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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/31/2020	.	
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Appropriations Subcommittee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (18) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of Education shall develop and submit the prioritized list required by s. 1013.64(4). Projects considered for prioritization shall



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11 be chosen from a preliminary selection group which shall include
12 the list of projects maintained pursuant to paragraph (d) and
13 the top two priorities of each Florida College System
14 institution.

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

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

23 2. There exists ~~are~~ sufficient capacity within the cash and
24 bonding estimate of funds by the Revenue Estimating Conference
25 to accommodate the project ~~excess funds from the allocation~~
26 ~~provided pursuant to s. 1013.60~~ within the 3-year Public
27 Education Capital Outlay funding cycle ~~planning period which are~~
28 ~~not needed to complete the projects listed pursuant to paragraph~~
29 ~~(d)~~; and

30 3. The project has been recommended pursuant to s. 1013.31.

31 Section 2. Subsections (2), (3), (5), (6), and (7) of
32 section 1001.7065, Florida Statutes, are amended to read:

33 1001.7065 Preeminent state research universities program.—

34 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
35 following academic and research excellence standards are
36 established for the preeminent state research universities
37 program and must be reported annually in the Board of Governors
38 Accountability Plan:

39 (a) An average weighted grade point average of 4.0 or



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40 higher on a 4.0 scale and an average SAT score of 1800 or higher
41 on a 2400-point scale or 1200 or higher on a 1600-point scale
42 for fall semester incoming freshmen, as reported annually.

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

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

50 (d) A 4-year graduation rate of 60 percent or higher for
51 full-time, first-time-in-college students, ~~as reported annually~~
52 ~~to the IPEDS. However, for the 2018 determination of a state~~
53 ~~university's preeminence designation and the related~~
54 ~~distribution of the 2018-2019 fiscal year appropriation~~
55 ~~associated with preeminence and emerging preeminence, a~~
56 ~~university is considered to have satisfied this graduation rate~~
57 ~~measure by attaining a 6-year graduation rate of 70 percent or~~
58 ~~higher by October 1, 2017, for full-time, first-time-in-college~~
59 ~~students, as reported to the IPEDS and confirmed by the Board of~~
60 ~~Governors.~~

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

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



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

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

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

78 (j) Four hundred or more doctoral degrees awarded annually,
79 including professional doctoral degrees awarded in medical and
80 health care disciplines, ~~as reported in the Board of Governors~~
81 ~~Annual Accountability Report.~~

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

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

86 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

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

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

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

97 (a) A state university that is designated as a preeminent



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

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

113 ~~(e)~~ The award of funds under this subsection is contingent
114 upon funding provided by the Legislature to support the
115 preeminent state research universities program created under
116 this section. Funding increases appropriated beyond the amounts
117 funded in the previous fiscal year shall be distributed equally
118 to as follows:

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

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



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127 ~~university.~~

128 (6) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
129 AUTHORITY.—The Board of Governors is encouraged to identify and
130 grant all reasonable, feasible authority and flexibility to
131 ensure that each designated preeminent state research university
132 ~~and each designated emerging preeminent state research~~
133 ~~university~~ is free from unnecessary restrictions.

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

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

152 1004.085 Textbook and instructional materials
153 affordability.—

154 (4) Each Florida College System institution and state
155 university board of trustees is authorized to adopt policies in



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156 consultation with providers, including bookstores, which allow
157 for the use of innovative pricing techniques and payment options
158 for textbooks and instructional materials. Such policies may
159 include bulk pricing arrangements that enable students to
160 purchase course materials or texts that are delivered digitally;
161 delivered through other technologies that are, or the licenses
162 of which are, required for use within a course; or delivered in
163 a print format. Innovative pricing techniques and payment
164 options must include an opt-in or opt-out provision for students
165 and may be approved only if there is documented evidence that
166 the options reduce the cost of textbooks and instructional
167 materials for students taking a course.

168 Section 4. Paragraph (c) of subsection (2) of section
169 1004.346, Florida Statutes, is amended to read:

170 1004.346 Florida Industrial and Phosphate Research
171 Institute.—

172 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
173 Research and Activities Board is created to monitor the
174 expenditure of funds appropriated to the university from the
175 Phosphate Research Trust Fund.

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

181 Section 5. Section 1009.50, Florida Statutes, is amended to
182 read:

183 1009.50 Florida Public Student Assistance Grant Program;
184 eligibility for grants.—



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185 (1) There is hereby created a Florida Public Student
186 Assistance Grant Program. The program shall be administered by
187 the participating institutions in accordance with rules of the
188 state board.

189 (2) (a) State student assistance grants through the program
190 may be made only to degree-seeking students who enroll in at
191 least 6 semester hours, or the equivalent per term, and who meet
192 the general requirements for student eligibility as provided in
193 s. 1009.40, except as otherwise provided in this section. The
194 grants shall be awarded annually for the amount of demonstrated
195 unmet need for the cost of education and may not exceed the
196 maximum annual award ~~an amount equal to the average prior~~
197 ~~academic year cost of tuition fees and other registration fees~~
198 ~~for 30 credit hours at state universities or such other amount~~
199 ~~as specified in the General Appropriations Act, to any~~
200 ~~recipient~~. A demonstrated unmet need of less than \$200 shall
201 render the applicant ineligible for a state student assistance
202 grant. Recipients of the grants must have been accepted at a
203 state university or Florida College System institution
204 authorized by Florida law. If funds are available, a student who
205 received an award in the fall or spring term may receive a
206 summer term award. A student is eligible for the award for 110
207 percent of the number of credit hours required to complete the
208 program in which enrolled, except as otherwise provided in s.
209 1009.40(3).

210 (b) A student applying for a Florida public student
211 assistance grant shall be required to apply for the Pell Grant.
212 The Pell Grant entitlement shall be considered when conducting
213 an assessment of the financial resources available to each



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214 student.

215 ~~(c) Priority in the distribution of grant moneys shall be~~
216 ~~given to students with the lowest total family resources, in~~
217 ~~accordance with a nationally recognized system of need analysis.~~
218 ~~Using the system of need analysis, the department shall~~
219 ~~establish a maximum expected family contribution.~~ An institution
220 may not make a grant from this program to a student whose
221 expected family contribution exceeds one and one-half times the
222 maximum Pell Grant-eligible family contribution level
223 ~~established by the department.~~ An institution may not impose
224 additional criteria to determine a student's eligibility to
225 receive a grant award.

226 (d) Each participating institution shall report~~7~~ to the
227 department by the established date~~7~~ the eligible students
228 eligible for the program for to whom grant moneys are disbursed
229 each academic term. Each institution shall also report to the
230 department necessary demographic and eligibility data for such
231 students.

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

238 (4) (a) The funds appropriated for the Florida Public
239 Student Assistance Grant shall be distributed to eligible
240 institutions in accordance with a formula approved by the State
241 Board of Education. The formula must ~~shall~~ consider at least the
242 prior year's distribution of funds, the number of ~~full-time~~



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243 eligible applicants who did not receive awards, the
244 standardization of the expected family contribution, and
245 provisions for unused funds. The formula must account for
246 changes in the number of eligible students across all student
247 assistance grant programs established pursuant to this section
248 and ss. 1009.505, 1009.51, and 1009.52.

249 (b) Payment of Florida public student assistance grants
250 shall be transmitted to the president of the state university or
251 Florida College System institution, or to his or her
252 representative, in advance of the registration period.
253 Institutions shall notify students of the amount of their
254 awards.

255 (c) The eligibility status of each student to receive a
256 disbursement shall be determined by each institution as of the
257 end of its regular registration period, inclusive of a drop-add
258 period. Institutions shall not be required to reevaluate a
259 student's eligibility status after this date for purposes of
260 changing eligibility determinations previously made.

261 (d) Institutions shall certify to the department within 30
262 days after the end of regular registration each term the amount
263 of funds disbursed to each student and shall remit to the
264 department any undisbursed advances within 60 days after the end
265 of regular registration each spring term ~~any advances by June 1~~
266 ~~of each year.~~ An exception to the remittance deadline may be
267 granted if the institution documents to the department how it
268 plans to disburse awards to students for the subsequent summer
269 term. An institution that uses funds for the summer term shall
270 certify to the department the amount of funds disbursed to each
271 student and shall remit to the department any undisbursed



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272 advances within 30 days after the end of the summer term.

273 (e) Each institution that receives moneys through the
274 Florida Public Student Assistance Grant Program shall prepare a
275 biennial report that includes a financial audit, conducted by
276 the Auditor General, of the institution's administration of the
277 program and a complete accounting of moneys allocated to the
278 institution for the program. Such report shall be submitted to
279 the department by March 1 every other year. The department may
280 conduct its own annual or biennial audit of an institution's
281 administration of the program and its allocated funds in lieu of
282 the required biennial report and financial audit report. The
283 department may suspend or revoke an institution's eligibility to
284 receive future moneys for the program or may request a refund of
285 any moneys overpaid to the institution for the program if the
286 department finds that an institution has not complied with this
287 section. Any refund requested pursuant to this paragraph shall
288 be remitted within 60 days after notification by the department.

289 (5) Funds appropriated by the Legislature for state student
290 assistance grants may be deposited in the State Student
291 Financial Assistance Trust Fund. Notwithstanding ~~the provisions~~
292 ~~of~~ s. 216.301 and pursuant to s. 216.351, any balance in the
293 trust fund at the end of any fiscal year which has been
294 allocated to the Florida Public Student Assistance Grant Program
295 shall remain therein and shall be available for carrying out the
296 purposes of this section.

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

299 Section 6. Present subsections (5) and (6) of section
300 1009.505, Florida Statutes, are redesignated as subsections (6)



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301 and (7), respectively, a new subsection (5) is added to that
302 section, and subsections (3) and (4) of that section are
303 amended, to read:

304 1009.505 Florida Public Postsecondary Career Education
305 Student Assistance Grant Program.—

306 (3) (a) Student assistance grants through the program may be
307 made only to certificate-seeking students enrolled at least
308 half-time in a public postsecondary career certificate program
309 who meet the general requirements for student eligibility as
310 provided in s. 1009.40, except as otherwise provided in this
311 section. The grants shall be awarded annually to any recipient
312 for the amount of demonstrated unmet need for the cost of
313 education and may not exceed the ~~average annual cost of tuition~~
314 ~~and registration fees or such other~~ amount as specified in the
315 General Appropriations Act. A demonstrated unmet need of less
316 than \$200 shall render the applicant ineligible for a grant
317 under this section. Recipients of the grants must have been
318 accepted at a Florida College System institution authorized by
319 Florida law or a career center operated by a district school
320 board under s. 1001.44. If funds are available, a student who
321 received an award in the fall or spring term may receive a
322 summer term award. A student is eligible for the award for 110
323 percent of the number of clock hours required to complete the
324 program in which enrolled.

325 (b) A student applying for a Florida public postsecondary
326 career education student assistance grant shall be required to
327 apply for the Pell Grant. A Pell Grant entitlement shall be
328 considered when conducting an assessment of the financial
329 resources available to each student; however, a Pell Grant



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330 entitlement shall not be required as a condition of receiving a
331 grant under this section.

332 (c) Each participating institution shall report, to the
333 department by the established date, the eligible students
334 eligible for the program for to whom grant moneys are disbursed
335 each academic term. Each institution shall also report to the
336 department necessary demographic and eligibility data for such
337 students.

338 (4) (a) The funds appropriated for the Florida Public
339 Postsecondary Career Education Student Assistance Grant Program
340 shall be distributed to eligible Florida College System
341 institutions and district school boards in accordance with a
342 formula approved by the department. The formula must account for
343 changes in the number of eligible students across all student
344 assistance grant programs established pursuant to this section
345 and ss. 1009.50, 1009.51, and 1009.52.

346 (b) Payment of Florida public postsecondary career
347 education student assistance grants shall be transmitted to the
348 president of the Florida College System institution or to the
349 district school superintendent, or to the designee thereof, in
350 advance of the registration period. Institutions shall notify
351 students of the amount of their awards.

352 (c) The eligibility status of each student to receive a
353 disbursement shall be determined by each institution as of the
354 end of its regular registration period, inclusive of a drop-add
355 period. Institutions shall not be required to reevaluate a
356 student's eligibility status after this date for purposes of
357 changing eligibility determinations previously made.

358 (d) Participating institutions shall certify to the



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359 department within 30 days after the end of regular registration
360 each term the amount of funds disbursed to each student and
361 shall remit to the department any undisbursed advances within 60
362 days after the end of regular registration each spring term by
363 June 1 of each year. An exception to the remittance deadline may
364 be granted if the institution documents to the department how it
365 plans to disburse awards to students for the subsequent summer
366 term. An institution that uses funds for the summer term shall
367 certify to the department the amount of funds disbursed to each
368 student and shall remit to the department any undisbursed
369 advances within 30 days after the end of the summer term.

370 (e) Each institution that receives moneys through the
371 Florida Public Postsecondary Career Education Student Assistance
372 Grant Program shall prepare a biennial report that includes a
373 financial audit, conducted by the Auditor General, of the
374 institution's administration of the program and a complete
375 accounting of moneys allocated to the institution for the
376 program. Such report shall be submitted to the department by
377 March 1 every other year. The department may conduct its own
378 annual or biennial audit of an institution's administration of
379 the program and its allocated funds in lieu of the required
380 biennial report and financial audit report. The department may
381 suspend or revoke an institution's eligibility to receive future
382 moneys for the program or may request a refund of any moneys
383 overpaid to the institution if the department finds that an
384 institution has not complied with this section. Any refund
385 requested pursuant to this paragraph shall be remitted within 60
386 days after notification by the department.

387 (5) Funds appropriated by the Legislature for state student



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388 assistance grants may be deposited in the State Student
389 Financial Assistance Trust Fund. Notwithstanding s. 216.301, and
390 pursuant to s. 216.351, any balance in the trust fund at the end
391 of any fiscal year which has been allocated to the Florida
392 Public Postsecondary Career Education Student Assistance Grant
393 Program shall remain therein and shall be available for carrying
394 out the purposes of this section.

395 Section 7. Section 1009.51, Florida Statutes, is amended to
396 read:

397 1009.51 Florida Private Student Assistance Grant Program;
398 eligibility for grants.-

399 (1) There is created a Florida Private Student Assistance
400 Grant Program. The program shall be administered by the
401 participating institutions in accordance with rules of the State
402 Board of Education.

403 (2) (a) Florida private student assistance grants ~~from the~~
404 ~~State Student Financial Assistance Trust Fund~~ may be made only
405 to full-time degree-seeking students who meet the general
406 requirements for student eligibility as provided in s. 1009.40,
407 except as otherwise provided in this section. Such grants shall
408 be awarded for the amount of demonstrated unmet need for tuition
409 and fees and may not exceed the maximum annual award ~~an amount~~
410 ~~equal to the average tuition and other registration fees for 30~~
411 ~~credit hours at state universities plus \$1,000 per academic~~
412 ~~year, or as specified in the General Appropriations Act, to any~~
413 ~~applicant~~. A demonstrated unmet need of less than \$200 shall
414 render the applicant ineligible for a Florida private student
415 assistance grant. Recipients of such grants must have been
416 accepted at a baccalaureate-degree-granting independent



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417 nonprofit college or university, which is accredited by the
418 Commission on Colleges of the Southern Association of Colleges
419 and Schools and which is located in and chartered as a domestic
420 corporation by the state. If funds are available, a student who
421 received an award in the fall or spring term may receive a
422 summer term award. No student may receive an award for more than
423 the equivalent of 9 semesters or 14 quarters of full-time
424 enrollment, except as otherwise provided in s. 1009.40(3).

425 (b) A student applying for a Florida private student
426 assistance grant shall be required to apply for the Pell Grant.
427 The Pell Grant entitlement shall be considered when conducting
428 an assessment of the financial resources available to each
429 student.

430 (c) ~~Priority in the distribution of grant moneys shall be~~
431 ~~given to students with the lowest total family resources, in~~
432 ~~accordance with a nationally recognized system of need analysis.~~
433 ~~Using the system of need analysis, the department shall~~
434 ~~establish a maximum expected family contribution.~~ An institution
435 may not make a grant from this program to a student whose
436 expected family contribution exceeds one and one-half times the
437 maximum Pell Grant-eligible family contribution level
438 ~~established by the department.~~ An institution may not impose
439 additional criteria to determine a student's eligibility to
440 receive a grant award.

441 (d) Each participating institution shall report~~7~~ to the
442 department by the established date~~7~~ the ~~eligible~~ students
443 eligible for the program for to whom grant moneys are disbursed
444 each academic term. Each institution shall also report to the
445 department necessary demographic and eligibility data for such



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446 students.

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

453 (4) (a) The funds appropriated for the Florida Private
454 Student Assistance Grant shall be distributed to eligible
455 institutions in accordance with a formula approved by the State
456 Board of Education. The formula must ~~shall~~ consider at least the
457 prior year's distribution of funds, the number of ~~full-time~~
458 eligible applicants who did not receive awards, the
459 standardization of the expected family contribution, and
460 provisions for unused funds. The formula must account for
461 changes in the number of eligible students across all student
462 assistance grant programs established pursuant to this section
463 and ss. 1009.50, 1009.505, and 1009.52.

464 (b) Payment of Florida private student assistance grants
465 shall be transmitted to the president of the college or
466 university, or to his or her representative, in advance of the
467 registration period. Institutions shall notify students of the
468 amount of their awards.

469 (c) The eligibility status of each student to receive a
470 disbursement shall be determined by each institution as of the
471 end of its regular registration period, inclusive of a drop-add
472 period. Institutions shall not be required to reevaluate a
473 student's eligibility status after this date for purposes of
474 changing eligibility determinations previously made.



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475 (d) Institutions shall certify to the department within 30
476 days after the end of regular registration each term the amount
477 of funds disbursed to each student and shall remit to the
478 department any undisbursed advances within 60 days after the end
479 of regular registration each spring term by June 1 of each year.
480 An exception to the remittance deadline may be granted if the
481 institution documents to the department how it plans to disburse
482 awards to students for the subsequent summer term. An
483 institution that uses funds for the summer term shall certify to
484 the department the amount of funds disbursed to each student and
485 shall remit to the department any undisbursed advances within 30
486 days after the end of the summer term.

487 (e) Each institution that receives moneys through the
488 Florida Private Student Assistance Grant Program shall prepare a
489 biennial report that includes a financial audit, conducted by an
490 independent certified public accountant, of the institution's
491 administration of the program and a complete accounting of
492 moneys ~~in the State Student Financial Assistance Trust Fund~~
493 allocated to the institution for the program. Such report shall
494 be submitted to the department by March 1 every other year. The
495 department may conduct its own annual or biennial audit of an
496 institution's administration of the program and its allocated
497 funds in lieu of the required biennial report and financial
498 audit report. The department may suspend or revoke an
499 institution's eligibility to receive future moneys ~~from the~~
500 ~~trust fund~~ for the program or request a refund of any moneys
501 overpaid to the institution ~~through the trust fund~~ for the
502 program if the department finds that an institution has not
503 complied with ~~the provisions of~~ this section. Any refund



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504 requested pursuant to this paragraph shall be remitted within 60
505 days after notification by the department.

506 (5) Funds appropriated by the Legislature for Florida
507 private student assistance grants may be deposited in the State
508 Student Financial Assistance Trust Fund. Notwithstanding ~~the~~
509 ~~provisions of~~ s. 216.301 and pursuant to s. 216.351, any balance
510 in the trust fund at the end of any fiscal year which has been
511 allocated to the Florida Private Student Assistance Grant
512 Program shall remain therein and shall be available for carrying
513 out the purposes of this section and as otherwise provided by
514 law.

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

517 Section 8. Section 1009.52, Florida Statutes, is amended to
518 read:

519 1009.52 Florida Postsecondary Student Assistance Grant
520 Program; eligibility for grants.-

521 (1) There is created a Florida Postsecondary Student
522 Assistance Grant Program. The program shall be administered by
523 the participating institutions in accordance with rules of the
524 State Board of Education.

525 (2) (a) Florida postsecondary student assistance grants
526 ~~through the State Student Financial Assistance Trust Fund~~ may be
527 made only to full-time degree-seeking students who meet the
528 general requirements for student eligibility as provided in s.
529 1009.40, except as otherwise provided in this section. Such
530 grants shall be awarded for the amount of demonstrated unmet
531 need for tuition and fees and may not exceed the maximum annual
532 award ~~an amount equal to the average prior academic year cost of~~



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

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

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

547
548 If funds are available, a student who received an award in the
549 fall or spring term may receive a summer term award. No student
550 may receive an award for more than the equivalent of 9 semesters
551 or 14 quarters of full-time enrollment, except as otherwise
552 provided in s. 1009.40(3).

553 (b) A student applying for a Florida postsecondary student
554 assistance grant shall be required to apply for the Pell Grant.
555 The Pell Grant entitlement shall be considered when conducting
556 an assessment of the financial resources available to each
557 student.

558 (c) ~~Priority in the distribution of grant moneys shall be~~
559 ~~given to students with the lowest total family resources, in~~
560 ~~accordance with a nationally recognized system of need analysis.~~
561 ~~Using the system of need analysis, the department shall~~



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562 ~~establish a maximum expected family contribution.~~ An institution
563 may not make a grant from this program to a student whose
564 expected family contribution exceeds one and one-half times the
565 maximum Pell Grant-eligible family contribution level
566 ~~established by the department.~~ An institution may not impose
567 additional criteria to determine a student's eligibility to
568 receive a grant award.

569 (d) Each participating institution shall report, to the
570 department by the established date, the eligible students
571 eligible for the program for to whom grant moneys are disbursed
572 each academic term. Each institution shall also report to the
573 department necessary demographic and eligibility data for such
574 students.

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

581 (4) (a) The funds appropriated for the Florida Postsecondary
582 Student Assistance Grant shall be distributed to eligible
583 institutions in accordance with a formula approved by the State
584 Board of Education. The formula must ~~shall~~ consider at least the
585 prior year's distribution of funds, the number of ~~full-time~~
586 eligible applicants who did not receive awards, the
587 standardization of the expected family contribution, and
588 provisions for unused funds. The formula must account for
589 changes in the number of eligible students across all student
590 assistance grant programs established pursuant to this section



591 and ss. 1009.50, 1009.505, and 1009.51.

592 (b) Payment of Florida postsecondary student assistance
593 grants shall be transmitted to the president of the eligible
594 institution, or to his or her representative, in advance of the
595 registration period. Institutions shall notify students of the
596 amount of their awards.

597 (c) The eligibility status of each student to receive a
598 disbursement shall be determined by each institution as of the
599 end of its regular registration period, inclusive of a drop-add
600 period. Institutions shall not be required to reevaluate a
601 student's eligibility status after this date for purposes of
602 changing eligibility determinations previously made.

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

615 (e) Each institution that receives moneys through the
616 Florida Postsecondary Student Assistance Grant Program shall
617 prepare a biennial report that includes a financial audit,
618 conducted by an independent certified public accountant, of the
619 institution's administration of the program and a complete



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620 accounting of moneys ~~in the State Student Financial Assistance~~
621 ~~Trust Fund allocated to the institution~~ for the program. Such
622 report shall be submitted to the department by March 1 every
623 other year. The department may conduct its own annual or
624 biennial audit of an institution's administration of the program
625 and its allocated funds in lieu of the required biennial report
626 and financial audit report. The department may suspend or revoke
627 an institution's eligibility to receive future moneys ~~from the~~
628 ~~trust fund~~ for the program or request a refund of any moneys
629 overpaid to the institution ~~through the trust fund~~ for the
630 program if the department finds that an institution has not
631 complied with ~~the provisions of~~ this section. Any refund
632 requested pursuant to this paragraph shall be remitted within 60
633 days after notification by the department.

634 (5) Any institution that was eligible to receive state
635 student assistance grants on January 1, 1989, and that is not
636 eligible to receive grants pursuant to s. 1009.51 is eligible to
637 receive grants pursuant to this section.

638 (6) Funds appropriated by the Legislature for Florida
639 postsecondary student assistance grants may be deposited in the
640 State Student Financial Assistance Trust Fund. Notwithstanding
641 ~~the provisions of~~ s. 216.301 and pursuant to s. 216.351, any
642 balance in the trust fund at the end of any fiscal year which
643 has been allocated to the Florida Postsecondary Student
644 Assistance Grant Program shall remain therein and shall be
645 available for carrying out the purposes of this section and as
646 otherwise provided by law.

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



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649 Section 9. Subsections (2), (4), (5), and (6) of section
650 1009.893, Florida Statutes, are amended to read:

651 1009.893 Benacquisto Scholarship Program.—

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

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

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

664 1. Earn a standard Florida high school diploma or its
665 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
666 or s. 1003.435 unless:

667 a. The student completes a home education program according
668 to s. 1002.41; or

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

672 2. Be accepted by and enroll in a Florida public or
673 independent postsecondary educational institution that is
674 regionally accredited; and

675 3. Be enrolled full-time in a baccalaureate degree program
676 at an eligible regionally accredited Florida public or
677 independent postsecondary educational institution during the



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678 fall academic term following high school graduation.

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

683 1. Physically reside in this state on or near the campus of
684 the postsecondary educational institution in which the student
685 is enrolled;

686 2. Earn a high school diploma from a school outside Florida
687 which is comparable to a standard Florida high school diploma or
688 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
689 1003.4282, or s. 1003.435 or must complete a home education
690 program in another state; and

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

695 (5) (a) 1. An eligible student who meets the requirements of
696 paragraph (4) (a), who is a National Merit Scholar ~~or National~~
697 ~~Achievement Scholar~~, and who attends a Florida public
698 postsecondary educational institution shall receive a
699 scholarship award equal to the institutional cost of attendance
700 minus the sum of the student's Florida Bright Futures
701 Scholarship and National Merit Scholarship ~~or National~~
702 ~~Achievement Scholarship~~.

703 2. An eligible student who meets the requirements of
704 paragraph (4) (b), who is a National Merit Scholar, and who
705 attends a Florida public postsecondary educational institution
706 shall receive a scholarship award equal to the institutional



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707 cost of attendance for a resident of this state minus the
708 student's National Merit Scholarship. Such student is exempt
709 from the payment of out-of-state fees.

710 (b) An eligible student who is a National Merit Scholar ~~or~~
711 ~~National Achievement Scholar~~ and who attends a Florida
712 independent postsecondary educational institution shall receive
713 a scholarship award equal to the highest cost of attendance for
714 a resident of this state enrolled at a Florida public
715 university, as reported by the Board of Governors of the State
716 University System, minus the sum of the student's Florida Bright
717 Futures Scholarship and National Merit Scholarship ~~or National~~
718 ~~Achievement Scholarship~~.

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

725 (b) A student's renewal status is not affected by
726 subsequent changes in the residency status of the student or the
727 residency status of the student's family.

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

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

735 (e) A student who receives an award under this program and



736 fails to meet the renewal requirements due to a verifiable
737 illness or other documented emergency may be granted an
738 exception pursuant to s. 1009.40(1)(b)4.

739 Section 10. Section 1011.45, Florida Statutes, is amended
740 to read:

741 1011.45 End of year balance of funds.—Unexpended amounts in
742 any fund in a university current year operating budget shall be
743 carried forward and included as the balance forward for that
744 fund in the approved operating budget for the following year.

745 (1) Each university shall maintain a minimum carry forward
746 balance of at least 7 percent of its state operating budget. If
747 a university fails to maintain a 7 percent balance in state
748 operating funds, the university shall submit a plan to the Board
749 of Governors to attain the 7 percent balance of state operating
750 funds within the next fiscal year.

751 (2) Each university that retains a state operating fund
752 carry forward balance in excess of the 7 percent minimum shall
753 submit a spending plan for its excess carry forward balance. The
754 spending plan shall be submitted to the university's board of
755 trustees for review, approval, or, if necessary, amendment by
756 September 30 ~~1~~, 2020, and each September 30 ~~1~~ thereafter. The
757 Board of Governors shall review, approve, and amend, if
758 necessary, each university's carry forward spending plan by
759 November 15 ~~October 1~~, 2020, and each November 15 ~~October 1~~
760 thereafter.

761 (3) A university's carry forward spending plan shall
762 include the estimated cost per planned expenditure and a
763 timeline for completion of the expenditure. Authorized
764 expenditures in a carry forward spending plan may include:



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765 (a) Commitment of funds to a public education capital
766 outlay project for which an appropriation has previously been
767 provided that requires additional funds for completion and which
768 is included in the list required by s. 1001.706(12) (d);

769 (b) Completion of a renovation, repair, or maintenance
770 project that is consistent with ~~the provisions of~~ s. 1013.64(1),
771 up to \$5 million per project, and replacement of a minor
772 facility that does not exceed 10,000 gross square feet in size
773 up to \$2 million;

774 (c) Completion of a remodeling or infrastructure project,
775 including a project for a development research school, up to \$10
776 million per project, if such project is survey recommended
777 pursuant to s. 1013.31;

778 (d) Completion of a repair or replacement project necessary
779 due to damage caused by a natural disaster for buildings
780 included in the inventory required pursuant to s. 1013.31;

781 (e) Operating expenditures that support the university
782 mission ~~and that are nonrecurring; and~~

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

785 (g) A commitment of funds to a contingency reserve to
786 assist in addressing unforeseen circumstances that may arise,
787 including natural disasters and other emergencies.

788 (4) Annually, by September 30, the chief financial officer
789 of each university shall certify the unexpended amount of funds
790 appropriated to the university from the General Revenue Fund,
791 the Educational Enhancement Trust Fund, and the
792 Education/General Student and Other Fees Trust Fund as of June
793 30 of the previous fiscal year.



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794 (5) A university may spend the minimum carry forward
795 ~~carryforward~~ balance of 7 percent if a demonstrated emergency
796 exists and the plan is approved by the university's board of
797 trustees and the Board of Governors.

798 Section 11. Subsection (3) of section 1012.976, Florida
799 Statutes, is amended to read:

800 1012.976 Remuneration of state university administrative
801 employees; limitations.—

802 (3) EXCEPTIONS.—This section does not prohibit any party
803 from providing cash or cash-equivalent compensation from funds
804 that are not appropriated state funds to a state university
805 administrative employee in excess of the limit in subsection
806 (2). If a party is unable or unwilling to fulfill an obligation
807 to provide cash or cash-equivalent compensation to a state
808 university administrative employee as permitted under this
809 subsection, appropriated state funds may not be used to fulfill
810 such obligation. This section does not apply to university
811 teaching faculty or medical school faculty or staff. The Board
812 of Governors shall define in regulation the university faculty
813 and administrative personnel classifications.

814 Section 12. Paragraph (b) of subsection (2), paragraph (b)
815 of subsection (3), and subsection (4) of section 1013.841,
816 Florida Statutes, are amended to read:

817 1013.841 End of year balance of Florida College System
818 institution funds.—

819 (2) (b) Each Florida College System institution with a final
820 FTE less than 15,000 for the prior year that retains a state
821 operating fund carry forward balance in excess of the 5 percent
822 minimum shall submit a spending plan for its excess carry



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823 forward balance. The spending plan shall include all excess
824 carry forward funds from state operating funds. The spending
825 plan shall be submitted to the Florida College System
826 institution's board of trustees for approval by September 30 ~~1~~,
827 2020, and each September 30 ~~1~~ thereafter. The State Board of
828 Education shall review and publish each Florida College System
829 institution's carry forward spending plan by November 15 ~~October~~
830 ~~1~~, 2020, and each November 15 ~~October 1~~ thereafter.

831 (3)(b) Each Florida College System institution with a final
832 FTE of 15,000 or greater for the prior year that retains a state
833 operating fund carry forward balance in excess of the 7 percent
834 minimum shall submit a spending plan for its excess carry
835 forward balance. The spending plan shall include all excess
836 carry forward funds from state operating funds. The spending
837 plan shall be submitted to the Florida College System
838 institution's board of trustees for approval by September 30 ~~1~~,
839 2020, and each September 30 ~~1~~ thereafter. The State Board of
840 Education shall review and publish each Florida College System
841 institution's carry forward spending plan by November 15 ~~October~~
842 ~~1~~, 2020, and each November 15 ~~October 1~~ thereafter.

843 (4) A Florida College System institution identified in
844 paragraph (3)(a) must include in its carry forward spending plan
845 the estimated cost per planned expenditure and a timeline for
846 completion of the expenditure. Authorized expenditures in a
847 carry forward spending plan may include:

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



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

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

858 (d) Completion of a repair or replacement project necessary
859 due to damage caused by a natural disaster for buildings
860 included in the inventory required pursuant to s. 1013.31;

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

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

865 (g) A commitment of funds to a contingency reserve to
866 assist in addressing unforeseen circumstances that may arise,
867 including natural disasters and other emergencies.

868 Section 13. This act shall take effect July 1, 2020.

869
870 ===== T I T L E A M E N D M E N T =====

871 And the title is amended as follows:

872 Delete everything before the enacting clause
873 and insert:

874 A bill to be entitled
875 An act relating to postsecondary education; amending
876 s. 1001.03, F.S.; clarifying requirements for new
877 construction, remodeling, or renovation projects;
878 amending s. 1001.7065, F.S.; requiring that certain
879 academic and research excellence standards be reported
880 annually in the accountability plan prepared by the



881 Board of Governors; revising the academic and research
882 excellence standards established for the preeminent
883 state research universities program; removing
884 references to the emerging preeminence designation;
885 establishing criteria for identifying state
886 universities of distinction, rather than programs of
887 excellence, throughout the State University System;
888 authorizing the Board of Governors to annually submit,
889 by a specified date, the programs for funding by the
890 Legislature; amending s. 1004.085, F.S.; requiring
891 certain innovative pricing techniques and payment
892 options to contain an opt-out provision for students;
893 amending s. 1004.346, F.S.; deleting a provision
894 related to terms of Phosphate Research and Activities
895 Board members; amending s. 1009.50, F.S.; revising a
896 provision relating to the maximum annual grant amount;
897 providing that students who receive a grant award in
898 the fall or spring term may also receive an award in
899 the summer term, subject to availability of funds;
900 prohibiting institutions from dispensing grants to
901 students whose expected family contribution exceeds a
902 certain amount; requiring that the formula used to
903 distribute funds for the program account for changes
904 in the number of eligible students across all student
905 assistance grant programs; requiring institutions to
906 certify the amount of funds disbursed within a certain
907 timeframe; requiring institutions to remit any
908 undisbursed advances within a specified timeframe;
909 providing an exception; requiring institutions that



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910 receive moneys through the program to submit to the
911 department by a specified date a biennial report that
912 includes a financial audit conducted by the Auditor
913 General; authorizing the department to conduct its own
914 annual or biennial audit under certain circumstances;
915 authorizing the department to suspend or revoke an
916 institution's eligibility or request a refund of
917 moneys overpaid to the institution under certain
918 circumstances; providing a timeframe for such refunds;
919 amending s. 1009.505, F.S.; requiring that grant
920 awards administered through the Florida Public
921 Postsecondary Career Education Student Assistance
922 Grant Program not exceed a certain amount; providing
923 that students who receive a grant award in the fall or
924 spring term may also receive an award in the summer
925 term, subject to the availability of funds; requiring
926 the formula used to distribute funds for the program
927 to account for changes in the number of eligible
928 students across all student assistance grant programs;
929 requiring institutions to certify within a certain
930 timeframe the amount of funds disbursed; requiring
931 institutions to remit within a specified timeframe any
932 undisbursed advances; providing an exception;
933 requiring institutions that receive moneys through the
934 program to submit to the department by a specified
935 date a biennial report that includes a financial audit
936 conducted by the Auditor General; authorizing the
937 department to conduct its own annual or biennial audit
938 under certain circumstances; authorizing the



939 department to suspend or revoke an institution's
940 eligibility or to request a refund of moneys overpaid
941 to the institution under certain circumstances;
942 authorizing funds appropriated for state student
943 assistance grants to be deposited in a specified trust
944 fund; requiring that any balance in the trust fund at
945 the end of a fiscal year which has been allocated to
946 the Florida Public Postsecondary Career Education
947 Student Assistance Grant Program remain therein,
948 subject to certain statutory exceptions; amending s.
949 1009.51, F.S.; requiring that grant awards
950 administered through the Florida Private Student
951 Assistance Grant Program not exceed the maximum annual
952 award amount specified in the General Appropriations
953 Act; providing that students who receive an award in
954 the fall or spring term may also receive an award in
955 the summer term, subject to the availability of funds;
956 prohibiting institutions from dispensing grants to
957 students whose expected family contribution exceeds a
958 certain amount; requiring that the formula used to
959 distribute funds for the program account for changes
960 in the number of eligible students across all student
961 assistance grant programs; requiring institutions to
962 certify within a certain timeframe the amount of funds
963 disbursed; requiring institutions to remit within a
964 specified timeframe any undisbursed advances;
965 providing an exception; revising a requirement for a
966 biennial report; amending s. 1009.52, F.S.; requiring
967 that grants administered through the Florida



968 Postsecondary Student Assistance Grant Program not
969 exceed a certain annual award amount; providing that
970 students who receive a grant award in the fall or
971 spring term may also receive an award in the summer
972 term, subject to the availability of funds;
973 prohibiting institutions from dispensing grants to
974 students whose expected family contribution exceeds a
975 certain amount; requiring that the formula used to
976 distribute funds for the program account for changes
977 in the number of eligible students across all student
978 assistance grant programs; requiring institutions to
979 certify within a certain timeframe the amount of funds
980 disbursed; requiring institutions to remit within a
981 specified timeframe any undisbursed advances;
982 providing an exception; revising a requirement for a
983 biennial report; amending s. 1009.893, F.S.;
984 specifying eligibility for initial awards under the
985 Benacquisto Scholarship Program; revising requirements
986 for a student to receive a renewal award; providing a
987 timeframe within which students can receive an award;
988 providing an exception to renewal requirements;
989 amending s. 1011.45, F.S.; revising the date by which
990 a spending plan must be submitted to a university's
991 board of trustees for approval; revising the date by
992 which the Board of Governors must review and approve
993 such spending plan; authorizing certain expenditures
994 in a carry forward spending plan to include a
995 commitment of funds to a contingency reserve for
996 certain purposes; amending s. 1012.976, F.S.;



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997 requiring the Board of Governors to adopt regulations
998 defining university faculty and administrative
999 personnel classifications; amending s. 1013.841, F.S.;
1000 revising the dates by which a spending plan must be
1001 submitted to a Florida College System institution's
1002 board of trustees for approval; revising the dates by
1003 which the State Board of Education shall review and
1004 publish such plans; authorizing certain expenditures
1005 in a carry forward spending plan to include a
1006 commitment of funds to a contingency reserve for
1007 certain purposes; providing an effective date.