A bill to be entitled
An act relating to higher education; providing a short
title; amending s. 1001.66, F.S.; revising
requirements for the performance-based metrics used to
award Florida College System institutions with
performance-based incentives; amending s. 1001.67,
F.S.; revising the Distinguished Florida College
System Institution Program excellence standards
requirements; amending s. 1001.706, F.S.; requiring
state universities to use gap analyses to identify
internship opportunities in high-demand fields;
amending s. 1001.7065, F.S.; revising the preeminent
state research universities program graduation rate
requirements and funding distributions; deleting the
authority for such universities to stipulate a special
course requirement for incoming students; requiring
the Board of Governors to establish certain standards
by a specified date; amending s. 1001.92, F.S.;
requiring certain performance-based metrics to include
specified graduation rates and access benchmarks;
creating s. 1004.6497, F.S.; establishing the World
Class Faculty and Scholar Program; providing the
purpose and intent of the program; authorizing
investments in certain faculty retention, recruitment,
and recognition activities; specifying funding as
provided in the General Appropriations Act; requiring
the funds to be used only for authorized purposes and
investments; requiring the Board of Governors to
submit an annual report to the Governor and the
Legislature by a specified date; creating s. 1004.6498, F.S.; establishing the State University Professional and Graduate Degree Excellence Program; providing the purpose of the program; listing the quality improvement efforts that may be used to elevate the prominence of state university medicine, law, and graduate-level business programs; specifying funding as provided in the General Appropriations Act; requiring the funds to be used only for authorized purposes and investments; requiring the Board of Governors to submit an annual report to the Governor and the Legislature by a specified date; amending s. 1007.23, F.S.; requiring each Florida Community College System institution to execute at least one “2+2” Targeted Pathway articulation agreement by a specified time; providing requirements and student eligibility for the agreements; requiring the State Board of Community Colleges and the Board of Governors to collaborate to eliminate barriers for the agreements; amending s. 1007.27, F.S.; requiring school districts to notify students about certain lists and equivalencies; amending s. 1008.30, F.S.; providing that certain state universities may continue to provide developmental education instruction; amending ss. 1009.22 and 1009.23, F.S.; revising the prohibition on the inclusion of a technology fee in the Florida Bright Futures Scholarship Program award; amending s. 1009.24, F.S.; revising the prohibition on the inclusion of a technology fee in the Florida
Bright Futures Scholarship Program award; requiring each state university board of trustees to implement a block tuition policy for specified undergraduate students or undergraduate-level courses by a specified time; requiring the Chancellor of the State University System to submit a report to the Governor and the Legislature by a specified date; revising the conditions for differential tuition; amending s. 1009.53, F.S.; authorizing a student to use funds appropriated in the General Appropriations Act for summer term enrollment for Florida Academic Scholars awards; amending s. 1009.534, F.S.; specifying Florida Academic Scholars award amounts to cover tuition, fees, textbooks, and other college-related expenses; amending s. 1009.701, F.S.; revising the state-to-private match requirement for contributions to the First Generation Matching Grant Program; amending s. 1009.89, F.S.; renaming the Florida Resident Access Grant Program; amending s. 1009.893, F.S.; extending coverage of Benacquisto Scholarships to include tuition and fees for qualified nonresident students; creating s. 1009.894, F.S.; creating the Florida Farmworker Student Scholarship Program; providing a purpose; requiring the Department of Education to administer the scholarship program; providing initial and renewal scholarship student eligibility criteria; specifying award amounts and distributions; requiring the department to issue the awards annually; requiring institutions to certify certain information and remit
any remaining funds to the department by a specified
timeframe; requiring the department to maintain
program data; providing for funding as specified in
the General Appropriations Act; amending s. 1009.98,
F.S.; providing that certain payments from the Florida
Prepaid College Board to a state university on behalf
of a qualified beneficiary may not exceed a specified
amount; amending s. 1013.79, F.S.; revising the intent
of the Alec P. Courtelis University Facility
Enhancement Challenge Grant Program; deleting the Alec
P. Courtelis Capital Facilities Matching Trust Fund;
authorizing the Legislature to prioritize certain
funds for the 2017-2018 fiscal year; amending s.
267.062, F.S.; conforming a cross-reference; providing
a directive to the Division of Law Revision and
Information; providing an effective date.

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

Section 1. This act shall be cited as the “Florida
Excellence in Higher Education Act of 2017.”

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

1001.66 Florida College System Performance-Based
Incentive.—

(1) The State Board of Education shall adopt the following
performance-based metrics for use in awarding a Florida College
System Performance-Based Incentive shall be awarded to a Florida
College System institution: institutions using performance-based
metrics

(a) A student retention rate, as calculated by the Division of Florida Colleges;

(b) A 100 percent-of-normal-time program completion and graduation rate for full-time, first-time-in-college students, as calculated by the Division of Florida Colleges using a cohort definition of “full-time” based on a student’s majority enrollment in full-time terms;

(c) A continuing education or postgraduation job placement rate for workforce education programs, including workforce baccalaureate degree programs, as reported by the Florida Education and Training Placement Information Program, with wage thresholds that reflect the added value of the applicable certificate or degree. This paragraph does not apply to associate in arts degrees;

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

(e) One performance-based metric on college affordability adopted by the State Board of Education. The performance-based 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.

The state board shall adopt benchmarks to evaluate each
institution’s performance on the metrics to measure the
institution’s achievement of institutional excellence or need
for improvement and the minimum requirements for eligibility to
receive performance funding.

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

1001.67 Distinguished Florida College System Institution
Program.—A collaborative partnership is established between the
State Board of Education and the Legislature to recognize the
excellence of Florida’s highest-performing Florida College
System institutions.

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

(a) A 100 percent-of-normal-time completion rate for
full-time, first-time-in-college students of 50 percent or
higher, as calculated by the Division of Florida Colleges.

(b) A 100 percent-of-normal-time completion rate for
full-time, first-time-in-college Pell Grant recipients of 40
percent or higher, as calculated by the Division of Florida
Colleges.

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

(d) 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).

(e) 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

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Board of Nursing.

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

(g) An excess hours rate of 40 percent or lower for a time-to-degree for students graduating with an associate of arts degree recipients who graduate with 72 or more credit hours, as calculated by the Division of Florida Colleges of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

Section 4. Paragraph (b) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(b) The Board of Governors shall 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. The strategic plan must:

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

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

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

4. Include criteria for designating baccalaureate degree and master’s degree programs at specified universities as high-demand programs of emphasis. 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 Board of Governors, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:

   a. 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, based in part on data provided in the economic security report of employment and earning outcomes produced annually pursuant to s. 445.07.

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

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

1001.7065 Preeminent state research universities program.—

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

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

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM SUPPORT.—

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

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

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

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

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

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

Section 6. Subsection (1) of section 1001.92, Florida
Statutes, is amended to read:
1001.92 State University System Performance-Based Incentive.—
(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System. The performance-based metrics must include 4-year graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access, with benchmarks that reward institutions with access rates at or above 50 percent; and other metrics approved by the board in a formally noticed meeting. The board shall adopt benchmarks to evaluate each state university’s performance on the metrics to measure the state university’s achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

Section 7. Section 1004.6497, Florida Statutes, is created to read:

1004.6497 World Class Faculty and Scholar Program.—
(1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty and Scholar Program is established to fund and support the efforts of state universities to recruit and retain exemplary faculty and research scholars. It is the intent of the Legislature to elevate the national competitiveness of Florida’s state universities through faculty and scholar recruitment and retention.

(2) INVESTMENTS.—Retention, recruitment, and recognition efforts, activities, and investments may include, but are not
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.

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

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

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

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

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

2. The 4-year graduation rate;

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

4. The increased national academic standing of targeted programs, specifically advancement among top 50 universities in the targeted programs in well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, which reflect
Section 8. Section 1004.6498, Florida Statutes, is created to read:

1004.6498 State University Professional and Graduate Degree Excellence Program.—

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

(2) INVESTMENTS.—Quality improvement efforts may include, but are not 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.

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

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

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

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

1. The first-time pass rate on the United States Medical Licensing Examination;
2. The first-time pass rate on The Florida Bar Examination;
3. The percentage of graduates enrolled or employed at a wage threshold that reflects the added value of a graduate-level business degree;
4. The advancement in the rankings of the state university medicine, law, and graduate-level programs in well-known and highly respected national graduate-level university rankings, including, but not limited to, the U.S. News and World Report rankings, which reflect national preeminence, using the most recent rankings; and
5. The added economic benefit of the universities to the state.

Section 9. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—
(7) To strengthen Florida’s “2+2” system of articulation and improve student retention and on-time graduation, by the 2018-2019 academic year, each Florida Community College System institution shall execute at least one “2+2” targeted pathway articulation agreement with one or more state universities to establish “2+2” targeted pathway programs. The agreement must provide students who graduate with an associate in arts degree and who meet specified requirements guaranteed access to the state university and a degree program at that university, in accordance with the terms of the “2+2” targeted pathway

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articulation agreement.

(a) To participate in a “2+2” targeted pathway program, a student must:

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

2. Complete an associate in arts degree; and

3. Meet the university’s transfer requirements.

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

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

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

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

(c) To assist the state universities and Florida Community College institutions with implementing the “2+2” targeted pathway programs effectively, the State Board of Community Colleges and the Board of Governors shall collaborate to
Section 10. Subsection (2) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—
(2) (a) The Department of Education shall annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board Advanced Placement Program examination, Advanced International Certificate of Education examination, International Baccalaureate examination, Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). The department shall use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit is to be granted. Minimum scores may vary by subject area based on available performance data. In addition, the department shall identify such courses in the general education core curriculum of each state university and Florida College System institution.

(b) Each district school board shall notify students who enroll in articulated acceleration mechanism courses or take examinations pursuant to this section of the credit-by-examination equivalency list adopted by rule by the State Board of Education and the dual enrollment course and high school subject area equivalencies approved by the state board pursuant to s. 1007.271(9).
Section 11. Paragraph (c) of subsection (5) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(5)

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

Section 12. Subsection (7) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

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

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

Section 13. Subsection (10) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—
(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and developmental education and \underline{\textit{may shall not be included in any award under the Florida Bright Futures Scholarship Program,}} except as authorized for the Florida Academic Scholars award under s. 1009.534. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.
Section 14. Subsection (13), paragraphs (a) and (b) of subsection (15), and paragraph (b) of subsection (16) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—

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

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

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

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

3. A proposal from a university board of trustees to implement flexible tuition policies, such as undergraduate or graduate block tuition, block tuition differential, or market tuition rates for graduate-level online courses or graduate-level courses offered through a university’s continuing education program. A block tuition policy for resident undergraduate students or undergraduate-level courses shall be adopted by each university board of trustees for implementation by the fall 2018 academic semester and must be based on the per-credit-hour undergraduate tuition established
under subsection (4). A block tuition policy for nonresident undergraduate students must be adopted by each university board of trustees for implementation by the fall 2018 academic semester and must be based on the per-credit-hour undergraduate tuition and out-of-state fee established under subsection (4). Flexible tuition policies, including block tuition, may not increase the state’s fiscal liability or obligation.

(b) A proposal developed pursuant to paragraph (a) shall be submitted in accordance with the public notification requirements of subsection (20) and guidelines established by the Board of Governors. Approval by the Board of Governors of such proposals must be made in accordance with the provisions of this subsection. By October 1, 2017, each state university board of trustees shall adopt a block tuition and fee policy, pursuant to subparagraph (a)3., for implementation by the fall 2018 academic semester and submit the policy, including, but not limited to, information on the potential impact of the policy on students, to the Board of Governors. By December 1, 2017, the Chancellor of the State University System shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a summary report of such policies, the status of the board’s review and approval of such policies, and the board’s recommendations for improving block tuition and fee benefits for students.

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

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

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

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

3. For each state university that is designated as a preeminent state research university by the Board of Governors, pursuant to s. 1001.7065, the aggregate sum of tuition and the tuition differential may be increased by no more than 6 percent of the total charged for the aggregate sum of these fees in the preceding fiscal year. The tuition differential may be increased if the university meets or exceeds performance standard targets for that university established annually by the Board of Governors for the following performance standards, amounting to no more than a 2-percent increase in the tuition differential for each performance standard:

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

b. An increase in the total annual research expenditures.
c. An increase in the total patents awarded by the United States Patent and Trademark Office for the most recent years.

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

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

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

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

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

9. Subject to approval by the Board of Governors, the tuition differential authorized pursuant to this subsection may take effect with the 2009 fall term.
Statutes, is amended to read:

1009.53 Florida Bright Futures Scholarship Program.—
(9) A student may use an award for summer term enrollment if funds are available, including funds appropriated in the General Appropriations Act to support, at a minimum, summer term enrollment for a Florida Academic Scholars award.

Section 16. Subsection (2) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—
(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible, beginning in the fall 2017 academic semester, for an award equal to the amount required to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional $300 each fall and spring academic semester or the equivalent for textbooks and college-related specified in the General Appropriations Act to assist with the payment of educational expenses.

Section 17. Subsection (2) of section 1009.701, Florida Statutes, is amended to read:

1009.701 First Generation Matching Grant Program.—
(2) Funds appropriated by the Legislature for the program shall be allocated by the Office of Student Financial Assistance to match private contributions at a ratio of $2 of state funds to $1 of private contributions dollar-for-dollar basis. Contributions made to a state university and pledged for the
purposes of this section are eligible for state matching funds appropriated for this program and are not eligible for any other state matching grant program. Pledged contributions are not eligible for matching prior to the actual collection of the total funds. The Office of Student Financial Assistance shall reserve a proportionate allocation of the total appropriated funds for each state university on the basis of full-time equivalent enrollment. Funds that remain unmatched as of December 1 shall be reallocated to state universities that have remaining unmatched private contributions for the program on the basis of full-time equivalent enrollment.

Section 18. Section 1009.89, Florida Statutes, is amended to read:

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

(1) The Legislature finds and declares that independent nonprofit colleges and universities eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program are an integral part of the higher education system in this state and that a significant number of state residents choose this form of higher education. The Legislature further finds that a strong and viable system of independent nonprofit colleges and universities reduces the tax burden on the citizens of the state. Because the William L. Boyd, IV, Effective Access to Student Education Florida Resident Access Grant Program is not related to a student’s financial need or other criteria upon which financial aid programs are based, it is the intent of the Legislature that the William L. Boyd, IV, Effective Access to Student Education Florida Resident

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Access Grant Program not be considered a financial aid program but rather a tuition assistance program for its citizens.

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

(3) The department shall issue through the program a William L. Boyd, IV, Effective Access to Student Education Florida resident access grant to any full-time degree-seeking undergraduate student 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 Florida College System institution; and which has a secular purpose, so long as the receipt of state aid by students at the institution would not have the primary effect of advancing or impeding religion or result in an excessive entanglement between the state and any religious sect. Any independent college or university that was eligible to receive tuition vouchers on January 1, 1989, and which continues to meet the criteria under which its eligibility was established, shall remain eligible to receive William L. Boyd, IV, Effective Access to Student Education Florida resident access grant payments.

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

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

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

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

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

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

(b) If the combined amount of the William L. Boyd, IV, Effective Access to Student Education Florida resident access grant issued pursuant to this act and all other scholarships and grants for tuition or fees exceeds the amount charged to the student for tuition and fees, the department shall reduce the
William L. Boyd, IV, Effective Access to Student Education

Florida resident access grant issued pursuant to this act by an amount equal to such excess.

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

Section 19. Subsections (2), (4), and (5) of section 1009.893, Florida Statutes, are amended to read:

1009.893 Benacquisto Scholarship Program.—

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

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

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

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

a. The student completes a home education program according to s. 1002.41; or

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

2. (c) Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

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

(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;

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

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

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

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

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

Section 20. Section 1009.894, Florida Statutes, is created to read:

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

(1) The Department of Education shall administer the
Florida Farmworker Student Scholarship Program according to rules and procedures established by the State Board of Education. Up to 50 scholarships shall be awarded annually according to the criteria established in subsection (2) and contingent upon an appropriation in the General Appropriations Act.

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

1. Have a resident status as required by s. 1009.40 and rules of the State Board of Education;
2. Earn a minimum cumulative 3.5 weighted grade point average for all high school courses creditable towards a diploma;
3. Complete a minimum of 30 hours of community service; and
4. Have at least a 90 percent attendance rate and not have had any disciplinary action brought against him or her, as documented on the student’s high school transcript.

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

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

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

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

(5) Subject to appropriation in the General Appropriations Act, the department shall annually issue awards from the scholarship program. Before the registration period each semester, the department shall transmit payment for each award to the president or director of the postsecondary educational institution, or his or her representative. However, the department may withhold payment if the receiving institution fails to submit the following reports or make the following refunds to the department:

(a) Each institution shall certify to the department the eligibility status of each student to receive a disbursement within 30 days before the end of its regular registration period, inclusive of a drop and add period. An institution is not required to reevaluate the student eligibility after the end of the drop and add period.
(b) An institution that receives funds from the scholarship program must certify to the department the amount of funds disbursed to each student and remit to the department any undisbursed advance within 60 days after the end of the regular registration period.

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

(7) Funding for this program shall be as provided in the General Appropriations Act.

Section 21. Present paragraphs (e) and (f) of subsection (10) of section 1009.98, Florida Statutes, are redesignated as paragraphs (f) and (g), respectively, and a new paragraph (e) is added to that subsection, to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—

(10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

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

Section 22. Section 1013.79, Florida Statutes, is amended to read:

1013.79 University Facility Enhancement Challenge Grant Program.—

(1) The Legislature recognizes that the universities do not
have sufficient physical facilities to meet the current demands of their instructional and research programs. It further recognizes that, to strengthen and enhance universities, it is necessary to provide facilities in addition to those currently available from existing revenue sources. It further recognizes that there are sources of private support that, if matched with state support, can assist in constructing much-needed facilities and strengthen the commitment of citizens and organizations in promoting excellence throughout the state universities.

Therefore, it is the intent of the Legislature to establish a trust fund to provide the opportunity for each university to receive support for challenge grants for instructional and research-related capital facilities within the university.

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

(3)(a) There is established the Alec P. Courtelis Capital Facilities Matching Trust Fund to facilitate the development of high priority instructional and research-related capital facilities, including common areas connecting such facilities, within a university. All appropriated funds deposited into the trust fund shall be invested pursuant to s. 17.61. Interest
income accruing to that portion of the trust fund shall increase the total funds available for the challenge grant program.

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

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

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

(3)(4) Each university shall establish, pursuant to s. 1011.42, a facilities matching grant program account as a depository for private contributions provided under this section. Once a project is under contract, funds appropriated as state matching funds may be transferred to the university’s account once the Board of Governors certifies receipt of the private matching funds pursuant to subsection (4)(5). State funds that are not needed as matching funds for the project for which appropriated shall be transferred, together with any accrued interest, back to the state fund from which such funds were appropriated. The transfer of unneeded state funds must occur within 30 days after final completion of the project or within 30 days after a determination that the project will not be completed. The Public Education Capital Outlay and Debt Service Trust Fund or the Capital Improvement Trust Fund may
shall not be used as the source of the state match for private contributions. Interest income accruing from the private donations shall be returned to the participating foundation upon completion of the project.

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

(5) To be eligible to participate in the Alec P. Courtelis University Facility Enhancement Challenge Grant 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.

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

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

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

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

(10)(11) The surveys, architectural plans, facility, and equipment are the property of the State of Florida. A facility constructed pursuant to this section may be named in honor of a donor at the option of the university and the Board of Governors. A facility may not be named after a
living person without prior approval by the Legislature.

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

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

Section 23. Subsection (3) of section 267.062, Florida Statutes, is amended to read:

267.062 Naming of state buildings and other facilities.—

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

Section 24. The Division of Law Revision and Information is directed to prepare a reviser’s bill for the 2018 Regular Session to substitute the term “Effective Access to Student Education Grant Program” for “Florida Resident Access Grant Program” and the term “Effective Access to Student Education grant” for “Florida resident access grant” wherever those terms appear in the Florida Statutes.
Section 25. This act shall take effect July 1, 2017.