

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By the Committee on Education:

[2020s00072.hms]

BILL: CS/SB 72

INTRODUCER: Appropriations Committee; and Senator Stargel

SUBJECT: Postsecondary Education

DATE: March 11, 2020

I. Amendments Contained in Message:

House Amendment 1 – 594317 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 changes the name of the act from “Postsecondary Education” to “Higher Education,” and maintains the following provisions in the bill, with some modifications:

- Expands the criteria by which a state agency may contract with a specified nonpublic college or university.
- Modifies the Public Education Capital Outlay (PECO) criteria for new construction, renovation, or remodeling at a Florida College System (FCS) institution.
- Requires a recommendation of 3 candidates by the search committee, rather than the university board of trustees (BOT) selection be from at least 3 candidates.
- Modifies the preeminence standards source of data and removes the emerging preeminent funding provision, but the amendment specifies equal distribution of funding increases between preeminent institutions, rather than as determined by the Legislature, and makes the section effective upon becoming a law.
- Replaces the State University System Programs of Excellence with State Universities of Distinction, but the amendment excludes preeminent universities from the program.
- Replaces the Florida Institute of Politics at FSU established in the bill with the Florida Institute for Great Citizenship at FSU, with specified goals. The amendment also requires the institute to establish affiliate institutes at UF with a focus on American Ideals and at FIU with a focus on Free Market Economics.
- Authorizes FCS institution and state university BOT innovative pricing techniques and payment options policies to include either an opt-in or opt-out provision for students.
- Authorizes members of the Phosphate Research and Activities Board to serve beyond 180 days of the expiration of a term, but the amendment makes the provision effective upon becoming a law.
- Provides similar Florida Student Assistant Grant (FSAG) provisions, but the amendment specifies for all FSAG programs:
 - Priority in the distribution of summer awards must be given to students who are within one semester of completing a degree or certificate program, as applicable (the FSAG

- Public program also includes priority for students who have not yet earned 9 semester hours in summer terms); and
- Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree or certificate program, as applicable.
 - Modifies requirements for initial eligibility and scholarship renewal provisions for the Benacquisto Scholarship Program.
 - Modifies provisions relating to the carry forward of operational funds by state universities and FCS institutions, except the amendment does not remove the requirement in the spending plan that specified operating expenditures be nonrecurring.
 - Requires the Board of Governors (BOG), by regulation, to define faculty and administrator classifications and must also report the definitions in the legislative budget request (LBR).

The amendment adds the following provisions to the bill:

- Requires an FCS institution to appoint a search committee, with prescribed membership and recommendations for additional members appointed by the BOT chair, and requires the search committee to recommend at least 3 candidates.
- Removes the requirement for a university BOT to comply with s. 287.055, F.S., for procurement of professional services.
- Modifies the state university performance-based incentive metric to require:
 - A 4-year graduation rates for first-time-in-college students;
 - Beginning in FY 2021-2022, a 2-year graduation rates for FCS institution associate in arts transfer students;
 - Beginning in FY 2021-2022, the 6-year graduation rate for students who are awarded a Pell Grant in their first year.
- Modifies the Florida Academic Scholars award to specify an annual stipend (rather than \$300) for textbooks, as appropriated in the General Appropriations Act (GAA).
- Modifies the Florida Medallion Scholars award to specify that beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at an FCS institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees.
- Requires the BOG LBR request to also include 5-year trend information on the number of faculty and administrators at each university and the proportion of full-time equivalent (FTE) dedicated to instruction and research compared to administration.
- Requires that employees of a state university or research entity comply with policies of the university or entity, BOG regulations, and state laws. Also requires that employees engaged in the design, conduct, or reporting of research disclose and receive a determination that the outside activity or financial interest does not affect the integrity of the state university or entity, with penalties for noncompliance.
- Authorizes a university BOT to employ procedures to contract for construction, which may include the consideration of other factors, including price, for the procurement of construction management and program management by university boards of trustees in accordance with regulations of the BOG.

The amendment removes from the bill the provision specifying that the restrictions on remuneration does not apply to all university faculty, rather than only teaching faculty and medical school faculty and staff.