

<b>Tab 1</b>	<b>SB 2 by Galvano; (Compare to H 0489) Higher Education</b>						
414588	A	S	RCS	ED, Galvano	Delete L.569 - 597:	01/23	05:25 PM

<b>Tab 2</b>	<b>SB 4 by Galvano; Faculty Recruitment</b>						
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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**EDUCATION**  
**Senator Hukill, Chair**  
**Senator Mayfield, Vice Chair**

**MEETING DATE:** Monday, January 23, 2017  
**TIME:** 4:00—6:00 p.m.  
**PLACE:** Pat Thomas Committee Room, 412 Knott Building

**MEMBERS:** Senator Hukill, Chair; Senator Mayfield, Vice Chair; Senators Farmer, Galvano, Lee, Simmons, Simpson, Stewart, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 2</b> Galvano (Compare S 374)	Higher Education; Citing this act as the “Florida Excellence in Higher Education Act of 2017”; revising requirements for the performance-based metrics used to award Florida College System institutions with performance-based incentives; revising the Distinguished Florida College System Institution Program excellence standards requirements; requiring each Florida Community College System institution to execute at least one “2+2” Targeted Pathway articulation agreement by a specified time, etc.  ED 01/23/2017 Fav/CS AHE AP	Fav/CS Yeas 8 Nays 0
2	<b>SB 4</b> Galvano	Faculty Recruitment; Establishing the World Class Faculty and Scholar Program; authorizing investments in certain faculty retention, recruitment, and recognition activities; establishing the State University Professional and Graduate Degree Excellence Program; specifying the requirements for quality improvement efforts to elevate the prominence of state university medicine, law, and graduate-level business programs, etc.  ED 01/23/2017 Favorable AHE AP	Favorable Yeas 8 Nays 0

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Education

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BILL: CS/SB 2

INTRODUCER: Education Committee and Senator Galvano

SUBJECT: Higher Education

DATE: January 24, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Graf	ED	Fav/CS
2.			AHE	
3.			AP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Technical Changes

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**I. Summary:**

CS/SB 2 establishes the “Florida Excellence in Higher Education Act of 2017” to strengthen funding and programmatic mechanisms so that every student in Florida, regardless of his or her economic circumstances, is able to access higher education and graduate on time in 4 years with a baccalaureate degree. Specifically, the bill:

- Modifies the state university and Florida College System institution performance accountability metrics and standards to promote on-time student graduation in 4 years.
- Increases student financial aid and tuition assistance to:
  - Expand the Florida Bright Futures Academic Scholars (FAS) award to cover 100 percent of tuition and specified fees plus \$300 per fall and spring semester for textbooks and college-related expenses;
  - Expand eligibility for the Benacquisto Scholarship Program to include eligible students graduating from out of state; and
  - Revise the state-to-private match requirements for contributions to the First Generation Matching Grant Program from 1:1 to 2:1.
- Establishes tuition incentives by requiring state university boards of trustees to adopt a resident and non-resident undergraduate student block tuition policy.
- Strengthens “2+2” articulation by establishing the “2+2” targeted pathway program.
- Requires school districts to provide notification to students and parents about applying acceleration mechanism credit to a postsecondary degree.

Increasing the FAS award is estimated to cost \$126.2 million for 45,213 students to cover 100 percent of tuition and specified fees, and \$24.9 million for college-related expenses. Including out-of-state students in the Benacquisto Scholarship Program is estimated to cost \$1.1 million for 54 scholars. Doubling the state matching funds for the First Generation in College Matching Grant program is estimated to cost an additional \$5.3 million.

The bill takes effect July 1, 2017.

## II. Present Situation:

Under the leadership of the Legislature, the Board of Governors of the State University System (BOG), and the State Board of Education (SBE), Florida's public universities and colleges continue to maintain focus on improving institutional and student performance outcomes.

### **Institutional Accountability**

The BOG has established the following accountability mechanisms to maintain a consistent focus on state university excellence:<sup>1</sup>

- The *Annual Accountability Report*<sup>2</sup> tracks performance trends on key metrics over five years.
- The *2025 System Strategic Plan*<sup>3</sup> provides a long-range roadmap for the System.
- The *University Work Plans*<sup>4</sup> provide a three-year plan of action.

Additionally, the Legislature has established performance-based funding models in recent years to evaluate the performance of Florida's state universities and Florida College System (FCS) institutions, based on identified metrics and standards.

### ***State University System Performance-Based Incentive***

The State University System (SUS) Performance-Based Incentive is awarded to state universities using performance-based metrics<sup>5</sup> adopted by the BOG.<sup>6</sup> The metrics include, but are not limited to, bachelor's degree graduates' employment and wages, average cost per bachelor's degree, a

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<sup>1</sup> Board of Governors, *Focus on Excellence: Board of Governors' State University System Initiatives*, Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), available at [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3540.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3540.pdf).

<sup>2</sup> Board of Governors, *2014-15 System Accountability Report*, available at [http://www.flbog.edu/about/doc/budget/ar\\_2014-15/2014\\_15\\_System\\_Accountability\\_Report\\_Summary\\_FINAL\\_2016-04-28.pdf](http://www.flbog.edu/about/doc/budget/ar_2014-15/2014_15_System_Accountability_Report_Summary_FINAL_2016-04-28.pdf).

<sup>3</sup> Board of Governors, *2025 System Strategic Plan*, available at [http://www.flbog.edu/board/doc/strategicplan/2025\\_System\\_Strategic\\_Plan\\_Amended\\_FINAL.pdf](http://www.flbog.edu/board/doc/strategicplan/2025_System_Strategic_Plan_Amended_FINAL.pdf).

<sup>4</sup> Board of Governors, *2016 Work Plan Reports*, <http://www.flbog.edu/resources/publications/workplan.php> (last visited Jan. 20, 2017).

<sup>5</sup> Board of Governors, *Performance Funding Model Overview*, available at [http://www.flbog.edu/about/budget/docs/performance\\_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf](http://www.flbog.edu/about/budget/docs/performance_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf).

<sup>6</sup> Section 1001.92(1), F.S.

six-year graduation rate, academic progress rates, and bachelor's and graduate degrees in areas of strategic emphasis.

The BOG is required to adopt benchmarks to evaluate each state university's performance on the metrics.<sup>7</sup> The evaluation assists with measuring a state university's achievement of institutional excellence or need for improvement, which determines the university's eligibility to receive performance funding.<sup>8</sup>

### ***Preeminent State Research Universities Program***

The Preeminent State Research Universities Program is established as a collaborative partnership between the BOG and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.<sup>9</sup> A state university that meets 11 of the 12 academic and research excellent standards, specified in law,<sup>10</sup> is designated a "preeminent state research university."<sup>11</sup> Currently, the University of Florida and the Florida State University are designated as preeminent state research universities.<sup>12</sup>

A state research university that meets at least 6 of the 12 standards is designated as an "emerging preeminent state research university."<sup>13</sup> Currently, the University of Central Florida and the University of South Florida-Tampa are designated as emerging preeminent state research universities.<sup>14</sup> Each designated emerging preeminent state research university receives an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

### **Unique Courses**

A university that is designated a preeminent state research university may require its incoming first-time-in-college (FTIC) students to take a six-credit set of unique courses.<sup>15</sup> The university

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<sup>7</sup> Section 1001.92(1), F.S.

<sup>8</sup> *Id.*

<sup>9</sup> Section 1001.7065(1), F.S.

<sup>10</sup> Section 1001.7065(2), F.S. The standards include: incoming freshman academic characteristics (average weighted GPA and average SAT score); institutional ranking nationally; freshman retention rate; six-year graduation rate; national academy membership of institution faculty; research expenditures and patents awarded annually; doctoral degrees awarded annually; postdoctoral appointees annually; and institutional endowment.

<sup>11</sup> Section 1001.7065(3)(a), F.S.

<sup>12</sup> Board of Governors, State University System of Florida, *System Summary of University Work Plans 2016*, at 10, available at

[http://www.flbog.edu/about/doc/budget/workplan\\_2016/2016\\_SYSTEM\\_WORK\\_PLAN\\_2016-09-09.pdf](http://www.flbog.edu/about/doc/budget/workplan_2016/2016_SYSTEM_WORK_PLAN_2016-09-09.pdf)

<sup>13</sup> Section 1001.7065(3)(b), F.S.

<sup>14</sup> Board of Governors, *Focus on Excellence: Board of Governors' State University System Initiatives*, Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), available at

[http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3540.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3540.pdf).

<sup>15</sup> Section 1001.7065(6), F.S.

may stipulate that credit for such courses may not be earned through any acceleration mechanism<sup>16</sup> or any other transfer credit specifically determined by the university.<sup>17</sup>

#### Programs of National Excellence

The BOG is encouraged to establish standards and measures to identify individual programs in state universities that objectively reflect national excellence and make recommendations to the Legislature about ways to enhance and promote such programs.<sup>18</sup>

#### ***Florida College System Performance-Based Incentive***

The FCS Performance-Based Incentive is awarded to FCS institutions using metrics adopted by the SBE. The metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients.<sup>19</sup> The SBE is required to adopt benchmarks to evaluate each institution's performance on the metrics for eligibility to receive performance funding.<sup>20</sup>

#### ***Distinguished Florida College System Program***

The Distinguished FCS Program is established as a collaborative partnership between the SBE and the Legislature to recognize the excellence of Florida's highest-performing FCS institutions.<sup>21</sup> The excellence standards include:

- A 150 percent-of-normal-time completion rate<sup>22</sup> of 50 percent or higher, as calculated by the Division of Florida Colleges.
- A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.
- A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.
- A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).
- A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

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<sup>16</sup> Acceleration mechanisms include Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), credit by examination, and dual enrollment.

<sup>17</sup> Section 1001.7065(6), F.S.

<sup>18</sup> Section 1001.7065(8), F.S.

<sup>19</sup> Section 1001.66(1), F.S.

<sup>20</sup> *Id.* Rule 6A-14.07621, F.A.C., provides a description of the metrics and benchmarks, and calculations for performance funding.

<sup>21</sup> Section 1001.67, F.S.

<sup>22</sup> Rule 6A-14.07621(3)(b), F.A.C. The normal-time-completion rate captures the outcomes of a cohort of full-time, FTIC students who graduate within the amount of time is dependent on the catalogue time for the academic program.

- A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.
- A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

An FCS institution that meets 5 of the 7 excellence standards is designated as a distinguished college.<sup>23</sup>

### ***Developmental Education***

Developmental education is instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction.<sup>24</sup> Developmental education may be delivered through a variety of delivery strategies, described in law.<sup>25</sup>

Each FCS institution board of trustees is required to develop a plan to implement the developmental education strategies defined in law<sup>26</sup> and rules<sup>27</sup> of the SBE.<sup>28</sup> A university board of trustees may contract with a FCS institution to provide developmental education services for their students in need of developmental education.<sup>29</sup> Florida Agricultural and Mechanical University (FAMU) is authorized to offer developmental education.<sup>30</sup>

### **Student Financial Aid and Tuition Assistance**

The Legislature has established student financial aid programs to assist students in accessing and pursuing higher education in Florida.

### ***Florida Bright Futures Scholarship Program***

The Florida Bright Futures Scholarship Program (BFSP) was established in 1997<sup>31</sup> as a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement. The student must enroll in a degree program, certificate program, or

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<sup>23</sup> Section 1001.67(1)-(2), F.S.

<sup>24</sup> Section 1008.02(1), F.S.

<sup>25</sup> *Id.* Strategies include modularized instruction that is customized and targeted to address specific skills gaps, compressed course structures that accelerate student progression from developmental instruction to college level coursework, contextualized developmental instruction that is related to meta-majors, and corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.

<sup>26</sup> *Id.*

<sup>27</sup> Rule 6A-14.030(12), F.A.C.

<sup>28</sup> Section 1008.30(5)(a), F.S.

<sup>29</sup> Section 1008.30(5)(c), F.S.

<sup>30</sup> Board of Governors Regulation 6.008(1).

<sup>31</sup> Section 2, ch. 1997-77, L.O.F.

applied technology program at an eligible public or private postsecondary education institution<sup>32</sup> in Florida after graduating from high school.<sup>33</sup> The BFSP consists of three types of awards:<sup>34</sup>

- Florida Academic Scholars (FAS);<sup>35</sup>
- Florida Medallion Scholars (FMS);<sup>36</sup> and
- Florida Gold Seal Vocational Scholars (FGSV).<sup>37</sup>

BFSP award amounts are specified in the General Appropriations Act (GAA)<sup>38, 39</sup>.

### ***Benacquisto Scholarship Program***

The Benacquisto Scholarship Program, created in 2014,<sup>40</sup> rewards any Florida high school graduate who receives recognition as a National Merit Scholar or National Achievement Scholar and who enrolls in a baccalaureate degree program at an eligible Florida public or independent postsecondary education institution.<sup>41</sup>

Student eligibility requirements are established in law,<sup>42</sup> and include requirements that the student must earn a standard Florida high school diploma or equivalent<sup>43</sup> and be a state resident.<sup>44</sup>

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<sup>32</sup> A student who receives any award under the Florida Bright Futures Scholarship Program, who is enrolled in a nonpublic postsecondary education institution, and who is assessed tuition and fees that are the same as those of a full-time student at that institution, receives a fixed award calculated by using the average tuition and fee calculation as prescribed by the Department of Education for full-time attendance at a public postsecondary education institution at the comparable level. Section 1009.538, F.S.

<sup>33</sup> Sections 1009.53(1) and 1009.531(2)(a)-(c), F.S. Starting with 2012-2013 graduates, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.

<sup>34</sup> Section 1009.53(2), F.S.

<sup>35</sup> Section 1009.534, F.S.

<sup>36</sup> Section 1009.535, F.S.

<sup>37</sup> Section 1009.536, F.S.

<sup>38</sup> Specific Appropriation 4, 2016-066, L.O.F.

<sup>39</sup> Sections 1009.22(7), 1009.23(10), and 1009.24(13) and (16), F.S., prohibit the tuition differential and technology fees from inclusion in any BFSP award.

<sup>40</sup> The Benacquisto Scholarship Program was formerly titled the Florida National Merit Scholar Incentive Program. Section 26, ch. 2016-237, L.O.F.

<sup>41</sup> Section 1009.893, F.S.

<sup>42</sup> Section 1009.893(4), F.S.

<sup>43</sup> Other graduation options include Academically Challenging Curriculum to Enhance Learning (ACCEL) options (s. 1002.3105, F.S.), early high school graduation (s. 1003.4281, F.S.), a high school equivalency diploma (s. 1003.435, F.S.), completion of a home education program (s. 1002.41, F.S.), or earning a high school diploma from a school outside Florida while living with a parent or guardian who is on military or public service assignment outside Florida.

<sup>44</sup> Section 1009.893(4)(a), F.S. Under section 1009.40(1)(a)2., F.S., the student must meet the requirements of Florida residency for tuition purposes under s. 1009.21, F.S.; see also Rule 6A-10.044, F.A.C.



An eligible student may use the Benacquisto Scholarship Program at a Florida public or private postsecondary education institution. The award amounts are as follows:

- At a Florida public postsecondary education institution the award is equal to the institutional cost of attendance minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship (NMS) or National Achievement Scholarship (NAS)<sup>45,46</sup>
- At a Florida independent postsecondary education institution the award is equal to the highest cost of attendance at a Florida public university, as reported by the BOG, minus the sum of the student's Florida Bright Futures Scholarship and NMS or NAS.<sup>47</sup>

### ***First Generation Matching Grant Program***

The First Generation Matching Grant Program was established in 2006<sup>48</sup> to enable each state university to provide donors with a matching grant incentive for contributions to create grant-based student financial aid for undergraduate students who demonstrate financial need and whose parents have not earned a baccalaureate degree.<sup>49</sup> Funds appropriated by the Legislature for the program must be allocated by the Office of Student Financial Assistance (within the Florida Department of Education) to match private contributions on a dollar-for-dollar basis.<sup>50</sup>

### ***William L. Boyd, IV, Florida Resident Access Grant (FRAG)***

The William L. Boyd, IV, FRAG is a tuition assistance program that is available to full-time degree-seeking undergraduate students registered at an independent nonprofit college or university which is located in and chartered by the state; which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; which grants baccalaureate degrees; which is not a state university or FCS institution; and which has a secular purpose.<sup>51</sup>

### **Tuition Incentives**

The Legislature has authorized state universities to implement flexible tuition policies to further assist students in accessing and pursuing higher education in our state.

### ***Block Tuition***

The BOG is authorized to approve a proposal from a university board of trustees to implement flexible tuition<sup>52</sup> policies including, but not limited to, block tuition.<sup>53</sup> The block tuition policy for resident undergraduate students or undergraduate-level courses must be based on the

<sup>45</sup> The National Merit Scholarship Corporation discontinued the National Achievement Scholarship Program with the conclusion of the 2015 program,

<http://www.nationalmerit.org/s/1758/interior.aspx?sid=1758&gid=2&pgid=433> (last visited Jan. 20, 2017).

<sup>46</sup> Section 1009.893(5)(a), F.S.

<sup>47</sup> *Id.* at (5)(b)

<sup>48</sup> Section 1, ch. 2006-73, L.O.F.

<sup>49</sup> Section 1009.701(1), F.S.

<sup>50</sup> *Id.* at (2)

<sup>51</sup> Section 1009.89(1) and (3), F.S.

<sup>52</sup> Section 1009.01, F.S., defines tuition as the basic fee charged to a student for instruction provided by a public postsecondary education institution in this state.

<sup>53</sup> Section 1009.24(15)(a), F.S.

established per-credit-hour undergraduate tuition.<sup>54</sup> The block tuition policy for nonresident undergraduate students must be based on the established per-credit-hour undergraduate tuition and out-of-state fee.<sup>55</sup> The BOG has not received for approval, a block tuition policy from any state university.<sup>56</sup>

## **2+2 Articulation and Academic Notification**

It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, sustaining, and strengthening relationships among the various education sectors and delivery systems within the state.<sup>57</sup>

Additionally, it is also the intent of the Legislature that a variety of articulated acceleration mechanisms be available for secondary and postsecondary students attending public education institutions.<sup>58</sup> It is intended that such mechanisms serve to accelerate students in fulfilling high school and postsecondary education requirements, broaden the scope of curricular options available to students, and increase the depth of study in a particular subject.<sup>59</sup>

### ***2+2 Articulation***

The SBE and the BOG are required to enter into a statewide articulation agreement to preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit across and among Florida's education entities, and reinforce the articulation and admission policies specified in law.<sup>60</sup>

The articulation agreement must provide that every associate in arts graduate of an FCS institution has met all general education requirements, has indicated a baccalaureate institution and program of interest by the time the student earns 30 semester hours, and must be granted admission to the upper division, with certain exceptions,<sup>61</sup> of a state university or an FCS institution that offers a baccalaureate degree.<sup>62</sup> However, eligibility for admission to a state university does not provide to a transfer student guaranteed admission to the specific university or degree program that the student chooses.<sup>63</sup>

### ***Academic Notification***

Articulated acceleration mechanisms include, but are not limited to, Advanced Placement (AP), Advanced International Certificate of Education (AICE), International Baccalaureate (IB), credit

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<sup>54</sup> Section 1009.24(15)(a)3., F.S.

<sup>55</sup> Section 1009.24(15)(a)3., F.S.

<sup>56</sup> Board of Governors, *2017 Legislative Bill Analysis for SB 2* (Jan. 18, 2017), at 4.

<sup>57</sup> Section 1007.01(1), F.S.

<sup>58</sup> Section 1007.27(1), F.S.

<sup>59</sup> Section 1007.27(1), F.S.

<sup>60</sup> Section 1007.23(1), F.S.

<sup>61</sup> Section 1007.23(2)(a), F.S., exceptions include limited access programs, teacher certification programs, and those requiring an audition.

<sup>62</sup> Section 1007.23(2)(a), F.S.

<sup>63</sup> Board of Governors Regulation 6.004(2)(b)

by examination, and dual enrollment.<sup>64</sup> The Department of Education is required to annually identify and publish the minimum scores, maximum credit, and course or courses for which credit must be awarded for specified examinations.<sup>65</sup> The Articulation Coordinating Committee (ACC)<sup>66</sup> has established passing scores and course and credit equivalents for examinations specified in law<sup>67, 68</sup> The credit-by-exam equivalencies have been adopted in rule by the SBE.<sup>69</sup> Each FCS institution and state university must award credit for specific courses for which competency has been demonstrated by successful passage of one of the examinations associated with the identified acceleration mechanisms.<sup>70</sup>

The law also requires the Commissioner of Education to appoint faculty committees representing secondary and public postsecondary education institutions to identify postsecondary courses that meet high school graduation requirements and equivalent high school credits earned through dual enrollment.<sup>71</sup> Additionally, the commissioner must recommend such courses to the SBE.<sup>72</sup> The dual enrollment course-to-high school subject area equivalency list specifies postsecondary courses that when completed earn both high school and college credit.<sup>73</sup> All high schools must accept these dual enrollment courses toward meeting the standard high school diploma requirements.<sup>74</sup>

### III. Effect of Proposed Changes:

CS/SB 2 establishes the “Florida Excellence in Higher Education Act of 2017” to strengthen funding and programmatic mechanisms so that every student in Florida, regardless of his or her economic circumstances, is able to access higher education and graduate on time in 4 years with a baccalaureate degree. Specifically, the bill:

- Modifies the state university and Florida College System institution performance accountability metrics and standards to promote on-time student graduation in 4 years with a baccalaureate degree.

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<sup>64</sup> Section 1007.27(1), F.S.

<sup>65</sup> Section 1007.27(2), F.S.

<sup>66</sup> The Articulation Coordinating Committee (ACC) is established by the Commissioner of Education in consultation with the Chancellor of the SUS, to make recommendations related to statewide articulation policies regarding access, quality, and data reporting. The ACC serves as an advisory body to the Higher Education Coordinating Council, the SBE, and BOG.

<sup>67</sup> Section 1007.27(2), F.S.

<sup>68</sup> Florida Department of Education, *Articulation Coordinating Committee Credit by Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

<sup>69</sup> Rule 6A-10.024, F.A.C.

<sup>70</sup> *Id.*

<sup>71</sup> Section 1007.271(9), F.S.

<sup>72</sup> *Id.*

<sup>73</sup> Florida Department of Education, *2016-2017 Dual Enrollment Course—High School Subject Area Equivalency List*, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078394-delist.pdf>.

<sup>74</sup> *Id.*

- Increases student financial aid and tuition assistance to:
  - Expand the Florida Bright Futures Academic Scholars (FAS) award to cover 100 percent of tuition and specified fees plus \$300 per fall and spring semester for textbooks and college-related expenses;
  - Expand eligibility for the Benacquisto Scholarship Program to include eligible students graduating from out of state; and
  - Revise the state-to-private match requirements for contributions to the First Generation Matching Grant Program from 1:1 to 2:1.
- Establishes tuition incentives by requiring state university boards of trustees to adopt a resident and non-resident undergraduate student block tuition policy for implementation by the fall 2018 semester.
- Strengthens “2+2” articulation by establishing the “2+2” targeted pathway program.
- Requires school districts to provide notification to students and parents about applying acceleration mechanism credit to a postsecondary degree.
- Renames the William L. Boyd, IV, Florida Resident Access Grant (FRAG) Program as the William L. Boyd, IV, Effective Access to Student Education (EASE) Program.

### **Institutional Accountability**

The bill strengthens institution accountability by modifying state university and FCS institution performance and accountability metrics and standards to promote on-time student graduation in 4 years with a baccalaureate degree.

#### ***State University System Performance-Based Incentive***

The bill specifies that the State University System (SUS) performance-based metric for graduation rate must be a 4-year graduation rate.

Currently, the 6-year and 4-year graduation rates for first-time-in-college (FTIC) students within the SUS are approximately 71 percent<sup>75</sup> and 44 percent,<sup>76</sup> respectively. During the 2015-16 academic year, the 6-year graduation rate for such students ranged from approximately 39 percent at Florida Agricultural and Mechanical University (FAMU) to 87 percent at the University of Florida (UF).<sup>77</sup> The 4-year graduation rate for such students during the same period ranged from approximately 14 percent at FAMU to 68 percent at UF.<sup>78</sup> In comparison, the 4-year graduation rate for peer universities in other states ranges from 87 percent at the University of Virginia, 81 percent at the University of North Carolina-Chapel Hill and 75 percent at the University of Michigan.<sup>79</sup> The shift in focus from 6-year to 4-year graduation rate will likely

<sup>75</sup> State University System of Florida, *2014-2015 System Accountability Report*, p.7, available at [http://www.flbog.edu/about/doc/budget/ar\\_2014-15/2014\\_15\\_System\\_Accountability\\_Report\\_Summary\\_FINAL\\_2016-04-28.pdf](http://www.flbog.edu/about/doc/budget/ar_2014-15/2014_15_System_Accountability_Report_Summary_FINAL_2016-04-28.pdf).

<sup>76</sup> Email, Office of Program Policy Analysis and Government Accountability (Sept. 6, 2016).

<sup>77</sup> State University System of Florida, *2014-2015 System Accountability Report*, p.7, available at [http://www.flbog.edu/about/doc/budget/ar\\_2014-15/2014\\_15\\_System\\_Accountability\\_Report\\_Summary\\_FINAL\\_2016-04-28.pdf](http://www.flbog.edu/about/doc/budget/ar_2014-15/2014_15_System_Accountability_Report_Summary_FINAL_2016-04-28.pdf).

<sup>78</sup> Email, Office of Program Policy Analysis and Government Accountability (Sept. 6, 2016).

<sup>79</sup> *Id.*

prompt a modification to the State University System (SUS) strategic plan, as well as state university accountability mechanisms, which may assist with elevating the prominence and national competitiveness of the state universities in Florida.

Graduation rates are one of the key accountability measures that demonstrate how well an institution is serving its FTIC students.<sup>80</sup> On-time graduation in 4 years with a baccalaureate degree may result in savings related to cost-of-attendance for students and their families. For example, nationally, every extra year beyond 4 years to graduate with a baccalaureate degree at a public 4-year college costs a student \$22,826.<sup>81</sup> This may also result in lost wages owing to delayed entrance into the workforce. The median wage of 2013-14 baccalaureate degree graduates employed full-time one year after graduation is \$35,600.<sup>82</sup>

### ***Preeminent State Research Universities Program***

Consistent with the emphasis on a 4-year graduation rate metric for the SUS Performance-Based Incentive program, the bill revises the full-time FTIC student graduation rate metric for the preeminent state research university program from a 6-year to a 4-year rate, and modifies the benchmark for the graduation rate metric from 70 percent to 50 percent. Additionally, the bill requires the Board of Governors of the State University System (BOG) to calculate the graduation rate. Currently, the graduation rate is based on data reported annually to the Integrated Postsecondary Education Data System.<sup>83</sup> The bill also revises the amount of funding provided to emerging preeminent state research universities from one-half to one-quarter of the total additional funding awarded to preeminent state research universities.

### **Unique Courses**

The bill eliminates the authority for the preeminent state research universities to require FTIC students to take a six-credit unique set of courses. Currently, UF lists two such courses, Florida State University lists 123 such courses.<sup>84</sup> Students are not able to apply acceleration mechanism or transfer credits toward the unique course requirements.<sup>85</sup> By deleting the authority for unique courses, the bill provides students more flexibility in applying earned college credits purposefully toward degree requirements.

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<sup>80</sup> Board of Governors, *2025 System Strategic Plan*, March 2016, p. 26, available at [http://www.flbog.edu/board/doc/strategicplan/2025\\_System\\_Strategic\\_Plan\\_Amended\\_FINAL.pdf](http://www.flbog.edu/board/doc/strategicplan/2025_System_Strategic_Plan_Amended_FINAL.pdf).

<sup>81</sup> Complete College America, *Four-Year Myth: Make College More Affordable. Restore the Promise of Graduating on Time* (2014), p.5, available at <http://completecollege.org/wp-content/uploads/2014/11/4-Year-Myth.pdf>.

<sup>82</sup> Board of Governors, *2014-15 System Accountability Report*, p. 6, available at [http://www.flbog.edu/about/doc/budget/ar\\_2014-15/2014\\_15\\_System\\_Accountability\\_Report\\_Summary\\_FINAL\\_2016-04-28.pdf](http://www.flbog.edu/about/doc/budget/ar_2014-15/2014_15_System_Accountability_Report_Summary_FINAL_2016-04-28.pdf).

<sup>83</sup> The Integrated Postsecondary Education Data System (IPEDS) calculates the graduation rate as the total number of completers within 150% of normal time divided by the revised adjusted cohort. *2016-17 Glossary*, available at <https://surveys.nces.ed.gov/ipeds/VisGlossaryAll.aspx>.

<sup>84</sup> The Florida Senate staff analysis of the Florida Statewide Course Numbering System (<http://scns.fldoe.org>).

<sup>85</sup> Section 1001.7065(6), F.S.

### Programs of Excellence

Consistent with efforts to strengthen institutional accountability to elevate the prominence of state universities, the bill changes from a recommendation to a requirement that the BOG establish standards and measures for programs of excellence throughout the SUS by specifying that the programs include undergraduate, graduate, and professional degrees. Additionally, the bill requires the BOG to make recommendations to the Legislature, by September 1, 2017, as to how such programs may be enhanced and promoted.

### ***Florida College System Performance-Based Incentive***

In order to focus institutional efforts on initiatives that promote student graduation on-time in 4 years with a baccalaureate degree, and help students avoid incurring debt, the bill revises the FCS performance metrics for awarding performance-based incentives to FCS institutions. Specifically, the bill:

- Incorporates the excellence standards for the Distinguished FCS institution Program;
- Adds a graduation rate metric for FTIC students in associate in arts (AA) programs who graduate with a baccalaureate degree in 4 years after initially enrolling in the AA programs; and
- Adds a college affordability metric, which must be adopted by the SBE.

The statewide 4-year graduation rate for a 2009 cohort of students who started at an FCS institution and earned a bachelor's degree from the FCS or SUS was approximately 4 percent.<sup>86</sup> The 4-year graduation rate ranged from zero percent at Florida Keys Community College to approximately 13 percent at Santa Fe College.

The revisions to the FCS institution performance metrics are likely to prompt a modification to the SBE strategic plan for the FCS, as well as changes in the FCS accountability mechanisms, which may direct FCS institutional efforts toward on-time graduation.

### ***Distinguished Florida College System Institution Program***

The bill reinforces on-time graduation by revising the excellence standards for the Distinguished FCS institution Program. Specifically, the bill:

- Changes the normal-time completion rate metric from 150 percent to 100 percent;
- Changes the normal-time completion rate metric for Pell Grant recipients from 150 percent to 100 percent;
- Specifies that the job placement metric must be based on the wage thresholds that reflect the added value of the applicable certificate or degree; and specifying that the continuing education and job placement metric does not apply to AA degrees; and
- Replaces the time-to-degree metric with an excess-hours rate metric of 40 percent or lower of AA degree recipients who graduate with 72 or more credit hours.

Modifications to the excellence standards may steer institutional efforts toward helping students graduate timely.

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<sup>86</sup> Email, Office of Program Policy Analysis and Government Accountability (Dec. 29, 2016).

***Developmental Education***

The bill strengthens developmental education instruction by emphasizing the focus on instructional strategies specified in law<sup>87</sup> in the delivery of developmental education instruction by a state university. FAMU is the only state university within the SUS that provides developmental education.<sup>88</sup> In accordance with the bill modifications, FAMU may need to revise its developmental education program to incorporate the developmental education strategies specified in law. Currently, each FCS institution board of trustees is required to develop a plan to implement the developmental education strategies defined in law.<sup>89</sup>

**Student Financial Aid and Tuition Assistance**

The bill expands student financial aid and tuition assistance programs to address financial insecurity concerns of students and their families as they consider higher education options in Florida. The bill is likely to assist students with accessing higher education, graduating on time in 4 years with a baccalaureate degree, and incurring less education-related debt. Additionally, the bill may assist Florida’s postsecondary education institutions in recruiting and retaining talented and qualified students.

***Florida Bright Futures Scholarship Program – Florida Academic Scholars (FAS)***

The bill increases the FAS award amount to cover 100 percent of public postsecondary education institution tuition and certain tuition-indexed fees<sup>90</sup> plus \$300 for textbooks and college-related expenses during fall and spring terms, beginning in the fall 2017 semester.

The table below shows the current and projected FAS award per credit hour:

<b>Current 2016-17 FAS Per-Credit-Hour Award<sup>91</sup></b>	<b>Projected 2017-18 FAS Average Per-Credit-Hour Award</b>
\$103 at 4-year institutions	\$198.11 at 4-year institutions <sup>92</sup>
\$63 at two-year institutions	\$106.74 at two-year institutions <sup>93</sup>

<sup>87</sup> Section 1008.02, F.S.

<sup>88</sup> BOG Regulation 6.008(1).

<sup>89</sup> Section 1008.30(5)(a), F.S.

<sup>90</sup> The tuition-indexed fees specified in SB 2 include financial aid, capital improvements, technology enhancements, equipping buildings, or the acquisition of improved real property, and technology (s. 1009.22, F.S.); activity and service, financial aid, technology, capital improvements, technology enhancements, and equipping student buildings or the acquisition of improved real property (s. 1009.23, F.S.); financial aid, Capital Improvement Trust Fund, activity and service, health, athletic, technology, transportation access, and includes the tuition differential (s. 1009.24, F.S.).

<sup>91</sup> Specific Appropriation 4, Ch. 2016-66, L.O.F.

<sup>92</sup> State University System of Florida, *Tuition and Required Fees, 2016-17*, available at [http://www.flbog.edu/about/doc/budget/tuition/Tuition\\_Fees\\_%202016-17.pdf](http://www.flbog.edu/about/doc/budget/tuition/Tuition_Fees_%202016-17.pdf).

<sup>93</sup> Florida Department of Education, Florida College System, *2016 Fact Book*, Table 7.8T, available at <http://fldoe.org/core/fileparse.php/15267/urlt/FactBook2016.pdf>.



The total cost for FAS awards in the 2016-17 fiscal year is projected to be \$104 million.<sup>94</sup> The change in the FAS award to 100 percent of tuition and specified fees is estimated to cost approximately an additional \$126.2 million for 45,213 students<sup>95</sup> in the 2017-18 fiscal year.<sup>96</sup> The bill also includes \$300 per semester for textbooks and other education-related expenses, which is estimated to cost approximately \$24.9 million<sup>97</sup> in the 2017-18 fiscal year. The total additional cost is estimated to be approximately \$151.1 million in the 2017-18 fiscal year.<sup>98</sup>

Expanding the FAS program promotes college affordability and one-time graduation in 4 years with a baccalaureate degree. The bill may also help with retaining Florida's talented students in the state.

### ***Benacquisto Scholarship Program***

The bill modifies eligibility requirements for the Benacquisto Scholarship Program to attract talented and qualified students from out-of-state and assist out-of-state students to access higher education in Florida, graduate on time, and incur less education-related debt. Specifically, the bill:

- Establishes student eligibility criteria, which only apply to students who are not residents of the state and who initially enroll in a baccalaureate degree program in the 2017-2018 academic year or thereafter, requiring such students to:
  - Physically reside in Florida on or near the campus of the postsecondary education institution in which they enroll;
  - Earn a high school diploma or equivalent or complete a home education program, comparable to Florida; and
  - Be accepted by and enroll full-time in a baccalaureate degree program at an eligible regionally accredited public or private postsecondary education institution.
- Provides that for an eligible student who is not a resident of the state and who attends:
  - A public postsecondary education institution, the award amount must be equal to the institutional cost of attendance<sup>99</sup> for a resident of the state less the student's National Merit Scholarship. Such student is exempt from out-of-state fees.
  - A private postsecondary education institution, the award amount must be equal to the highest cost of attendance<sup>100</sup> for a resident of the state enrolled at a state university, less the student's National Merit Scholarship.

<sup>94</sup> Office of Economic & Demographic Research, *Florida Bright Futures Scholarship Program* (Nov. 16, 2016) <http://edr.state.fl.us/Content/conferences/financialaid/ConsensusDetail.pdf>.

<sup>95</sup> *Id.*

<sup>96</sup> The Florida Senate staff analysis.

<sup>97</sup> *Id.*

<sup>98</sup> *Id.*

<sup>99</sup> The 2016-17 cost of attendance on campus for full time undergraduate Florida resident students includes tuition and fees, books and supplies, room and board, transportation, and other expenses; the average annual cost of attendance for the State University System is \$21,534.98. Board of Governors, *Fall/Spring Cost of Attendance On-Campus for Full-Time Undergraduate Florida Residents 2016-17*, available at [http://www.flbog.edu/about/doc/budget/attendance/CostAttendance2016\\_17\\_FINAL.xlsx](http://www.flbog.edu/about/doc/budget/attendance/CostAttendance2016_17_FINAL.xlsx).

<sup>100</sup> The highest State University System cost of attendance in 2016-17 is \$23,463 at Florida International University.



Of the 320 National Merit Scholars (NMS) and National Achievement Scholars (NAS) who attended Florida colleges and universities in the 2015-16 academic year,<sup>101</sup> 266 received an initial award as a Benacquisto Scholar.<sup>102</sup> Therefore, an estimated 54 NMS graduated from out-of-state in 2015 and enrolled in Florida universities in the 2015-16 academic year. Assuming this number of students remains constant for the 2017-18 academic year, and out-of-state students meet the eligibility requirements, the cost to fund the additional out-of-state students is estimated to be approximately \$1.1 million. The modifications to student eligibility requirements may assist the state universities in recruiting and retaining talented and qualified students from other states.

### ***First Generation Matching Grant Program***

The bill expands need-based financial aid by revising the state to private match requirements from a 1:1 match to a 2:1 match. In 2015-16, 8,234 initial and renewal students received an average award of \$1,289.45, with 13,700 unfunded eligible students reported by postsecondary education institutions.<sup>103</sup> The increase in the state matching contribution may raise the award amount and assist more eligible students to receive the award, which may help the students to graduate on time.

### ***William L. Boyd, IV, Florida Resident Access Grant (FRAG)***

The bill renames the William L. Boyd, IV, Florida Resident Access Grant (FRAG) Program as the William L. Boyd, IV, Effective Access to Student Education (EASE) Grant Program.

### **Tuition Incentives**

The bill establishes tuition incentives by codifying a block tuition and fee policy to provide to students incentives to graduate on time in 4 years with a baccalaureate degree.

### ***Block Tuition***

The bill requires each state university board of trustees to adopt, for implementation by the fall 2018 semester, a block tuition policy for resident and non-resident undergraduate students. Under such a policy, students may take additional courses without paying increased tuition, which gives students a financial incentive to take more courses within an academic term or year and which may help students to graduate faster.<sup>104</sup>

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<sup>101</sup> National Merit Scholarship Corporation, *2014-15 Annual Report* (Oct. 31, 2015), available at [http://www.nationalmerit.org/s/1758/images/gid2/editor\\_documents/annual\\_report.pdf](http://www.nationalmerit.org/s/1758/images/gid2/editor_documents/annual_report.pdf)

<sup>102</sup> Florida Department of Education, Office of Student Financial Assistance, *End-of-Year Report, 2015-16*, Benacquisto Scholarship (FIS), available at: [https://www.floridastudentfinancialaidsg.org/pdf/EOY\\_Reports/2015-16/FIS\\_2015\\_2016.pdf](https://www.floridastudentfinancialaidsg.org/pdf/EOY_Reports/2015-16/FIS_2015_2016.pdf).

<sup>103</sup> Florida Department of Education, Office of Student Financial Assistance, *End-of-Year Report, 2015-16*, First Generation Matching Grant Program (FGMG), available at [https://www.floridastudentfinancialaidsg.org/pdf/EOY\\_Reports/2015-16/FGMG\\_2015\\_2016.pdf](https://www.floridastudentfinancialaidsg.org/pdf/EOY_Reports/2015-16/FGMG_2015_2016.pdf).

<sup>104</sup> Office of Program Policy and Government Accountability (OPPAGA), *The State Has Several Options Available When Considering the Funding of Higher Education*, Report 04-54, August 2004.

Institutions that have implemented a block tuition policy include, but are not limited to, the University of Michigan, the Ohio State University and the University of North Carolina at Chapel Hill (UNC).<sup>105</sup> As an example, UNC allows students to take 12 or more credit hours and assesses a block tuition based on 12 credit hours.<sup>106</sup>

## **2+2 Articulation and Academic Notification**

The bill strengthens 2+2 articulation and academic notification by creating mechanisms for expanding locally-developed targeted “2+2” articulation agreements and student advising.

### ***2+2 Targeted Pathway Program***

The bill reinforces the state’s intent to assist students enrolled in associate in arts (AA) degree programs to graduate on-time. Accordingly, the bill establishes the “2+2” targeted pathway program to strengthen Florida’s “2+2” system of articulation and improve student retention and on-time graduation. Specifically, the bill:

- Requires each public college to execute at least one “2+2” targeted pathway articulation agreement to establish a “2+2” targeted pathway program with one or more state universities.
- Requires the “2+2” targeted pathway articulation agreement to provide students who meet specified requirements guaranteed access to the state university and baccalaureate degree program in accordance with the terms of the agreement.
- Establishes student eligibility criteria to participate in a “2+2” targeted pathway articulation agreement. A student must:
  - Enroll in the program before completing 30 credit hours.
  - Complete an associate in arts degree.
  - Meet the university’s transfer admission requirements.
- Establishes requirements for state universities that execute “2+2” targeted pathway articulation agreements with their partner public college. A state university must:
  - Establish a 4-year on-time graduation plan for a baccalaureate degree program.
  - Advise students enrolled in the program about the university’s transfer and degree program requirements.
  - Provide students access to academic advisors and campus events, and guarantee admittance to the state university and degree program.
- Requires the state board governing the public colleges and BOG to collaborate to eliminate barriers to executing “2+2” targeted pathway articulation agreements.

The “2+2” targeted pathway program is consistent with recent efforts by state universities to strengthen regional articulation. The statewide “2+2” articulation agreement established in law<sup>107</sup> does not require a 4-year graduation plan and does not guarantee access to a university or degree program of a student’s choice. To provide students a path to on-time graduation in 4 years with a

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<sup>105</sup> Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), Office of Program Policy and Government Accountability, *State University System Undergraduate Student Success Overview*, p. 33, available at [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3540.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3540.pdf).

<sup>106</sup> Email, Office of Program Policy and Government Accountability (Nov. 29, 2016).

<sup>107</sup> Section 1007.23(2), F.S.

baccalaureate degree, some state universities have established articulation agreements with regional public colleges.<sup>108</sup> For instance, the “DirectConnect to UCF”<sup>109</sup> guarantees admission to UCF with an associate degree from a partner institution, and offers university advising to develop an academic plan and access to UCF campuses for services and events. Similarly, the University of South Florida’s “FUSE” program<sup>110</sup> offers students guaranteed admission to a USF System institution. The FUSE program creates an academic pathway that provides a map for taking required courses, advising at USF and the partner institution regarding university requirements, a specially-designed orientation session for 2+2 students at the beginning of the program, and access to USF facilities and events.

The value of such targeted “2+2” agreements is to assist AA students to transfer to a state university and graduate on time in 4 years with a baccalaureate degree. In 2014-15, more than 36 percent of AA graduates from the FCS did not apply to the SUS. Forty-five percent of AA graduates from the FCS ultimately enrolled in the SUS.<sup>111</sup> The 4-year graduation rate for a 2011 cohort of AA transfer students to the SUS (those who transferred with an AA and graduated in two more years) was 25 percent.<sup>112</sup>

### ***Academic Notification***

The bill requires district school boards to notify students who enroll in acceleration mechanism courses or take exams about the *credit-by-examination equivalency list* and *dual enrollment and high school subject area equivalency list*. The notification requirement promotes targeted student advising at the secondary school level to inform students about generating college credits through certain acceleration mechanism courses and exams, and applying such credits purposefully to a postsecondary certificate or degree program, to ensure students receive credit for such courses and exams taken during high school.<sup>113</sup> As a result, the notification may also assist students with higher education planning and affordability considerations.

The bill takes effect July 1, 2017.

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<sup>108</sup> Examples of regional articulation agreements are the “[DirectConnect to UCF](#),” the [University of South Florida “FUSE” program](#), “[TCC2FSU](#),” “[TCC2FAMU](#),” “[FIU Connect4Success](#),” “[Link to FAU](#),” “[UWF Transfer Student Partnership](#),” and “[UNF/SJR Gateway](#).” The Florida Senate staff analysis.

<sup>109</sup> University of Central Florida, Presentation to the Senate Committee on Education, *DirectConnect to UCF* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

<sup>110</sup> University of South Florida, Presentation to the Senate Committee on Education, *FUSE* (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

<sup>111</sup> Board of Governors, *Associate in Arts Transfer Students in the State University System*, Presentation to the BOG Select Committee on 2+2 Articulation, (Mar. 17, 2016), available at [http://www.flbog.edu/documents\\_meetings/0199\\_0978\\_7295\\_6.3.2%202+2%2003b\\_AA%20Transfer%20data%20points\\_JMI.pdf](http://www.flbog.edu/documents_meetings/0199_0978_7295_6.3.2%202+2%2003b_AA%20Transfer%20data%20points_JMI.pdf).

<sup>112</sup> Office of Program Policy Analysis and Government Accountability, *State University System Undergraduate Student Success Overview*, Presentation to the Committee on Education, The Florida Senate (Dec. 12, 2016), available at <http://www.flsenate.gov/Committees/Show/ED/Meeting%20Packet/3540/>.

<sup>113</sup> Office of The Governor, *Governor Rick Scott Issues “Finish in Four, Save More” Challenge to Universities and Colleges* (May 25, 2016), <http://www.flgov.com/2016/05/25/governor-rick-scott-issues-finish-in-four-save-more-challenge-to-universities-and-colleges/> (last visited Jan. 20, 2017).

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

CS/SB 2 provides financial benefits to students and families. Specifically, the bill:

- Provides students who qualify for the Florida Academic Scholars program an increased tuition and fee benefit, plus \$300 for textbooks and college-related expenses in the fall and spring terms, which is likely to lower the cost of education for such students.
- Expands the Benacquisto Scholarship Program to include out-of-state National Merit Scholar students who are accepted by and enroll in an eligible Florida postsecondary education institution, which is likely to provide a significant cost savings to such students.
- Doubles the state match for the First Generation in College Matching Grant, which is likely to make the matching grant available to more students, or result in an increase in the award amount.
- Requires a block tuition policy that is likely to provide a cost savings to students, but the savings are indeterminate to students and their families.

**C. Government Sector Impact:**

CS/SB 2 creates a state fiscal impact. Specifically, the bill:

- Revises the state university and colleges performance funding programs, which has no state fiscal impact. However, such revisions may change institution performance relating to revised metrics, and therefore how the funds are distributed to institutions.
- Increases the Florida Academic Scholars (FAS) program award, which is estimated to cost an additional \$126.2 million to cover 100 percent and specified fees, and \$24.9 million for college-related expenses.

- Includes out-of-state students in the Benacquisto Scholarship Program, which may cost an estimated \$1.1 million for 54 scholars.
- Doubles the state match for the First Generation in College Matching Grant program, which may cost an additional \$5.3 million.
- Requires implementation of a block tuition policy for resident and non-resident undergraduate students; however, the cost to the state universities in lost revenue is indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1001.66, 1001.67, 1001.7065, 1001.92, 1007.23, 1007.27, 1008.30, 1009.22, 1009.23, 1009.24, 1009.534, 1009.701, 1009.89, and 1009.893.

This bill creates two undesignated sections of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education on January 23, 2017:**

The committee substitute clarifies that:

- The eligibility requirements for out-of-state students to qualify for the Benacquisto Scholarship applies to students who initially enroll in a baccalaureate program in the 2017-18 academic year or later.
- The Benacquisto Scholarship award for an out-of-state student must be equal to the institutional cost of attendance for a resident of this state less the student's National Merit Scholarship.

**B. Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
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01/23/2017	.	
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The Committee on Education (Galvano) recommended the following:

**Senate Amendment**

Delete lines 569 - 597  
and insert:

(b) A student who initially enrolls in a baccalaureate degree program in the 2017-2018 academic year or later and who is not a resident of this state, as determined pursuant to s. 1009.40 and rules of the State Board of Education, must:

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



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12       2. Earn a high school diploma from a school outside Florida  
13 which is comparable to a standard Florida high school diploma or  
14 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.  
15 1003.4282, or s. 1003.435 or must complete a home education  
16 program in another state; and

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

21       (5) (a) 1. An eligible student who meets the requirements of  
22 paragraph (4) (a), who is a National Merit Scholar or National  
23 Achievement Scholar, and who attends a Florida public  
24 postsecondary educational institution shall receive a  
25 scholarship award equal to the institutional cost of attendance  
26 minus the sum of the student's Florida Bright Futures  
27 Scholarship and National Merit Scholarship or National  
28 Achievement Scholarship.

29       2. An eligible student who meets the requirements under  
30 paragraph (4) (b), who is a National Merit Scholar, and who  
31 attends a Florida public postsecondary educational institution  
32 shall receive a scholarship award equal to the institutional  
33 cost of attendance for a resident of this state less the  
34 student's National Merit Scholarship.

By Senator Galvano

21-00140H-17

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1                                   A bill to be entitled  
 2       An act relating to higher education; providing a short  
 3       title; amending s. 1001.66, F.S.; revising  
 4       requirements for the performance-based metrics used to  
 5       award Florida College System institutions with  
 6       performance-based incentives; amending s. 1001.67,  
 7       F.S.; revising the Distinguished Florida College  
 8       System Institution Program excellence standards  
 9       requirements; amending s. 1001.7065, F.S.; revising  
 10      the preeminent state research universities program  
 11      graduation rate requirements and funding  
 12      distributions; deleting the authority for such  
 13      universities to stipulate a special course requirement  
 14      for incoming students; requiring the Board of  
 15      Governors to establish certain standards by a  
 16      specified date; amending s. 1001.92, F.S.; requiring  
 17      certain performance-based metrics to include specified  
 18      graduation rates; amending s. 1007.23, F.S.; requiring  
 19      each Florida Community College System institution to  
 20      execute at least one "2+2" Targeted Pathway  
 21      articulation agreement by a specified time; providing  
 22      requirements and student eligibility for the  
 23      agreements; requiring the State Board of Community  
 24      Colleges and the Board of Governors to collaborate to  
 25      eliminate barriers for the agreements; amending s.  
 26      1007.27, F.S.; requiring school districts to notify  
 27      students about certain lists and equivalencies;  
 28      amending s. 1008.30, F.S.; providing that certain  
 29      state universities may continue to provide  
 30      developmental education instruction; amending ss.  
 31      1009.22 and 1009.23, F.S.; revising the prohibition on  
 32      the inclusion of a technology fee in the Florida

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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33                                   Bright Futures Scholarship Program award; amending s.  
 34                                   1009.24, F.S.; revising the prohibition on the  
 35                                   inclusion of a technology fee in the Florida Bright  
 36                                   Futures Scholarship Program award; requiring each  
 37                                   state university board of trustees to implement a  
 38                                   block tuition policy for specified undergraduate  
 39                                   students or undergraduate-level courses by a specified  
 40                                   time; revising the conditions for differential  
 41                                   tuition; amending s. 1009.534, F.S.; specifying  
 42                                   Florida Academic Scholars award amounts to cover  
 43                                   tuition, fees, textbooks, and other college-related  
 44                                   expenses; amending s. 1009.701, F.S.; revising the  
 45                                   state-to-private match requirement for contributions  
 46                                   to the First Generation Matching Grant Program;  
 47                                   amending s. 1009.89, F.S.; renaming the Florida  
 48                                   Resident Access Grant Program; amending s. 1009.893,  
 49                                   F.S.; extending coverage of Benacquisto Scholarships  
 50                                   to include tuition and fees for qualified nonresident  
 51                                   students; providing a directive to the Division of Law  
 52                                   Revision and Information; providing an effective date.

53  
 54 Be It Enacted by the Legislature of the State of Florida:

55  
 56                                   Section 1. This act shall be cited as the "Florida  
 57                                   Excellence in Higher Education Act of 2017."

58                                   Section 2. Subsection (1) of section 1001.66, Florida  
 59 Statutes, is amended to read:

60                                   1001.66 Florida College System Performance-Based  
 61 Incentive.-

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62 (1) The following performance-based metrics must be used in  
 63 awarding a Florida College System Performance-Based Incentive  
 64 shall be awarded to a Florida College System institution:  
 65 ~~institutions using performance-based metrics~~

66 (a) The distinguished college performance measures and  
 67 respective excellence standards specified in s. 1001.67(1);

68 (b) A graduation rate for first-time-in-college students  
 69 enrolled in an associate of arts degree program who graduate  
 70 with a baccalaureate degree in 4 years after initially enrolling  
 71 in an associates of arts degree program; and

72 (c) One performance-based metric on college affordability  
 73 adopted by the State Board of Education. The performance based  
 74 metrics must include retention rates; program completion and  
 75 graduation rates; postgraduation employment, salaries, and  
 76 continuing education for workforce education and baccalaureate  
 77 programs, with wage thresholds that reflect the added value of  
 78 the certificate or degree; and outcome measures appropriate for  
 79 associate of arts degree recipients.

80  
 81 The state board shall adopt benchmarks to evaluate each  
 82 institution's performance on the metrics to measure the  
 83 institution's achievement of institutional excellence or need  
 84 for improvement and the minimum requirements for eligibility to  
 85 receive performance funding.

86 Section 3. Subsection (1) of section 1001.67, Florida  
 87 Statutes, is amended to read:

88 1001.67 Distinguished Florida College System Institution  
 89 Program.—A collaborative partnership is established between the  
 90 State Board of Education and the Legislature to recognize the

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91 excellence of Florida's highest-performing Florida College  
 92 System institutions.

93 (1) EXCELLENCE STANDARDS.—The following excellence  
 94 standards are established for the program:

95 (a) A ~~100~~ 150 percent-of-normal-time completion rate of 50  
 96 percent or higher, as calculated by the Division of Florida  
 97 Colleges.

98 (b) A ~~100~~ 150 percent-of-normal-time completion rate for  
 99 Pell Grant recipients of 40 percent or higher, as calculated by  
 100 the Division of Florida Colleges.

101 (c) A retention rate of 70 percent or higher, as calculated  
 102 by the Division of Florida Colleges.

103 (d) A continuing education, or transfer, rate of 72 percent  
 104 or higher for students graduating with an associate of arts  
 105 degree, as reported by the Florida Education and Training  
 106 Placement Information Program (FETPIP).

107 (e) A licensure passage rate on the National Council  
 108 Licensure Examination for Registered Nurses (NCLEX-RN) of 90  
 109 percent or higher for first-time exam takers, as reported by the  
 110 Board of Nursing.

111 (f) A ~~job placement or~~ continuing education or job  
 112 placement rate of 88 percent or higher for workforce programs,  
 113 as reported by FETPIP, with wage thresholds that reflect the  
 114 added value of the applicable certificate or degree. This  
 115 paragraph does not apply to associate of arts degrees.

116 (g) An excess hours rate of 40 percent or lower for A-time-  
 117 to-degree for students graduating with an associate of arts  
 118 degree recipients who graduate with 72 or more credit hours, as  
 119 calculated by the Division of Florida Colleges of 2.25 years or

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120 ~~less for first-time-in-college students with accelerated college~~  
 121 ~~credits, as reported by the Southern Regional Education Board.~~

122 Section 4. Paragraph (d) of subsection (2), paragraph (c)  
 123 of subsection (5), and subsections (6), (7), and (8) of section  
 124 1001.7065, Florida Statutes, are amended to read:

125 1001.7065 Preeminent state research universities program.—

126 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The  
 127 following academic and research excellence standards are  
 128 established for the preeminent state research universities  
 129 program:

130 (d) A 4-year ~~6-year~~ graduation rate of 50 ~~70~~ percent or  
 131 higher for full-time, first-time-in-college students, as  
 132 calculated by the Board of Governors reported annually to the  
 133 IPEDS.

134 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
 135 SUPPORT.—

136 (c) The award of funds under this subsection is contingent  
 137 upon funding provided in the General Appropriations Act to  
 138 support the preeminent state research universities program  
 139 created under this section. Funding increases appropriated  
 140 beyond the amounts funded in the previous fiscal year shall be  
 141 distributed as follows:

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

145 2. Each designated emerging preeminent state research  
 146 university that meets the criteria in paragraph (b) shall  
 147 receive an amount of funding that is equal to one-fourth ~~one-~~  
 148 ~~half~~ of the total increased amount awarded to each designated

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149 preeminent state research university.

150 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~  
 151 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~  
 152 ~~educational experience, a university that is designated a~~  
 153 ~~preeminent state research university may require its incoming~~  
 154 ~~first-time-in-college students to take a six-credit set of~~  
 155 ~~unique courses specifically determined by the university and~~  
 156 ~~published on the university's website. The university may~~  
 157 ~~stipulate that credit for such courses may not be earned through~~  
 158 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~  
 159 ~~or any other transfer credit. All accelerated credits earned up~~  
 160 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~  
 161 ~~applied toward graduation at the student's request.~~

162 (6)(7) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
 163 AUTHORITY.—The Board of Governors is encouraged to identify and  
 164 grant all reasonable, feasible authority and flexibility to  
 165 ensure that each designated preeminent state research university  
 166 and each designated emerging preeminent state research  
 167 university is free from unnecessary restrictions.

168 (7)(8) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE  
 169 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~  
 170 establish standards and measures whereby individual  
 171 undergraduate, graduate, and professional degree programs in  
 172 state universities ~~which that~~ objectively reflect national  
 173 excellence can be identified and make recommendations to the  
 174 Legislature by September 1, 2017, as to how any such programs  
 175 could be enhanced and promoted.

176 Section 5. Subsection (1) of section 1001.92, Florida  
 177 Statutes, is amended to read:

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178 1001.92 State University System Performance-Based  
 179 Incentive.-  
 180 (1) A State University System Performance-Based Incentive  
 181 shall be awarded to state universities using performance-based  
 182 metrics adopted by the Board of Governors of the State  
 183 University System. The performance-based metrics must include 4-  
 184 year graduation rates; retention rates; postgraduation education  
 185 rates; degree production; affordability; postgraduation  
 186 employment and salaries, including wage thresholds that reflect  
 187 the added value of a baccalaureate degree; access; and other  
 188 metrics approved by the board in a formally noticed meeting. The  
 189 board shall adopt benchmarks to evaluate each state university's  
 190 performance on the metrics to measure the state university's  
 191 achievement of institutional excellence or need for improvement  
 192 and minimum requirements for eligibility to receive performance  
 193 funding.

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

196 1007.23 Statewide articulation agreement.-

197 (7) To strengthen Florida's "2+2" system of articulation  
 198 and improve student retention and on-time graduation, by the  
 199 2018-2019 academic year, each Florida Community College System  
 200 institution shall execute at least one "2+2" targeted pathway  
 201 articulation agreement with one or more state universities to  
 202 establish "2+2" targeted pathway programs. The agreement must  
 203 provide students who graduate with an associate in arts degree  
 204 and who meet specified requirements guaranteed access to the  
 205 state university and a degree program at that university, in  
 206 accordance with the terms of the "2+2" targeted pathway

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207 articulation agreement.

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

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

213 2. Complete an associate in arts degree; and

214 3. Meet the university's transfer requirements.

215 (b) A state university that executes a "2+2" targeted  
 216 pathway articulation agreement must meet the following  
 217 requirements in order to implement a "2+2" targeted pathway  
 218 program in collaboration with its partner Florida Community  
 219 College System institution:

220 1. Establish a 4-year on-time graduation plan for a  
 221 baccalaureate degree program, including, but not limited to, a  
 222 plan for students to complete associate in arts degree programs,  
 223 general education courses, common prerequisite courses, and  
 224 elective courses;

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

227 3. Provide students who meet the requirements under this  
 228 paragraph with access to academic advisors and campus events and  
 229 with guaranteed admittance to the state university and a degree  
 230 program of the state university, in accordance with the terms of  
 231 the agreement.

232 (c) To assist the state universities and Florida Community  
 233 College institutions with implementing the "2+2" targeted  
 234 pathway programs effectively, the State Board of Community  
 235 Colleges and the Board of Governors shall collaborate to

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236 eliminate barriers in executing "2+2" targeted pathway  
 237 articulation agreements.

238 Section 7. Subsection (2) of section 1007.27, Florida  
 239 Statutes, is amended to read:

240 1007.27 Articulated acceleration mechanisms.—

241 (2) (a) The Department of Education shall annually identify  
 242 and publish the minimum scores, maximum credit, and course or  
 243 courses for which credit is to be awarded for each College Level  
 244 Examination Program (CLEP) subject examination, College Board  
 245 Advanced Placement Program examination, Advanced International  
 246 Certificate of Education examination, International  
 247 Baccalaureate examination, Excelsior College subject  
 248 examination, Defense Activity for Non-Traditional Education  
 249 Support (DANTES) subject standardized test, and Defense Language  
 250 Proficiency Test (DLPT). The department shall use student  
 251 performance data in subsequent postsecondary courses to  
 252 determine the appropriate examination scores and courses for  
 253 which credit is to be granted. Minimum scores may vary by  
 254 subject area based on available performance data. In addition,  
 255 the department shall identify such courses in the general  
 256 education core curriculum of each state university and Florida  
 257 College System institution.

258 (b) Each district school board shall notify students who  
 259 enroll in articulated acceleration mechanism courses or take  
 260 examinations pursuant to this section of the credit-by-  
 261 examination equivalency list adopted by rule by the State Board  
 262 of Education and the dual enrollment course and high school  
 263 subject area equivalencies approved by the state board pursuant  
 264 to s. 1007.271(9).

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265 Section 8. Paragraph (c) of subsection (5) of section  
 266 1008.30, Florida Statutes, is amended to read:  
 267 1008.30 Common placement testing for public postsecondary  
 268 education.—

269 (5)

270 (c) A university board of trustees may contract with a  
 271 Florida College System institution board of trustees for the  
 272 Florida College System institution to provide developmental  
 273 education on the state university campus. Any state university  
 274 in which the percentage of incoming students requiring  
 275 developmental education equals or exceeds the average percentage  
 276 of such students for the Florida College System may offer  
 277 developmental education without contracting with a Florida  
 278 College System institution; however, any state university  
 279 offering college-preparatory instruction as of January 1, 1996,  
 280 may continue to provide developmental education instruction  
 281 pursuant to s. 1008.02(1) ~~such services.~~

282 Section 9. Subsection (7) of section 1009.22, Florida  
 283 Statutes, is amended to read:

284 1009.22 Workforce education postsecondary student fees.—

285 (7) Each district school board and Florida College System  
 286 institution board of trustees is authorized to establish a  
 287 separate fee for technology, not to exceed 5 percent of tuition  
 288 per credit hour or credit-hour equivalent for resident students  
 289 and not to exceed 5 percent of tuition and the out-of-state fee  
 290 per credit hour or credit-hour equivalent for nonresident  
 291 students. Revenues generated from the technology fee shall be  
 292 used to enhance instructional technology resources for students  
 293 and faculty and may ~~shall~~ not be included in an ~~any~~ award under

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294 the Florida Bright Futures Scholarship Program, except as  
 295 authorized for the Florida Academic Scholars award under s.  
 296 1009.534. Fifty percent of technology fee revenues may be  
 297 pledged by a Florida College System institution board of  
 298 trustees as a dedicated revenue source for the repayment of  
 299 debt, including lease-purchase agreements, not to exceed the  
 300 useful life of the asset being financed. Revenues generated from  
 301 the technology fee may not be bonded.

302 Section 10. Subsection (10) of section 1009.23, Florida  
 303 Statutes, is amended to read:

304 1009.23 Florida College System institution student fees.—

305 (10) Each Florida College System institution board of  
 306 trustees is authorized to establish a separate fee for  
 307 technology, which may not exceed 5 percent of tuition per credit  
 308 hour or credit-hour equivalent for resident students and may not  
 309 exceed 5 percent of tuition and the out-of-state fee per credit  
 310 hour or credit-hour equivalent for nonresident students.  
 311 Revenues generated from the technology fee shall be used to  
 312 enhance instructional technology resources for students and  
 313 faculty. The technology fee may apply to both college credit and  
 314 developmental education and ~~may shall~~ not be included in an any  
 315 award under the Florida Bright Futures Scholarship Program,  
 316 except as authorized for the Florida Academic Scholars award  
 317 under s. 1009.534. Fifty percent of technology fee revenues may  
 318 be pledged by a Florida College System institution board of  
 319 trustees as a dedicated revenue source for the repayment of  
 320 debt, including lease-purchase agreements, not to exceed the  
 321 useful life of the asset being financed. Revenues generated from  
 322 the technology fee may not be bonded.

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323 Section 11. Subsection (13), paragraph (a) of subsection  
 324 (15), and paragraph (b) of subsection (16) of section 1009.24,  
 325 Florida Statutes, are amended to read:

326 1009.24 State university student fees.—

327 (13) Each university board of trustees may establish a  
 328 technology fee of up to 5 percent of the tuition per credit  
 329 hour. The revenue from this fee shall be used to enhance  
 330 instructional technology resources for students and faculty. The  
 331 technology fee may not be included in an any award under the  
 332 Florida Bright Futures Scholarship Program established pursuant  
 333 to ss. 1009.53-1009.538, except as authorized for the Florida  
 334 Academic Scholars award under s. 1009.534.

335 (15) (a) The Board of Governors may approve:

336 1. A proposal from a university board of trustees to  
 337 establish a new student fee that is not specifically authorized  
 338 by this section.

339 2. A proposal from a university board of trustees to  
 340 increase the current cap for an existing fee authorized pursuant  
 341 to paragraphs (14) (a)-(g).

342 3. A proposal from a university board of trustees to  
 343 implement flexible tuition policies, such as undergraduate or  
 344 graduate block tuition, block tuition differential, or market  
 345 tuition rates for graduate-level online courses or graduate-  
 346 level courses offered through a university's continuing  
 347 education program. A block tuition policy for resident  
 348 undergraduate students or undergraduate-level courses ~~must shall~~  
 349 be adopted by each university board of trustees for  
 350 implementation by the fall 2018 academic semester and must be  
 351 based on the per-credit-hour undergraduate tuition established

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352 under subsection (4). A block tuition policy for nonresident  
 353 undergraduate students ~~must shall~~ be adopted by each university  
 354 board of trustees for implementation by the fall 2018 academic  
 355 semester and must be based on the per-credit-hour undergraduate  
 356 tuition and out-of-state fee established under subsection (4).  
 357 Flexible tuition policies, including block tuition, may not  
 358 increase the state's fiscal liability or obligation.

359 (16) Each university board of trustees may establish a  
 360 tuition differential for undergraduate courses upon receipt of  
 361 approval from the Board of Governors. However, beginning July 1,  
 362 2014, the Board of Governors may only approve the establishment  
 363 of or an increase in tuition differential for a state research  
 364 university designated as a preeminent state research university  
 365 pursuant to s. 1001.7065(3). The tuition differential shall  
 366 promote improvements in the quality of undergraduate education  
 367 and shall provide financial aid to undergraduate students who  
 368 exhibit financial need.

369 (b) Each tuition differential is subject to the following  
 370 conditions:

371 1. The tuition differential may be assessed on one or more  
 372 undergraduate courses or on all undergraduate courses at a state  
 373 university.

374 2. The tuition differential may vary by course or courses,  
 375 by campus or center location, and by institution. Each  
 376 university board of trustees shall strive to maintain and  
 377 increase enrollment in degree programs related to math, science,  
 378 high technology, and other state or regional high-need fields  
 379 when establishing tuition differentials by course.

380 3. For each state university that is designated as a

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381 preeminent state research university by the Board of Governors,  
 382 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
 383 tuition differential may be increased by no more than 6 percent  
 384 of the total charged for the aggregate sum of these fees in the  
 385 preceding fiscal year. The tuition differential may be increased  
 386 if the university meets or exceeds performance standard targets  
 387 for that university established annually by the Board of  
 388 Governors for the following performance standards, amounting to  
 389 no more than a 2-percent increase in the tuition differential  
 390 for each performance standard:

391 a. An increase in the 4-year ~~6-year~~ graduation rate for  
 392 full-time, first-time-in-college students, as calculated by the  
 393 Board of Governors reported annually to the Integrated  
 394 Postsecondary Education Data System.

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

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

398 4. The aggregate sum of undergraduate tuition and fees per  
 399 credit hour, including the tuition differential, may not exceed  
 400 the national average of undergraduate tuition and fees at 4-year  
 401 degree-granting public postsecondary educational institutions.

402 5. The tuition differential shall not be included in an any  
 403 award under the Florida Bright Futures Scholarship Program  
 404 established pursuant to ss. 1009.53-1009.538, except as  
 405 authorized for the Florida Academic Scholars award under s.  
 406 1009.534.

407 6. Beneficiaries having prepaid tuition contracts pursuant  
 408 to s. 1009.98(2)(b) which were in effect on July 1, 2007, and  
 409 which remain in effect, are exempt from the payment of the

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410 tuition differential.

411 7. The tuition differential may not be charged to any  
412 student who was in attendance at the university before July 1,  
413 2007, and who maintains continuous enrollment.

414 8. The tuition differential may be waived by the university  
415 for students who meet the eligibility requirements for the  
416 Florida public student assistance grant established in s.  
417 1009.50.

418 9. Subject to approval by the Board of Governors, the  
419 tuition differential authorized pursuant to this subsection may  
420 take effect with the 2009 fall term.

421 Section 12. Subsection (2) of section 1009.534, Florida  
422 Statutes, is amended to read:

423 1009.534 Florida Academic Scholars award.—

424 (2) A Florida Academic Scholar who is enrolled in a  
425 certificate, diploma, associate, or baccalaureate degree program  
426 at a public or nonpublic postsecondary education institution is  
427 eligible, beginning in the fall 2017 academic semester, for an  
428 award equal to the amount required to pay 100 percent of tuition  
429 and fees established under ss. 1009.22(3), (5), (6), and (7);  
430 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
431 (13), (14)(r), and (16), as applicable, and is eligible for an  
432 additional \$300 each fall and spring academic semester or the  
433 equivalent for textbooks and college-related ~~specified in the~~  
434 General Appropriations Act to assist with the payment of  
435 educational expenses.

436 Section 13. Subsection (2) of section 1009.701, Florida  
437 Statutes, is amended to read:

438 1009.701 First Generation Matching Grant Program.—

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439 (2) Funds appropriated by the Legislature for the program  
440 shall be allocated by the Office of Student Financial Assistance  
441 to match private contributions ~~at a ratio of \$2 of state~~  
442 funds to \$1 of private contributions ~~dollar-for-dollar basis.~~  
443 Contributions made to a state university and pledged for the  
444 purposes of this section are eligible for state matching funds  
445 appropriated for this program and are not eligible for any other  
446 state matching grant program. Pledged contributions are not  
447 eligible for matching prior to the actual collection of the  
448 total funds. The Office of Student Financial Assistance shall  
449 reserve a proportionate allocation of the total appropriated  
450 funds for each state university on the basis of full-time  
451 equivalent enrollment. Funds that remain unmatched as of  
452 December 1 shall be reallocated to state universities that have  
453 remaining unmatched private contributions for the program on the  
454 basis of full-time equivalent enrollment.

455 Section 14. Section 1009.89, Florida Statutes, is amended  
456 to read:

457 1009.89 The William L. Boyd, IV, Effective Access to  
458 Student Education ~~Florida resident access~~ grants.—

459 (1) The Legislature finds and declares that independent  
460 nonprofit colleges and universities eligible to participate in  
461 the William L. Boyd, IV, Effective Access to Student Education  
462 ~~Florida Resident Access~~ Grant Program are an integral part of  
463 the higher education system in this state and that a significant  
464 number of state residents choose this form of higher education.  
465 The Legislature further finds that a strong and viable system of  
466 independent nonprofit colleges and universities reduces the tax  
467 burden on the citizens of the state. Because the William L.

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468 Boyd, IV, Effective Access to Student Education Florida Resident  
 469 ~~Access~~ Grant Program is not related to a student's financial  
 470 need or other criteria upon which financial aid programs are  
 471 based, it is the intent of the Legislature that the William L.  
 472 Boyd, IV, Effective Access to Student Education Florida Resident  
 473 ~~Access~~ Grant Program not be considered a financial aid program  
 474 but rather a tuition assistance program for its citizens.

475 (2) The William L. Boyd, IV, Effective Access to Student  
 476 Education Florida Resident Access Grant Program shall be  
 477 administered by the Department of Education. The State Board of  
 478 Education shall adopt rules for the administration of the  
 479 program.

480 (3) The department shall issue through the program a  
 481 William L. Boyd, IV, Effective Access to Student Education  
 482 Florida resident access grant to any full-time degree-seeking  
 483 undergraduate student registered at an independent nonprofit  
 484 college or university which is located in and chartered by the  
 485 state; which is accredited by the Commission on Colleges of the  
 486 Southern Association of Colleges and Schools; which grants  
 487 baccalaureate degrees; which is not a state university or  
 488 Florida College System institution; and which has a secular  
 489 purpose, so long as the receipt of state aid by students at the  
 490 institution would not have the primary effect of advancing or  
 491 impeding religion or result in an excessive entanglement between  
 492 the state and any religious sect. Any independent college or  
 493 university that was eligible to receive tuition vouchers on  
 494 January 1, 1989, and which continues to meet the criteria under  
 495 which its eligibility was established, shall remain eligible to  
 496 receive William L. Boyd, IV, Effective Access to Student

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497 Education Florida resident access grant payments.

498 (4) A person is eligible to receive such William L. Boyd,  
 499 IV, Effective Access to Student Education Florida resident  
 500 ~~access~~ grant if:

501 (a) He or she meets the general requirements, including  
 502 residency, for student eligibility as provided in s. 1009.40,  
 503 except as otherwise provided in this section; and

504 (b)1. He or she is enrolled as a full-time undergraduate  
 505 student at an eligible college or university;

506 2. He or she is not enrolled in a program of study leading  
 507 to a degree in theology or divinity; and

508 3. He or she is making satisfactory academic progress as  
 509 defined by the college or university in which he or she is  
 510 enrolled.

511 (5) (a) Funding for the William L. Boyd, IV, Effective  
 512 Access to Student Education Florida Resident Access Grant  
 513 Program for eligible institutions shall be as provided in the  
 514 General Appropriations Act. The William L. Boyd, IV, Effective  
 515 Access to Student Education Florida resident access grant may be  
 516 paid on a prorated basis in advance of the registration period.  
 517 The department shall make such payments to the college or  
 518 university in which the student is enrolled for credit to the  
 519 student's account for payment of tuition and fees. Institutions  
 520 shall certify to the department the amount of funds disbursed to  
 521 each student and shall remit to the department any undisbursed  
 522 advances or refunds within 60 days of the end of regular  
 523 registration. A student is not eligible to receive the award for  
 524 more than 9 semesters or 14 quarters, except as otherwise  
 525 provided in s. 1009.40(3).

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526 (b) If the combined amount of the William L. Boyd, IV,  
 527 Effective Access to Student Education ~~Florida resident access~~  
 528 grant issued pursuant to this act and all other scholarships and  
 529 grants for tuition or fees exceeds the amount charged to the  
 530 student for tuition and fees, the department shall reduce the  
 531 William L. Boyd, IV, Effective Access to Student Education  
 532 ~~Florida resident access~~ grant issued pursuant to this act by an  
 533 amount equal to such excess.

534 (6) If the number of eligible students exceeds the total  
 535 authorized in the General Appropriations Act, an institution may  
 536 use its own resources to assure that each eligible student  
 537 receives the full benefit of the grant amount authorized.

538 Section 15. Subsections (2), (4), and (5) of section  
 539 1009.893, Florida Statutes, are amended to read:

540 1009.893 Benacquisto Scholarship Program.—

541 (2) The Benacquisto Scholarship Program is created to  
 542 reward a any Florida high school graduate who receives  
 543 recognition as a National Merit Scholar or National Achievement  
 544 Scholar and who initially enrolls in the 2014-2015 academic year  
 545 or, later, in a baccalaureate degree program at an eligible  
 546 Florida public or independent postsecondary educational  
 547 institution.

548 (4) In order to be eligible for an award under the  
 549 scholarship program, a student must meet the requirements of  
 550 paragraph (a) or paragraph (b).→

551 (a) A student who is a resident of the state, ~~Be a state~~  
 552 ~~resident~~ as determined in s. 1009.40 and rules of the State  
 553 Board of Education, must:→

554 1. (b) Earn a standard Florida high school diploma or its

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555 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,  
 556 or s. 1003.435 unless:

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

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

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

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

569 (b) Beginning with the 2017-2018 academic year, a student  
 570 who is not a resident of this state, as determined pursuant to  
 571 s. 1009.40 and rules of the State Board of Education, must:

572 1. Physically reside in this state on or near the campus of  
 573 the postsecondary educational institution in which the student  
 574 is enrolled;

575 2. Earn a high school diploma from a school outside Florida  
 576 which is comparable to a standard Florida high school diploma or  
 577 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.  
 578 1003.4282, or s. 1003.435 or must complete a home education  
 579 program in another state; and

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

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584 (5) (a) 1. An eligible student who meets the requirements of  
 585 paragraph (4) (a), who is a National Merit Scholar or National  
 586 Achievement Scholar, and who attends a Florida public  
 587 postsecondary educational institution shall receive a  
 588 scholarship award equal to the institutional cost of attendance  
 589 minus the sum of the student's Florida Bright Futures  
 590 Scholarship and National Merit Scholarship or National  
 591 Achievement Scholarship.

592 2. An eligible student who meets the requirements under  
 593 paragraph (4) (b), who is a National Merit Scholar, and who  
 594 attends a Florida public postsecondary educational institution  
 595 shall receive a scholarship award equal to the institutional  
 596 cost of attendance for a resident of this state less the sum of  
 597 the student's out-of-state fees and National Merit Scholarship.  
 598 Such student is exempt from the payment of out-of-state fees.

599 (b) An eligible student who is a National Merit Scholar or  
 600 National Achievement Scholar and who attends a Florida  
 601 independent postsecondary educational institution shall receive  
 602 a scholarship award equal to the highest cost of attendance for  
 603 a resident of this state enrolled at a Florida public  
 604 university, as reported by the Board of Governors of the State  
 605 University System, minus the sum of the student's Florida Bright  
 606 Futures Scholarship and National Merit Scholarship or National  
 607 Achievement Scholarship.

608 Section 16. The Division of Law Revision and Information is  
 609 directed to prepare a reviser's bill for the 2018 Regular  
 610 Session to substitute the term "Effective Access to Student  
 611 Education Grant Program" for "Florida Resident Access Grant  
 612 Program" and the term "Effective Access to Student Education

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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613 grant" for "Florida resident access grant" wherever those terms  
 614 appear in the Florida Statutes.

615 Section 17. This act shall take effect July 1, 2017.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/23/17

Meeting Date

SB2

Bill Number (if applicable)

Topic First Generation Matching Grant

Amendment Barcode (if applicable)

Name James Doyle

Job Title Director of Governmental Affairs

Address 619 S. Woodward Ave

Phone 407 608 9702

Street

Tallahassee

City

FL

State

32304

Zip

Email director.cyn.fsu@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing FSU Student Government

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-23-2017

Meeting Date

2

Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S  
Street

Phone 727/897-9291

St Petersburg FL 33705  
City State Zip

Email justice2jesus@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Justice-2-Jesus

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB2

Bill Number (if applicable)

Meeting Date

Topic SB2

Amendment Barcode (if applicable)

Name Michael Brewer

Job Title CEO

Address 118 East College Ave

Phone 850 222 3222

Street

Email MBrewer@myafcho.org

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against (The Chair will read this information into the record.)

Representing ~~Council of the~~ Assoc of FL Colleges

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/23/17

Meeting Date

SB 2

Bill Number (if applicable)

Topic Higher Education

Amendment Barcode (if applicable)

Name Brittney Hunt

Job Title Policy Director

Address 136 S. Bronough St.

Phone (850) 521-1200

Street

Tallahassee

FL

32301

City

State

Zip

Email bhunt@flchamber.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-23-17  
Meeting Date

SB 2  
Bill Number (if applicable)

Topic Higher Education, SB 2

Amendment Barcode (if applicable)

Name Marshall Criser

Job Title Chancellor, Board of Governors

Address 325 W. Gaines St., Suite 1601  
Street  
Tallahassee FL 32399  
City State Zip

Phone 850-245-0466

Email Marshall.Criser@flbog.edu

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Florida Board of Governors

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/23/17  
Meeting Date

SB 2+4  
Bill Number (if applicable)

Topic SB 2 + 4

Amendment Barcode (if applicable)

Name Louise Penta

Job Title ~~Fr.~~ Citizens Alliance Advocate

Address 9782 Bent Grass Bend

Phone 239-273-2696

Street

NAPLES, FL

34108

City

State

Zip

Email lpbeach143@gmail.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing SW FL Citizens Alliance

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Education

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BILL: SB 4

INTRODUCER: Senator Galvano

SUBJECT: Faculty Recruitment

DATE: January 20, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Graf	ED	<b>Favorable</b>
2.			AHE	
3.			AP	

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**I. Summary:**

SB 4 expands and enhances policy and funding options for state universities to recruit and retain the very best faculty, enrich professional and graduate school strength and viability, and upgrade aging facilities and research infrastructure. Specifically, the bill:

- Establishes the World Class Faculty and Scholar Program to fund and support the efforts of state universities to recruit and retain exemplary faculty and research scholars, and specifies that funding for the program will be as provided in the General Appropriations Act (GAA).
- Establishes the State University Professional and Graduate Degree Excellence Program to fund and support the efforts of state universities to enhance the quality and excellence of professional schools and graduate degree programs in high-impact fields of medicine, law, and business, and specifies that funding for the program will be as provided in the GAA.
- Authorizes state matching funds for certain projects under the Alec P. Courtelis University Facility Enhancement Challenge Grant Program for the 2017-2018 fiscal year, subject to the GAA.
- Links education to job opportunities by modifying requirements of the strategic plan, developed by the Board of Governors (BOG), to require state universities to use data-driven gap analyses to identify internship opportunities for students in high-demand fields.

The fiscal impact of the bill is indeterminate for the World Class Faculty and Scholar and the State University Professional and Graduate Degree Excellence programs. These programs are contingent upon an appropriation in the GAA. The BOG has identified \$4.3 million for projects that have not been completed and which would be eligible for prioritized funding by the Legislature under the Alec P. Courtelis University Facility Enhancement Challenge Grant Program.

The bill takes effect July 1, 2017.

## II. Present Situation:

Advancing Florida's research and innovation competitiveness and effectiveness relies on the ability of the state universities to recruit talented faculty and researchers, make strategic investments in research infrastructure, and connect university research to economic development.<sup>1</sup>

### Faculty Recruitment and Infrastructure Investments

#### *State University Research and Development*

According to the Board of Governors of the State University System of Florida (BOG), for Florida to "secure its place as a national leader in the 21st century, it must prove competitive in discovery and innovation."<sup>2</sup> The stronger the universities and the state of Florida are in research and development (R&D) performance and reputation, the more competitive Florida becomes in attracting and retaining the best and most promising faculty, students, staff, and companies.<sup>3</sup>

In a 2014-15 National Science Foundation survey of R&D spending across the United States, the state of Florida ranked 4<sup>th</sup> on total research and development expenditures among public universities, behind California, Texas, and Michigan.<sup>4</sup> States with strong and competitive research enterprises support the research infrastructure of their state with a wide range of statewide grant programs to make their state universities more competitive for federal grant opportunities.<sup>5</sup>

In Florida, the Vice Presidents for Research at the state universities have identified the need for funding to support university efforts to:<sup>6</sup>

- Increase research capacity, output, and impact through targeted cluster hiring of talented faculty and strategic investments in research infrastructure.
- Increase and enhance undergraduate student participation in research through undergraduate research programs.
- Connect university research to Florida's industry and economic development through industry-sponsored research at state universities and research commercialization activities.

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<sup>1</sup> Board of Governors, *Draft of Advancing Research and Innovation Legislative Budget Request*, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), available at [http://www.flbog.edu/documents\\_meetings/0201\\_1017\\_7616\\_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20\\_2017\\_18%201aug2016%20Form%201%20\(002\)\\_JMI.pdf](http://www.flbog.edu/documents_meetings/0201_1017_7616_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20_2017_18%201aug2016%20Form%201%20(002)_JMI.pdf).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Email. Board of Governors (Jan. 12, 2017)

<sup>5</sup> Board of Governors, *Draft of Advancing Research and Innovation Legislative Budget Request*, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), available at [http://www.flbog.edu/documents\\_meetings/0201\\_1017\\_7616\\_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20\\_2017\\_18%201aug2016%20Form%201%20\(002\)\\_JMI.pdf](http://www.flbog.edu/documents_meetings/0201_1017_7616_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20_2017_18%201aug2016%20Form%201%20(002)_JMI.pdf).

<sup>6</sup> *Id.*

### ***State University Facilities***

The Legislature established the Alec P. Courtelis University Facility Enhancement Challenge Grant Program (Courtelis Program) in 2002<sup>7</sup> to assist the universities in building high priority instructional and research-related capital facilities, including common areas connecting such facilities.<sup>8</sup>

To be eligible to participate in the Courtelis Program, a university must raise a contribution equal to one-half of the total cost of a facilities construction project from private nongovernmental sources which must be matched by a state appropriation equal to the amount raised for a facilities construction project subject to the General Appropriations Act.<sup>9</sup>

In 2011, the Legislature temporarily suspended the Courtelis Program state match for donations received on or after June 30, 2011.<sup>10</sup> Existing eligible donations received before July 1, 2011, remain eligible for future matching funds.<sup>11</sup> The program may be restarted after \$200 million of the backlog for programs under specified sections of law<sup>12</sup> have been matched.<sup>13</sup>

### **Experiential Learning Opportunities**

The BOG is required to develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives.<sup>14</sup>

The strategic plan must include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis.<sup>15</sup> Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds determined by the BOG, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:<sup>16</sup>

- Job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation.
- Data-driven gap analyses, conducted by the BOG, of the state's job market demands and the outlook for jobs that require a baccalaureate or higher degree.

<sup>7</sup> Section 875, ch. 2002-387, L.O.F.

<sup>8</sup> Section 1013.79 (2), F.S.

<sup>9</sup> Section 1013.79(6), F.S.

<sup>10</sup> Section 1013.79(12), F.S.

<sup>11</sup> Section 1013.79(12), F.S.

<sup>12</sup> The specified sections refer to programs under ss. 1011.32, 1011.85, 1011.94, and 1013.79, F.S. Section 1013.79(12), F.S.

<sup>13</sup> Section 1013.79(12), F.S.

<sup>14</sup> Section 1001.706(5)(b), F.S.

<sup>15</sup> Section 1001.706(5)(b)4., F.S.

<sup>16</sup> *Id.*

In May 2012, the Chair of the BOG issued a call to action to education, business and workforce, and legislative leaders to address Florida's need for future baccalaureate degree attainment.<sup>17</sup> In response to the call, the Commission on Higher Education Access and Educational Attainment (Commission), composed of seven members, was established. Among the major products from the Commission's work was a sustainable method for conducting a gap analysis of baccalaureate level workforce demand.<sup>18</sup>

In 2013, the BOG was provided \$15 million in legislatively appropriated funds to make awards on a competitive basis to address high demand program areas identified in the Commission's gap analysis.<sup>19</sup> The gap analysis identified computer information and technology, and accounting and finance as high demand programs, requiring at least a bachelor's degree, with more than 1,000 unfilled annual openings in Florida.<sup>20</sup> In March of 2014, the Board of Governors approved four partnerships of universities and Florida College System institutions to receive \$15 million in funding for the Targeted Educational Attainment Grant Program, also known as the TEAm Grant Initiative.<sup>21</sup>

### III. Effect of Proposed Changes:

SB 4 expands and enhances policy and funding options for state universities to recruit and retain the very best faculty, enrich professional and graduate school strength and viability, and upgrade aging facilities and research infrastructure. Specifically, the bill:

- Establishes the World Class Faculty and Scholar Program to fund and support the efforts of state universities to recruit and retain exemplary faculty and research scholars, and specifies that funding for the program will be as provided in the General Appropriations Act (GAA).
- Establishes the State University Professional and Graduate Degree Excellence Program to fund and support the efforts of state universities to enhance the quality and excellence of professional schools and graduate degree programs in high-impact fields of medicine, law, and business, and specifies that funding for the program will be as provided in the GAA.
- Authorizes state matching funds for certain projects under the Alec P. Courtelis University Facility Enhancement Challenge Grant Program (Courtelis Program) for the 2017-2018 fiscal year, subject to the GAA.
- Links education to job opportunities by modifying requirements of the strategic plan, developed by the Board of Governors to require state universities to use data-driven gap analyses to identify internship opportunities for students in high-demand fields.
- Conforms a cross reference to s. 1013.79(10), F.S., regarding naming a facility after a living person.

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<sup>17</sup> Board of Governors, *Aligning Workforce and Higher Education for Florida's Future* (Nov. 21, 2013), available at [http://www.flbog.edu/about/doc/commission-materials/Access-and-Attainment-Comm-FINAL-REPORT-10\\_29\\_13\\_rev.docx](http://www.flbog.edu/about/doc/commission-materials/Access-and-Attainment-Comm-FINAL-REPORT-10_29_13_rev.docx).

<sup>18</sup> *Id.*

<sup>19</sup> Board of Governors, *TEAm Grant Initiative Update* (Sept. 21, 2016), available at [http://www.flbog.edu/documents\\_meetings/0201\\_1005\\_7558\\_2.10.1%20ASA%2010a\\_TEA%20Grant%20Initiative%20Update%20ai\\_JMI.pdf](http://www.flbog.edu/documents_meetings/0201_1005_7558_2.10.1%20ASA%2010a_TEA%20Grant%20Initiative%20Update%20ai_JMI.pdf).

<sup>20</sup> Board of Governors, *Aligning Workforce and Higher Education for Florida's Future* (Nov. 21, 2013), available at [http://www.flbog.edu/about/doc/commission-materials/Access-and-Attainment-Comm-FINAL-REPORT-10\\_29\\_13\\_rev.docx](http://www.flbog.edu/about/doc/commission-materials/Access-and-Attainment-Comm-FINAL-REPORT-10_29_13_rev.docx).

<sup>21</sup> *Id.*

## **Faculty Recruitment and Infrastructure Investments**

The bill establishes the World Class Faculty and Scholar Program and the State University Professional and Graduate Degree Excellence Program, and authorizes funding for certain projects under the Alec P. Courtelis University Facility Enhancement Challenge Grant Program to assist state universities become competitive nationally.

### ***World Class Faculty and Scholar Program***

The bill establishes the World Class Faculty and Scholar Program to elevate the national prominence of state universities in Florida. Specifically, the bill:

- Authorizes state university investments in recruiting and retaining talented faculty; and specifies that funding for the program will be as provided in the General Appropriations Act (GAA).
- Indicates that such investments may include, but not be limited to, investments in research-centric cluster hires, faculty research and research commercialization efforts, instructional and research infrastructure, undergraduate student participation in research, professional development, awards for outstanding performance, and postdoctoral fellowships.

The bill creates a funding mechanism to assist the state universities with faculty recruitment and retention efforts to attract exemplary faculty and research scholars to Florida, which may ultimately help Florida's state universities improve their national competitiveness. According to the Board of Governors of the State University System (BOG), the "single most significant asset that the state has that will determine Florida's future status in the industries of the future are its universities and their capacity to generate new ideas and innovations through research."<sup>22</sup>

### ***State University Professional and Graduate Degree Excellence Program***

The bill establishes the State University Professional and Graduate Degree Excellence Program (Degree Excellence Program) to fund and support the efforts of state universities to enhance the quality and excellence of professional schools and graduate degree programs in medicine, law, and business, and expand the economic impact of state universities. Specifically, the bill:

- Authorizes quality improvement efforts of the state universities, and specifies that funding for the program will be as provided in the GAA.
- Indicates that such efforts may include, but not be limited to, targeted investments in faculty, students, research, infrastructure, and other strategic endeavors to elevate the national and global prominence of state university medicine, law, and graduate-level business programs.

The Degree Excellence Program creates a funding mechanism to boost the excellence of state university professional schools and graduate degree programs in specified programs.

Additionally, the Degree Excellence Program may facilitate the state universities' efforts to recruit and retain talented students and faculty, which may help to raise the national and international prominence of the state universities and the programs within such universities.

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<sup>22</sup> Board of Governors, *Draft of Advancing Research and Innovation Legislative Budget Request*, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), available at [http://www.flbog.edu/documents\\_meetings/0201\\_1017\\_7616\\_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20\\_2017\\_18%201aug2016%20Form%201%20\(002\)\\_JMI.pdf](http://www.flbog.edu/documents_meetings/0201_1017_7616_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20_2017_18%201aug2016%20Form%201%20(002)_JMI.pdf).

The Degree Excellence Program may also assist in improving the national rankings of the state universities in medicine, law, and business. The table below shows the lists 2017 rankings<sup>23</sup> for these programs.

<b>Institution</b>	<b>Medicine (Research)<sup>24</sup></b>	<b>Medicine (Primary Care)<sup>25</sup></b>	<b>Law<sup>26</sup></b>	<b>Business<sup>27</sup></b>
Florida Atlantic University	Unranked <sup>28</sup>	Unranked		Unranked
Florida A&M University			RNP <sup>29</sup>	Unranked
Florida Gulf Coast University				Unranked
Florida International University	Unranked	Unranked	103	RNP
Florida State University	RNP	87	50	Unranked
University of Central Florida	88	RNP		Unranked
University of Florida	40	62	48	37
University of North Florida				Unranked
University of South Florida	63	67		RNP
University of West Florida				Unranked

### ***Alec P. Courtelis University Facility Enhancement Challenge Grant Program***

The bill authorizes that, for the 2017-18 fiscal year, notwithstanding the suspension of state matching funds, the Legislature may choose to prioritize funding for certain projects under the Alec P. Courtelis University Facility Enhancement Challenge Grant Program (Courtelis Program) with matching funds available prior to June 30, 2011, which have not yet been constructed. Additionally, the bill removes obsolete references to the Alec P. Courtelis Capital Facilities Matching Trust Fund, which has no cash balance<sup>30</sup>.

Private funds eligible for a state match for new facilities under the Courtelis Program is estimated at \$4.3 million.<sup>31</sup> The authorization to fund these new projects with existing matching funds is likely to effect new construction of university facilities.

<sup>23</sup>The Florida Senate staff analysis of U.S. News & World Report, *Graduate School Rankings*, <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools> (last visited Jan. 20, 2017).

<sup>24</sup> The Florida Senate staff analysis of U.S. News & World Report, *Medical Schools (Research)*, <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-medical-schools/research-rankings?int=af3309&int=b3b50a&int=b14409> (last visited Jan. 20, 2017).

<sup>25</sup> The Florida Senate staff analysis of U.S. News & World Report, *Medical Schools (Primary Care)*, <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-medical-schools/primary-care-rankings?int=af3309&int=b3b50a&int=aac509> (last visited Jan. 20, 2017).

<sup>26</sup> The Florida Senate staff analysis of U.S. News & World Report, *Law Schools*, <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-law-schools> (last visited Jan. 20, 2017).

<sup>27</sup> The Florida Senate staff analysis of U.S. News & World Report, *Business Schools*, <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-business-schools/mba-rankings?int=9dc208> (last visited Jan 20, 2017).

<sup>28</sup> “Unranked” indicates a school or program attribute does not align with U.S. News & World Report ranking metrics.

<sup>29</sup> “RNP” indicates a ranking not published, which indicates the program is in the bottom 25 percent of the U.S. News & World Report rankings.

<sup>30</sup> Board of Governors, *2017 Legislative Bill Analysis of SB 4* (Jan. 18, 2017).

<sup>31</sup> Board of Governors, *2017 Legislative Bill Analysis of SB 4* (Jan. 20, 2017).

### **Experiential Learning Opportunities**

The bill modifies the requirements of the strategic plan, developed by the BOG, to require state universities to use data-driven gap analyses to identify internship opportunities in high-demand fields.

Modifications to BOG's strategic plan underscores the value of internships in experiential learning.<sup>32</sup> Through internships, students are likely to gain exposure to relevant on-the-job experience and develop skills critical to securing and maintaining gainful employment in high-demand fields of unmet need.

The bill takes effect July 1, 2017.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

- The fiscal impact of SB 4 is indeterminate for the World Class Faculty and Scholar and the State University Professional and Graduate Degree Excellence programs. These programs are contingent upon an appropriation in the GAA.

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<sup>32</sup> Governor Scott's "Finish in Four, Save More" challenge encourages universities and colleges to "make it easier for students to get class credit for internships in their fields, which puts students on the path to getting a good paying job." Office of the Governor, *Governor Rick Scott Issues "Finish in Four, Save More" Challenge to Universities and Colleges* (May 25, 2016) <http://www.flgov.com/2016/05/25/governor-rick-scott-issues-finish-in-four-save-more-challenge-to-universities-and-colleges/> (last visited Jan. 20, 2017).

- The BOG has identified \$4.3 million for projects that have not been completed and which would be eligible for prioritized funding by the Legislature under the Alec P. Courtelis University Facility Enhancement Challenge Grant Program.<sup>33</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1001.706, 1013.79, and 267.062.

This bill creates the following sections of the Florida Statutes: 1004.6497 and 1004.6498.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>33</sup> Board of Governors, *2017 Legislative Bill Analysis*, SB 4 (Jan. 20, 2017).



By Senator Galvano

21-00141D-17

20174\_\_

1                                   A bill to be entitled  
 2       An act relating to faculty recruitment; amending s.  
 3       1001.706, F.S.; requiring state universities to use  
 4       gap analyses to identify internship opportunities in  
 5       high-demand fields; creating s. 1004.6497, F.S.;  
 6       establishing the World Class Faculty and Scholar  
 7       Program; providing the purpose and intent of the  
 8       program; authorizing investments in certain faculty  
 9       retention, recruitment, and recognition activities;  
 10      specifying funding as provided in the General  
 11      Appropriations Act; requiring the funds to be used for  
 12      authorized purposes and investments; creating s.  
 13      1004.6498, F.S.; establishing the State University  
 14      Professional and Graduate Degree Excellence Program;  
 15      providing the purpose of the program; specifying the  
 16      requirements for quality improvement efforts to  
 17      elevate the prominence of state university medicine,  
 18      law, and graduate-level business programs; specifying  
 19      funding as provided in the General Appropriations Act;  
 20      requiring the funds to be used for authorized purposes  
 21      and investments; amending s. 1013.79, F.S.; revising  
 22      the intent of the Alec P. Courtelis University  
 23      Facility Enhancement Challenge Grant Program; deleting  
 24      the Alec P. Courtelis Capital Facilities Matching  
 25      Trust Fund; authorizing the Legislature to prioritize  
 26      certain funds for the 2017-2018 fiscal year; amending  
 27      s. 267.062, F.S.; conforming a cross-reference;  
 28      providing an effective date.

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

32       Section 1. Paragraph (b) of subsection (5) of section

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33 1001.706, Florida Statutes, is amended to read:  
 34       1001.706 Powers and duties of the Board of Governors.—  
 35       (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—  
 36       (b) The Board of Governors shall develop a strategic plan  
 37       specifying goals and objectives for the State University System  
 38       and each constituent university, including each university's  
 39       contribution to overall system goals and objectives. The  
 40       strategic plan must:  
 41               1. Include performance metrics and standards common for all  
 42       institutions and metrics and standards unique to institutions  
 43       depending on institutional core missions, including, but not  
 44       limited to, student admission requirements, retention,  
 45       graduation, percentage of graduates who have attained  
 46       employment, percentage of graduates enrolled in continued  
 47       education, licensure passage, average wages of employed  
 48       graduates, average cost per graduate, excess hours, student loan  
 49       burden and default rates, faculty awards, total annual research  
 50       expenditures, patents, licenses and royalties, intellectual  
 51       property, startup companies, annual giving, endowments, and  
 52       well-known, highly respected national rankings for institutional  
 53       and program achievements.  
 54               2. Consider reports and recommendations of the Higher  
 55       Education Coordinating Council pursuant to s. 1004.015 and the  
 56       Articulation Coordinating Committee pursuant to s. 1007.01.  
 57               3. Include student enrollment and performance data  
 58       delineated by method of instruction, including, but not limited  
 59       to, traditional, online, and distance learning instruction.  
 60               4. Include criteria for designating baccalaureate degree  
 61       and master's degree programs at specified universities as high-

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62 demand programs of emphasis. Fifty percent of the criteria for  
 63 designation as high-demand programs of emphasis must be based on  
 64 achievement of performance outcome thresholds determined by the  
 65 Board of Governors, and 50 percent of the criteria must be based  
 66 on achievement of performance outcome thresholds specifically  
 67 linked to:

68 a. Job placement in employment of 36 hours or more per week  
 69 and average full-time wages of graduates of the degree programs  
 70 1 year and 5 years after graduation, based in part on data  
 71 provided in the economic security report of employment and  
 72 earning outcomes produced annually pursuant to s. 445.07.

73 b. Data-driven gap analyses, conducted by the Board of  
 74 Governors, of the state's job market demands and the outlook for  
 75 jobs that require a baccalaureate or higher degree. Each state  
 76 university must use the gap analyses to identify internship  
 77 opportunities for students to benefit from mentorship by  
 78 industry experts, earn industry certifications, and become  
 79 employed in high-demand fields.

80 Section 2. Section 1004.6497, Florida Statutes, is created  
 81 to read:

82 1004.6497 World Class Faculty and Scholar Program.-

83 (1) PURPOSE AND LEGISLATIVE INTENT.-The World Class Faculty  
 84 and Scholar Program is established to fund and support the  
 85 efforts of state universities to recruit and retain exemplary  
 86 faculty and research scholars. It is the intent of the  
 87 Legislature to elevate the national competitiveness of Florida's  
 88 state universities through faculty and scholar recruitment and  
 89 retention.

90 (2) INVESTMENTS.-Retention, recruitment, and recognition

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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91 efforts, activities, and investments may include, but are not  
 92 limited to, investments in research-centric cluster hires,  
 93 faculty research and research commercialization efforts,  
 94 instructional and research infrastructure, undergraduate student  
 95 participation in research, professional development, awards for  
 96 outstanding performance, and postdoctoral fellowships.

97 (3) FUNDING AND USE.-Funding for the program shall be as  
 98 provided in the General Appropriations Act. Each state  
 99 university shall use the funds only for the purpose and  
 100 investments authorized under this section.

101 Section 3. Section 1004.6498, Florida Statutes, is created  
 102 to read:

103 1004.6498 State University Professional and Graduate Degree  
 104 Excellence Program.-

105 (1) PURPOSE.-The State University Professional and Graduate  
 106 Degree Excellence Program is established to fund and support the  
 107 efforts of state universities to enhance the quality and  
 108 excellence of professional and graduate schools and degree  
 109 programs in medicine, law, and business and expand the economic  
 110 impact of state universities.

111 (2) INVESTMENTS.-Quality improvement efforts may include,  
 112 but are not limited to, targeted investments in faculty,  
 113 students, research, infrastructure, and other strategic  
 114 endeavors to elevate the national and global prominence of state  
 115 university medicine, law, and graduate-level business programs.

116 (3) FUNDING AND USE.-Funding for the program shall be as  
 117 provided in the General Appropriations Act. Each state  
 118 university shall use the funds only for the purpose and  
 119 investments authorized under this section.

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120 Section 4. Section 1013.79, Florida Statutes, is amended to  
121 read:

122 1013.79 University Facility Enhancement Challenge Grant  
123 Program.—

124 (1) The Legislature recognizes that the universities do not  
125 have sufficient physical facilities to meet the current demands  
126 of their instructional and research programs. It further  
127 recognizes that, to strengthen and enhance universities, it is  
128 necessary to provide facilities in addition to those currently  
129 available from existing revenue sources. It further recognizes  
130 that there are sources of private support that, if matched with  
131 state support, can assist in constructing much-needed facilities  
132 and strengthen the commitment of citizens and organizations in  
133 promoting excellence throughout the state universities.  
134 ~~Therefore, it is the intent of the Legislature to establish a~~  
135 ~~trust fund to provide the opportunity for each university to~~  
136 ~~receive support for challenge grants for instructional and~~  
137 ~~research-related capital facilities within the university.~~

138 (2) There is established the Alec P. Courtelis University  
139 Facility Enhancement Challenge Grant Program for the purpose of  
140 assisting universities build high priority instructional and  
141 research-related capital facilities, including common areas  
142 connecting such facilities. The associated foundations that  
143 serve the universities shall solicit gifts from private sources  
144 to provide matching funds for capital facilities. For the  
145 purposes of this act, private sources of funds may ~~shall~~ not  
146 include any federal, state, or local government funds that a  
147 university may receive.

148 ~~(3)(a) There is established the Alec P. Courtelis Capital~~

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149 ~~Facilities Matching Trust Fund to facilitate the development of~~  
150 ~~high priority instructional and research-related capital~~  
151 ~~facilities, including common areas connecting such facilities,~~  
152 ~~within a university. All appropriated funds deposited into the~~  
153 ~~trust fund shall be invested pursuant to s. 17.61. Interest~~  
154 ~~income accruing to that portion of the trust fund shall increase~~  
155 ~~the total funds available for the challenge grant program.~~

156 ~~(b) Effective July 1, 2009, the Alec P. Courtelis Capital~~  
157 ~~Facilities Matching Trust Fund is terminated.~~

158 ~~(c) The State Board of Education shall pay any outstanding~~  
159 ~~debts and obligations of the terminated fund as soon as~~  
160 ~~practicable, and the Chief Financial Officer shall close out and~~  
161 ~~remove the terminated funds from various state accounting~~  
162 ~~systems using generally accepted accounting principles~~  
163 ~~concerning warrants outstanding, assets, and liabilities.~~

164 ~~(d) By June 30, 2008, all private funds and associated~~  
165 ~~interest earnings held in the Alec P. Courtelis Capital~~  
166 ~~Facilities Matching Trust Fund shall be transferred to the~~  
167 ~~originating university's individual program account.~~

168 (3)(4) Each university shall establish, pursuant to s.  
169 1011.42, a facilities matching grant program account as a  
170 depository for private contributions provided under this  
171 section. Once a project is under contract, funds appropriated as  
172 state matching funds may be transferred to the university's  
173 account once the Board of Governors certifies receipt of the  
174 private matching funds pursuant to subsection (4) ~~(5)~~. State  
175 funds that are not needed as matching funds for the project for  
176 which appropriated shall be transferred, together with any  
177 accrued interest, back to the state fund from which such funds

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178 were appropriated. The transfer of unneeded state funds must  
 179 ~~shall~~ occur within 30 days after final completion of the project  
 180 or within 30 days after a determination that the project will  
 181 not be completed. The Public Education Capital Outlay and Debt  
 182 Service Trust Fund or the Capital Improvement Trust Fund may  
 183 ~~shall~~ not be used as the source of the state match for private  
 184 contributions. Interest income accruing from the private  
 185 donations shall be returned to the participating foundation upon  
 186 completion of the project.

187 (4)(5) A project may not be initiated unless all private  
 188 funds for planning, construction, and equipping the facility  
 189 have been received and deposited in the separate university  
 190 program account designated for this purpose. However, these  
 191 requirements do not preclude the university from expending funds  
 192 derived from private sources to develop a prospectus, including  
 193 preliminary architectural schematics or models, for use in its  
 194 efforts to raise private funds for a facility, and for site  
 195 preparation, planning, and construction. The Board of Governors  
 196 shall establish a method for validating the receipt and deposit  
 197 of private matching funds. The Legislature may appropriate the  
 198 state's matching funds in one or more fiscal years for the  
 199 planning, construction, and equipping of an eligible facility.  
 200 Each university shall notify all donors of private funds of a  
 201 substantial delay in the availability of state matching funds  
 202 for this program.

203 (5)(6) To be eligible to participate in the Alec P.  
 204 Courtelis University Facility Enhancement Challenge Grant  
 205 Program, a university must shall raise a contribution equal to  
 206 one-half of the total cost of a facilities construction project

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207 from private nongovernmental sources which must shall be matched  
 208 by a state appropriation equal to the amount raised for a  
 209 facilities construction project subject to the General  
 210 Appropriations Act.

211 (6)(7) If the state's share of the required match is  
 212 insufficient to meet the requirements of subsection (5) (6), the  
 213 university must shall renegotiate the terms of the contribution  
 214 with the donors. If the project is terminated, each private  
 215 donation, plus accrued interest, reverts to the foundation for  
 216 remittance to the donor.

217 (7)(8) By October 15 of each year, the Board of Governors  
 218 shall transmit to the Legislature a list of projects that meet  
 219 all eligibility requirements to participate in the Alec P.  
 220 Courtelis University Facility Enhancement Challenge Grant  
 221 Program and a budget request that includes the recommended  
 222 schedule necessary to complete each project.

223 (8)(9) In order for a project to be eligible under this  
 224 program, it must be included in the university 5-year capital  
 225 improvement plan and must receive approval from the Board of  
 226 Governors or the Legislature.

227 (9)(10) A university's project may not be removed from the  
 228 approved 3-year PECO priority list because of its successful  
 229 participation in this program until approved by the Legislature  
 230 and provided for in the General Appropriations Act. When such a  
 231 project is completed and removed from the list, all other  
 232 projects shall move up on the 3-year PECO priority list. A  
 233 university may shall not use PECO funds, including the Capital  
 234 Improvement Trust Fund fee and the building fee, to complete a  
 235 project under this section.

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236 ~~(10)(11)~~ The surveys, architectural plans, facility, and  
237 equipment ~~are shall be~~ the property of the State of Florida. A  
238 facility constructed pursuant to this section may be named in  
239 honor of a donor at the option of the university and the Board  
240 of Governors. ~~A no~~ facility ~~may not shall~~ be named after a  
241 living person without prior approval by the Legislature.

242 ~~(11)(12)~~ Effective July 1, 2011, state matching funds are  
243 temporarily suspended for donations received for this program on  
244 or after June 30, 2011. Existing eligible donations remain  
245 eligible for future matching funds. The program may be restarted  
246 after \$200 million of the backlog for programs under ss.  
247 1011.32, 1011.85, 1011.94, and this section have been matched.

248 (12) Notwithstanding the suspension provision under  
249 subsection (11), for the 2017-2018 fiscal year and subject to  
250 the General Appropriations Act, the Legislature may choose to  
251 prioritize funding for those projects that have matching funds  
252 available before June 30, 2011, and that have not yet been  
253 constructed.

254 Section 5. Subsection (3) of section 267.062, Florida  
255 Statutes, is amended to read:

256 267.062 Naming of state buildings and other facilities.—

257 (3) ~~Notwithstanding the provisions of~~ subsection (1) or s.  
258 ~~1013.79(10) s. 1013.79(11)~~, any state building, road, bridge,  
259 park, recreational complex, or other similar facility of a state  
260 university may be named for a living person by the university  
261 board of trustees in accordance with regulations adopted by the  
262 Board of Governors of the State University System.

263 Section 6. This act shall take effect July 1, 2017.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/23/17  
Meeting Date

SB 4  
Bill Number (if applicable)

SB4  
Topic \_\_\_\_\_

Amendment Barcode (if applicable)

James Doyle  
Name \_\_\_\_\_

Director of Governmental Affairs  
Job Title \_\_\_\_\_

619 S. Woodward Ave  
Street  
Pellaharsee  
City  
FL  
State  
32304  
Zip

407 608 9702  
Phone \_\_\_\_\_

director.ogp.fl@gmail.com  
Email \_\_\_\_\_

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

FSU Student Government  
Representing \_\_\_\_\_

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

# APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/23/17

Meeting Date

SB 4

Bill Number (if applicable)

Topic Faculty Recruitment

Amendment Barcode (if applicable)

Name Brittney Hunt

Job Title Policy Director

Address 136 S. Bronough St.  
Street

Phone (850) 521-1200

Tallahassee FL 32301  
City State Zip

Email bhunt@flchamber.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
*(The Chair will read this information into the record.)*

Representing Florida Chamber of Commerce

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-23-17

Meeting Date

SB 4

Bill Number (if applicable)

Topic FACULTY RECRUITMENT

Amendment Barcode (if applicable)

Name Marshall Criser

Job Title Chancellor, Board of Governors

Address 325 W. Gaines St. Suite 1601

Phone 850-245-0466

Street

Tallahassee FL 32399

City

State

Zip

Email Marshall.Criser@flbog.edu

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Florida Board of Governors

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-23-2017

Meeting Date

4

Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name BRIAN Pitts

Job Title Trustee

Address 1119 Newton Ave S  
Street

Phone 727/897-9291

St Petersburg FL 33705  
City State Zip

Email justice2jesus@yahoo.com

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing Justice-2-Jesus

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Education, *Chair*  
Regulated Industries, *Vice Chair*  
Appropriations Subcommittee on the Environment  
and Natural Resources  
Health Policy  
Transportation

### JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

**SENATOR DOROTHY L. HUKILL**

14th District

January 17, 2017

The Honorable Joe Negron  
President  
The Florida Senate  
Suite 409 Capitol  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear President Negron:

This letter will serve as my formal request to be excused from the Senate Committee on Education meeting scheduled for Monday, January 23, 2017. I am making this request due to a medical condition that restricts my ability to travel.

As chair of the committee and pursuant to Rule 2.25, I am designating Senator Wilton Simpson as acting chair for this meeting. I will continue to work with committee staff on all other matters related to my role as chair of this committee.

Sincerely,

A handwritten signature in cursive script that reads "Dorothy L. Hukill".

Dorothy L. Hukill  
Chair, Senate Committee on Education

cc: The Honorable Wilton Simpson, State Senator, District 10  
The Honorable Debbie Mayfield, Vice Chair, Senate Committee on Education  
The Honorable Lizbeth Benacquisto, Chair, Senate Committee on Rules  
Shruti Graf, Staff Director, Senate Committee on Education  
John Phelps, Staff Director, Senate Committee on Rules

REPLY TO:

- 209 Dunlawton Avenue, Unit 17, Port Orange, Florida 32127 (386) 304-7630 FAX: (888) 263-3818
- 406 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5014

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**JOE NEGRON**  
President of the Senate

**ANITERE FLORES**  
President Pro Tempore

# CourtSmart Tag Report

Room: KN 412  
Caption: Senate Education Committee

Case No.:  
Judge:

Type:

Started: 1/23/2017 4:04:42 PM

Ends: 1/23/2017 5:13:35 PM Length: 01:08:54

4:04:41 PM Meeting called to order  
4:04:48 PM Roll call - quorum is present  
4:05:06 PM Senator Simpson in the Chair  
4:05:23 PM Chair Hukill is excused  
4:05:45 PM Intro to new staff member Theresa Androff  
4:06:14 PM Tab 1 - SB 2 by Sen Galvano to explain the bill  
4:11:32 PM Chair  
4:11:35 PM Sen. Thurston question  
4:11:53 PM Senator Galvano in response  
4:12:24 PM Senator Thurston - follow-up  
4:12:59 PM Senator Galvano  
4:13:36 PM Senator Thurston  
4:14:10 PM Senator Galvano  
4:15:59 PM Chair  
4:16:59 PM Senator Stewart a question  
4:17:15 PM Senator Galvano in response  
4:17:27 PM Chair  
4:17:50 PM Senator Farmer, question of sponsor  
4:18:34 PM Senator Galvano in response  
4:19:24 PM Chair  
4:19:30 PM Senator Lee, questions  
4:20:41 PM Senator Galvano in response  
4:20:48 PM Senator Farmer  
4:21:06 PM Senator Galvano  
4:21:38 PM Chair  
4:21:49 PM Senator Lee question  
4:22:00 PM Senator Galvano in response  
4:22:09 PM Senator Lee  
4:23:04 PM Senator Galvano  
4:23:18 PM Senator Lee  
4:23:45 PM Senator Galvano  
4:24:20 PM Senator Lee  
4:24:29 PM Senator Galvano  
4:25:06 PM Chair  
4:25:12 PM Senator Thurston follow-up  
4:25:25 PM Senator Galvano in response  
4:25:45 PM Chair  
4:25:50 PM Amendment 414558 by Senator Galvano  
4:26:08 PM Chair  
4:26:32 PM Senator Galvano waives to close  
4:26:40 PM All yeas - amendment 414588 passes  
4:26:53 PM Back on SB 2 as amended  
4:27:07 PM Marshall Criser, Chancellor, Board of Governors, Tallahassee, waives in support  
4:27:17 PM Brittany Hunt, Policy Director, Fla. Chamber of Commerce, waive in support  
4:27:41 PM Michael Brauer, CEO, Fla. Association of FI Colleges, information on the bill  
4:33:17 PM Senator Lee question of Michael Brauer  
4:33:45 PM Brian Pitts, Trustee, Justice-2-Jesus, St. Petersburg, FL, information on the bill  
4:40:30 PM Chair  
4:41:15 PM James Doyle, Director of Gov. Affairs, FSU Student Government, speaking for the bill  
4:42:53 PM Senator Lee question of James Dole  
4:43:20 PM Senator Thurston to James Dole  
4:44:53 PM James Doyle in response

4:45:03 PM Senator Thurston  
4:45:45 PM James Doyle in response  
4:45:51 PM Senator Thurston  
4:46:22 PM James Doyle  
4:46:42 PM Senator Galvano to James Dole  
4:46:58 PM Chair  
4:47:07 PM Senator Lee in debate  
4:51:13 PM Louise Penta, Citizens Advocate, Take Stock in Children Program, SW FL Citizens Alliance, Naples, FL  
4:52:52 PM Chair  
4:52:55 PM Senator Thurston in debate  
4:54:16 PM Chair  
4:55:18 PM Senator Farmer in debate  
4:58:41 PM Chair  
4:58:44 PM Senator Galvano to close on SB 2  
5:03:16 PM Roll Call for CS/SB 2 - Favorable  
5:04:22 PM Tab 2- SB 4 by Senator Galvano to explain the bill  
5:05:57 PM Chair - questions on the bill  
5:06:16 PM Senator Lee  
5:06:25 PM Senator Galvano in response  
5:06:34 PM Chair  
5:06:50 PM Brian Pitts, Trustee, Justice-2-Jesus, St. Petersburg, FL, information on the bill  
5:10:57 PM Chair  
5:11:10 PM Louise Penta, Citizens Advocate waives in support  
5:11:11 PM Chair  
5:11:30 PM Brittney Hunt, Policy Director, Fla. Chamber of Commerce, speaking for the bill  
5:12:31 PM Marshall Criser, Chancellor, BOG, waives in support  
5:12:42 PM James Doyle waives in support  
5:12:48 PM Senator Galvano to close  
5:12:57 PM Roll Call on SB 4 -favorable  
5:13:35 PM Senator Mayfield moves to adjourn