

By Senator Galvano

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1                                   A bill to be entitled  
2       An act relating to higher education; providing a short  
3       title; amending s. 1001.706, F.S.; requiring state  
4       universities to identify internship opportunities in  
5       high-demand fields; amending s. 1001.7065, F.S.;  
6       revising the preeminent state research universities  
7       program graduation rate requirements and funding  
8       distributions; deleting the authority for such  
9       universities to stipulate a special course requirement  
10      for incoming students; requiring the Board of  
11      Governors to establish certain standards by a  
12      specified date; amending s. 1001.92, F.S.; requiring  
13      certain performance-based metrics to include specified  
14      graduation rates and access benchmarks; amending s.  
15      1004.28, F.S.; directing a state university board of  
16      trustees to limit the services, activities, and  
17      expenses of its direct-support organizations;  
18      requiring the chair of the board of trustees to  
19      appoint at least one representative to the board of  
20      directors and executive committee of a university  
21      direct-support organization; requiring the disclosure  
22      of certain financial documents; creating s. 1004.6497,  
23      F.S.; establishing the World Class Faculty and Scholar  
24      Program; providing the purpose and intent; authorizing  
25      state university investments in certain faculty  
26      retention, recruitment, and recognition activities;  
27      specifying funding as provided in the General  
28      Appropriations Act; requiring an annual report to the  
29      Governor and the Legislature by a specified date;

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30 creating s. 1004.6498, F.S.; establishing the State  
31 University Professional and Graduate Degree Excellence  
32 Program; providing the purpose; listing the quality  
33 improvement efforts that may be used to elevate the  
34 prominence of state university medicine, law, and  
35 graduate-level business programs; specifying funding  
36 as provided in the General Appropriations Act;  
37 requiring an annual report to the Governor and the  
38 Legislature by a specified date; amending s. 1008.30,  
39 F.S.; authorizing certain state universities to  
40 continue to provide developmental education  
41 instruction; amending ss. 1009.22 and 1009.23, F.S.;  
42 removing the prohibition on the inclusion of a  
43 technology fee in the Florida Bright Futures  
44 Scholarship Program award; amending s. 1009.24, F.S.;  
45 removing the prohibition on the inclusion of a  
46 technology fee and a tuition differential fee in the  
47 Florida Bright Futures Scholarship Program award;  
48 requiring each state university board of trustees to  
49 implement a block tuition policy for specified  
50 undergraduate students beginning in a specified  
51 academic semester; requiring the Chancellor of the  
52 State University System to submit a report to the  
53 Governor and the Legislature by a specified date;  
54 amending s. 1009.53, F.S.; authorizing a student to  
55 use Florida Bright Futures Scholarship Program awards  
56 for summer term enrollment; amending s. 1009.534,  
57 F.S.; specifying Florida Academic Scholars award  
58 amounts to cover tuition, fees, textbooks, and other

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59 educational expenses; amending s. 1009.535, F.S.;

60 specifying Florida Medallion Scholars award amounts to

61 cover specified tuition and fees; amending s.

62 1009.701, F.S.; revising the state-to-private match

63 requirement for contributions to the First Generation

64 Matching Grant Program beginning in a specified fiscal

65 year; extending the program to include Florida College

66 System institution students; amending s. 1009.893,

67 F.S.; extending coverage of the Benacquisto

68 Scholarship Program to include tuition and fees for

69 qualified nonresident students; creating s. 1009.894,

70 F.S.; creating the Florida Farmworker Student

71 Scholarship Program; providing a purpose; requiring

72 the Department of Education to administer the

73 scholarship program; providing student eligibility

74 criteria; specifying award amounts and distributions;

75 providing for funding as specified in the General

76 Appropriations Act; amending s. 1009.98, F.S.;

77 providing that certain payments from the Florida

78 Prepaid College Board to a state university on behalf

79 of a qualified beneficiary may not exceed a specified

80 amount; providing for retroactive application;

81 providing a directive to the Division of Law Revision

82 and Information; providing an effective date.

83

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

85

86 Section 1. This act shall be cited as the "Florida

87 Excellence in Higher Education Act of 2018."

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88 Section 2. Paragraph (b) of subsection (5) of section  
89 1001.706, Florida Statutes, is amended to read:

90 1001.706 Powers and duties of the Board of Governors.—

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

92 (b) The Board of Governors shall develop a strategic plan  
93 specifying goals and objectives for the State University System  
94 and each constituent university, including each university's  
95 contribution to overall system goals and objectives. The  
96 strategic plan must:

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

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

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

116 4. Include criteria for designating baccalaureate degree

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117 and master's degree programs at specified universities as high-  
118 demand programs of emphasis. Fifty percent of the criteria for  
119 designation as high-demand programs of emphasis must be based on  
120 achievement of performance outcome thresholds determined by the  
121 Board of Governors, and 50 percent of the criteria must be based  
122 on achievement of performance outcome thresholds specifically  
123 linked to:

124 a. Job placement in employment of 36 hours or more per week  
125 and average full-time wages of graduates of the degree programs  
126 1 year and 5 years after graduation, based in part on data  
127 provided in the economic security report of employment and  
128 earning outcomes produced annually pursuant to s. 445.07.

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

136 Section 3. Paragraph (d) of subsection (2), paragraph (c)  
137 of subsection (5), and subsections (6), (7), and (8) of section  
138 1001.7065, Florida Statutes, are amended to read:

139 1001.7065 Preeminent state research universities program.—

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

144 (d) A 4-year graduation rate of 60 percent or higher for  
145 full-time, first-time-in-college students, as reported annually

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146 to the IPEDS. However, for the 2018 determination of a state  
 147 university's preeminence designation and the related  
 148 distribution of the 2018-2019 fiscal year appropriation  
 149 associated with preeminence and emerging preeminence, a  
 150 university is considered to have satisfied this graduation rate  
 151 measure by attaining a 6-year graduation rate of 70 percent or  
 152 higher by October 1, 2017, for full-time, first-time-in-college  
 153 students, as reported annually to the IPEDS and confirmed by the  
 154 Board of Governors.

155 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
 156 SUPPORT.—

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

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

166 2. Each designated emerging preeminent state research  
 167 university that meets the criteria in paragraph (b) shall,  
 168 beginning in the 2018-2019 fiscal year, receive an amount of  
 169 funding that is equal to one-fourth ~~one-half~~ of the total  
 170 increased amount awarded to each designated preeminent state  
 171 research university.

172 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~  
 173 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~  
 174 ~~educational experience, a university that is designated a~~

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175 ~~preeminent state research university may require its incoming~~  
176 ~~first-time-in-college students to take a six-credit set of~~  
177 ~~unique courses specifically determined by the university and~~  
178 ~~published on the university's website. The university may~~  
179 ~~stipulate that credit for such courses may not be earned through~~  
180 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~  
181 ~~or any other transfer credit. All accelerated credits earned up~~  
182 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~  
183 ~~applied toward graduation at the student's request.~~

184 ~~(6)-(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
185 AUTHORITY.—The Board of Governors is encouraged to identify and  
186 grant all reasonable, feasible authority and flexibility to  
187 ensure that each designated preeminent state research university  
188 and each designated emerging preeminent state research  
189 university is free from unnecessary restrictions.

190 ~~(7)-(8)~~ PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE  
191 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~  
192 establish standards and measures whereby individual  
193 undergraduate, graduate, and professional degree programs in  
194 state universities which ~~that~~ objectively reflect national  
195 excellence can be identified and make recommendations to the  
196 Legislature by September 1, 2018, as to how any such programs  
197 could be enhanced and promoted.

198 Section 4. Subsection (1) of section 1001.92, Florida  
199 Statutes, is amended to read:

200 1001.92 State University System Performance-Based  
201 Incentive.—

202 (1) A State University System Performance-Based Incentive  
203 shall be awarded to state universities using performance-based

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204 metrics adopted by the Board of Governors of the State  
205 University System. Beginning with the Board of Governors'  
206 determination of each university's performance improvement and  
207 achievement ratings for 2018, and the related distribution of  
208 the 2018-2019 fiscal year appropriation, the performance-based  
209 metrics must include 4-year graduation rates; retention rates;  
210 postgraduation education rates; degree production;  
211 affordability; postgraduation employment and salaries, including  
212 wage thresholds that reflect the added value of a baccalaureate  
213 degree; access, with benchmarks that reward institutions with  
214 access rates at or above 50 percent; and other metrics approved  
215 by the board in a formally noticed meeting. The board shall  
216 adopt benchmarks to evaluate each state university's performance  
217 on the metrics to measure the state university's achievement of  
218 institutional excellence or need for improvement and minimum  
219 requirements for eligibility to receive performance funding.

220 Section 5. Subsections (2), (3), and (4) and paragraph (b)  
221 of subsection (5) of section 1004.28, Florida Statutes, are  
222 amended to read:

223 1004.28 Direct-support organizations; use of property;  
224 board of directors; activities; audit; facilities.—

225 (2) USE OF PROPERTY.—

226 (a) Each state university board of trustees is authorized  
227 to permit the use of property, facilities, and personal services  
228 at any state university by any university direct-support  
229 organization, and, subject to the provisions of this section,  
230 direct-support organizations may establish accounts with the  
231 State Board of Administration for investment of funds pursuant  
232 to part IV of chapter 218. Beginning July 1, 2023, a state

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233 university board of trustees may not permit any university  
234 direct-support organization to use personal services.

235 (b) The board of trustees, in accordance with regulations  
236 ~~rules~~ and guidelines of the Board of Governors, shall prescribe  
237 by regulation ~~rule~~ conditions with which a university direct-  
238 support organization must comply in order to use property,  
239 facilities, or personal services at any state university. Such  
240 regulations ~~rules~~ shall provide for budget and audit review and  
241 oversight by the board of trustees.

242 (c) The board of trustees shall not permit the use of  
243 property, facilities, or personal services at any state  
244 university by any university direct-support organization that  
245 does not provide equal employment opportunities to all persons  
246 regardless of race, color, religion, gender, age, or national  
247 origin.

248 (d) The board of trustees may not permit the use of state  
249 funds for travel expenses by any university direct-support  
250 organization.

251 (3) BOARD OF DIRECTORS.—The chair of the university board  
252 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to  
253 the board of directors and the executive committee of any  
254 direct-support organization established under this section. The  
255 president of the university for which the direct-support  
256 organization is established, or his or her designee, shall also  
257 serve on the board of directors and the executive committee of  
258 any direct-support organization established to benefit that  
259 university.

260 (4) ACTIVITIES; RESTRICTION.—A university direct-support  
261 organization is prohibited from giving, either directly or

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262 indirectly, any gift to a political committee as defined in s.  
263 106.011 for any purpose ~~other than those certified by a majority~~  
264 ~~roll call vote of the governing board of the direct-support~~  
265 ~~organization at a regularly scheduled meeting as being directly~~  
266 ~~related to the educational mission of the university.~~

267 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS  
268 EXEMPTION.—

269 (b) All records of the organization other than the  
270 auditor's report, management letter, any records related to the  
271 expenditure of state funds, any records related to the  
272 expenditure of private funds for travel, and any supplemental  
273 data requested by the Board of Governors, the university board  
274 of trustees, the Auditor General, and the Office of Program  
275 Policy Analysis and Government Accountability shall be  
276 confidential and exempt from s. 119.07(1).

277 Section 6. Section 1004.6497, Florida Statutes, is created  
278 to read:

279 1004.6497 World Class Faculty and Scholar Program.—

280 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty  
281 and Scholar Program is established to fund, beginning in the  
282 2017-2018 fiscal year, and support the efforts of state  
283 universities to recruit and retain exemplary faculty and  
284 research scholars. It is the intent of the Legislature to  
285 elevate the national competitiveness of Florida's state  
286 universities through faculty and scholar recruitment and  
287 retention.

288 (2) INVESTMENTS.—Retention, recruitment, and recognition  
289 efforts, activities, and investments may include, but are not  
290 limited to, investments in research-centric cluster hires,

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291 faculty research and research commercialization efforts,  
292 instructional and research infrastructure, undergraduate student  
293 participation in research, professional development, awards for  
294 outstanding performance, and postdoctoral fellowships.

295 (3) FUNDING AND USE.—Funding for the program shall be as  
296 provided in the General Appropriations Act. Each state  
297 university shall use the funds only for the purpose and  
298 investments authorized under this section. These funds may not  
299 be used to construct buildings.

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

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

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

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

312 2. The 4-year graduation rate for undergraduate students;

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

315 4. The increase in national academic standing of targeted  
316 programs, specifically advancement in ranking among top 50  
317 universities in the targeted programs in well-known and highly  
318 respected national public university rankings, including, but  
319 not limited to, the U.S. News and World Report rankings, which

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320 reflect national preeminence, using the most recent rankings.

321 Section 7. Section 1004.6498, Florida Statutes, is created  
322 to read:

323 1004.6498 State University Professional and Graduate Degree  
324 Excellence Program.—

325 (1) PURPOSE.—The State University Professional and Graduate  
326 Degree Excellence Program is established to fund, beginning in  
327 the 2017-2018 fiscal year, and support the efforts of state  
328 universities to enhance the quality and excellence of  
329 professional and graduate schools and degree programs in  
330 medicine, law, and business and expand the economic impact of  
331 state universities.

332 (2) INVESTMENTS.—Quality improvement efforts may include,  
333 but are not limited to, targeted investments in faculty,  
334 students, research, infrastructure, and other strategic  
335 endeavors to elevate the national and global prominence of state  
336 university medicine, law, and graduate-level business programs.

337 (3) FUNDING AND USE.—Funding for the program shall be as  
338 provided in the General Appropriations Act. Each state  
339 university shall use the funds only for the purpose and  
340 investments authorized under this section. These funds may not  
341 be used to construct buildings.

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

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

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

353           1. The first-time pass rate on the United States Medical  
354 Licensing Examination;

355           2. The first-time pass rate on The Florida Bar Examination;

356           3. The percentage of graduates enrolled or employed at a  
357 wage threshold that reflects the added value of a graduate-level  
358 business degree;

359           4. The advancement in the rankings of the state university  
360 medicine, law, and graduate-level programs in well-known and  
361 highly respected national graduate-level university rankings,  
362 including, but not limited to, the U.S. News and World Report  
363 rankings, which reflect national preeminence, using the most  
364 recent rankings; and

365           5. The added economic benefit of the universities to the  
366 state.

367       Section 8. Paragraph (c) of subsection (5) of section  
368 1008.30, Florida Statutes, is amended to read:

369       1008.30 Common placement testing for public postsecondary  
370 education.—

371       (5)

372       (c) A university board of trustees may contract with a  
373 Florida College System institution board of trustees for the  
374 Florida College System institution to provide developmental  
375 education on the state university campus. Any state university  
376 in which the percentage of incoming students requiring  
377 developmental education equals or exceeds the average percentage

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378 of such students for the Florida College System may offer  
379 developmental education without contracting with a Florida  
380 College System institution; however, any state university  
381 offering college-preparatory instruction as of January 1, 1996,  
382 may continue to provide developmental education instruction as  
383 defined in s. 1008.02(1) ~~such services~~.

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

386 1009.22 Workforce education postsecondary student fees.—

387 (7) Each district school board and Florida College System  
388 institution board of trustees is authorized to establish a  
389 separate fee for technology, not to exceed 5 percent of tuition  
390 per credit hour or credit-hour equivalent for resident students  
391 and not to exceed 5 percent of tuition and the out-of-state fee  
392 per credit hour or credit-hour equivalent for nonresident  
393 students. Revenues generated from the technology fee shall be  
394 used to enhance instructional technology resources for students  
395 and faculty ~~and shall not be included in any award under the~~  
396 ~~Florida Bright Futures Scholarship Program~~. Fifty percent of  
397 technology fee revenues may be pledged by a Florida College  
398 System institution board of trustees as a dedicated revenue  
399 source for the repayment of debt, including lease-purchase  
400 agreements, not to exceed the useful life of the asset being  
401 financed. Revenues generated from the technology fee may not be  
402 bonded.

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

405 1009.23 Florida College System institution student fees.—

406 (10) Each Florida College System institution board of

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407 trustees is authorized to establish a separate fee for  
408 technology, which may not exceed 5 percent of tuition per credit  
409 hour or credit-hour equivalent for resident students and may not  
410 exceed 5 percent of tuition and the out-of-state fee per credit  
411 hour or credit-hour equivalent for nonresident students.  
412 Revenues generated from the technology fee shall be used to  
413 enhance instructional technology resources for students and  
414 faculty. The technology fee may apply to both college credit and  
415 developmental education ~~and shall not be included in any award~~  
416 ~~under the Florida Bright Futures Scholarship Program.~~ Fifty  
417 percent of technology fee revenues may be pledged by a Florida  
418 College System institution board of trustees as a dedicated  
419 revenue source for the repayment of debt, including lease-  
420 purchase agreements, not to exceed the useful life of the asset  
421 being financed. Revenues generated from the technology fee may  
422 not be bonded.

423 Section 11. Subsection (13), paragraph (r) of subsection  
424 (14), paragraphs (a) and (b) of subsection (15), paragraphs (a),  
425 (b), and (e) of subsection (16), and subsection (20) of section  
426 1009.24, Florida Statutes, are amended to read:

427 1009.24 State university student fees.-

428 (13) Each university board of trustees may establish a  
429 technology fee of up to 5 percent of the tuition per credit  
430 hour. The revenue from this fee shall be used to enhance  
431 instructional technology resources for students and faculty. ~~The~~  
432 ~~technology fee may not be included in any award under the~~  
433 ~~Florida Bright Futures Scholarship Program established pursuant~~  
434 ~~to ss. 1009.53-1009.538.~~

435 (14) Except as otherwise provided in subsection (15), each

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436 university board of trustees is authorized to establish the  
437 following fees:

438 (r) Traffic and parking fines, charges for parking decals,  
439 and transportation access fees. Only universitywide  
440 transportation access fees may be included in any state  
441 financial assistance award authorized under part III of chapter  
442 1009, as specifically authorized by law or the General  
443 Appropriations Act.

444  
445 With the exception of housing rental rates and except as  
446 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)  
447 shall be based on reasonable costs of services. The Board of  
448 Governors shall adopt regulations and timetables necessary to  
449 implement the fees and fines authorized under this subsection.  
450 The fees assessed under this subsection may be used for debt  
451 only as authorized under s. 1010.62.

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

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

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

459 3.a. A proposal from a university board of trustees to  
460 implement flexible tuition policies, such as undergraduate or  
461 graduate block tuition, block tuition differential, or market  
462 tuition rates for graduate-level online courses or graduate-  
463 level courses offered through a university's continuing  
464 education program. A block tuition policy for resident

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465 undergraduate students or undergraduate-level courses must ~~shall~~  
466 be based on the per-credit-hour undergraduate tuition  
467 established under subsection (4). A block tuition policy for  
468 nonresident undergraduate students must ~~shall~~ be based on the  
469 per-credit-hour undergraduate tuition and out-of-state fee  
470 established under subsection (4). Flexible tuition policies,  
471 including block tuition, may not increase the state's fiscal  
472 liability or obligation.

473 b. A block tuition policy, which must be adopted by each  
474 university board of trustees for implementation beginning in the  
475 fall 2018 academic semester. The policy must apply to the  
476 entering freshman class of full-time, first-time-in-college  
477 students and may be extended to include other enrolled students.  
478 The policy must, at a minimum:

479 (I) Include block tuition and any required fees, including,  
480 but not limited to, tuition differential fees, activity and  
481 service fees, financial aid fees, capital improvement fees,  
482 athletic fees, health fees, and technology fees.

483 (II) Require the university to maximize the application of  
484 appropriate accelerated credits to minimize unnecessary credits  
485 and excess hours.

486 (III) Enable students to have the flexibility to earn at  
487 least 30 credits per academic year in any combination of fall,  
488 spring, and summer academic terms or semesters.

489 (b) A proposal developed pursuant to paragraph (a) shall be  
490 submitted in accordance with the public notification  
491 requirements of subsection (20) and guidelines established by  
492 the Board of Governors. Approval by the Board of Governors of  
493 such proposals ~~proposal~~ must be made in accordance with ~~the~~

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494 ~~provisions of this subsection. By April 1, 2018, each state~~  
495 university board of trustees must submit to the Board of  
496 Governors its block tuition policy, adopted pursuant to  
497 subparagraph (a)3., along with information on the potential  
498 impact of the policy on students. By August 1, 2018, the  
499 Chancellor of the State University System must submit to the  
500 Governor, the President of the Senate, and the Speaker of the  
501 House of Representatives a summary report of such policies, the  
502 status of the board's review and approval of such policies, and  
503 the board's recommendations for improving block tuition and fee  
504 benefits for students.

505 (16) Each university board of trustees may establish a  
506 tuition differential for undergraduate courses upon receipt of  
507 approval from the Board of Governors. However, beginning July 1,  
508 2014, the Board of Governors may only approve the establishment  
509 of or an increase in tuition differential for a state research  
510 university designated as a preeminent state research university  
511 pursuant to s. 1001.7065(3). The tuition differential shall  
512 promote improvements in the quality of undergraduate education  
513 and shall provide financial aid to undergraduate students who  
514 exhibit financial need.

515 (a) Seventy percent of the revenues from the tuition  
516 differential shall be expended for purposes of undergraduate  
517 education. Such expenditures may include, but are not limited  
518 to, increasing course offerings, improving graduation rates,  
519 increasing the percentage of undergraduate students who are  
520 taught by faculty, decreasing student-faculty ratios, providing  
521 salary increases for faculty who have a history of excellent  
522 teaching in undergraduate courses, improving the efficiency of

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523 the delivery of undergraduate education through academic  
524 advisement and counseling, and reducing the percentage of  
525 students who graduate with excess hours. This expenditure for  
526 undergraduate education may not be used to pay the salaries of  
527 graduate teaching assistants. Except as otherwise provided in  
528 this subsection, the remaining 30 percent of the revenues from  
529 the tuition differential, or the equivalent amount of revenue  
530 from private sources, shall be expended to provide financial aid  
531 to undergraduate students who exhibit financial need, including  
532 students who are scholarship recipients under s. 1009.984, to  
533 meet the cost of university attendance. This expenditure for  
534 need-based financial aid shall not supplant the amount of need-  
535 based aid provided to undergraduate students in the preceding  
536 fiscal year from financial aid fee revenues, the direct  
537 appropriation for financial assistance provided to state  
538 universities in the General Appropriations Act, or from private  
539 sources. The total amount of tuition differential waived under  
540 subparagraph (b) 7. ~~(b) 8.~~ may be included in calculating the  
541 expenditures for need-based financial aid to undergraduate  
542 students required by this subsection. If the entire tuition and  
543 fee costs of resident students who have applied for and received  
544 Pell Grant funds have been met and the university has excess  
545 funds remaining from the 30 percent of the revenues from the  
546 tuition differential required to be used to assist students who  
547 exhibit financial need, the university may expend the excess  
548 portion in the same manner as required for the other 70 percent  
549 of the tuition differential revenues.

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

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

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

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

572 a. An increase in the 4-year ~~6-year~~ graduation rate for  
573 full-time, first-time-in-college students, as reported annually  
574 to the Integrated Postsecondary Education Data System.

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

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

578 4. The aggregate sum of undergraduate tuition and fees per  
579 credit hour, including the tuition differential, may not exceed  
580 the national average of undergraduate tuition and fees at 4-year

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581 degree-granting public postsecondary educational institutions.

582 ~~5. The tuition differential shall not be included in any~~  
583 ~~award under the Florida Bright Futures Scholarship Program~~  
584 ~~established pursuant to ss. 1009.53-1009.538.~~

585 5.6. Beneficiaries having prepaid tuition contracts  
586 pursuant to s. 1009.98(2)(b) which were in effect on July 1,  
587 2007, and which remain in effect, are exempt from the payment of  
588 the tuition differential.

589 ~~6.7.~~ The tuition differential may not be charged to any  
590 student who was in attendance at the university before July 1,  
591 2007, and who maintains continuous enrollment.

592 ~~7.8.~~ The tuition differential may be waived by the  
593 university for students who meet the eligibility requirements  
594 for the Florida public student assistance grant established in  
595 s. 1009.50.

596 ~~8.9.~~ Subject to approval by the Board of Governors, the  
597 tuition differential authorized pursuant to this subsection may  
598 take effect with the 2009 fall term.

599 (e) The Board of Governors shall submit a report to the  
600 President of the Senate, the Speaker of the House of  
601 Representatives, and the Governor describing the implementation  
602 of the provisions of this subsection no later than February 1 of  
603 each year. The report shall summarize proposals received by the  
604 board during the preceding fiscal year and actions taken by the  
605 board in response to such proposals. In addition, the report  
606 shall provide the following information for each university that  
607 has been approved by the board to assess a tuition differential:

608 1. The course or courses for which the tuition differential  
609 was assessed and the amount assessed.

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610           2. The total revenues generated by the tuition  
611 differential.

612           3. With respect to waivers authorized under subparagraph  
613 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the  
614 number of students receiving a waiver, and the value of waivers  
615 provided.

616           4. Detailed expenditures of the revenues generated by the  
617 tuition differential.

618           5. Changes in retention rates, graduation rates, the  
619 percentage of students graduating with more than 110 percent of  
620 the hours required for graduation, pass rates on licensure  
621 examinations, the number of undergraduate course offerings, the  
622 percentage of undergraduate students who are taught by faculty,  
623 student-faculty ratios, and the average salaries of faculty who  
624 teach undergraduate courses.

625           (20) Each state university shall publicly notice and notify  
626 all enrolled students of any proposal to change ~~increase~~ tuition  
627 or fees at least 28 days before its consideration at a board of  
628 trustees meeting. The notice must:

629           (a) Include the date and time of the meeting at which the  
630 proposal will be considered.

631           (b) Specifically outline the details of existing tuition  
632 and fees, the rationale for the proposed change ~~increase~~, and  
633 how the funds from the proposed change ~~increase~~ will be used.

634           (c) Be posted on the university's website and issued in a  
635 press release.

636           Section 12. Subsection (9) of section 1009.53, Florida  
637 Statutes, is amended to read:

638           1009.53 Florida Bright Futures Scholarship Program.—

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639 (9) A student may use a Florida Academic Scholar ~~an~~ award  
640 for summer term enrollment beginning in the 2018 summer term, as  
641 funded in the General Appropriations Act. A student may use  
642 other Florida Bright Futures Scholarship Program awards for  
643 summer term enrollment, if funded in the General Appropriations  
644 Act ~~if funds are available.~~

645 Section 13. Subsection (2) of section 1009.534, Florida  
646 Statutes, is amended to read:

647 1009.534 Florida Academic Scholars award.—

648 (2) A Florida Academic Scholar who is enrolled in a  
649 certificate, diploma, associate, or baccalaureate degree program  
650 at a public or nonpublic postsecondary education institution is  
651 eligible, beginning in the 2017-2018 academic year, for an award  
652 equal to the amount required to pay 100 percent of tuition and  
653 fees established under ss. 1009.22(3), (5), (6), and (7);  
654 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
655 (13), (14)(r), and (16), as applicable, and is eligible for an  
656 additional \$300 each fall and spring academic semester or the  
657 equivalent for textbooks and ~~specified in the General~~  
658 ~~Appropriations Act~~ to assist with the payment of educational  
659 expenses.

660 Section 14. Subsection (2) of section 1009.535, Florida  
661 Statutes, is amended to read:

662 1009.535 Florida Medallion Scholars award.—

663 (2) A Florida Medallion Scholar who is enrolled in a  
664 certificate, diploma, associate, or baccalaureate degree program  
665 at a public or nonpublic postsecondary education institution is  
666 eligible, beginning in the fall 2018 semester, for an award  
667 equal to the amount required to pay 75 percent of tuition and

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668 fees established under ss. 1009.22(3), (5), (6), and (7);  
669 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
670 (13), (14)(r), and (16), as applicable ~~specified in the General~~  
671 ~~Appropriations Act~~ to assist with the payment of educational  
672 expenses.

673 Section 15. Subsections (1), (2), and (4) and paragraph (c)  
674 of subsection (5) of section 1009.701, Florida Statutes, are  
675 amended to read:

676 1009.701 First Generation Matching Grant Program.—

677 (1) The First Generation Matching Grant Program is created  
678 to enable each state university and Florida College System  
679 institution to provide donors with a matching grant incentive  
680 for contributions that will create grant-based student financial  
681 aid for undergraduate students who demonstrate financial need  
682 and whose parents, as defined in s. 1009.21(1), have not earned  
683 a baccalaureate degree. In the case of any individual who  
684 regularly resided with and received support from only one  
685 parent, an individual whose only such parent did not complete a  
686 baccalaureate degree would also be eligible.

687 (2) Funds appropriated by the Legislature for the program  
688 shall be allocated by the Office of Student Financial Assistance  
689 to match private contributions on a dollar-for-dollar basis;  
690 however, beginning in the 2018-2019 fiscal year, such funds  
691 shall be allocated at a ratio of \$2 of state funds to \$1 of  
692 private contributions. Contributions made to a state university  
693 or a Florida College System institution and pledged for the  
694 purposes of this section are eligible for state matching funds  
695 appropriated for this program and are not eligible for any other  
696 state matching grant program. Pledged contributions are not

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697 eligible for matching prior to the actual collection of the  
698 total funds. The Office of Student Financial Assistance shall  
699 reserve a proportionate allocation of the total appropriated  
700 funds for each state university and Florida College System  
701 institution on the basis of full-time equivalent enrollment.  
702 Funds that remain unmatched as of December 1 shall be  
703 reallocated to state universities and colleges that have  
704 remaining unmatched private contributions for the program on the  
705 basis of full-time equivalent enrollment.

706 (4) Each participating state university and Florida College  
707 System institution shall establish an application process,  
708 determine student eligibility for initial and renewal awards in  
709 conformance with subsection (5), identify the amount awarded to  
710 each recipient, and notify recipients of the amount of their  
711 awards.

712 (5) In order to be eligible to receive a grant pursuant to  
713 this section, an applicant must:

714 (c) Be accepted at a state university or Florida College  
715 System institution.

716 Section 16. Subsections (2), (4), and (5) of section  
717 1009.893, Florida Statutes, are amended to read:

718 1009.893 Benacquisto Scholarship Program.—

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

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

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

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

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

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

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

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

747 (b) A student who initially enrolls in a baccalaureate  
748 degree program in the 2018-2019 academic year or later and who  
749 is not a resident of this state, as determined in s. 1009.40 and  
750 rules of the State Board of Education, must:

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

754 2. Earn a high school diploma from a school outside Florida

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755 which is comparable to a standard Florida high school diploma or  
756 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.  
757 1003.4282, or s. 1003.435 or must complete a home education  
758 program in another state; and

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

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

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

778 (b) An eligible student who is a National Merit Scholar or  
779 National Achievement Scholar and who attends a Florida  
780 independent postsecondary educational institution shall receive  
781 a scholarship award equal to the highest cost of attendance for  
782 a resident of this state enrolled at a Florida public  
783 university, as reported by the Board of Governors of the State

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784 University System, minus the sum of the student's Florida Bright  
785 Futures Scholarship and National Merit Scholarship or National  
786 Achievement Scholarship.

787 Section 17. Section 1009.894, Florida Statutes, is created  
788 to read:

789 1009.894 Florida Farmworker Student Scholarship Program.—  
790 The Legislature recognizes the vital contribution of farmworkers  
791 to the economy of this state. The Florida Farmworker Student  
792 Scholarship Program is created to provide scholarships for  
793 farmworkers, as defined in s. 420.503, and the children of such  
794 farmworkers.

795 (1) The Department of Education shall administer the  
796 Florida Farmworker Student Scholarship Program according to  
797 rules and procedures established by the State Board of  
798 Education. Beginning in the 2017-2018 academic year, up to 50  
799 scholarships shall be awarded annually according to the criteria  
800 established in subsection (2) and contingent upon an  
801 appropriation in the General Appropriations Act.

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

804 1. Have a resident status as required by s. 1009.40 and  
805 rules of the State Board of Education;

806 2. Earn a minimum cumulative weighted grade point average  
807 of 3.5 for all high school courses creditable toward a diploma;

808 3. Complete a minimum of 30 hours of community service; and

809 4. Have at least a 90 percent attendance rate and not have  
810 had any disciplinary action brought against him or her, as  
811 documented on the student's high school transcript.

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813 For purposes of this section, students who are undocumented for  
814 federal immigration purposes are not eligible for an award.

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

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

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

826 (4) A scholarship recipient may receive an award for a  
827 maximum of 100 percent of the number of credit hours required to  
828 complete an associate or baccalaureate degree program or receive  
829 an award for a maximum of 100 percent of the credit hours or  
830 clock hours required to complete up to 90 credit hours of a  
831 program that terminates in a career certificate. The scholarship  
832 recipient is eligible for an award equal to the amount required  
833 to pay the tuition and fees established under ss. 1009.22(3),  
834 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);  
835 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a  
836 public postsecondary educational institution in this state.  
837 Renewal scholarship awards must take precedence over new  
838 scholarship awards in a year in which funds are not sufficient  
839 to accommodate both initial and renewal awards. The scholarship  
840 must be prorated for any such year.

841 (5) Subject to appropriation in the General Appropriations

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842 Act, the department shall annually issue awards from the  
843 scholarship program. Before the registration period each  
844 semester, the department shall transmit payment for each award  
845 to the president or director of the postsecondary educational  
846 institution, or his or her representative. However, the  
847 department may withhold payment if the receiving institution  
848 fails to submit the following reports or make the following  
849 refunds to the department:

850 (a) Each institution shall certify to the department the  
851 eligibility status of each student to receive a disbursement  
852 within 30 days before the end of its regular registration  
853 period, inclusive of a drop and add period. An institution is  
854 not required to reevaluate the student eligibility after the end  
855 of the drop and add period.

856 (b) An institution that receives funds from the scholarship  
857 program must certify to the department the amount of funds  
858 disbursed to each student and remit to the department any  
859 undisbursed advance within 60 days after the end of the regular  
860 registration period.

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

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

867 Section 18. Present paragraphs (e) and (f) of subsection  
868 (10) of section 1009.98, Florida Statutes, are redesignated as  
869 paragraphs (f) and (g), respectively, and a new paragraph (e) is  
870 added to that subsection, to read:

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871 1009.98 Stanley G. Tate Florida Prepaid College Program.—

872 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

873 (e) Notwithstanding the number of credit hours used by a  
874 state university to assess the amount for registration fees,  
875 tuition, tuition differential, or local fees, the amount paid by  
876 the board to any state university on behalf of a qualified  
877 beneficiary of an advance payment contract purchased before July  
878 1, 2024, may not exceed the number of credit hours taken by that  
879 qualified beneficiary at the state university.

880 Section 19. The provisions of this act creating ss.  
881 1004.6497, 1004.6498, and 1009.894, Florida Statutes, and the  
882 provisions amending ss. 1009.22, 1009.23, 1009.24, 1009.53, and  
883 1009.534(2), Florida Statutes, apply retroactively to July 1,  
884 2017.

885 Section 20. The Division of Law Revision and Information is  
886 directed to substitute the term "Effective Access to Student  
887 Education Grant Program" for "Florida Resident Access Grant  
888 Program" and the term "Effective Access to Student Education  
889 grant" for "Florida resident access grant" wherever those terms  
890 appear in the Florida Statutes.

891 Section 21. This act shall take effect upon becoming a law.