

By Senator Galvano

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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.

29
30 Be It Enacted by the Legislature of the State of Florida:

31
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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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.