

20184e2

1 A bill to be entitled
2 An act relating to higher education; providing a short
3 title; amending s. 1001.706, F.S.; requiring state
4 universities to identify internship opportunities in
5 high-demand fields; revising requirements for state
6 university accountability plans; requiring state
7 university boards of trustees to submit a proposal to
8 improve graduation rates by a specified date;
9 providing requirements for such proposals; amending s.
10 1001.7065, F.S.; revising the preeminent state
11 research universities program graduation rate
12 requirements and funding distributions; specifying
13 funding as provided by the Legislature; deleting the
14 authority for such universities to stipulate a special
15 course requirement for incoming students; requiring
16 the Board of Governors to establish certain standards
17 and make recommendations by a specified date; amending
18 s. 1001.71, F.S.; revising the membership of
19 university boards of trustees; amending s. 1001.92,
20 F.S.; requiring certain performance-based metrics to
21 include specified graduation rates and access
22 benchmarks; specifying funding as provided by the
23 Legislature; creating s. 1004.097, F.S.; providing a
24 short title; providing definitions; specifying
25 protected expressive activities; authorizing a person
26 to engage in expressive activities under certain
27 circumstances; authorizing a public institution of
28 higher education to create and enforce certain
29 restrictions relating to expressive activities on

20184e2

30 campus; prohibiting certain actions relating to
31 expressive activities on campus; providing a cause of
32 action for violations; amending s. 1004.28, F.S.;
33 requiring a state university board of trustees to
34 prescribe certain regulations to limit the services,
35 activities, and expenses of its direct-support
36 organizations; providing requirements for transfer of
37 state appropriations; prohibiting transfer of funds to
38 certain university direct-support organizations;
39 requiring the chair of the board of trustees to
40 appoint at least one representative to the board of
41 directors and executive committee of a university
42 direct-support organization; requiring the board of
43 trustees to approve certain appointments; deleting an
44 exception to the prohibition against direct-support
45 organizations donating gifts to a political committee;
46 requiring the disclosure of certain financial
47 documents; providing for the future repeal of ss.
48 1004.33 and 1004.34, F.S., relating to the University
49 of South Florida St. Petersburg and Sarasota/Manatee,
50 respectively; creating s. 1004.335, F.S.; creating the
51 University of South Florida Consolidation Planning
52 Study and Implementation Task Force for certain
53 purposes; providing for membership and staffing;
54 requiring a report to the University of South Florida
55 Board of Trustees; requiring the University of South
56 Florida Board of Trustees to adopt and submit a plan
57 to phase out the separate accreditations of the
58 University of South Florida St. Petersburg and the

20184e2

59 University of South Florida Sarasota/Manatee by a
60 specified date; providing requirements for such plan;
61 providing that certain students may not be included in
62 specified graduation and retention rate calculations;
63 creating s. 1004.341, F.S.; establishing the St.
64 Petersburg and Sarasota/Manatee campuses of the
65 University of South Florida; requiring campus boards
66 and regional chancellors; establishing membership
67 requirements and powers and duties of campus boards;
68 providing budget and reporting requirements for the
69 University of South Florida Board of Trustees;
70 requiring faculty and student representation from each
71 campus in the academic and student governance
72 structures of the University of South Florida;
73 amending s. 1004.344; requiring the Florida Center for
74 the Partnerships for Arts Integrated Teaching to be
75 located at a certain branch campus; creating s.
76 1004.6497, F.S.; establishing the World Class Faculty
77 and Scholar Program; providing purpose and intent;
78 specifying authorized investments and activities;
79 specifying funding requirements; requiring an annual
80 report to the Governor and Legislature; creating s.
81 1004.6498, F.S.; establishing the State University
82 Professional and Graduate Degree Excellence Program;
83 providing purpose; specifying authorized investments;
84 specifying funding requirements; requiring an annual
85 report to the Governor and Legislature; amending s.
86 1008.30, F.S.; authorizing certain state universities
87 to continue to provide developmental education

20184e2

88 instruction; amending ss. 1009.22 and 1009.23, F.S.;

89 removing the prohibition on the inclusion of certain

90 technology fees in the funds for the Florida Bright

91 Futures Scholarship Program award; amending s.

92 1009.24, F.S.; removing the prohibition on the

93 inclusion of a technology fee and a tuition

94 differential fee in the funds for the Florida Bright

95 Futures Scholarship Program award; specifying

96 transportation access fees authorized for inclusion in

97 state financial assistance awards; requiring specified

98 notification of tuition or fee changes; amending s.

99 1009.53, F.S.; authorizing students to use certain

100 Florida Bright Futures Scholarship Program awards for

101 summer term enrollment beginning in specified years

102 under certain circumstances; amending s. 1009.534,

103 F.S.; authorizing Florida Academic Scholars award

104 amounts to cover tuition, fees, textbooks, and other

105 educational expenses; amending s. 1009.535, F.S.;

106 authorizing Florida Medallion Scholars award amounts

107 to cover specified tuition and fees; amending s.

108 1009.701, F.S.; revising the state-to-private match

109 requirement for contributions to the First Generation

110 Matching Grant Program beginning in a specified fiscal

111 year; extending the program to include Florida College

112 System institution students; amending s. 1009.893,

113 F.S.; extending coverage of the Benacquisto

114 Scholarship Program to include tuition and fees for

115 qualified nonresident students; creating s. 1009.894,

116 F.S.; creating the Florida Farmworker Student

20184e2

117 Scholarship Program; providing purpose; requiring the
118 Department of Education to administer the scholarship
119 program; providing student eligibility criteria;
120 specifying award amounts and distributions; amending
121 s. 1009.98, F.S.; providing that certain payments from
122 the Florida Prepaid College Board to a state
123 university on behalf of a qualified beneficiary may
124 not exceed a specified amount; providing a directive
125 to the Division of Law Revision and Information;
126 requiring the Board of Governors, in consultation with
127 the state universities, to submit recommendations for
128 a process to achieve a complete performance-based
129 continuous improvement funding model; requiring the
130 Legislature to review recommendations from an
131 independent entity; requiring such entity to consult
132 with the Board of Governors; requiring legislative
133 action before implementation of any recommendations;
134 providing appropriations; providing effective dates.

135
136 Be It Enacted by the Legislature of the State of Florida:

137
138 Section 1. This act may be cited as the "Florida Excellence
139 in Higher Education Act of 2018."

140 Section 2. Paragraphs (b) and (c) of subsection (5) of
141 section 1001.706, Florida Statutes, are amended, and paragraph
142 (h) is added to that subsection, to read:

143 1001.706 Powers and duties of the Board of Governors.—

144 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

145 (b) The Board of Governors shall develop a strategic plan

20184e2

146 specifying goals and objectives for the State University System
147 and each constituent university, including each university's
148 contribution to overall system goals and objectives. The
149 strategic plan must:

150 1. Include performance metrics and standards common for all
151 institutions and metrics and standards unique to institutions
152 depending on institutional core missions, including, but not
153 limited to, student admission requirements, retention,
154 graduation, percentage of graduates who have attained
155 employment, percentage of graduates enrolled in continued
156 education, licensure passage, average wages of employed
157 graduates, average cost per graduate, excess hours, student loan
158 burden and default rates, faculty awards, total annual research
159 expenditures, patents, licenses and royalties, intellectual
160 property, startup companies, annual giving, endowments, and
161 well-known, highly respected national rankings for institutional
162 and program achievements.

163 2. Consider reports and recommendations of the Higher
164 Education Coordinating Council pursuant to s. 1004.015 and the
165 Articulation Coordinating Committee pursuant to s. 1007.01.

166 3. Include student enrollment and performance data
167 delineated by method of instruction, including, but not limited
168 to, traditional, online, and distance learning instruction.

169 4. Include criteria for designating baccalaureate degree
170 and master's degree programs at specified universities as high-
171 demand programs of emphasis. Fifty percent of the criteria for
172 designation as high-demand programs of emphasis must be based on
173 achievement of performance outcome thresholds determined by the
174 Board of Governors, and 50 percent of the criteria must be based

20184e2

175 on achievement of performance outcome thresholds specifically
176 linked to:

177 a. Job placement in employment of 36 hours or more per week
178 and average full-time wages of graduates of the degree programs
179 1 year and 5 years after graduation, based in part on data
180 provided in the economic security report of employment and
181 earning outcomes produced annually pursuant to s. 445.07.

182 b. Data-driven gap analyses, conducted by the Board of
183 Governors, of the state's job market demands and the outlook for
184 jobs that require a baccalaureate or higher degree. Each state
185 university must use the gap analyses to identify internship
186 opportunities for students to benefit from mentorship by
187 industry experts, earn industry certifications, and become
188 employed in high-demand fields.

189 (c) The Board of Governors shall develop an accountability
190 plan for the State University System and each constituent
191 university. The accountability plan must address institutional
192 and system achievement of goals and objectives specified in the
193 strategic plan adopted pursuant to paragraph (b) and must be
194 submitted as part of its legislative budget request. Each
195 university shall submit, as a component of the university's
196 annual accountability plan, information on the effectiveness of
197 its plan for improving 4-year graduation rates and the level of
198 financial assistance provided to students pursuant to paragraph
199 (h).

200 (h) By June 1, 2018, each university board of trustees
201 shall submit a comprehensive proposal to improve undergraduate
202 4-year graduation rates to the Board of Governors for
203 implementation beginning in the fall 2018 academic semester. The

20184e2

204 proposal must:

205 1. Identify academic, financial, policy, and curricular
206 incentives and disincentives for timely graduation.

207 2. Outline the implementation of a proactive financial aid
208 program to enable full-time students with financial need to take
209 at least 15 credit hours in the fall and spring semesters.

210 3. Include assurances that there will be no increased cost
211 to students.

212 Section 3. Paragraph (d) of subsection (2), paragraph (c)
213 of subsection (5), and subsections (6), (7), and (8) of section
214 1001.7065, Florida Statutes, are amended to read:

215 1001.7065 Preeminent state research universities program.—

216 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The
217 following academic and research excellence standards are
218 established for the preeminent state research universities
219 program:

220 (d) A 4-year graduation rate of 60 percent or higher for
221 full-time, first-time-in-college students, as reported annually
222 to the IPEDS. However, for the 2018 determination of a state
223 university's preeminence designation and the related
224 distribution of the 2018-2019 fiscal year appropriation
225 associated with preeminence and emerging preeminence, a
226 university is considered to have satisfied this graduation rate
227 measure by attaining a 6-year graduation rate of 70 percent or
228 higher by October 1, 2017, for full-time, first-time-in-college
229 students, as reported ~~annually~~ to the IPEDS and confirmed by the
230 Board of Governors.

231 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
232 SUPPORT.—

20184e2

233 (c) The award of funds under this subsection is contingent
234 upon funding provided by the Legislature ~~in the General~~
235 ~~Appropriations Act~~ to support the preeminent state research
236 universities program created under this section. Funding
237 increases appropriated beyond the amounts funded in the previous
238 fiscal year shall be distributed as follows:

239 1. Each designated preeminent state research university
240 that meets the criteria in paragraph (a) shall receive an equal
241 amount of funding.

242 2. Each designated emerging preeminent state research
243 university that meets the criteria in paragraph (b) shall,
244 beginning in the 2018-2019 fiscal year, receive an amount of
245 funding that is equal to one-fourth ~~one-half~~ of the total
246 increased amount awarded to each designated preeminent state
247 research university.

248 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
249 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~
250 ~~educational experience, a university that is designated a~~
251 ~~preeminent state research university may require its incoming~~
252 ~~first time in college students to take a six credit set of~~
253 ~~unique courses specifically determined by the university and~~
254 ~~published on the university's website. The university may~~
255 ~~stipulate that credit for such courses may not be earned through~~
256 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
257 ~~or any other transfer credit. All accelerated credits earned up~~
258 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
259 ~~applied toward graduation at the student's request.~~

260 (6)-(7) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
261 AUTHORITY.—The Board of Governors is encouraged to identify and

20184e2

262 grant all reasonable, feasible authority and flexibility to
263 ensure that each designated preeminent state research university
264 and each designated emerging preeminent state research
265 university is free from unnecessary restrictions.

266 (7)~~(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE
267 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~
268 establish standards and measures whereby individual
269 undergraduate, graduate, and professional degree programs in
270 state universities which ~~that~~ objectively reflect national
271 excellence can be identified and make recommendations to the
272 Legislature by September 1, 2018, as to how any such programs
273 could be enhanced and promoted.

274 Section 4. Subsection (1) of section 1001.71, Florida
275 Statutes, is amended to read:

276 1001.71 University boards of trustees; membership.—

277 (1) Pursuant to s. 7(c), Art. IX of the State Constitution,
278 each local constituent university shall be administered by a
279 university board of trustees comprised of 13 members as follows:
280 6 citizen members appointed by the Governor subject to
281 confirmation by the Senate; 5 citizen members appointed by the
282 Board of Governors subject to confirmation by the Senate; the
283 chair of the faculty senate or the equivalent; and the president
284 of the student body of the university. The appointed members
285 shall serve staggered 5-year terms. In order to achieve
286 staggered terms, beginning July 1, 2003, of the initial
287 appointments by the Governor, 2 members shall serve 2-year
288 terms, 3 members shall serve 3-year terms, and 1 member shall
289 serve a 5-year term and of the initial appointments by the Board
290 of Governors, 2 members shall serve 2-year terms, 2 members

20184e2

291 shall serve 3-year terms, and 1 member shall serve a 5-year
292 term. There shall be no state residency requirement for
293 university board members, but the Governor and the Board of
294 Governors shall consider diversity and regional representation.
295 Beginning July 2, 2020, for purposes of this subsection,
296 regional representation shall include the chair of a campus
297 board established pursuant to s. 1004.341.

298 Section 5. Subsections (1), (2), and (4) of section
299 1001.92, Florida Statutes, are amended to read:

300 1001.92 State University System Performance-Based
301 Incentive.—

302 (1) A State University System Performance-Based Incentive
303 shall be awarded to state universities using performance-based
304 metrics adopted by the Board of Governors of the State
305 University System. Beginning with the Board of Governors'
306 determination of each university's performance improvement and
307 achievement ratings for 2018, and the related distribution of
308 the 2018-2019 fiscal year appropriation, the performance-based
309 metrics must include 4-year graduation rates; retention rates;
310 postgraduation education rates; degree production;
311 affordability; postgraduation employment and salaries, including
312 wage thresholds that reflect the added value of a baccalaureate
313 degree; access rate, based on the percentage of undergraduate
314 students enrolled during the fall term who received a Pell Grant
315 during the fall term; and other metrics approved by the board in
316 a formally noticed meeting. The board shall adopt benchmarks to
317 evaluate each state university's performance on the metrics to
318 measure the state university's achievement of institutional
319 excellence or need for improvement and minimum requirements for

20184e2

320 eligibility to receive performance funding. Access rate
321 benchmarks must be differentiated and scored to reflect the
322 varying access rate levels among the state universities;
323 however, the scoring system may not include bonus points.

324 (2) Each fiscal year, the amount of funds available for
325 allocation to the state universities based on the performance-
326 based funding model shall consist of the state's investment in
327 performance funding plus institutional investments consisting of
328 funds deducted from the base funding of each state university in
329 the State University System in an amount provided by the
330 Legislature ~~in the General Appropriations Act~~. The Board of
331 Governors shall establish minimum performance funding
332 eligibility thresholds for the state's investment and the
333 institutional investments. A state university that meets the
334 minimum institutional investment eligibility threshold, but
335 fails to meet the minimum state investment eligibility
336 threshold, shall have its institutional investment restored but
337 is ineligible for a share of the state's investment in
338 performance funding. The institutional investment shall be
339 restored for each institution eligible for the state's
340 investment under the performance-based funding model.

341 (4) Distributions of performance funding, as provided in
342 this section, shall be made by the Legislature to each of the
343 state universities ~~listed in the Education and General~~
344 ~~Activities category in the General Appropriations Act~~.

345 Section 6. Section 1004.097, Florida Statutes, is created
346 to read:

347 1004.097 Free expression on campus.—

348 (1) SHORT TITLE.—This section may be cited as the "Campus

20184e2

349 Free Expression Act.”

350 (2) DEFINITIONS.—As used in this section, the term:

351 (a) “Commercial speech” means speech in which the
352 individual is engaged in commerce, the intended audience is
353 commercial or actual or potential consumers, and the content of
354 the message is commercial.

355 (b) “Free-speech zone” means an area on a campus of a
356 public institution of higher education which is designated for
357 the purpose of engaging in expressive activities.

358 (c) “Material and substantial disruption” means any conduct
359 that intentionally and significantly hinders another person’s or
360 group’s expressive rights. The term does not include conduct
361 that is protected under the First Amendment to the United States
362 Constitution and Art. I of the State Constitution, including,
363 but not limited to, lawful protests and counter-protests in the
364 outdoor areas of campus or minor, brief, or fleeting nonviolent
365 disruptions that are isolated or brief in duration.

366 (d) “Outdoor areas of campus” means generally accessible
367 areas of a campus of a public institution of higher education in
368 which members of the campus community are commonly allowed,
369 including grassy areas, walkways, or other similar common areas.
370 The term does not include outdoor areas of campus to which
371 access is restricted.

372 (e) “Public institution of higher education” means any
373 public technical center, state college, state university, law
374 school, medical school, dental school, or other Florida College
375 System institution as defined in s. 1000.21.

376 (3) RIGHT TO FREE-SPEECH ACTIVITIES.—

377 (a) Expressive activities protected under the First

20184e2

378 Amendment to the United States Constitution and Art. I of the
379 State Constitution include, but are not limited to, any lawful
380 oral or written communication of ideas, including all forms of
381 peaceful assembly, protests, and speeches; distributing
382 literature; carrying signs; circulating petitions; and the
383 recording and publication, including the Internet publication,
384 of video or audio recorded in outdoor areas of campus.
385 Expressive activities protected by this section do not include
386 commercial speech.

387 (b) A person who wishes to engage in an expressive activity
388 in outdoor areas of campus may do so freely, spontaneously, and
389 contemporaneously as long as the person's conduct is lawful and
390 does not materially and substantially disrupt the functioning of
391 the public institution of higher education or infringe upon the
392 rights of other individuals or organizations to engage in
393 expressive activities.

394 (c) Outdoor areas of campus are considered traditional
395 public forums for individuals, organizations, and guest
396 speakers. A public institution of higher education may create
397 and enforce restrictions that are reasonable and content-neutral
398 on time, place, and manner of expression and that are narrowly
399 tailored to a significant institutional interest. Restrictions
400 must be clear and published and must and provide for ample
401 alternative means of expression.

402 (d) A public institution of higher education may not
403 designate any area of campus as a free-speech zone or otherwise
404 create policies restricting expressive activities to a
405 particular outdoor area of campus, except as provided in
406 paragraph (c).

20184e2

407 (e) Students, faculty, or staff of a public institution of
408 higher education may not materially disrupt previously scheduled
409 or reserved activities on campus occurring at the same time.

410 (4) CAUSE OF ACTION.—A person whose expressive rights are
411 violated by an action prohibited under this section may bring an
412 action against a public institution of higher education in a
413 court of competent jurisdiction to obtain declaratory and
414 injunctive relief, reasonable court costs, and attorney fees.

415 Section 7. Subsections (2), (3), and (4) and paragraph (b)
416 of subsection (5) of section 1004.28, Florida Statutes, are
417 amended to read:

418 1004.28 Direct-support organizations; use of property;
419 board of directors; activities; audit; facilities.—

420 (2) USE OF PROPERTY.—

421 (a) Each state university board of trustees is authorized
422 to permit the use of property, facilities, and personal services
423 at any state university by any university direct-support
424 organization, and, subject to the provisions of this section,
425 direct-support organizations may establish accounts with the
426 State Board of Administration for investment of funds pursuant
427 to part IV of chapter 218.

428 (b) The board of trustees, in accordance with regulations
429 ~~rules~~ and guidelines of the Board of Governors, shall prescribe
430 by regulation ~~rule~~ conditions with which a university direct-
431 support organization must comply in order to use property,
432 facilities, or personal services at any state university,
433 including that personal services must comply with s. 1012.976.
434 Such regulations ~~rules~~ shall provide for budget and audit review
435 and oversight by the board of trustees, including thresholds for

20184e2

436 approval of purchases, acquisitions, projects, and issuance of
437 debt. No later than July 1, 2019, the transfer of a state
438 appropriation by the board of trustees to any direct-support
439 organization may only include funds pledged for capital
440 projects. Beginning July 1, 2019, and annually thereafter, each
441 university board of trustees shall report to the Legislature the
442 amount of state appropriations transferred to any direct-support
443 organization during the previous fiscal year, the purpose for
444 which the funds were transferred, and the remaining balance of
445 any funds transferred.

446 (c) The board of trustees may not transfer any funds to and
447 shall not permit the use of property, facilities, or personal
448 services at any state university by any university direct-
449 support organization that does not provide equal employment
450 opportunities to all persons regardless of race, color,
451 religion, gender, age, or national origin.

452 (d) The board of trustees may not permit the use of state
453 funds for travel expenses by any university direct-support
454 organization.

455 (3) BOARD OF DIRECTORS.—The chair of the university board
456 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to
457 the board of directors and the executive committee of any
458 direct-support organization established under this section. The
459 president of the university for which the direct-support
460 organization is established, or his or her designee, shall also
461 serve on the board of directors and the executive committee of
462 any direct-support organization established to benefit that
463 university. The university board of trustees shall approve all
464 appointments to any direct-support organization not authorized

20184e2

465 by this subsection.

466 (4) ACTIVITIES; RESTRICTION.—A university direct-support
467 organization is prohibited from giving, either directly or
468 indirectly, any gift to a political committee as defined in s.
469 106.011 for any purpose ~~other than those certified by a majority~~
470 ~~roll call vote of the governing board of the direct-support~~
471 ~~organization at a regularly scheduled meeting as being directly~~
472 ~~related to the educational mission of the university.~~

473 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS
474 EXEMPTION.—

475 (b) ~~All records of the organization~~ Other than the
476 auditor's report, management letter, any records related to the
477 expenditure of state funds, and any financial records related to
478 the expenditure of private funds for travel, all records of the
479 organization and any supplemental data requested by the Board of
480 Governors, the university board of trustees, the Auditor
481 General, and the Office of Program Policy Analysis and
482 Government Accountability shall be confidential and exempt from
483 s. 119.07(1).

484 Section 8. Effective July 1, 2020, sections 1004.33 and
485 1004.34, Florida Statutes, are repealed.

486 Section 9. Section 1004.335, Florida Statutes, is created
487 to read:

488 1004.335 Accreditation consolidation of University of South
489 Florida branch campuses.—

490 (1) The University of South Florida Consolidation Planning
491 Study and Implementation Task Force is established to develop
492 recommendations to improve service to students by phasing out
493 the separate accreditation of the University of South Florida

20184e2

494 St. Petersburg and the University of South Florida
495 Sarasota/Manatee, which were conferred by the Southern
496 Association of Colleges and Schools Commission on Colleges
497 (SACSCOC) pursuant to ss. 1004.33 and 1004.34, respectively.
498 (2) The task force shall consist of the following members:
499 (a) One member appointed by the chair of the Board of
500 Governors who will serve as chair;
501 (b) Two members appointed by the President of the Senate;
502 (c) Two members appointed by the Speaker of the House of
503 Representatives;
504 (d) Two members appointed by the chair of the University of
505 South Florida board of trustees;
506 (e) One member appointed by the chair of the campus board
507 of the University of South Florida St. Petersburg;
508 (f) One member appointed by the chair of the campus board
509 of the University of South Florida Sarasota/Manatee;
510 (g) The regional chancellor of the University of South
511 Florida St. Petersburg;
512 (h) The regional chancellor of the University of South
513 Florida Sarasota/Manatee;
514 (i) The president of the University of South Florida or his
515 or her designee; and
516 (j) One student member appointed by the University of South
517 Florida Alumni Association.
518 (3) The Board of Trustees shall assign personnel from each
519 campus to staff the task force. The chair of the task force may
520 consult experts in university mergers and consolidations to
521 assist the task force in developing recommendations.
522 (4) No later than February 15, 2019, the task force must

20184e2

523 submit a report to the University of South Florida Board of
524 Trustees which includes, at a minimum, recommendations on the
525 following:

526 (a) Identification of specific degrees in programs of
527 strategic significance, including health care, science,
528 technology, engineering, mathematics, and other program
529 priorities to be offered at the University of South Florida St.
530 Petersburg and the University of South Florida Sarasota/Manatee
531 and the timeline for the development and delivery of programs on
532 each campus;

533 (b) Maintaining the unique identity of each campus and an
534 assessment of whether a separate educational mission is
535 beneficial to the future of each campus;

536 (c) Maintaining faculty input from all campuses during the
537 review and development of general education requirements to
538 reflect the distinctive identity of each campus;

539 (d) Developing the research capacity at each campus;

540 (e) Equitable distribution of programs and resources to
541 establish pathways to admission for all students who require
542 bridge programming and financial aid; and

543 (f) Establishing budget transparency and accountability
544 regarding the review and approval of student fees among
545 campuses, including fee differentials and athletic fees, to
546 enable the identification of the equitable distribution of
547 resources to each campus, including the University of South
548 Florida Health.

549 (g) Developing and delivering integrated academic programs,
550 student and faculty governance, and administrative services to
551 better serve the students, faculty, and staff at the University

20184e2

552 of South Florida College of Marine Science, the University of
553 South Florida Sarasota/Manatee, and the University of South
554 Florida St. Petersburg.

555 (5) No later than March 15, 2019, the Board of Trustees of
556 the University of South Florida, after considering the
557 recommendations of the task force, must adopt and submit to the
558 Board of Governors an implementation plan that:

559 (a) Establishes a timeline for each step that is necessary
560 to terminate the separate accreditation for each campus no later
561 than June 30, 2020, so that there is no lapse in institutional
562 accreditation for any campus during the phasing-out process.

563 (b) Minimizes disruption to students attending any
564 University of South Florida campus so that the consolidation of
565 SACSCOC accreditation does not impede a student's ability to
566 graduate within 4 years after initial first-time-in-college
567 enrollment.

568 (c) Requires that, on or before July 1, 2020, the entirety
569 of the University of South Florida, including all campuses and
570 other component units of the university, operate under a single
571 institutional accreditation from the SACSCOC.

572 (d) Requires that, on each regularly scheduled submission
573 date subsequent to July 1, 2020, the University of South Florida
574 report consolidated data for all of the university's campuses
575 and students to the Integrated Postsecondary Education Data
576 System and to the Board of Governors. The Board of Governors
577 shall use the consolidated data for purposes of determining
578 eligibility for funding pursuant to ss. 1001.7065 and 1001.92.

579 (6) Notwithstanding ss. 1001.7065 and 1001.92 or any Board
580 of Governors regulation to the contrary relating to the

20184e2

581 calculation of graduation rates and retention rates, a student
582 who meets all of the following criteria may not be counted by
583 the Board of Governors when calculating or confirming the
584 graduation rate or the retention rate of the University of South
585 Florida under those sections:

586 (a) The student was admitted to and initially enrolled
587 before the spring 2020 semester as a first-time-in-college
588 student at the University of South Florida St. Petersburg or the
589 University of South Florida Sarasota/Manatee.

590 (b) The student voluntarily disenrolled from all University
591 of South Florida campuses without graduating before the date of
592 termination of the separate SACSCOC accreditation of his or her
593 admitting campus.

594 (7) This section expires July 1, 2020.

595 Section 10. Effective July 2, 2020, section 1004.341,
596 Florida Statutes, is created to read:

597 1004.341 University of South Florida campuses.—

598 (1) The St. Petersburg and Sarasota/Manatee campuses of the
599 University of South Florida are hereby established.

600 (a) The St. Petersburg campus of the University of South
601 Florida shall be known as the "University of South Florida St.
602 Petersburg" and shall include any college of the University of
603 South Florida which is headquartered or primarily located in
604 Pinellas County.

605 (b) The Sarasota/Manatee campus of the University of South
606 Florida shall be known as the "University of South Florida
607 Sarasota/Manatee" and shall include any college of the
608 University of South Florida which is headquartered or primarily
609 located in Sarasota County or Manatee County.

20184e2

610 (2) The University of South Florida St. Petersburg and the
611 University of South Florida Sarasota/Manatee shall each have a
612 campus board and a regional chancellor. The Chair of the Board
613 of Trustees of the University of South Florida, based upon
614 recommendations of the President of the University of South
615 Florida, shall appoint:

616 (a) Seven residents of Pinellas County to serve 4-year
617 staggered terms on the Campus Board of the University of South
618 Florida St. Petersburg. A member of the Board of Trustees of the
619 University of South Florida who resides in Pinellas County shall
620 jointly serve as a member of the Board of Trustees and as chair
621 of the campus board. The chair of the faculty senate or the
622 equivalent and the president of the student body of the campus
623 shall serve as ex officio members.

624 (b) Four residents of Manatee County and three residents of
625 Sarasota County to serve 4-year staggered terms on the Campus
626 Board of the University of South Florida Sarasota/Manatee. A
627 member of the Board of Trustees of the University of South
628 Florida who resides in Manatee County or Sarasota County shall
629 be selected by the Chair of the Board of Trustees of the
630 University of South Florida to serve jointly as a member of the
631 Board of Trustees and as chair of the campus board. The chair of
632 the faculty senate or the equivalent and the president of the
633 student body of the campus shall serve as ex officio members.

634
635 The Board of Trustees may reappoint a member to the campus
636 board, other than the chair, for one additional term.

637 (3) Each campus board has the powers and duties provided by
638 law, which include the authority to approve and submit an annual

20184e2

639 operating plan, budget, and legislative budget request to the
640 Board of Trustees of the University of South Florida.

641 (4) The Board of Trustees shall publish and approve an
642 annual operating budget for each campus and a report on the
643 distribution of funds, including student tuition and fees,
644 preeminence funding, and performance-based funding, provided to
645 each campus.

646 (5) The Board of Trustees must publish on its website a
647 biennial regional impact report, beginning July 1, 2021, which
648 details the specific increased investments in university
649 programs located in Pinellas, Manatee, and Sarasota Counties.
650 The report shall include, at a minimum, trend information
651 related to access to new degree programs for students in those
652 counties, any changes in student enrollment and outcomes at each
653 campus located in those counties, increased research conducted
654 and research infrastructure added in those counties, and any
655 fixed capital outlay projects or property acquisitions planned
656 or completed in those counties.

657 (6) The faculty and students at each campus shall be
658 represented in the academic and student governance structures of
659 the University of South Florida as determined by the Board of
660 Trustees.

661 Section 11. Subsection (1) of section 1004.344, Florida
662 Statutes, is amended to read:

663 1004.344 The Florida Center for the Partnerships for Arts
664 Integrated Teaching.—

665 (1) The Florida Center for the Partnerships for Arts
666 Integrated Teaching is created within the University of South
667 Florida and shall be physically headquartered at the University

20184e2

668 of South Florida Sarasota/Manatee.

669 Section 12. Section 1004.6497, Florida Statutes, is created
670 to read:

671 1004.6497 World Class Faculty and Scholar Program.—

672 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty
673 and Scholar Program is established to fund and support the
674 efforts of state universities to recruit and retain exemplary
675 faculty and research scholars. It is the intent of the
676 Legislature to elevate the national competitiveness of Florida's
677 state universities through faculty and scholar recruitment and
678 retention.

679 (2) INVESTMENTS.—Retention, recruitment, and recognition
680 efforts, activities, and investments may include, but are not
681 limited to, investments in research-centric cluster hires,
682 faculty research and research commercialization efforts,
683 instructional and research infrastructure, undergraduate student
684 participation in research, professional development, awards for
685 outstanding performance, and postdoctoral fellowships.

686 (3) FUNDING AND USE.—Funding for the program shall be as
687 provided by the Legislature. Each state university shall use the
688 funds only for the purpose and investments authorized under this
689 section. These funds may not be used to construct buildings.

690 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
691 Governors shall provide to the Governor, the President of the
692 Senate, and the Speaker of the House of Representatives a report
693 summarizing information from the universities in the State
694 University System, including, but not limited to:

695 (a) Specific expenditure information as it relates to the
696 investments identified in subsection (2).

20184e2

697 (b) The impact of those investments in elevating the
698 national competitiveness of the universities, specifically
699 relating to:

700 1. The success in recruiting research faculty and the
701 resulting research funding;

702 2. The 4-year graduation rate for undergraduate students;

703 3. The number of undergraduate courses offered with fewer
704 than 50 students; and

705 4. The increase in national academic standing of targeted
706 programs, specifically advancement in ranking of the targeted
707 programs among top 50 universities in well-known and highly
708 respected national public university rankings, including, but
709 not limited to, the U.S. News and World Report rankings, which
710 reflect national preeminence, using the most recent rankings.

711 Section 13. Section 1004.6498, Florida Statutes, is created
712 to read:

713 1004.6498 State University Professional and Graduate Degree
714 Excellence Program.—

715 (1) PURPOSE.—The State University Professional and Graduate
716 Degree Excellence Program is established to fund and support the
717 efforts of state universities to enhance the quality and
718 excellence of professional and graduate schools and degree
719 programs in medicine, law, and business and expand the economic
720 impact of state universities.

721 (2) INVESTMENTS.—Quality improvement efforts may include,
722 but are not limited to, targeted investments in faculty,
723 students, research, infrastructure, and other strategic
724 endeavors to elevate the national and global prominence of state
725 university medicine, law, and graduate-level business programs.

20184e2

726 (3) FUNDING AND USE.—Funding for the program shall be as
727 provided by the Legislature. Each state university shall use the
728 funds only for the purpose and investments authorized under this
729 section. These funds may not be used to construct buildings.

730 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of
731 Governors shall provide to the Governor, the President of the
732 Senate, and the Speaker of the House of Representatives a report
733 summarizing information from the universities in the State
734 University System, including, but not limited to:

735 (a) Specific expenditure information as it relates to the
736 investments identified in subsection (2).

737 (b) The impact of those investments in elevating the
738 national and global prominence of the state university medicine,
739 law, and graduate-level business programs, specifically relating
740 to:

741 1. The first-time pass rate on the United States Medical
742 Licensing Examination;

743 2. The first-time pass rate on The Florida Bar Examination;

744 3. The percentage of graduates enrolled or employed at a
745 wage threshold that reflects the added value of a graduate-level
746 business degree;

747 4. The advancement in the rankings of the state university
748 medicine, law, and graduate-level programs in well-known and
749 highly respected national graduate-level university rankings,
750 including, but not limited to, the U.S. News and World Report
751 rankings, which reflect national preeminence, using the most
752 recent rankings; and

753 5. The added economic benefit of the universities to the
754 state.

20184e2

755 Section 14. Paragraph (c) of subsection (5) of section
756 1008.30, Florida Statutes, is amended to read:

757 1008.30 Common placement testing for public postsecondary
758 education.—

759 (5)

760 (c) A university board of trustees may contract with a
761 Florida College System institution board of trustees for the
762 Florida College System institution to provide developmental
763 education on the state university campus. Any state university
764 in which the percentage of incoming students requiring
765 developmental education equals or exceeds the average percentage
766 of such students for the Florida College System may offer
767 developmental education without contracting with a Florida
768 College System institution; however, any state university
769 offering college-preparatory instruction as of January 1, 1996,
770 may continue to provide developmental education instruction as
771 defined in s. 1008.02(1) ~~such services~~.

772 Section 15. Subsection (7) of section 1009.22, Florida
773 Statutes, is amended to read:

774 1009.22 Workforce education postsecondary student fees.—

775 (7) Each district school board and Florida College System
776 institution board of trustees is authorized to establish a
777 separate fee for technology, not to exceed 5 percent of tuition
778 per credit hour or credit-hour equivalent for resident students
779 and not to exceed 5 percent of tuition and the out-of-state fee
780 per credit hour or credit-hour equivalent for nonresident
781 students. Revenues generated from the technology fee shall be
782 used to enhance instructional technology resources for students
783 and faculty ~~and shall not be included in any award under the~~

20184e2

784 ~~Florida Bright Futures Scholarship Program.~~ Fifty percent of
785 technology fee revenues may be pledged by a Florida College
786 System institution board of trustees as a dedicated revenue
787 source for the repayment of debt, including lease-purchase
788 agreements, not to exceed the useful life of the asset being
789 financed. Revenues generated from the technology fee may not be
790 bonded.

791 Section 16. Subsection (10) of section 1009.23, Florida
792 Statutes, is amended to read:

793 1009.23 Florida College System institution student fees.—

794 (10) Each Florida College System institution board of
795 trustees is authorized to establish a separate fee for
796 technology, which may not exceed 5 percent of tuition per credit
797 hour or credit-hour equivalent for resident students and may not
798 exceed 5 percent of tuition and the out-of-state fee per credit
799 hour or credit-hour equivalent for nonresident students.

800 Revenues generated from the technology fee shall be used to
801 enhance instructional technology resources for students and
802 faculty. The technology fee may apply to both college credit and
803 developmental education ~~and shall not be included in any award~~
804 ~~under the Florida Bright Futures Scholarship Program.~~ Fifty
805 percent of technology fee revenues may be pledged by a Florida
806 College System institution board of trustees as a dedicated
807 revenue source for the repayment of debt, including lease-
808 purchase agreements, not to exceed the useful life of the asset
809 being financed. Revenues generated from the technology fee may
810 not be bonded.

811 Section 17. Subsection (13), paragraph (r) of subsection
812 (14), paragraphs (a), (b), and (e) of subsection (16), and

20184e2

813 subsection (20) of section 1009.24, Florida Statutes, are
814 amended to read:

815 1009.24 State university student fees.—

816 (13) Each university board of trustees may establish a
817 technology fee of up to 5 percent of the tuition per credit
818 hour. The revenue from this fee shall be used to enhance
819 instructional technology resources for students and faculty. ~~The~~
820 ~~technology fee may not be included in any award under the~~
821 ~~Florida Bright Futures Scholarship Program established pursuant~~
822 ~~to ss. 1009.53-1009.538.~~

823 (14) Except as otherwise provided in subsection (15), each
824 university board of trustees is authorized to establish the
825 following fees:

826 (r) Traffic and parking fines, charges for parking decals,
827 and transportation access fees. Only universitywide
828 transportation access fees may be included in any state
829 financial assistance award authorized under part III of this
830 chapter, as specifically authorized by law or the General
831 Appropriations Act.

832

833 With the exception of housing rental rates and except as
834 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
835 shall be based on reasonable costs of services. The Board of
836 Governors shall adopt regulations and timetables necessary to
837 implement the fees and fines authorized under this subsection.
838 The fees assessed under this subsection may be used for debt
839 only as authorized under s. 1010.62.

840 (16) Each university board of trustees may establish a
841 tuition differential for undergraduate courses upon receipt of

20184e2

842 approval from the Board of Governors. However, beginning July 1,
843 2014, the Board of Governors may only approve the establishment
844 of or an increase in tuition differential for a state research
845 university designated as a preeminent state research university
846 pursuant to s. 1001.7065(3). The tuition differential shall
847 promote improvements in the quality of undergraduate education
848 and shall provide financial aid to undergraduate students who
849 exhibit financial need.

850 (a) Seventy percent of the revenues from the tuition
851 differential shall be expended for purposes of undergraduate
852 education. Such expenditures may include, but are not limited
853 to, increasing course offerings, improving graduation rates,
854 increasing the percentage of undergraduate students who are
855 taught by faculty, decreasing student-faculty ratios, providing
856 salary increases for faculty who have a history of excellent
857 teaching in undergraduate courses, improving the efficiency of
858 the delivery of undergraduate education through academic
859 advisement and counseling, and reducing the percentage of
860 students who graduate with excess hours. This expenditure for
861 undergraduate education may not be used to pay the salaries of
862 graduate teaching assistants. Except as otherwise provided in
863 this subsection, the remaining 30 percent of the revenues from
864 the tuition differential, or the equivalent amount of revenue
865 from private sources, shall be expended to provide financial aid
866 to undergraduate students who exhibit financial need, including
867 students who are scholarship recipients under s. 1009.984, to
868 meet the cost of university attendance. This expenditure for
869 need-based financial aid shall not supplant the amount of need-
870 based aid provided to undergraduate students in the preceding

20184e2

871 fiscal year from financial aid fee revenues, the direct
872 appropriation for financial assistance provided to state
873 universities in the General Appropriations Act, or from private
874 sources. The total amount of tuition differential waived under
875 subparagraph (b)7. ~~(b)8.~~ may be included in calculating the
876 expenditures for need-based financial aid to undergraduate
877 students required by this subsection. If the entire tuition and
878 fee costs of resident students who have applied for and received
879 Pell Grant funds have been met and the university has excess
880 funds remaining from the 30 percent of the revenues from the
881 tuition differential required to be used to assist students who
882 exhibit financial need, the university may expend the excess
883 portion in the same manner as required for the other 70 percent
884 of the tuition differential revenues.

885 (b) Each tuition differential is subject to the following
886 conditions:

887 1. The tuition differential may be assessed on one or more
888 undergraduate courses or on all undergraduate courses at a state
889 university.

890 2. The tuition differential may vary by course or courses,
891 by campus or center location, and by institution. Each
892 university board of trustees shall strive to maintain and
893 increase enrollment in degree programs related to math, science,
894 high technology, and other state or regional high-need fields
895 when establishing tuition differentials by course.

896 3. For each state university that is designated as a
897 preeminent state research university by the Board of Governors,
898 pursuant to s. 1001.7065, the aggregate sum of tuition and the
899 tuition differential may be increased by no more than 6 percent

20184e2

900 of the total charged for the aggregate sum of these fees in the
901 preceding fiscal year. The tuition differential may be increased
902 if the university meets or exceeds performance standard targets
903 for that university established annually by the Board of
904 Governors for the following performance standards, amounting to
905 no more than a 2-percent increase in the tuition differential
906 for each performance standard:

907 a. An increase in the 4-year ~~6-year~~ graduation rate for
908 full-time, first-time-in-college students, as reported annually
909 to the Integrated Postsecondary Education Data System.

910 b. An increase in the total annual research expenditures.

911 c. An increase in the total patents awarded by the United
912 States Patent and Trademark Office for the most recent years.

913 4. The aggregate sum of undergraduate tuition and fees per
914 credit hour, including the tuition differential, may not exceed
915 the national average of undergraduate tuition and fees at 4-year
916 degree-granting public postsecondary educational institutions.

917 ~~5. The tuition differential shall not be included in any~~
918 ~~award under the Florida Bright Futures Scholarship Program~~
919 ~~established pursuant to ss. 1009.53-1009.538.~~

920 ~~5.6.~~ Beneficiaries having prepaid tuition contracts
921 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
922 2007, and which remain in effect, are exempt from the payment of
923 the tuition differential.

924 ~~6.7.~~ The tuition differential may not be charged to any
925 student who was in attendance at the university before July 1,
926 2007, and who maintains continuous enrollment.

927 ~~7.8.~~ The tuition differential may be waived by the
928 university for students who meet the eligibility requirements

20184e2

929 for the Florida public student assistance grant established in
930 s. 1009.50.

931 ~~8.9.~~ Subject to approval by the Board of Governors, the
932 tuition differential authorized pursuant to this subsection may
933 take effect with the 2009 fall term.

934 (e) The Board of Governors shall submit a report to the
935 President of the Senate, the Speaker of the House of
936 Representatives, and the Governor describing the implementation
937 of the provisions of this subsection no later than February 1 of
938 each year. The report shall summarize proposals received by the
939 board during the preceding fiscal year and actions taken by the
940 board in response to such proposals. In addition, the report
941 shall provide the following information for each university that
942 has been approved by the board to assess a tuition differential:

943 1. The course or courses for which the tuition differential
944 was assessed and the amount assessed.

945 2. The total revenues generated by the tuition
946 differential.

947 3. With respect to waivers authorized under subparagraph
948 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the
949 number of students receiving a waiver, and the value of waivers
950 provided.

951 4. Detailed expenditures of the revenues generated by the
952 tuition differential.

953 5. Changes in retention rates, graduation rates, the
954 percentage of students graduating with more than 110 percent of
955 the hours required for graduation, pass rates on licensure
956 examinations, the number of undergraduate course offerings, the
957 percentage of undergraduate students who are taught by faculty,

20184e2

958 student-faculty ratios, and the average salaries of faculty who
959 teach undergraduate courses.

960 (20) Each state university shall publicly notice and notify
961 all enrolled students of any proposal to change ~~increase~~ tuition
962 or fees at least 28 days before its consideration at a board of
963 trustees meeting. The notice must:

964 (a) Include the date and time of the meeting at which the
965 proposal will be considered.

966 (b) Specifically outline the details of existing tuition
967 and fees, the rationale for the proposed change ~~increase~~, and
968 how the funds from the proposed change ~~increase~~ will be used.

969 (c) Be posted on the university's website and issued in a
970 press release.

971 Section 18. Subsection (9) of section 1009.53, Florida
972 Statutes, is amended to read:

973 1009.53 Florida Bright Futures Scholarship Program.—

974 (9) A student may use a Florida Academic Scholars ~~an~~ award
975 for summer term enrollment beginning in the 2018 summer term, as
976 funded by the Legislature. A student may use a Florida Medallion
977 Scholars award for summer term enrollment beginning in the 2019
978 summer term, as funded by the Legislature. A student may use
979 other Florida Bright Futures Scholarship Program awards for
980 summer term enrollment, if funded by the Legislature ~~if funds~~
981 ~~are available.~~

982 Section 19. Subsection (2) of section 1009.534, Florida
983 Statutes, is amended to read:

984 1009.534 Florida Academic Scholars award.—

985 (2) A Florida Academic Scholar who is enrolled in a
986 certificate, diploma, associate, or baccalaureate degree program

20184e2

987 at a public or nonpublic postsecondary education institution is
988 eligible, beginning in the 2017-2018 academic year, for an award
989 equal to the amount necessary to pay 100 percent of tuition and
990 fees established under ss. 1009.22(3), (5), (6), and (7);
991 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
992 (13), (14)(r), and (16), as applicable, and is eligible for an
993 additional \$300 each fall and spring academic semester or the
994 equivalent for textbooks, specified in the General
995 ~~Appropriations Act~~ to assist with the payment of educational
996 expenses.

997 Section 20. Subsection (2) of section 1009.535, Florida
998 Statutes, is amended to read:

999 1009.535 Florida Medallion Scholars award.—

1000 (2) A Florida Medallion Scholar who is enrolled in a
1001 certificate, diploma, associate, or baccalaureate degree program
1002 at a public or nonpublic postsecondary education institution is
1003 eligible, beginning in the fall 2018 semester, for an award
1004 equal to the amount necessary to pay 75 percent of tuition and
1005 fees established under ss. 1009.22(3), (5), (6), and (7);
1006 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
1007 (13), (14)(r), and (16), as applicable, specified in the General
1008 ~~Appropriations Act~~ to assist with the payment of educational
1009 expenses.

1010 Section 21. Subsections (1), (2), and (4) and paragraph (c)
1011 of subsection (5) of section 1009.701, Florida Statutes, are
1012 amended to read:

1013 1009.701 First Generation Matching Grant Program.—

1014 (1) The First Generation Matching Grant Program is created
1015 to enable each state university and Florida College System

20184e2

1016 institution to provide donors with a matching grant incentive
1017 for contributions that will create grant-based student financial
1018 aid for undergraduate students who demonstrate financial need
1019 and whose parents, as defined in s. 1009.21(1), have not earned
1020 a baccalaureate degree. In the case of any individual who
1021 regularly resided with and received support from only one
1022 parent, an individual whose only such parent did not complete a
1023 baccalaureate degree would also be eligible.

1024 (2) Funds appropriated by the Legislature for the program
1025 shall be allocated by the Office of Student Financial Assistance
1026 to match private contributions on a dollar-for-dollar basis;
1027 however, beginning in the 2018-2019 fiscal year, such funds
1028 shall be allocated at a ratio of \$2 of state funds to \$1 of
1029 private contributions. Contributions made to a state university
1030 or a Florida College System institution and pledged for the
1031 purposes of this section are eligible for state matching funds
1032 appropriated for this program and are not eligible for any other
1033 state matching grant program. Pledged contributions are not
1034 eligible for matching prior to the actual collection of the
1035 total funds. The Office of Student Financial Assistance shall
1036 reserve a proportionate allocation of the total appropriated
1037 funds for each state university and Florida College System
1038 institution on the basis of full-time equivalent enrollment.
1039 Funds that remain unmatched as of December 1 shall be
1040 reallocated to state universities and colleges that have
1041 remaining unmatched private contributions for the program on the
1042 basis of full-time equivalent enrollment.

1043 (4) Each participating state university and Florida College
1044 System institution shall establish an application process,

20184e2

1045 determine student eligibility for initial and renewal awards in
1046 conformance with subsection (5), identify the amount awarded to
1047 each recipient, and notify recipients of the amount of their
1048 awards.

1049 (5) In order to be eligible to receive a grant pursuant to
1050 this section, an applicant must:

1051 (c) Be accepted at a state university or Florida College
1052 System institution.

1053 Section 22. Subsections (2), (4), and (5) of section
1054 1009.893, Florida Statutes, are amended to read:

1055 1009.893 Benacquisto Scholarship Program.—

1056 (2) The Benacquisto Scholarship Program is created to
1057 reward a ~~any Florida~~ high school graduate who receives
1058 recognition as a National Merit Scholar or National Achievement
1059 Scholar and who initially enrolls in the 2014-2015 academic year
1060 or, later, in a baccalaureate degree program at an eligible
1061 Florida public or independent postsecondary educational
1062 institution.

1063 (4) In order to be eligible for an award under the
1064 scholarship program, a student must meet the requirements of
1065 paragraph (a) or paragraph (b).‡

1066 (a) A student who is a resident of this state, ~~Be a state~~
1067 ~~resident~~ as determined in s. 1009.40 and rules of the State
1068 Board of Education, must:‡

1069 1. ~~(b)~~ Earn a standard Florida high school diploma or its
1070 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,
1071 or s. 1003.435 unless:

1072 a.1.‡ The student completes a home education program
1073 according to s. 1002.41; or

20184e2

1074 ~~b.2.~~ The student earns a high school diploma from a non-
1075 Florida school while living with a parent who is on military or
1076 public service assignment out of this state;

1077 ~~2.(e)~~ Be accepted by and enroll in a Florida public or
1078 independent postsecondary educational institution that is
1079 regionally accredited; and

1080 ~~3.(d)~~ Be enrolled full-time in a baccalaureate degree
1081 program at an eligible regionally accredited Florida public or
1082 independent postsecondary educational institution during the
1083 fall academic term following high school graduation.

1084 (b) A student who initially enrolls in a baccalaureate
1085 degree program in the 2018-2019 academic year or later and who
1086 is not a resident of this state, as determined in s. 1009.40 and
1087 rules of the State Board of Education, must:

1088 1. Physically reside in this state on or near the campus of
1089 the postsecondary educational institution in which the student
1090 is enrolled;

1091 2. Earn a high school diploma from a school outside Florida
1092 which is comparable to a standard Florida high school diploma or
1093 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
1094 1003.4282, or s. 1003.435 or must complete a home education
1095 program in another state; and

1096 3. Be accepted by and enrolled full-time in a baccalaureate
1097 degree program at an eligible regionally accredited Florida
1098 public or independent postsecondary educational institution
1099 during the fall academic term following high school graduation.

1100 (5) (a) 1. An eligible student who meets the requirements of
1101 paragraph (4) (a), who is a National Merit Scholar or National
1102 Achievement Scholar, and who attends a Florida public

20184e2

1103 postsecondary educational institution shall receive a
1104 scholarship award equal to the institutional cost of attendance
1105 minus the sum of the student's Florida Bright Futures
1106 Scholarship and National Merit Scholarship or National
1107 Achievement Scholarship.

1108 2. An eligible student who meets the requirements of
1109 paragraph (4) (b), who is a National Merit Scholar, and who
1110 attends a Florida public postsecondary educational institution
1111 shall receive a scholarship award equal to the institutional
1112 cost of attendance for a resident of this state minus the
1113 student's National Merit Scholarship. Such student is exempt
1114 from the payment of out-of-state fees.

1115 (b) An eligible student who is a National Merit Scholar or
1116 National Achievement Scholar and who attends a Florida
1117 independent postsecondary educational institution shall receive
1118 a scholarship award equal to the highest cost of attendance for
1119 a resident of this state enrolled at a Florida public
1120 university, as reported by the Board of Governors of the State
1121 University System, minus the sum of the student's Florida Bright
1122 Futures Scholarship and National Merit Scholarship or National
1123 Achievement Scholarship.

1124 Section 23. Section 1009.894, Florida Statutes, is created
1125 to read:

1126 1009.894 Florida Farmworker Student Scholarship Program.—
1127 The Legislature recognizes the vital contribution of farmworkers
1128 to the economy of this state. The Florida Farmworker Student
1129 Scholarship Program is created to provide scholarships for
1130 farmworkers, as defined in s. 420.503, and the children of such
1131 farmworkers.

20184e2

1132 (1) The Department of Education shall administer the
1133 Florida Farmworker Student Scholarship Program according to
1134 rules and procedures established by the State Board of
1135 Education. Up to 50 scholarships shall be awarded annually
1136 according to the criteria established in subsection (2) and
1137 contingent upon an appropriation by the Legislature.

1138 (2) (a) To be eligible for an initial scholarship, a student
1139 must, at a minimum:

1140 1. Have a resident status as required by s. 1009.40 and
1141 rules of the State Board of Education;

1142 2. Earn a minimum cumulative weighted grade point average
1143 of 3.5 for all high school courses creditable toward a diploma;

1144 3. Complete a minimum of 30 hours of community service; and

1145 4. Have at least a 90-percent attendance rate and not have
1146 had any disciplinary action brought against him or her, as
1147 documented on the student's high school transcript.

1148
1149 For purposes of this section, students who are undocumented for
1150 federal immigration purposes are not eligible for an award.

1151 (b) The department shall rank eligible initial applicants
1152 for the purposes of awarding scholarships based on need, as
1153 determined by the department.

1154 (c) To renew a scholarship awarded pursuant to this
1155 section, a student must maintain at least a cumulative grade
1156 point average of 2.5 or higher on a 4.0 scale for college
1157 coursework.

1158 (3) A scholarship recipient must enroll in a minimum of 12
1159 credit hours per term, or the equivalent, at a public
1160 postsecondary educational institution in this state to receive

20184e2

1161 funding.

1162 (4) A scholarship recipient may receive an award for a
1163 maximum of 100 percent of the number of credit hours required to
1164 complete an associate or baccalaureate degree program or receive
1165 an award for a maximum of 100 percent of the credit hours or
1166 clock hours required to complete up to 90 credit hours of a
1167 program that terminates in a career certificate. The scholarship
1168 recipient is eligible for an award equal to the amount required
1169 to pay the tuition and fees established under ss. 1009.22(3),
1170 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);
1171 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a
1172 public postsecondary educational institution in this state.
1173 Renewal scholarship awards must take precedence over new
1174 scholarship awards in a year in which funds are not sufficient
1175 to accommodate both initial and renewal awards. The scholarship
1176 must be prorated for any such year.

1177 (5) Subject to appropriation by the Legislature, the
1178 department shall annually issue awards from the scholarship
1179 program. Before the registration period each semester, the
1180 department shall transmit payment for each award to the
1181 president or director of the postsecondary educational
1182 institution, or his or her representative. However, the
1183 department may withhold payment if the receiving institution
1184 fails to submit the following reports or make the following
1185 refunds to the department:

1186 (a) Each institution shall certify to the department the
1187 eligibility status of each student to receive a disbursement
1188 within 30 days before the end of its regular registration
1189 period, inclusive of a drop and add period. An institution is

20184e2

1190 not required to reevaluate the student eligibility after the end
1191 of the drop and add period.

1192 (b) An institution that receives funds from the scholarship
1193 program must certify to the department the amount of funds
1194 disbursed to each student and remit to the department any
1195 undisbursed advance within 60 days after the end of the regular
1196 registration period.

1197 (6) The department shall allocate funds to the appropriate
1198 institutions and collect and maintain data regarding the
1199 scholarship program within the student financial assistance
1200 database as specified in s. 1009.94.

1201 Section 24. Paragraphs (e) and (f) of subsection (10) of
1202 section 1009.98, Florida Statutes, are redesignated as
1203 paragraphs (f) and (g), respectively, and a new paragraph (e) is
1204 added to that subsection to read:

1205 1009.98 Stanley G. Tate Florida Prepaid College Program.—

1206 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

1207 (e) Notwithstanding the number of credit hours used by a
1208 state university to assess the amount for registration fees,
1209 tuition, tuition differential, or local fees, the amount paid by
1210 the board to any state university on behalf of a qualified
1211 beneficiary of an advance payment contract purchased before July
1212 1, 2024, may not exceed the number of credit hours taken by that
1213 qualified beneficiary at the state university.

1214 Section 25. The Division of Law Revision and Information is
1215 directed to substitute the term "Effective Access to Student
1216 Education Grant Program" for "Florida Resident Access Grant
1217 Program" and the term "Effective Access to Student Education
1218 grant" for "Florida resident access grant" wherever those terms

20184e2

1219 appear in the Florida Statutes.

1220 Section 26. By October 1, 2019, the Board of Governors, in
1221 consultation with the state universities, shall submit to the
1222 Legislature recommendations for future consideration on the most
1223 efficient process to achieve a complete performance-based
1224 continuous improvement model focused on outcomes that provides
1225 for the equitable distribution of performance funds. In addition
1226 to recommendations submitted by the Board of Governors, the
1227 Legislature shall review recommendations from an independent
1228 entity that consults with the Board of Governors for the purpose
1229 of receiving input on behalf of the state university system.
1230 Implementation of any recommendations shall not occur unless
1231 affirmatively enacted by the Legislature.

1232 Section 27. For the 2018-2019 fiscal year, \$121,776,631 in
1233 recurring funds from the Educational Enhancement Trust Fund and
1234 \$1,736,404 in recurring funds from the General Revenue Fund are
1235 appropriated to the Department of Education to implement this
1236 act. Of these funds, \$1,737,223 from the Educational Enhancement
1237 Trust Fund shall be used for 2019 summer term awards for Florida
1238 Bright Futures Academic Scholars, \$28,416,515 from the
1239 Educational Enhancement Trust Fund shall be used for 2019 summer
1240 term awards for Florida Bright Futures Medallion Scholars,
1241 \$91,622,893 from the Educational Enhancement Trust Fund shall be
1242 used for Florida Bright Futures Scholarship Program awards,
1243 \$1,236,404 from the General Revenue Fund shall be used for the
1244 Benacquisto Scholarship Program, and \$500,000 from the General
1245 Revenue Fund shall be used for the Florida Farmworker Student
1246 Scholarship Program.

1247 Section 28. Except as otherwise expressly provided in this

20184e2

1248 | act, this act shall take effect upon becoming a law.