic year or, later, in a
846 | baccalaureate degree program at an eligible Florida public or
847 | independent postsecondary educational institution.

848 | (4) In order to be eligible for an initial award under the
849 | scholarship program, a student must meet the requirements of
850 | paragraph (a) or paragraph (b).

851 | (a) A student who is a resident of this state, as
852 | determined in s. 1009.40 and rules of the State Board of
853 | Education, must:

854 | 1. Earn a standard Florida high school diploma or its
855 | equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
856 | or s. 1003.435 unless:

857 | a. The student completes a home education program
858 | according to s. 1002.41; or

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

862 | 2. Be accepted by and enroll in a Florida public or

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

863 independent postsecondary educational institution that is
864 regionally accredited; and

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

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

873 1. Physically reside in this state on or near the campus
874 of the postsecondary educational institution in which the
875 student is enrolled;

876 2. Earn a high school diploma from a school outside
877 Florida which is comparable to a standard Florida high school
878 diploma or its equivalent pursuant to s. 1002.3105, s.
879 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home
880 education program in another state; and

881 3. Be accepted by and enrolled full-time in a
882 baccalaureate degree program at an eligible regionally
883 accredited Florida public or independent postsecondary
884 educational institution during the fall academic term following
885 high school graduation.

886 (5) (a) 1. An eligible student who meets the requirements of
887 paragraph (4) (a), who is a National Merit Scholar ~~or National~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

888 ~~Achievement Scholar~~, and who attends a Florida public
889 postsecondary educational institution shall receive a
890 scholarship award equal to the institutional cost of attendance
891 minus the sum of the student's Florida Bright Futures
892 Scholarship and National Merit Scholarship ~~or National~~
893 ~~Achievement Scholarship~~.

894 2. An eligible student who meets the requirements of
895 paragraph (4) (b), who is a National Merit Scholar, and who
896 attends a Florida public postsecondary educational institution
897 shall receive a scholarship award equal to the institutional
898 cost of attendance for a resident of this state minus the
899 student's National Merit Scholarship. Such student is exempt
900 from the payment of out-of-state fees.

901 (b) An eligible student who is a National Merit Scholar ~~or~~
902 ~~National Achievement Scholar~~ and who attends a Florida
903 independent postsecondary educational institution shall receive
904 a scholarship award equal to the highest cost of attendance for
905 a resident of this state enrolled at a Florida public
906 university, as reported by the Board of Governors of the State
907 University System, minus the sum of the student's Florida Bright
908 Futures Scholarship and National Merit Scholarship ~~or National~~
909 ~~Achievement Scholarship~~.

910 (6) (a) To be eligible for a renewal award, a student must
911 be enrolled full time, earn all credits for which he or she was
912 enrolled, and maintain a 3.0 or higher grade point average. An

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

913 eligible Benacquisto Scholar who has fewer than 12 credits
914 remaining to complete his or her first baccalaureate degree may
915 receive funding for one term in order to complete the degree.

916 (b) A student's renewal status is not affected by
917 subsequent changes in the residency status of the student or the
918 residency status of the student's family.

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

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

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

930 Section 17. Subsection (2) and paragraphs (e) and (f) of
931 subsection (3) of section 1011.45, Florida Statutes, are
932 amended, and paragraph (g) is added to subsection (3) of that
933 section, to read:

934 1011.45 End of year balance of funds.—Unexpended amounts
935 in any fund in a university current year operating budget shall
936 be carried forward and included as the balance forward for that
937 fund in the approved operating budget for the following year.

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

938 (2) Each university that retains a state operating fund
939 carry forward balance in excess of the 7 percent minimum shall
940 submit a spending plan for its excess carry forward balance. The
941 spending plan shall be submitted to the university's board of
942 trustees for review, approval, or, if necessary, amendment by
943 September 30 ~~1~~, 2020, and each September 30 ~~1~~ thereafter. The
944 Board of Governors shall review, approve, and amend, if
945 necessary, each university's carry forward spending plan by
946 November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~
947 thereafter.

948 (3) A university's carry forward spending plan shall
949 include the estimated cost per planned expenditure and a
950 timeline for completion of the expenditure. Authorized
951 expenditures in a carry forward spending plan may include:

952 (e) Operating expenditures that support the university
953 mission and that are nonrecurring; ~~and~~

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

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

959 Section 18. Subsection (4) of section 1011.90, Florida
960 Statutes, is amended to read:

961 1011.90 State university funding.—

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

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

963 cost-estimating system consistent with the requirements of
964 subsection (1) and shall report as part of its legislative
965 budget request the actual expenditures for the fiscal year
966 ending the previous June 30. The legislative budget request must
967 also include 5-year trend information on the number of faculty
968 and administrators at each university and the proportion of FTE
969 dedicated to instruction and research compared to
970 administration. The Board of Governors, by regulation, shall
971 define faculty and administrator classifications and shall also
972 report the definitions in the legislative budget request.

973 Expenditure analysis, operating budgets, and annual financial
974 statements of each university must be prepared using the
975 standard financial reporting procedures and formats prescribed
976 by the Board of Governors. These formats shall be the same as
977 used for the 2000-2001 fiscal year reports. Any revisions to
978 these financial and reporting procedures and formats must be
979 approved by the Executive Office of the Governor and the
980 appropriations committees of the Legislature jointly under ~~the~~
981 ~~provisions of~~ s. 216.023(3). The Board of Governors shall
982 continue to collect and maintain at a minimum management
983 information existing on June 30, 2002. The expenditure analysis
984 report shall include total expenditures from all sources for the
985 general operation of the university and shall be in such detail
986 as needed to support the legislative budget request.

987 Section 19. Section 1012.977, Florida Statutes, is created

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

988 to read:

989 1012.977 Disclosure of contracts that affect the integrity
990 of state universities or entities; penalties.-

991 (1) Any person employed by a state university or entity
992 engaging in research which was created or authorized pursuant to
993 part II of chapter 1004 consents to the policies of the
994 university or entity, the regulations of the Board of Governors,
995 and the laws of this state. At a minimum, such policies shall
996 require employees engaged in the design, conduct, or reporting
997 of research to disclose and receive a determination that the
998 outside activity or financial interest does not affect the
999 integrity of the state university or entity.

1000 (2) (a) "Financial interest" includes anything of value
1001 other than that provided directly by the university or entity.

1002 (b) "Outside activity" includes anything an employee does
1003 for an organization or an individual, other than the university
1004 or entity, that is related to the employee's expertise.

1005 (3) An employee who has failed to disclose any outside
1006 activity or financial interest as required by subsection (1)
1007 shall be suspended without pay pending the outcome of an
1008 investigation which shall not exceed 60 days. Upon conclusion of
1009 the investigation, the university or entity may terminate the
1010 contract of the employee.

1011 Section 20. Subsection (4) of section 1013.45, Florida
1012 Statutes, is amended, and paragraph (f) is added to subsection

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1013 (1) of that section, to read:

1014 1013.45 Educational facilities contracting and
1015 construction techniques.—

1016 (1) Boards may employ procedures to contract for
1017 construction of new facilities, or for additions, remodeling,
1018 renovation, maintenance, or repairs to existing facilities, that
1019 will include, but not be limited to:

1020 (f) The consideration of other factors, including price,
1021 for the procurement of construction management and program
1022 management by university boards of trustees in accordance with
1023 regulations of the Board of Governors.

1024 (4) Except as otherwise provided in this section and s.
1025 481.229, the services of a registered architect must be used for
1026 the development of plans for the erection, enlargement, or
1027 alteration of any educational facility. The services of a
1028 registered architect are not required for a minor renovation
1029 project for which the construction cost is less than \$50,000 or
1030 for the placement or hookup of relocatable educational
1031 facilities that conform with standards adopted under s. 1013.37.
1032 However, boards must provide compliance with building code
1033 requirements and ensure that these structures are adequately
1034 anchored for wind resistance as required by law. A district
1035 school board shall reuse existing construction documents or
1036 design criteria packages if such reuse is feasible and
1037 practical. If a school district's 5-year educational facilities

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1038 work plan includes the construction of two or more new schools
1039 for students in the same grade group and program, such as
1040 elementary, middle, or high school, the district school board
1041 shall require that prototype design and construction be used for
1042 the construction of these schools. Notwithstanding s. 287.055, a
1043 board may purchase the architectural services for the design of
1044 educational or ancillary facilities under an existing contract
1045 agreement for professional services held by a district school
1046 board in the State of Florida, provided that the purchase is to
1047 the economic advantage of the purchasing board, the services
1048 conform to the standards prescribed by rules of the State Board
1049 of Education, and such reuse is not without notice to, and
1050 permission from, the architect of record whose plans or design
1051 criteria are being reused. Plans shall be reviewed for
1052 compliance with the State Requirements for Educational
1053 Facilities. Rules adopted under this section must establish
1054 uniform prequalification, selection, bidding, and negotiation
1055 procedures applicable to construction management contracts and
1056 the design-build process. This section does not supersede any
1057 small, woman-owned or minority-owned business enterprise
1058 preference program adopted by a board. Except as otherwise
1059 provided in this section, the ~~negotiation~~ procedures applicable
1060 to construction management, program management, ~~contracts~~ and
1061 the design-build process must conform to the requirements of s.
1062 287.055. ~~A board may not modify any rules regarding construction~~

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1063 ~~management contracts or the design-build process.~~

1064 Section 21. Paragraph (b) of subsection (2), paragraph (b)
1065 of subsection (3), and subsection (4) of section 1013.841,
1066 Florida Statutes, are amended to read:

1067 1013.841 End of year balance of Florida College System
1068 institution funds.—

1069 (2)

1070 (b) Each Florida College System institution with a final
1071 FTE less than 15,000 for the prior year that retains a state
1072 operating fund carry forward balance in excess of the 5 percent
1073 minimum shall submit a spending plan for its excess carry
1074 forward balance. The spending plan shall include all excess
1075 carry forward funds from state operating funds. The spending
1076 plan shall be submitted to the Florida College System
1077 institution's board of trustees for approval by September 30 ~~1~~,
1078 2020, and each September 30 ~~1~~ thereafter. The State Board of
1079 Education shall review and publish each Florida College System
1080 institution's carry forward spending plan by November 15 ~~October~~
1081 ~~1~~, 2020, and each November 15 ~~October 1~~ thereafter.

1082 (3)

1083 (b) Each Florida College System institution with a final
1084 FTE of 15,000 or greater for the prior year that retains a state
1085 operating fund carry forward balance in excess of the 7 percent
1086 minimum shall submit a spending plan for its excess carry
1087 forward balance. The spending plan shall include all excess

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1088 carry forward funds from state operating funds. The spending
1089 plan shall be submitted to the Florida College System
1090 institution's board of trustees for approval by September 30 ~~1~~,
1091 2020, and each September 30 ~~1~~ thereafter. The State Board of
1092 Education shall review and publish each Florida College System
1093 institution's carry forward spending plan by November 15 ~~October~~
1094 ~~1~~, 2020, and each November 15 ~~October 1~~ thereafter.

1095 (4) A Florida College System institution identified in
1096 paragraph (3)(b) ~~(3)(a)~~ must include in its carry forward
1097 spending plan the estimated cost per planned expenditure and a
1098 timeline for completion of the expenditure. Authorized
1099 expenditures in a carry forward spending plan may include:

1100 (a) Commitment of funds to a public education capital
1101 outlay project for which an appropriation was previously
1102 provided, which requires additional funds for completion, and
1103 which is included in the list required by s. 1001.03(18)(d);

1104 (b) Completion of a renovation, repair, or maintenance
1105 project that is consistent with the provisions of s. 1013.64(1),
1106 up to \$5 million per project;

1107 (c) Completion of a remodeling or infrastructure project,
1108 up to \$10 million per project, if such project is survey
1109 recommended pursuant to s. 1013.31;

1110 (d) Completion of a repair or replacement project
1111 necessary due to damage caused by a natural disaster for

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1112 buildings included in the inventory required pursuant to s.
1113 1013.31;

1114 (e) Operating expenditures that support the Florida
1115 College System institution's mission which are nonrecurring; ~~and~~

1116 (f) Any purpose approved by the state board or specified
1117 in the General Appropriations Act; and

1118 (g) A commitment of funds to a contingency reserve for
1119 expenses incurred as a result of a state of emergency declared
1120 by the Governor pursuant to s. 252.36.

1121 Section 22. Except as otherwise expressly provided in this
1122 act and except for this section, which shall take effect upon
1123 this act becoming a law, this act shall take effect July 1,
1124 2020.

1126 -----

T I T L E A M E N D M E N T

1128 Remove everything before the enacting clause and insert:

1129 A bill to be entitled

1130 An act relating to higher education; amending s.
1131 287.057, F.S.; authorizing state agencies to contract
1132 with independent, nonprofit colleges and universities
1133 that meet specified requirements; amending s. 1001.03,
1134 F.S.; revising requirements for certain new
1135 construction, remodeling, or renovation projects;
1136 amending s. 1001.64, F.S.; providing membership

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1137 requirements for specified search committees;
1138 requiring such search committees to recommend at least
1139 a certain number of candidates for president; amending
1140 s. 1001.706, F.S.; requiring certain search committees
1141 to recommend at least a certain number of candidates
1142 for president; deleting a requirement that certain
1143 boards of trustees comply with specified provisions
1144 for the procurement of professional services; amending
1145 s. 1001.7065, F.S.; revising standards for the
1146 preeminent state research universities program;
1147 requiring such standards to be reported annually in a
1148 specified plan; repealing the programs of excellence
1149 designation within the State University System;
1150 creating the "state universities of distinction"
1151 designation within the State University System;
1152 requiring the Board of Governors to establish
1153 standards and measures for specific state university
1154 competencies; providing requirements for such
1155 standards and measures; authorizing the Board of
1156 Governors to annually submit such programs to the
1157 Legislature for funding by a specified date; amending
1158 s. 1001.92, F.S.; revising the performance-based
1159 metrics for state universities to include specific
1160 data; authorizing the Board of Governors to approve
1161 other metrics; prohibiting the adjustment of such

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1162 metrics and benchmarks once specified data has been
1163 received; amending s. 1004.085, F.S.; requiring
1164 innovative pricing techniques and payment options to
1165 include an opt-out provision; amending s. 1004.346,
1166 F.S.; removing a limitation on the length of time a
1167 Phosphate Research and Activities Board member may
1168 serve after expiration of his or her term; creating s.
1169 1004.6499, F.S.; creating the Florida Institute for
1170 Great Citizenship for a specified purpose; providing
1171 goals of the institute; requiring the institute to
1172 establish specified affiliate institutes for certain
1173 purposes; amending s. 1009.50, F.S.; requiring that
1174 grants administered through the Florida Public Student
1175 Assistance Grant Program not exceed a certain amount;
1176 authorizing students who receive an award in the fall
1177 or spring term to receive an award in the summer term,
1178 subject to the availability of funds; providing for
1179 the prioritization of eligible summer awards;
1180 prohibiting institutions from dispensing grants to
1181 students whose expected family contribution exceeds a
1182 certain amount; requiring the formula used to
1183 distribute funds for the program to account for
1184 changes in the number of eligible students across all
1185 student assistance grant programs; requiring
1186 institutions to certify the amount of funds disbursed

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1187 within a specified timeframe; requiring institutions
1188 to remit any undisbursed advances within a specified
1189 timeframe; providing an exception; requiring
1190 institutions that receive moneys through the program
1191 to prepare and submit to the department by a specified
1192 date a biennial report that includes a financial audit
1193 conducted by the Auditor General; authorizing the
1194 department to conduct its own annual or biennial audit
1195 under certain circumstances; authorizing the
1196 department to suspend or revoke an institution's
1197 eligibility or request a refund of moneys overpaid to
1198 the institution under certain circumstances; providing
1199 a timeframe for such refunds; amending s. 1009.505,
1200 F.S.; requiring grants administered through the
1201 Florida Public Postsecondary Career Education Student
1202 Assistance Grant Program to not exceed a certain
1203 amount; authorizing students who receive an award in
1204 the fall or spring term to receive an award in the
1205 summer term, subject to the availability of funds;
1206 providing for the prioritization of eligible summer
1207 awards; requiring the formula used to distribute funds
1208 for the program to account for changes in the number
1209 of eligible students across all student assistance
1210 grant programs; requiring institutions to certify the
1211 amount of funds disbursed within a specified

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1212 | timeframe; requiring institutions to remit any
1213 | undisbursed advances within a specified timeframe;
1214 | providing an exception; requiring institutions that
1215 | receive moneys through the program to prepare and
1216 | submit to the department by a specified date a
1217 | biennial report that includes a financial audit
1218 | conducted by the Auditor General; authorizing the
1219 | department to conduct its own annual or biennial audit
1220 | under certain circumstances; authorizing the
1221 | department to suspend or revoke an institution's
1222 | eligibility or request a refund of moneys overpaid to
1223 | the institution under certain circumstances; providing
1224 | a timeframe for such refunds; authorizing funds
1225 | appropriated for state student assistance grants to be
1226 | deposited in a specified trust fund; requiring that
1227 | any balance in the trust fund at the end of any fiscal
1228 | year which has been allocated to the Florida Public
1229 | Postsecondary Career Education Student Assistance
1230 | Grant Program remain in the trust fund, subject to
1231 | certain statutory exceptions; amending s. 1009.51,
1232 | F.S.; requiring that grants administered through the
1233 | Florida Private Student Assistance Grant Program not
1234 | exceed a certain amount; authorizing students who
1235 | receive an award in the fall or spring term to receive
1236 | an award in the summer term, subject to the

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1237 availability of funds; providing for the
1238 prioritization of eligible summer awards; prohibiting
1239 institutions from dispensing grants to students whose
1240 expected family contribution exceeds a certain amount;
1241 requiring the formula used to distribute funds for the
1242 program to account for changes in the number of
1243 eligible students across all student assistance grant
1244 programs; requiring institutions to certify the amount
1245 of funds disbursed within a specified timeframe;
1246 requiring institutions to remit any undisbursed
1247 advances within a specified timeframe; providing an
1248 exception; revising a requirement for a biennial
1249 report; amending s. 1009.52, F.S.; requiring that
1250 grants administered through the Florida Postsecondary
1251 Student Assistance Grant Program not exceed a certain
1252 amount; authorizing students who receive an award in
1253 the fall or spring term to receive an award in the
1254 summer term, subject to the availability of funds;
1255 providing for the prioritization of eligible summer
1256 awards; prohibiting institutions from dispensing
1257 grants to students whose expected family contribution
1258 exceeds a certain amount; requiring the formula used
1259 to distribute funds for the program to account for
1260 changes in the number of eligible students across all
1261 student assistance grant programs; requiring

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1262 institutions to certify the amount of funds disbursed
1263 within a specified timeframe; requiring institutions
1264 to remit any undisbursed advances within a specified
1265 timeframe; providing an exception; revising a
1266 requirement for a biennial report; amending s.
1267 1009.534, F.S.; revising provisions relating to
1268 additional funds for textbooks under Florida Academic
1269 Scholars award; amending s. 1009.535, F.S.; revising
1270 the amount of an award certain Florida Medallion
1271 Scholars may receive under certain circumstances;
1272 amending s. 1009.893, F.S.; revising and specifying
1273 eligibility for initial awards under the Benacquisto
1274 Scholarship Program; revising requirements for a
1275 student to receive a renewal award; providing a
1276 timeframe within which students may receive an award;
1277 providing an exception to renewal requirements;
1278 amending s. 1011.45, F.S.; revising the date by which
1279 a university must annually submit a spending plan to
1280 the university's board of trustees for approval;
1281 revising the date by which the Board of Governors must
1282 annually review and approve such plan; authorizing
1283 certain expenditures in a carry forward spending plan
1284 to include a commitment of funds to a contingency
1285 reserve for certain purposes; amending s. 1011.90,
1286 F.S.; providing requirements for a specified

441551

Approved For Filing: 3/10/2020 8:15:00 AM

Amendment No.

1287 legislative budget request; requiring the Board of
1288 Governors to define specified classifications by
1289 regulation and report such definitions in such budget
1290 requests; creating s. 1012.977, F.S.; providing for
1291 the disclosure of contracts that affect the integrity
1292 of state universities or entities; providing
1293 definitions; providing penalties for failure to
1294 disclose such information; amending s. 1013.45, F.S.;
1295 authorizing university boards of trustees to use other
1296 factors, including price, for the procurement of
1297 professional services; requiring certain procedures to
1298 conform to specified requirements; deleting a
1299 provision that prohibits boards from modifying
1300 specified rules; amending s. 1013.841, F.S.; revising
1301 the date by which a Florida College System institution
1302 must annually submit a spending plan to the
1303 institution's board of trustees for approval; revising
1304 the date by which the State Board of Education must
1305 annually review and publish such plans; authorizing
1306 certain expenditures in a carry forward spending plan
1307 to include a commitment of funds to a contingency
1308 reserve for certain purposes; providing effective
1309 dates.

441551

Approved For Filing: 3/10/2020 8:15:00 AM