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1
2 An act relating to higher education; amending s.
3 11.45, F.S.; requiring the Auditor General to verify
4 the accuracy of unexpended amounts in specified funds
5 certified by university and Florida College System
6 institution chief financial officers; amending s.
7 215.985, F.S.; requiring employees and officers of
8 Florida College System institutions to be included in
9 a Department of Management Services website that
10 provides specified information relating to such
11 employees or officers; amending s. 1001.03, F.S.;
12 requiring the State Board of Education to develop a
13 prioritized list of capital projects; requiring the
14 state board to develop a points-based prioritization
15 method to rank projects based on specified criteria;
16 specifying that specified new projects at a Florida
17 College System institution must satisfy specified
18 criteria; requiring weighted values within the points
19 scale; requiring the state board to maintain a list of
20 capital outlay projects for which state funds have
21 been appropriated but which have not been completed;
22 requiring the state board to review its space need
23 calculation methodology and to present a summary and
24 preliminary recommendations to the chairs of the
25 legislative appropriations committees by a specified
26 date and at a specified interval thereafter; amending
27 s. 1001.706, F.S.; requiring the Board of Governors to
28 develop and annually deliver a training program for
29 members of state university boards of trustees;

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30 requiring trustee participation within a specified
31 timeframe of appointment and reappointment; requiring
32 the inclusion of certain information in the training
33 program; requiring the board to define data components
34 and methodology for specified purposes; requiring
35 state universities to conduct and submit annual
36 institutional audits to the board's Office of
37 Inspector General; requiring the board to match
38 certain student information with specified educational
39 and employment records; requiring the board to enter
40 into an agreement with the Department of Economic
41 Opportunity for certain purposes; providing
42 requirements for such agreement; requiring the board
43 to develop a specified prioritized list of capital
44 projects; requiring the board to develop a points-
45 based prioritization method to rank projects based on
46 specified criteria; requiring the board to consider
47 specified criteria for certain projects; requiring
48 weighted values within the points scale; requiring the
49 board to maintain a list of capital outlay projects
50 for which state funds have been appropriated but which
51 have not been completed; requiring the Board of
52 Governors to review and submit its space need
53 calculation methodology; amending s. 1004.70, F.S.;
54 prohibiting a Florida College System institution
55 direct-support organization from giving, directly or
56 indirectly, any gift to a political committee;
57 amending s. 1007.23, F.S.; requiring, by a specified
58 academic year, Florida College System institutions and

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59 state universities to execute agreements to establish
60 "2+2" targeted pathway programs; providing
61 requirements for such agreements; specifying
62 requirements for student participation; requiring the
63 State Board of Education and the Board of Governors to
64 collaborate to eliminate barriers in executing pathway
65 articulation agreements; amending s. 1008.32, F.S.;
66 requiring the Commissioner of Education to report
67 certain audit findings to the State Board of Education
68 under certain circumstances; requiring district school
69 boards and Florida College System institutions' boards
70 of trustees to document compliance with the law under
71 certain circumstances; amending s. 1008.322, F.S.;
72 requiring the Chancellor of the State University
73 System to report certain audit findings to the Board
74 of Governors under certain circumstances; requiring
75 state universities' boards of trustees to document
76 compliance with the law under certain circumstances;
77 amending s. 1009.215, F.S.; revising the academic
78 terms in which certain students are eligible to
79 receive Bright Futures Scholarships; providing that
80 such students may receive the scholarships for the
81 fall term for specified coursework under certain
82 circumstances; amending s. 1009.286, F.S.; requiring a
83 state university to calculate an excess hour threshold
84 for each student based on specified criteria;
85 providing that the excess hour threshold may be
86 adjusted only under certain circumstances; revising
87 the threshold for assessing the excess credit hour

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88 surcharge; amending s. 1009.53, F.S.; removing a
89 requirement for a Florida high school graduate to
90 enroll in certain programs within 3 years of
91 graduation from high school in order to receive funds
92 from the Florida Bright Futures Scholarship Program;
93 expanding the Florida Bright Futures Scholarship
94 Program to include the Florida Gold Seal CAPE
95 Scholarship; conforming provisions to changes made by
96 the act; removing a limitation of 45 semester credit
97 hours or the equivalent for an annual award for the
98 scholarship program; requiring an institution that
99 receives scholarship funds for summer terms to certify
100 to the department certain funding information and
101 remit any undisbursed funds within a specified time;
102 amending s. 1009.531, F.S.; expanding the eligibility
103 for an initial award of a scholarship under the
104 Florida Bright Futures Scholarship Program to include
105 students who earn a high school diploma from a private
106 school; modifying the date by which certain students
107 must apply for a scholarship under the program;
108 deleting provisions relating to scholarship
109 eligibility and application requirements for certain
110 students who graduated from high school during
111 specified years; extending the amount of time in which
112 a student may reapply for an award to 5 years after
113 high school graduation; extending the amount of time
114 in which a student who enlists in the United States
115 Armed Forces immediately after high school may apply
116 for an award to 5 years after separation from active

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117 duty; providing that a student who is unable to accept
118 an initial award due to a religious or service
119 obligation may apply for an award within 5 years after
120 the completion of his or her religious or service
121 obligation; requiring that school districts provide a
122 Florida Bright Futures Scholarship Evaluation Report
123 and Key only to students in specified grades; allowing
124 a student who does not meet certain requirements for a
125 program award additional time to meet such
126 requirements under certain conditions; providing that
127 such students who timely meet the requirements must
128 receive an award for the full academic year; revising
129 the minimum examination scores required for a student
130 to be eligible for a Florida Academic Scholars award
131 or a Florida Medallion Scholars award; requiring the
132 Department of Education to develop a method for
133 determining the required examination scores which
134 ensures equivalency between specified examinations and
135 is consistent with specified limitations; requiring
136 the department to publish any changes to examination
137 score requirements; conforming a provision to changes
138 made by the act; amending s. 1009.532, F.S.; revising
139 student eligibility requirements for renewal of
140 Florida Bright Futures Scholarship Program awards;
141 removing obsolete language; conforming provisions to
142 changes made by the act; amending s. 1009.536, F.S.;
143 permitting certain Florida Gold Seal CAPE Scholars to
144 receive an award from a specified funding source;
145 providing grade point average requirements for Florida

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146 Gold Seal CAPE Scholars; removing limitations for
147 certain academic years on the number of credit hours
148 to which a student may apply a Florida Gold Seal
149 Vocational Scholarship; amending s. 1011.45, F.S.;
150 requiring each state university to maintain a minimum
151 carry forward balance of at least 7 percent of its
152 state operating budget; requiring a university that
153 fails to maintain such balance to submit a plan to the
154 Board of Governors to attain the minimum balance;
155 requiring each university with a carry forward balance
156 in excess of 7 percent to submit a spending plan to
157 the university board of trustees; specifying
158 requirements and authorized expenditures in such
159 spending plan; requiring each university chief
160 financial officer to certify annually the unexpended
161 amount of carry forward amounts from specified funds;
162 authorizing universities to spend specified balances
163 under certain conditions; amending s. 1011.80, F.S.;
164 removing a limitation on the maximum amount of funding
165 that may be appropriated for performance funding
166 relating to funds for operation of workforce education
167 programs; amending s. 1011.81, F.S.; removing a
168 limitation on the maximum amount of funding that may
169 be appropriated for performance funding relating to
170 industry certifications for Florida College System
171 institutions; amending s. 1011.84, F.S.; establishing
172 a threshold of the unencumbered balance at a Florida
173 College System institution based on the final FTE at
174 the Florida College System institution in the prior

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175 year; requiring each Florida College System
176 institution chief financial officer to annually
177 certify the unexpended amount of specified funds;
178 amending s. 1013.40, F.S.; prohibiting the finance of
179 additional dormitory beds through the issuance of
180 bonds by Florida College System institutions;
181 providing that bonds may be issued by nonpublic
182 entities as part of a public-private partnership;
183 creating s. 1013.841, F.S.; requiring unexpended
184 amounts in any fund in any Florida College System
185 institution current year state operating budget to be
186 carried forward and included in the approved operating
187 budget for the following year; requiring each Florida
188 College System institution with a final FTE of less
189 than 15,000 to maintain a minimum carry forward
190 balance of at least 5 percent of its state operating
191 budget; requiring each Florida College System
192 institution president, if the institution fails to
193 maintain such balance, to provide written notification
194 to the State Board of Education; requiring each
195 Florida College System institution with a final FTE of
196 less than 15,000 that retains a state operating fund
197 carry forward balance in excess of 5 percent to submit
198 a spending plan for its excess carry forward funds
199 with specified requirements; requiring the State Board
200 of Education to annually review and publish such
201 spending plans by a specified date; requiring each
202 Florida College System institution with a final FTE of
203 15,000 or greater to maintain a minimum carry forward

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204 balance of at least 7 percent of its state operating
205 budget; requiring the State Board of Education to
206 annually review and publish such spending plans by a
207 specified date; requiring each Florida College System
208 institution with a final FTE of 15,000 or greater that
209 retains a state operating fund carry forward balance
210 in excess of 7 percent to submit a spending plan for
211 its excess carry forward funds with specified
212 requirements; providing an effective date.

213

214 Be It Enacted by the Legislature of the State of Florida:

215

216 Section 1. Paragraph (c) of subsection (2) of section
217 11.45, Florida Statutes, is amended to read:

218 11.45 Definitions; duties; authorities; reports; rules.—

219 (2) DUTIES.—The Auditor General shall:

220 (c) Annually conduct financial audits of all state
221 universities and Florida College System institutions and verify
222 the accuracy of the amounts certified by each state university
223 and Florida College System institution chief financial officer
224 pursuant to ss. 1011.45 and 1011.84 ~~state colleges~~.

225

226 The Auditor General shall perform his or her duties
227 independently but under the general policies established by the
228 Legislative Auditing Committee. This subsection does not limit
229 the Auditor General's discretionary authority to conduct other
230 audits or engagements of governmental entities as authorized in
231 subsection (3).

232 Section 2. Subsection (6) of section 215.985, Florida

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233 Statutes, is amended to read:

234 215.985 Transparency in government spending.—

235 (6) The Department of Management Services shall establish
236 and maintain a website that provides current information
237 relating to each employee or officer of a state agency, a state
238 university, a Florida College System institution, or the State
239 Board of Administration, regardless of the appropriation
240 category from which the person is paid.

241 (a) For each employee or officer, the information must
242 include, at a minimum, his or her:

- 243 1. Name and salary or hourly rate of pay.
- 244 2. Position number, class code, and class title.
- 245 3. Employing agency and budget entity.

246 (b) The information must be searchable by state agency,
247 state university, Florida College System institution, and the
248 State Board of Administration, and by employee name, salary
249 range, or class code and must be downloadable in a format that
250 allows offline analysis.

251 Section 3. Subsection (18) is added to section 1001.03,
252 Florida Statutes, to read:

253 1001.03 Specific powers of State Board of Education.—

254 (18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of
255 Education shall develop and submit the prioritized list required
256 by s. 1013.64(4). Projects considered for prioritization shall
257 be chosen from a preliminary selection group which shall include
258 the list of projects maintained pursuant to paragraph (d) and
259 the top two priorities of each Florida College System
260 institution.

261 (a) The state board shall develop a points-based

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262 prioritization method to rank projects for consideration from
263 the preliminary selection group that awards points for the
264 degree to which a project meets specific criteria compared to
265 other projects in the preliminary selection group. The state
266 board shall consider criteria that evaluates the degree to
267 which:

268 1. The project was funded previously by the Legislature and
269 the amount of funds needed for completion constitute a
270 relatively low percentage of total project costs;

271 2. The project represents a building maintenance project or
272 the repair of utility infrastructure which is necessary to
273 preserve a safe environment for students and staff, or a project
274 that is necessary to maintain the operation of a Florida College
275 System institution site, and for which the institution can
276 demonstrate that it has no other funding source available to
277 complete the project;

278 3. The project addresses the greatest current year need for
279 space as indicated by increased instructional capacity that
280 enhances educational opportunities for the greatest number of
281 students;

282 4. The project reflects a ranked priority of the submitting
283 Florida College System institution;

284 5. The project represents the most practical and cost
285 effective replacement or renovation of an existing building; or

286 6. For a new construction, remodeling, or renovation
287 project that has not received a prior appropriation, the project
288 has received, or has commitments to receive, funding from
289 sources other than a project-specific state appropriation to
290 assist with completion of the project; the project is needed to

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291 preserve the safety of persons using the facility; or the
292 project is consistent with a strategic legislative or state
293 board initiative.

294 (b) The project scoring the highest for each criterion
295 shall be awarded the maximum points in the range of points
296 within the points scale developed by the state board. The state
297 board shall weight the value of criteria such that the maximum
298 points awarded for each criterion represents a percent of the
299 total maximum points. However, the state board may not weight
300 any criterion higher than the criterion established in
301 subparagraph (a)3.

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

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

310 2. There are sufficient excess funds from the allocation
311 provided pursuant to s. 1013.60 within the 3-year planning
312 period which are not needed to complete the projects listed
313 pursuant to paragraph (d); and

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

315 (d) The state board shall continually maintain a list of
316 all public education capital outlay projects for which state
317 funds were previously appropriated which have not been
318 completed. The list shall include an estimate of the amount of
319 state funding needed for the completion of each project.

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320 (e) The state board shall review its space need calculation
321 methodology developed pursuant to s. 1013.31 to incorporate
322 improvements, efficiencies, or changes. Recommendations shall be
323 submitted to the chairs of the House of Representatives and
324 Senate appropriations committees by October 31, 2019, and every
325 3 years thereafter.

326 Section 4. Paragraph (e) of subsection (5) of section
327 1001.706, Florida Statutes, is amended and paragraph (i) is
328 added to that subsection, paragraph (j) is added to subsection
329 (3) of that section, and subsection (12) is added to that
330 section, to read:

331 1001.706 Powers and duties of the Board of Governors.—

332 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND
333 OPERATION OF STATE UNIVERSITIES.—

334 (j) The Board of Governors shall develop and annually
335 deliver a training program for members of each state university
336 board of trustees that addresses the role of such boards in
337 governing institutional resources and protecting the public
338 interest. At a minimum, each trustee must participate in the
339 training program within 1 year of appointment and reappointment
340 to a university board of trustees. The program must include
341 information on trustee responsibilities relating to all of the
342 following:

343 1. Meeting the statutory, regulatory, and fiduciary
344 obligations of the board.

345 2. Establishing internal process controls and
346 accountability mechanisms for the institution's president and
347 other administrative officers.

348 3. Oversight of planning, construction, maintenance,

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349 expansion, and renovation projects that impact the university's
350 consolidated infrastructure, physical facilities, and natural
351 environment, including its lands, improvements, and capital
352 equipment.

353 4. Establishing policies that promote college
354 affordability, including ensuring that the costs of university
355 fees, textbooks, and instructional materials are minimized
356 whenever possible.

357 5. Creation and implementation of institutionwide rules and
358 regulations.

359 6. Institutional ethics and conflicts of interest.

360 7. Best practices for board governance.

361 8. Understanding current national and state issues in
362 higher education.

363 9. Any other responsibilities the Board of Governors deems
364 necessary or appropriate.

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

366 (e) The Board of Governors shall maintain an effective
367 information system to provide accurate, timely, and cost-
368 effective information about each university. The board shall
369 continue to collect and maintain, at a minimum, management
370 information as such information existed on June 30, 2002. To
371 ensure consistency, the Board of Governors shall define the data
372 components and methodology used to implement ss. 1001.7065 and
373 1001.92. Each university shall conduct an annual audit to verify
374 that the data submitted pursuant to ss. 1001.7065 and 1001.92
375 complies with the data definitions established by the board and
376 submit the audits to the Board of Governors Office of Inspector
377 General as part of the annual certification process required by

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378 the Board of Governors.

379 (i) The Board of Governors shall match individual student
380 information with information in the files of state and federal
381 agencies that maintain educational and employment records. The
382 board must enter into an agreement with the Department of
383 Economic Opportunity that allows access to the individual
384 reemployment assistance wage records maintained by the
385 department. The agreement must protect individual privacy and
386 provide that student information may be used only for the
387 purposes of auditing or evaluating higher education programs
388 offered by state universities.

389 (12) PUBLIC EDUCATION CAPITAL OUTLAY.—The Board of
390 Governors shall submit the prioritized list as required by s.
391 1013.64(4). Projects considered for prioritization shall be
392 chosen from a preliminary selection group which shall include
393 the list of projects maintained pursuant to paragraph (d) and
394 the top two priorities of each state university.

395 (a) The board shall develop a points-based prioritization
396 method to rank projects for consideration from the preliminary
397 selection group that awards points for the degree to which a
398 project meets specific criteria compared to other projects in
399 the preliminary selection group. The board shall consider
400 criteria that evaluates the degree to which:

401 1. The project was funded previously by the Legislature and
402 the amount of funds needed for completion constitute a
403 relatively low percentage of total project costs;

404 2. The project represents a building maintenance project or
405 the repair of utility infrastructure which is necessary to
406 preserve a safe environment for students and staff, or a project

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407 that is necessary to maintain the operation of a university
408 site, and for which the university can demonstrate that it has
409 no funds available to complete the project from the sources
410 designated in s. 1011.45;

411 3. The project addresses the greatest current year need for
412 space as indicated by increased instructional or research
413 capacity that enhances educational opportunities for the
414 greatest number of students or the university's research
415 mission;

416 4. The project reflects a ranked priority of the submitting
417 university;

418 5. The project represents the most practical and cost
419 effective replacement or renovation of an existing building; or

420 6. For a new construction, remodeling, or renovation
421 project that has not received a prior appropriation, the project
422 has received, or has commitments to receive, funding from
423 sources other than a project-specific state appropriation to
424 assist with completion of the project; the project is needed to
425 preserve the safety of persons using the facility; the project
426 is consistent with a strategic legislative or board initiative;
427 or the institution has allocated funding equal to a percentage
428 of the total project cost. The percentage shall be no less than:

429 a. Six percent for preeminent universities;

430 b. Four percent for emerging preeminent universities; and

431 c. Two percent for state universities that are neither a
432 preeminent or emerging preeminent university.

433 (b) The project scoring the highest for each criterion
434 shall be awarded the maximum points in the range of points
435 within the points scale developed by the board. The board shall

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436 weight the value of criteria such that the maximum points
437 awarded for each criterion represent a percent of the total of
438 maximum points. However, the board may not weight any criterion
439 higher than the criterion established in subparagraph (a)3.

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

444 1. A plan is provided to reserve funds in an escrow
445 account, specific to the project, into which shall be deposited
446 each year an amount of funds equal to 1 percent of the total
447 value of the building for future maintenance;

448 2. There exists sufficient capacity within the cash and
449 bonding estimate of funds by the Revenue Estimating Conference
450 to accommodate the project within the 3-year Public Education
451 Capital Outlay funding cycle; and

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

453 (d) The board shall continually maintain a list of all
454 public education capital outlay projects for which state funds
455 were previously appropriated which have not been completed. The
456 list shall include an estimate of the amount of state funding
457 needed for the completion of each project.

458 (e) The board shall review its space need calculation
459 methodology developed pursuant to s. 1013.31 to incorporate
460 improvements, efficiencies, or changes. Recommendations shall be
461 submitted to the chairs of the House of Representatives and
462 Senate appropriations committees by October 31, 2019, and every
463 3 years thereafter.

464 Section 5. Paragraph (d) of subsection (4) of section

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465 1004.70, Florida Statutes, is amended to read:

466 1004.70 Florida College System institution direct-support
467 organizations.—

468 (4) ACTIVITIES; RESTRICTIONS.—

469 (d) A Florida College System institution direct-support
470 organization is prohibited from giving, either directly or
471 indirectly, any gift to a political committee as defined in s.
472 106.011 for any purpose ~~other than those certified by a majority~~
473 ~~roll call vote of the governing board of the direct-support~~
474 ~~organization at a regularly scheduled meeting as being directly~~
475 ~~related to the educational mission of the Florida College System~~
476 ~~institution.~~

477 Section 6. Subsection (7) is added to section 1007.23,
478 Florida Statutes, to read:

479 1007.23 Statewide articulation agreement.—

480 (7) By the 2019-2020 academic year, to strengthen Florida's
481 "2+2" system of articulation and improve student retention and
482 on-time graduation, each Florida College System institution
483 shall execute at least one "2+2" targeted pathway articulation
484 agreement with one or more state universities, and each state
485 university shall execute at least one such agreement with one or
486 more Florida College System institutions to establish "2+2"
487 targeted pathway programs. The agreement must provide students
488 who graduate with an associate in arts degree and who meet
489 specified requirements guaranteed access to the state university
490 and a degree program at that university, in accordance with the
491 terms of the "2+2" targeted pathway articulation agreement.

492 (a) To participate in a "2+2" targeted pathway program, a
493 student must:

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494 1. Enroll in the program before completing 30 credit hours,
495 including, but not limited to, college credits earned through
496 articulated acceleration mechanisms pursuant to s. 1007.27;

497 2. Complete an associate in arts degree; and

498 3. Meet the university's transfer requirements.

499 (b) A state university that executes a "2+2" targeted
500 pathway articulation agreement must meet the following
501 requirements in order to implement a "2+2" targeted pathway
502 program in collaboration with its partner Florida College System
503 institution:

504 1. Establish a 4-year, on-time graduation plan for a
505 baccalaureate degree program, including, but not limited to, a
506 plan for students to complete associate in arts degree programs,
507 general education courses, common prerequisite courses, and
508 elective courses;

509 2. Advise students enrolled in the program about the
510 university's transfer and degree program requirements; and

511 3. Provide students who meet the requirements under this
512 paragraph with access to academic advisors and campus events and
513 with guaranteed admittance to the state university and a degree
514 program of the state university, in accordance with the terms of
515 the agreement.

516 (c) To assist the state universities and Florida College
517 System institutions with implementing the "2+2" targeted pathway
518 programs effectively, the State Board of Education and the Board
519 of Governors shall collaborate to eliminate barriers in
520 executing "2+2" targeted pathway articulation agreements.

521 Section 7. Subsection (2) of section 1008.32, Florida
522 Statutes, is amended to read:

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523 1008.32 State Board of Education oversight enforcement
524 authority.—The State Board of Education shall oversee the
525 performance of district school boards and Florida College System
526 institution boards of trustees in enforcement of all laws and
527 rules. District school boards and Florida College System
528 institution boards of trustees shall be primarily responsible
529 for compliance with law and state board rule.

530 (2) (a) The Commissioner of Education may investigate
531 allegations of noncompliance with law or state board rule and
532 determine probable cause. The commissioner shall report
533 determinations of probable cause to the State Board of Education
534 which shall require the district school board or Florida College
535 System institution board of trustees to document compliance with
536 law or state board rule.

537 (b) The Commissioner of Education shall report to the State
538 Board of Education any findings by the Auditor General that a
539 district school board or Florida College System institution is
540 acting without statutory authority or contrary to general law.
541 The State Board of Education shall require the district school
542 board or Florida College System institution board of trustees to
543 document compliance with such law.

544 Section 8. Subsection (3) of section 1008.322, Florida
545 Statutes, is amended to read:

546 1008.322 Board of Governors oversight enforcement
547 authority.—

548 (3) (a) The Chancellor of the State University System may
549 investigate allegations of noncompliance with any law or Board
550 of Governors' rule or regulation and determine probable cause.
551 The chancellor shall report determinations of probable cause to

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552 the Board of Governors, which may require the university board
553 of trustees to document compliance with the law or Board of
554 Governors' rule or regulation.

555 (b) The Chancellor of the State University System shall
556 report to the Board of Governors any findings by the Auditor
557 General that a university is acting without statutory authority
558 or contrary to general law. The Board of Governors shall require
559 the university board of trustees to document compliance with
560 such law.

561 Section 9. Effective July 1, 2019, and upon the expiration
562 and reversion of the amendment made to section 1009.215, Florida
563 Statutes, pursuant to section 13 of chapter 2018-10, Laws of
564 Florida, subsection (3) of section 1009.215, Florida Statutes,
565 is amended to read:

566 1009.215 Student enrollment pilot program for the spring
567 and summer terms.-

568 (3) Students who are enrolled in the pilot program and who
569 are eligible to receive Bright Futures Scholarships under ss.
570 1009.53-1009.536 are ~~shall be~~ eligible to receive the
571 scholarship award for attendance during the spring and summer
572 terms. This student cohort is also eligible to receive Bright
573 Futures Scholarships during the fall term which may be used for
574 off-campus or online coursework, if Bright Futures Scholarship
575 funding is provided by the Legislature for three terms for other
576 eligible students during that academic year no more than 2
577 ~~semesters or the equivalent in any fiscal year, including the~~
578 ~~summer term.~~

579 Section 10. Subsection (2) of section 1009.286, Florida
580 Statutes, is amended to read:

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581 1009.286 Additional student payment for hours exceeding
582 baccalaureate degree program completion requirements at state
583 universities.—

584 (2) State universities shall require a student to pay an
585 excess hour surcharge for each credit hour in excess of the
586 number of credit hours required to complete the baccalaureate
587 degree program in which the student is enrolled. Each university
588 must calculate an excess hour threshold for each student based
589 on the number of credit hours required for the degree. For any
590 student who changes degree programs, the excess hour threshold
591 must be adjusted only if the number of credit hours required to
592 complete the new degree program exceeds that of the original
593 degree program. The excess hour surcharge ~~shall become effective~~
594 for students who enter a state university for the first time and
595 maintain continuous enrollment is as follows:

596 (a) For the 2009-2010 and 2010-2011 academic years, an
597 excess hour surcharge equal to 50 percent of the tuition rate
598 for each credit hour in excess of 120 percent.

599 (b) For the 2011-2012 academic year, an excess hour
600 surcharge equal to 100 percent of the tuition rate for each
601 credit hour in excess of 115 percent.

602 (c) For the 2012-2013 academic year through the 2019 spring
603 term and thereafter, an excess hour surcharge equal to 100
604 percent of the tuition rate for each credit hour in excess of
605 110 percent. For the 2019 summer term and thereafter, an excess
606 hour surcharge equal to 100 percent of the tuition rate for each
607 credit hour in excess of 120 percent. Notwithstanding the
608 requirements of this subsection, a state university shall refund
609 the excess hour surcharge assessed pursuant to this paragraph

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610 for up to 12 credit hours to any first-time-in-college student
611 who completes a baccalaureate degree program within 4 years
612 after his or her initial enrollment in a state university.

613 Section 11. Subsections (1), (2), and (3), paragraph (a) of
614 subsection (4), subsection (5), and subsection (7) of section
615 1009.53, Florida Statutes, are amended to read:

616 1009.53 Florida Bright Futures Scholarship Program.—

617 (1) The Florida Bright Futures Scholarship Program is
618 created to establish a lottery-funded scholarship program to
619 reward any Florida high school graduate who merits recognition
620 of high academic achievement and who enrolls in a degree
621 program, certificate program, or applied technology program at
622 an eligible Florida public or private postsecondary education
623 institution ~~within 3 years of graduation from high school.~~

624 (2) The Bright Futures Scholarship Program consists of four
625 ~~three types of~~ awards: the Florida Academic Scholarship, the
626 Florida Medallion Scholarship, the Florida Gold Seal CAPE
627 Scholarship, and the Florida Gold Seal Vocational Scholarship.

628 (3) The Department of Education shall administer the Bright
629 Futures Scholarship Program according to rules and procedures
630 established by the State Board of Education. A single
631 application must be sufficient for a student to apply for any of
632 the ~~three types of~~ awards. The department shall advertise the
633 availability of the scholarship program and shall notify
634 students, teachers, parents, certified school counselors, and
635 principals or other relevant school administrators of the
636 criteria and application procedures. The department must begin
637 this process of notification no later than January 1 of each
638 year.

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639 (4) Funding for the Bright Futures Scholarship Program must
640 be allocated from the Education Enhancement Trust Fund and must
641 be provided before allocations from that fund are calculated for
642 disbursement to other educational entities.

643 (a) If funds appropriated are not adequate to provide the
644 maximum allowable award to each eligible applicant, awards in
645 all ~~three~~ components of the program must be prorated using the
646 same percentage reduction.

647 (5) The department shall issue awards from the scholarship
648 program annually. ~~Annual awards may be for up to 45 semester~~
649 ~~credit hours or the equivalent.~~ Before the registration period
650 each semester, the department shall transmit payment for each
651 award to the president or director of the postsecondary
652 education institution, or his or her representative, except that
653 the department may withhold payment if the receiving institution
654 fails to report or to make refunds to the department as required
655 in this section.

656 (a) Within 30 days after the end of regular registration
657 each semester, the educational institution shall certify to the
658 department the eligibility status of each student who receives
659 an award. After the end of the drop and add period, an
660 institution is not required to reevaluate or revise a student's
661 eligibility status; however, an institution must make a refund
662 to the department within 30 days after the end of the semester
663 of any funds received for courses dropped by a student or
664 courses from which a student has withdrawn after the end of the
665 drop and add period, unless the student has been granted an
666 exception by the department pursuant to subsection (11).

667 (b) An institution that receives funds from the program for

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668 the fall and spring terms shall certify to the department the
669 amount of funds disbursed to each student and shall remit to the
670 department any undisbursed advances within 60 days after the end
671 of regular registration. An institution that receives funds from
672 the program for the summer term shall certify to the department
673 the amount of funds disbursed to each student and shall remit to
674 the department any undisbursed advances within 30 days after the
675 end of the summer term.

676 (c) Each institution that receives moneys through this
677 program shall provide for a financial audit, as defined in s.
678 11.45, conducted by an independent certified public accountant
679 or the Auditor General for each fiscal year in which the
680 institution expends program moneys in excess of \$100,000. At
681 least every 2 years, the audit shall include an examination of
682 the institution's administration of the program and the
683 institution's accounting of the moneys for the program since the
684 last examination of the institution's administration of the
685 program. The report on the audit must be submitted to the
686 department within 9 months after the end of the fiscal year. The
687 department may conduct its own annual audit of an institution's
688 administration of the program. The department may request a
689 refund of any moneys overpaid to the institution for the
690 program. The department may suspend or revoke an institution's
691 eligibility to receive future moneys for the program if the
692 department finds that an institution has not complied with this
693 section. The institution must remit within 60 days any refund
694 requested in accordance with this subsection.

695 (d) Any institution that is not subject to an audit
696 pursuant to this subsection shall attest, under penalty of

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697 perjury, that the moneys were used in compliance with law. The
698 attestation shall be made annually in a form and format
699 determined by the department.

700 (7) A student may receive only one type of award from the
701 Florida Bright Futures Scholarship Program at any given a time,
702 but may transfer from one type of award to another through the
703 renewal application process, if the student's eligibility status
704 changes. However, a student is not eligible to transfer from a
705 Florida Medallion Scholarship, a Florida Gold Seal CAPE
706 Scholarship, or a Florida Gold Seal Vocational Scholarship to a
707 Florida Academic Scholarship. A student who receives an award
708 from the program may also receive a federal family education
709 loan or a federal direct loan, and the value of the award must
710 be considered in the certification or calculation of the
711 student's loan eligibility.

712 Section 12. Section 1009.531, Florida Statutes, is amended
713 to read:

714 1009.531 Florida Bright Futures Scholarship Program;
715 student eligibility requirements for initial awards.-

716 (1) In order to be eligible for an initial award from any
717 of the ~~three types of~~ scholarships under the Florida Bright
718 Futures Scholarship Program, a student must:

719 (a) Be a Florida resident as defined in s. 1009.40 and
720 rules of the State Board of Education.

721 (b) Earn a standard Florida high school diploma pursuant to
722 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school
723 equivalency diploma pursuant to s. 1003.435 unless:

724 1. The student completes a home education program according
725 to s. 1002.41; ~~or~~

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726 2. The student earns a high school diploma from a non-
727 Florida school while living with a parent or guardian who is on
728 military or public service assignment away from Florida; or

729 3. The student earns a high school diploma from a Florida
730 private school operating pursuant to s. 1002.42.

731 (c) Be accepted by and enroll in an eligible Florida public
732 or independent postsecondary education institution.

733 (d) Be enrolled for at least 6 semester credit hours or the
734 equivalent in quarter hours or clock hours.

735 (e) Not have been found guilty of, or entered a plea of
736 nolo contendere to, a felony charge, unless the student has been
737 granted clemency by the Governor and Cabinet sitting as the
738 Executive Office of Clemency.

739 (f) Apply for a scholarship from the program by high school
740 graduation. However, a student who graduates from high school
741 midyear must apply no later than December ~~August~~ 31 of the
742 student's graduation year in order to be evaluated for and, if
743 eligible, receive an award for the current academic year.

744 ~~(2) (a) A student graduating from high school prior to the~~
745 ~~2010-2011 academic year is eligible to accept an initial award~~
746 ~~for 3 years following high school graduation and to accept a~~
747 ~~renewal award for 7 years following high school graduation. A~~
748 ~~student who applies for an award by high school graduation and~~
749 ~~who meets all other eligibility requirements, but who does not~~
750 ~~accept his or her award, may reapply during subsequent~~
751 ~~application periods up to 3 years after high school graduation.~~
752 ~~For a student who enlists in the United States Armed Forces~~
753 ~~immediately after completion of high school, the 3-year~~
754 ~~eligibility period for his or her initial award shall begin upon~~

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755 ~~the date of separation from active duty. For a student who is~~
756 ~~receiving a Florida Bright Futures Scholarship and discontinues~~
757 ~~his or her education to enlist in the United States Armed~~
758 ~~Forces, the remainder of his or her 7-year renewal period shall~~
759 ~~commence upon the date of separation from active duty.~~

760 ~~(b) Students graduating from high school in the 2010-2011~~
761 ~~and 2011-2012 academic years are eligible to accept an initial~~
762 ~~award for 3 years following high school graduation and to accept~~
763 ~~a renewal award for 5 years following high school graduation. A~~
764 ~~student who applies for an award by high school graduation and~~
765 ~~who meets all other eligibility requirements, but who does not~~
766 ~~accept his or her award, may reapply during subsequent~~
767 ~~application periods up to 3 years after high school graduation.~~
768 ~~For a student who enlists in the United States Armed Forces~~
769 ~~immediately after completion of high school, the 3-year~~
770 ~~eligibility period for his or her initial award and the 5-year~~
771 ~~renewal period shall begin upon the date of separation from~~
772 ~~active duty. For a student who is receiving a Florida Bright~~
773 ~~Futures Scholarship award and discontinues his or her education~~
774 ~~to enlist in the United States Armed Forces, the remainder of~~
775 ~~his or her 5-year renewal period shall commence upon the date of~~
776 ~~separation from active duty. If a course of study is not~~
777 ~~completed after 5 academic years, an exception of 1 year to the~~
778 ~~renewal timeframe may be granted due to a verifiable illness or~~
779 ~~other documented emergency pursuant to s. 1009.40(1)(b)4.~~

780 ~~(c) A student graduating from high school in the 2012-2013~~
781 ~~academic year and thereafter is eligible to receive an ~~accept an~~~~
782 ~~initial award for 2 years following high school graduation and~~
783 ~~to accept a renewal award for 5 years following high school~~

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784 graduation. A student who applies for an award by high school
785 graduation and who meets all other eligibility requirements, but
786 who does not accept his or her award, may reapply during
787 subsequent application periods up to 5 ~~2~~ years after high school
788 graduation. For a student who enlists in the United States Armed
789 Forces immediately after completion of high school, ~~the 2-year~~
790 ~~eligibility period for his or her initial award and the 5-year~~
791 ~~renewal~~ period shall begin upon the date of separation from
792 active duty. For a student who is receiving a Florida Bright
793 Futures Scholarship award and discontinues his or her education
794 to enlist in the United States Armed Forces, the remainder of
795 his or her 5-year renewal period shall commence upon the date of
796 separation from active duty. For a student who is unable to
797 accept an initial award ~~immediately after completion of high~~
798 ~~school~~ due to a full-time religious or service obligation
799 lasting at least 18 months which begins within 1 year after
800 completion of high school, ~~the 2-year eligibility period for his~~
801 ~~or her initial award and the 5-year renewal period~~ begins ~~begin~~
802 upon the completion of his or her religious or service
803 obligation. The organization sponsoring the full-time religious
804 or service obligation must meet the requirements for nonprofit
805 status under s. 501(c)(3) of the Internal Revenue Code or be a
806 federal government service organization, including, but not
807 limited to, the Peace Corps and AmeriCorps programs. The
808 obligation must be documented in writing and verified by the
809 entity for which the student completed the obligation on a
810 standardized form prescribed by the department. If a course of
811 study is not completed after 5 academic years, an exception of 1
812 year to the renewal timeframe may be granted due to a verifiable

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813 illness or other documented emergency pursuant to s.
814 1009.40(1)(b)4.

815 (3) For purposes of calculating the grade point average to
816 be used in determining initial eligibility for a Florida Bright
817 Futures Scholarship, the department shall assign additional
818 weights to grades earned in the following courses:

819 (a) Courses identified in the course code directory as
820 Advanced Placement, pre-International Baccalaureate,
821 International Baccalaureate, International General Certificate
822 of Secondary Education (pre-AICE), or Advanced International
823 Certificate of Education.

824 (b) Courses designated as academic dual enrollment courses
825 in the statewide course numbering system.

826

827 The department may assign additional weights to courses, other
828 than those described in paragraphs (a) and (b), that are
829 identified by the Department of Education as containing rigorous
830 academic curriculum and performance standards. The additional
831 weight assigned to a course pursuant to this subsection shall
832 not exceed 0.5 per course. The weighted system shall be
833 developed and distributed to all high schools in the state prior
834 to January 1, 1998. The department may determine a student's
835 eligibility status during the senior year before graduation and
836 may inform the student of the award at that time.

837 (4) Each school district shall annually provide to each
838 high school student in grade 11 or 12 a complete and accurate
839 Florida Bright Futures Scholarship Evaluation Report and Key.
840 The report shall be disseminated at the beginning of each school
841 year. The report must include all high school coursework

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842 attempted, the number of credits earned toward each type of
843 award, and the calculation of the grade point average for each
844 award. The report must also identify all requirements not met
845 per award, including the grade point average requirement, as
846 well as identify the awards for which the student has met the
847 academic requirements. The student report cards must contain a
848 disclosure that the grade point average calculated for purposes
849 of the Florida Bright Futures Scholarship Program may differ
850 from the grade point average on the report card.

851 (5) A student who wishes to qualify for a particular award
852 within the Florida Bright Futures Scholarship Program, but who
853 does not meet all of the requirements for that ~~level of award by~~
854 the applicable deadlines, may be allowed additional time to
855 complete the requirements, ~~nevertheless, receive the award if~~
856 the principal of the student's school or the district
857 superintendent verifies that the deficiency is caused by the
858 fact that school district personnel provided inaccurate or
859 incomplete information to the student. The school district must
860 provide a means for the student to correct the deficiencies and
861 the student must correct them, either by completing comparable
862 work at the postsecondary institution or by completing a
863 directed individualized study program developed and administered
864 by the school district. If the student does not complete the
865 requirements by December 31 immediately following high school
866 graduation, the student is ineligible to participate in the
867 program. If the student completes the requirements by December
868 31, the student must receive the award for the full academic
869 year, including the fall term.

870 (6) (a) The State Board of Education shall publicize the

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871 examination score required for a student to be eligible for a
872 Florida Academic Scholars award, pursuant to s. 1009.534(1) (a)
873 or (b), as follows:

874 1. For high school students graduating in the 2018-2019 and
875 2019-2020 academic years, a student must achieve an SAT combined
876 score of 1290 or an ACT composite score of 29.

877 2. For high school students graduating in the 2020-2021
878 academic year and thereafter, a student must achieve the
879 required examination scores published by the department, which
880 are determined as provided in subsection (c) ~~High school~~
881 ~~students must earn an SAT score of 1290 which corresponds to the~~
882 ~~89th SAT percentile rank or a concordant ACT score of 29.~~

883 (b) The State Board of Education shall publicize the
884 examination score required for a student to be eligible for a
885 Florida Medallion Scholars award, pursuant to s. 1009.535(1) (a)
886 or (b), as follows:

887 1. For high school students graduating in the 2018-2019 and
888 2019-2020 academic years, a student must achieve an SAT combined
889 score of 1170 or an ACT composite score of 26.

890 2. For high school students graduating in the 2020-2021
891 academic year and thereafter, a student must achieve the
892 required examination scores published by the department, which
893 are determined as provided in subsection (c) ~~High school~~
894 ~~students must earn an SAT score of 1170 which corresponds to the~~
895 ~~75th SAT percentile rank or a concordant ACT score of 26.~~

896 (c) To ensure that the required examination scores
897 represent top student performance and are equivalent between the
898 SAT and ACT, the department shall develop a method for
899 determining the required examination scores which incorporates

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900 all of the following:

901 1. The minimum required SAT score for the Florida Academic
902 Scholarship must be set no lower than the 89th national
903 percentile on the SAT. The department may adjust the required
904 SAT score only if the required score drops below the 89th
905 national percentile, and any such adjustment must be applied to
906 the bottom of the SAT score range that is concordant to the ACT.

907 2. The minimum required SAT score for the Florida Medallion
908 Scholarship must be set no lower than the 75th national
909 percentile on the SAT. The department may adjust the required
910 SAT score only if the required score drops below the 75th
911 national percentile, and any such adjustment must be made to the
912 bottom of the SAT score range that is concordant to the ACT.

913 3. The required ACT scores must be made concordant to the
914 required SAT scores, using the latest published national
915 concordance table developed jointly by the College Board and
916 ACT, Inc.

917 (d) Before each school year, the department shall publish
918 any changes to the examination score requirements that apply to
919 students graduating in the next 2 years ~~The SAT percentile ranks~~
920 ~~and corresponding SAT scores specified in paragraphs (a) and (b)~~
921 ~~are based on the SAT percentile ranks for 2010 college-bound~~
922 ~~seniors in critical reading and mathematics as reported by the~~
923 ~~College Board. The next highest SAT score is used when the~~
924 ~~percentile ranks do not directly correspond.~~

925 Section 13. Section 1009.532, Florida Statutes, is amended
926 to read:

927 1009.532 Florida Bright Futures Scholarship Program;
928 student eligibility requirements for renewal awards.-

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929 (1) To be eligible to renew a scholarship from any of the
930 ~~three types of~~ scholarships under the Florida Bright Futures
931 Scholarship Program, a student must:

932 (a) Effective for students funded in the 2009-2010 academic
933 year and thereafter, earn at least 24 semester credit hours or
934 the equivalent in the last academic year in which the student
935 earned a scholarship if the student was enrolled full time, or a
936 prorated number of credit hours as determined by the Department
937 of Education if the student was enrolled less than full time for
938 any part of the academic year. ~~For students initially eligible~~
939 ~~prior to the 2010-2011 academic term, if a student fails to earn~~
940 ~~the minimum number of hours required to renew the scholarship,~~
941 ~~the student shall lose his or her eligibility for renewal for a~~
942 ~~period equivalent to 1 academic year. Such student is eligible~~
943 ~~to restore the award the following academic year if the student~~
944 ~~earns the hours for which he or she was enrolled at the level~~
945 ~~defined by the department and meets the grade point average for~~
946 ~~renewal. A student is eligible for such restoration one time.~~
947 ~~The department shall notify eligible recipients of the~~
948 ~~provisions of this paragraph. Each institution shall notify~~
949 ~~award recipients of the provisions of this paragraph during the~~
950 ~~registration process.~~

951 (b) Maintain the cumulative grade point average required by
952 the scholarship program, except that:

953 1. If a recipient's grades fall beneath the average
954 required to renew a Florida Academic Scholarship, but are
955 sufficient to renew a Florida Medallion Scholarship, a Florida
956 Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational
957 Scholarship, the Department of Education may grant a renewal

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958 from one of those other scholarship programs, if the student
959 meets the renewal eligibility requirements;

960 ~~2. For students initially eligible prior to the 2010-2011~~
961 ~~academic term, if at any time during the eligibility period a~~
962 ~~student's grades are insufficient to renew the scholarship, the~~
963 ~~student may restore eligibility by improving the grade point~~
964 ~~average to the required level. A student is eligible for such a~~
965 ~~restoration one time. The Legislature encourages education~~
966 ~~institutions to assist students to calculate whether or not it~~
967 ~~is possible to raise the grade point average during the summer~~
968 ~~term. If the institution determines that it is possible, the~~
969 ~~education institution may so inform the department, which may~~
970 ~~reserve the student's award if funds are available. The renewal,~~
971 ~~however, must not be granted until the student achieves the~~
972 ~~required cumulative grade point average. If the summer term is~~
973 ~~not sufficient to raise the grade point average to the required~~
974 ~~renewal level, the student's next opportunity for renewal is the~~
975 ~~fall semester of the following academic year; or~~

976 2.3. For students initially eligible in the 2010-2011
977 academic term and thereafter, if at any time during a student's
978 first academic year the student's grades are insufficient to
979 renew the scholarship, the student may restore eligibility by
980 improving the grade point average to the required level. A
981 student is eligible for such a restoration one time. The
982 Legislature encourages education institutions to assist students
983 to calculate whether or not it is possible to raise the grade
984 point average during the summer term. If the education
985 institution determines that it is possible, the institution may
986 so inform the department, which may reserve the student's award

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987 if funds are available. The renewal, however, must not be
988 granted until the student achieves the required cumulative grade
989 point average. If the summer term is not sufficient to raise the
990 grade point average to the required renewal level, the student's
991 next opportunity for renewal is the fall semester of the
992 following academic year.

993 (c) Reimburse or make satisfactory arrangements to
994 reimburse the institution for the award amount received for
995 courses dropped after the end of the drop and add period or
996 courses from which the student withdraws after the end of the
997 drop and add period unless the student has received an exception
998 pursuant to s. 1009.53(11).

999 (2) For students initially eligible in the 2010-2011
1000 academic term and thereafter, and unless otherwise provided in
1001 this section, if a student does not meet the requirements for
1002 renewal of a scholarship because of lack of completion of
1003 sufficient credit hours or insufficient grades, the scholarship
1004 shall be renewed only if the student failed to complete
1005 sufficient credit hours or to meet sufficient grade requirements
1006 due to verifiable illness or other documented emergency, in
1007 which case the student may be granted an exception from academic
1008 requirements pursuant to s. 1009.40(1)(b)4.

1009 ~~(3) (a) A student who is initially eligible prior to the~~
1010 ~~2010-2011 academic year and is enrolled in a program that~~
1011 ~~terminates in an associate degree or a baccalaureate degree may~~
1012 ~~receive an award for a maximum of 110 percent of the number of~~
1013 ~~credit hours required to complete the program. A student who is~~
1014 ~~enrolled in a program that terminates in a career certificate~~
1015 ~~may receive an award for a maximum of 110 percent of the credit~~

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1016 ~~hours or clock hours required to complete the program up to 90~~
1017 ~~credit hours.~~

1018 ~~(b) Students who are initially eligible in the 2010-2011~~
1019 ~~and 2011-2012 academic years may receive an award for a maximum~~
1020 ~~of 100 percent of the number of credit hours required to~~
1021 ~~complete an associate degree program or a baccalaureate degree~~
1022 ~~program or receive an award for a maximum of 100 percent of the~~
1023 ~~credit hours or clock hours required to complete up to 90 credit~~
1024 ~~hours of a program that terminates in a career certificate.~~

1025 (a) ~~(e)~~ A student who is initially eligible in the 2012-2013
1026 academic year and thereafter may receive an award for a maximum
1027 of 100 percent of the number of credit hours required to
1028 complete an associate degree program, a baccalaureate degree
1029 program, or a postsecondary career certificate program or, for a
1030 Florida Gold Seal Vocational Scholars award, may receive an
1031 award for a maximum of 100 percent of the number of credit hours
1032 or equivalent clock hours required to complete one of the
1033 following at a Florida public or nonpublic education institution
1034 that offers these specific programs: for an applied technology
1035 diploma program as defined in s. 1004.02(7), up to 60 credit
1036 hours or equivalent clock hours; for a technical degree
1037 education program as defined in s. 1004.02(13), up to the number
1038 of hours required for a specific degree not to exceed 72 credit
1039 hours or equivalent clock hours; or for a career certificate
1040 program as defined in s. 1004.02(20), up to the number of hours
1041 required for a specific certificate not to exceed 72 credit
1042 hours or equivalent clock hours. A student who transfers from
1043 one of these program levels to another program level becomes
1044 eligible for the higher of the two credit hour limits.

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1045 (b) ~~(d)~~ 1. A student who is initially eligible in the 2017-
1046 2018 academic year and thereafter for a Florida Gold Seal CAPE
1047 Scholars award under s. 1009.536(2) may receive an award for a
1048 maximum of 100 percent of the number of credit hours or
1049 equivalent clock hours required to complete one of the following
1050 at a Florida public or nonpublic education institution that
1051 offers these specific programs: for an applied technology
1052 diploma program as defined in s. 1004.02(7), up to 60 credit
1053 hours or equivalent clock hours; for a technical degree
1054 education program as defined in s. 1004.02(13), up to the number
1055 of hours required for a specific degree, not to exceed 72 credit
1056 hours or equivalent clock hours; or for a career certificate
1057 program as defined in s. 1004.02(20), up to the number of hours
1058 required for a specific certificate, not to exceed 72 credit
1059 hours or equivalent clock hours. A student who transfers from
1060 one of these program levels to another program level is eligible
1061 for the higher of the two credit hour limits.

1062 2. A Florida Gold Seal CAPE Scholar who completes a
1063 technical degree education program as defined in s. 1004.02(13)
1064 may also receive an award for:

1065 a. A maximum of 60 credit hours for a bachelor of science
1066 degree program for which there is a statewide associate in
1067 science degree program to bachelor of science degree program
1068 articulation agreement; or

1069 b. A maximum of 60 credit hours for a bachelor of applied
1070 science degree program at a Florida College System institution.

1071 (4) A student who receives an initial award during the
1072 spring term shall be evaluated for scholarship renewal after the
1073 completion of a full academic year, ~~which begins with the fall~~

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1074 ~~term.~~

1075 (5) A student who receives an award and is subsequently
1076 determined ineligible due to updated grade or hour information
1077 may not receive a disbursement for a subsequent term, unless the
1078 student successfully restores the award.

1079 Section 14. Subsections (3), (4), and (5) of section
1080 1009.536, Florida Statutes, are amended to read:

1081 1009.536 Florida Gold Seal Vocational Scholars and Florida
1082 Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational
1083 Scholars award and the Florida Gold Seal CAPE Scholars award are
1084 created within the Florida Bright Futures Scholarship Program to
1085 recognize and reward academic achievement and career preparation
1086 by high school students who wish to continue their education.

1087 (3) A Florida Gold Seal Vocational Scholar or a Florida
1088 Gold Seal CAPE Scholar who is enrolled in a public or nonpublic
1089 postsecondary education institution is eligible for an award
1090 equal to the amount specified in the General Appropriations Act
1091 to assist with the payment of educational expenses.

1092 (4) To be eligible for a renewal award as a Florida Gold
1093 Seal Vocational Scholar or a Florida Gold Seal CAPE Scholar, a
1094 student must maintain the equivalent of a cumulative grade point
1095 average of 2.75 on a 4.0 scale with an opportunity for
1096 restoration one time as provided in this chapter.

1097 (5) (a) ~~A student who is initially eligible prior to the~~
1098 ~~2010-2011 academic year may earn a Florida Gold Seal Vocational~~
1099 ~~Scholarship for 110 percent of the number of credit hours~~
1100 ~~required to complete the program, up to 90 credit hours or the~~
1101 ~~equivalent.~~

1102 ~~(b) Students who are initially eligible in the 2010-2011~~

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1103 ~~and 2011-2012 academic years may earn a Florida Gold Seal~~
1104 ~~Vocational Scholarship for 100 percent of the number of credit~~
1105 ~~hours required to complete the program, up to 90 credit hours or~~
1106 ~~the equivalent.~~

1107 ~~(c)~~ A student who is initially eligible in the 2012-2013
1108 academic year and thereafter may earn a Florida Gold Seal
1109 Vocational Scholarship for a maximum of 100 percent of the
1110 number of credit hours or equivalent clock hours required to
1111 complete one of the following at a Florida public or nonpublic
1112 education institution that offers these specific programs: for
1113 an applied technology diploma program as defined in s.
1114 1004.02(7), up to 60 credit hours or equivalent clock hours; for
1115 a technical degree education program as defined in s.
1116 1004.02(13), up to the number of hours required for a specific
1117 degree not to exceed 72 credit hours or equivalent clock hours;
1118 or for a career certificate program as defined in s.
1119 1004.02(20), up to the number of hours required for a specific
1120 certificate not to exceed 72 credit hours or equivalent clock
1121 hours.

1122 (b) ~~(d)~~ 1. A student who is initially eligible in the 2017-
1123 2018 academic year and thereafter for a Florida Gold Seal CAPE
1124 Scholars award under subsection (2) may receive an award for a
1125 maximum of 100 percent of the number of credit hours or
1126 equivalent clock hours required to complete one of the following
1127 at a Florida public or nonpublic education institution that
1128 offers these specific programs: for an applied technology
1129 diploma program as defined in s. 1004.02(7), up to 60 credit
1130 hours or equivalent clock hours; for a technical degree
1131 education program as defined in s. 1004.02(13), up to the number

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1132 of hours required for a specific degree, not to exceed 72 credit
1133 hours or equivalent clock hours; or for a career certificate
1134 program as defined in s. 1004.02(20), up to the number of hours
1135 required for a specific certificate, not to exceed 72 credit
1136 hours or equivalent clock hours. A student who transfers from
1137 one of these program levels to another program level is eligible
1138 for the higher of the two credit hour limits.

1139 2. A Florida Gold Seal CAPE Scholar who completes a
1140 technical degree education program as defined in s. 1004.02(13)
1141 may also receive an award for:

1142 a. A maximum of 60 credit hours for a bachelor of science
1143 degree program for which there is a statewide associate in
1144 science degree program to bachelor of science degree program
1145 articulation agreement; or

1146 b. A maximum of 60 credit hours for a bachelor of applied
1147 science degree program at a Florida College System institution.

1148 Section 15. Section 1011.45, Florida Statutes, is amended
1149 to read:

1150 1011.45 End of year balance of funds.—Unexpended amounts in
1151 any fund in a university current year operating budget shall be
1152 carried forward and included as the balance forward for that
1153 fund in the approved operating budget for the following year.

1154 (1) Each university shall maintain a minimum carry forward
1155 balance of at least 7 percent of its state operating budget. If
1156 a university fails to maintain a 7 percent balance in state
1157 operating funds, the university shall submit a plan to the Board
1158 of Governors to attain the 7 percent balance of state operating
1159 funds within the next fiscal year.

1160 (2) Each university that retains a state operating fund

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1161 carry forward balance in excess of the 7 percent minimum shall
1162 submit a spending plan for its excess carry forward balance. The
1163 spending plan shall be submitted to the university's board of
1164 trustees for review, approval, or if necessary, amendment by
1165 September 1, 2020, and each September 1 thereafter. The Board of
1166 Governors shall review, approve, and amend, if necessary, each
1167 university's carry forward spending plan by October 1, 2020, and
1168 each October 1 thereafter.

1169 (3) A university's carry forward spending plan shall
1170 include the estimated cost per planned expenditure and a
1171 timeline for completion of the expenditure. Authorized
1172 expenditures in a carry forward spending plan may include:

1173 (a) Commitment of funds to a public education capital
1174 outlay project for which an appropriation has previously been
1175 provided that requires additional funds for completion and which
1176 is included in the list required by s. 1001.706(12)(d);

1177 (b) Completion of a renovation, repair, or maintenance
1178 project that is consistent with the provisions of s. 1013.64(1),
1179 up to \$5 million per project and replacement of a minor facility
1180 that does not exceed 10,000 gross square feet in size up to \$2
1181 million;

1182 (c) Completion of a remodeling or infrastructure project,
1183 including a project for a development research school, up to \$10
1184 million per project, if such project is survey recommended
1185 pursuant to s. 1013.31;

1186 (d) Completion of a repair or replacement project necessary
1187 due to damage caused by a natural disaster for buildings
1188 included in the inventory required pursuant to s. 1013.31;

1189 (e) Operating expenditures that support the university

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1190 mission and that are nonrecurring; and

1191 (f) Any purpose specified by the board or in the General
1192 Appropriations Act.

1193 (4) Annually, by September 30, the chief financial officer
1194 of each university shall certify the unexpended amount of funds
1195 appropriated to the university from the General Revenue Fund,
1196 the Educational Enhancement Trust Fund, and the
1197 Education/General Student and Other Fees Trust Fund as of June
1198 30 of the previous fiscal year.

1199 (5) A university may spend the minimum carryforward balance
1200 of 7 percent if a demonstrated emergency exists and the plan is
1201 approved by the university's board of trustees and the Board of
1202 Governors.

1203 Section 16. Paragraph (b) of subsection (6) of section
1204 1011.80, Florida Statutes, is amended to read:

1205 1011.80 Funds for operation of workforce education
1206 programs.—

1207 (6)

1208 (b) Performance funding for industry certifications for
1209 school district workforce education programs is contingent upon
1210 specific appropriation in the General Appropriations Act and
1211 shall be determined as follows:

1212 1. Occupational areas for which industry certifications may
1213 be earned, as established in the General Appropriations Act, are
1214 eligible for performance funding. Priority shall be given to the
1215 occupational areas emphasized in state, national, or corporate
1216 grants provided to Florida educational institutions.

1217 2. The Chancellor of Career and Adult Education shall
1218 identify the industry certifications eligible for funding on the

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1219 CAPE Postsecondary Industry Certification Funding List approved
1220 by the State Board of Education pursuant to s. 1008.44, based on
1221 the occupational areas specified in the General Appropriations
1222 Act.

1223 3. Each school district shall be provided \$1,000 for each
1224 industry certification earned by a workforce education student.
1225 ~~The maximum amount of funding appropriated for performance~~
1226 ~~funding pursuant to this paragraph shall be limited to \$15~~
1227 ~~million annually.~~ If funds are insufficient to fully fund the
1228 calculated total award, such funds shall be prorated.

1229 Section 17. Paragraph (c) of subsection (2) of section
1230 1011.81, Florida Statutes, is amended to read:

1231 1011.81 Florida College System Program Fund.—

1232 (2) Performance funding for industry certifications for
1233 Florida College System institutions is contingent upon specific
1234 appropriation in the General Appropriations Act and shall be
1235 determined as follows:

1236 (c) Each Florida College System institution shall be
1237 provided \$1,000 for each industry certification earned by a
1238 student. ~~The maximum amount of funding appropriated for~~
1239 ~~performance funding pursuant to this subsection shall be limited~~
1240 ~~to \$15 million annually.~~ If funds are insufficient to fully fund
1241 the calculated total award, such funds shall be prorated.

1242 Section 18. Paragraph (e) of subsection (3) of section
1243 1011.84, Florida Statutes, is amended to read:

1244 1011.84 Procedure for determining state financial support
1245 and annual apportionment of state funds to each Florida College
1246 System institution district.—The procedure for determining state
1247 financial support and the annual apportionment to each Florida

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1248 College System institution district authorized to operate a
1249 Florida College System institution under the provisions of s.
1250 1001.61 shall be as follows:

1251 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

1252 (e) If at any time the unencumbered balance in the general
1253 fund of the Florida College System institution board of trustees
1254 approved operating budget goes below 5 percent for a Florida
1255 College System institution with a final FTE less than 15,000 for
1256 the prior year, or below 7 percent for a Florida College System
1257 institution with a final FTE of 15,000 or greater for the prior
1258 year, the president shall provide written notification to the
1259 State Board of Education. By September 30 of each year, the
1260 chief financial officer of each Florida College System
1261 institution shall certify the unexpended amount of state funds
1262 remaining in the general fund of an institution as of June 30 of
1263 the previous fiscal year.

1264 Section 19. Subsection (4) of section 1013.40, Florida
1265 Statutes, is amended to read:

1266 1013.40 Planning and construction of Florida College System
1267 institution facilities; property acquisition.—

1268 (4) The campus of a Florida College System institution
1269 within a municipality designated as an area of critical state
1270 concern, as defined in s. 380.05, and having a comprehensive
1271 plan and land development regulations containing a building
1272 permit allocation system that limits annual growth, may
1273 construct dormitories for up to 300 beds for Florida College
1274 System institution students. Such dormitories are exempt from
1275 the building permit allocation system and may be constructed up
1276 to 45 feet in height if the dormitories are otherwise consistent

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1277 with the comprehensive plan, the Florida College System
1278 institution has a hurricane evacuation plan that requires all
1279 dormitory occupants to be evacuated 48 hours in advance of
1280 tropical force winds, and transportation is provided for
1281 dormitory occupants during an evacuation. State funds and
1282 tuition and fee revenues may not be used for construction, debt
1283 service payments, maintenance, or operation of such dormitories.
1284 Additional dormitory beds constructed after July 1, 2016, may
1285 not be financed through the issuance of bonds by the Florida
1286 College System institution; however, bonds may be issued by
1287 nonpublic entities as part of a public-private partnership
1288 between the college and a nonpublic entity.

1289 Section 20. Section 1013.841, Florida Statutes, is created
1290 to read:

1291 1013.841 End of year balance of Florida College System
1292 institution funds.-

1293 (1) Unexpended amounts in any fund in any Florida College
1294 System institution current year state operating budget shall be
1295 carried forward and included as the balance forward for that
1296 fund in the approved operating budget for the following year.

1297 (2) (a) Each Florida College System institution with a final
1298 FTE less than 15,000 for the prior year shall maintain a minimum
1299 carry forward balance of at least 5 percent of its state
1300 operating budget. If a Florida College System institution fails
1301 to maintain a 5 percent balance in state operating funds, the
1302 president shall provide written notification to the State Board
1303 of Education.

1304 (b) Each Florida College System institution with a final
1305 FTE less than 15,000 for the prior year that retains a state

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1306 operating fund carry forward balance in excess of the 5 percent
1307 minimum shall submit a spending plan for its excess carry
1308 forward balance. The spending plan shall include all excess
1309 carry forward funds from state operating funds. The spending
1310 plan shall be submitted to the Florida College System
1311 institution's board of trustees for approval by September 1,
1312 2020, and each September 1 thereafter. The State Board of
1313 Education shall review and publish each Florida College System
1314 institution's carry forward spending plan by October 1, 2020,
1315 and each October 1 thereafter.

1316 (3) (a) Each Florida College System institution with a final
1317 FTE of 15,000 or greater for the prior year shall maintain a
1318 minimum carry forward balance of at least 7 percent of its state
1319 operating budget. If a Florida College System institution fails
1320 to maintain a 7 percent balance in state operating funds, the
1321 institution shall submit a plan to the State Board of Education
1322 to attain the minimum balance.

1323 (b) Each Florida College System institution with a final
1324 FTE of 15,000 or greater for the prior year that retains a state
1325 operating fund carry forward balance in excess of the 7 percent
1326 minimum shall submit a spending plan for its excess carry
1327 forward balance. The spending plan shall include all excess
1328 carry forward funds from state operating funds. The spending
1329 plan shall be submitted to the Florida College System
1330 institution's board of trustees for approval by September 1,
1331 2020, and each September 1 thereafter. The State Board of
1332 Education shall review and publish each Florida College System
1333 institution's carry forward spending plan by October 1, 2020,
1334 and each October 1 thereafter.

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1335 (4) A Florida College System institution identified in
1336 paragraph (3) (a) must include in its carry forward spending plan
1337 the estimated cost per planned expenditure and a timeline for
1338 completion of the expenditure. Authorized expenditures in a
1339 carry forward spending plan may include:

1340 (a) Commitment of funds to a public education capital
1341 outlay project for which an appropriation was previously
1342 provided, which requires additional funds for completion, and
1343 which is included in the list required by s. 1001.03(18) (d);

1344 (b) Completion of a renovation, repair, or maintenance
1345 project that is consistent with the provisions of s. 1013.64(1),
1346 up to \$5 million per project;

1347 (c) Completion of a remodeling or infrastructure project,
1348 up to \$10 million per project, if such project is survey
1349 recommended pursuant to s. 1013.31;

1350 (d) Completion of a repair or replacement project necessary
1351 due to damage caused by a natural disaster for buildings
1352 included in the inventory required pursuant to s. 1013.31;

1353 (e) Operating expenditures that support the Florida College
1354 System institution's mission which are nonrecurring; and

1355 (f) Any purpose approved by the state board or specified in
1356 the General Appropriations Act.

1357 Section 21. This act shall take effect July 1, 2019.