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1  
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

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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

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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

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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

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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

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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

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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

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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.—



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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

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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

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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

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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

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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

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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).

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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

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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



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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

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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

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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

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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

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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.

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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

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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

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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).



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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.

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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.

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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~~

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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

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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

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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

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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

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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



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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,

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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

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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

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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,

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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

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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

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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.

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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



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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

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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

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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

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