

By the Committee on Appropriations; and Senators Galvano, Perry, Young, Bradley, Stewart, Stargel, Simpson, Steube, Passidomo, Bean, Baxley, Hukill, and Benacquisto

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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; specifying funding as provided by the
9 Legislature; deleting the authority for such
10 universities to stipulate a special course requirement
11 for incoming students; requiring the Board of
12 Governors to establish certain standards by a
13 specified date; amending s. 1001.92, F.S.; requiring
14 certain performance-based metrics to include specified
15 graduation rates and access benchmarks; specifying
16 funding as provided by the Legislature; amending s.
17 1004.28, F.S.; directing a state university board of
18 trustees to limit the services, activities, and
19 expenses of its direct-support organizations;
20 requiring the chair of the board of trustees to
21 appoint at least one representative to the board of
22 directors and executive committee of a university
23 direct-support organization; requiring the disclosure
24 of certain financial documents; creating s. 1004.6497,
25 F.S.; establishing the World Class Faculty and Scholar
26 Program; providing the purpose and intent; authorizing
27 state university investments in certain faculty
28 retention, recruitment, and recognition activities;
29 specifying funding as provided by the Legislature;

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

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59 F.S.; authorizing students to use certain Florida
60 Bright Futures Scholarship Program awards for summer
61 term enrollment beginning in specified years;
62 specifying funding as provided by the Legislature;
63 amending s. 1009.534, F.S.; specifying Florida
64 Academic Scholars award amounts to cover tuition,
65 fees, textbooks, and other educational expenses;
66 amending s. 1009.535, F.S.; specifying Florida
67 Medallion Scholars award amounts to cover specified
68 tuition and fees; amending s. 1009.701, F.S.; revising
69 the state-to-private match requirement for
70 contributions to the First Generation Matching Grant
71 Program beginning in a specified fiscal year;
72 extending the program to include Florida College
73 System institution students; amending s. 1009.893,
74 F.S.; extending coverage of the Benacquisto
75 Scholarship Program to include tuition and fees for
76 qualified nonresident students; creating s. 1009.894,
77 F.S.; creating the Florida Farmworker Student
78 Scholarship Program; providing a purpose; requiring
79 the Department of Education to administer the
80 scholarship program; providing student eligibility
81 criteria; specifying award amounts and distributions;
82 amending s. 1009.98, F.S.; providing that certain
83 payments from the Florida Prepaid College Board to a
84 state university on behalf of a qualified beneficiary
85 may not exceed a specified amount; providing for
86 retroactive application; providing a directive to the
87 Division of Law Revision and Information; providing

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88 appropriations; providing an effective date.

89

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

91

92 Section 1. This act shall be cited as the "Florida
93 Excellence in Higher Education Act of 2018."

94 Section 2. Paragraph (b) of subsection (5) of section
95 1001.706, Florida Statutes, is amended to read:

96 1001.706 Powers and duties of the Board of Governors.—

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

98 (b) The Board of Governors shall develop a strategic plan
99 specifying goals and objectives for the State University System
100 and each constituent university, including each university's
101 contribution to overall system goals and objectives. The
102 strategic plan must:

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

116 2. Consider reports and recommendations of the Higher

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117 Education Coordinating Council pursuant to s. 1004.015 and the
118 Articulation Coordinating Committee pursuant to s. 1007.01.

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

122 4. Include criteria for designating baccalaureate degree
123 and master's degree programs at specified universities as high-
124 demand programs of emphasis. Fifty percent of the criteria for
125 designation as high-demand programs of emphasis must be based on
126 achievement of performance outcome thresholds determined by the
127 Board of Governors, and 50 percent of the criteria must be based
128 on achievement of performance outcome thresholds specifically
129 linked to:

130 a. Job placement in employment of 36 hours or more per week
131 and average full-time wages of graduates of the degree programs
132 1 year and 5 years after graduation, based in part on data
133 provided in the economic security report of employment and
134 earning outcomes produced annually pursuant to s. 445.07.

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

142 Section 3. Paragraph (d) of subsection (2), paragraph (c)
143 of subsection (5), and subsections (6), (7), and (8) of section
144 1001.7065, Florida Statutes, are amended to read:

145 1001.7065 Preeminent state research universities program.-

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

150 (d) A 4-year graduation rate of 60 percent or higher for
151 full-time, first-time-in-college students, as reported annually
152 to the IPEDS. However, for the 2018 determination of a state
153 university's preeminence designation and the related
154 distribution of the 2018-2019 fiscal year appropriation
155 associated with preeminence and emerging preeminence, a
156 university is considered to have satisfied this graduation rate
157 measure by attaining a 6-year graduation rate of 70 percent or
158 higher by October 1, 2017, for full-time, first-time-in-college
159 students, as reported annually to the IPEDS and confirmed by the
160 Board of Governors.

161 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
162 SUPPORT.—

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

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

172 2. Each designated emerging preeminent state research
173 university that meets the criteria in paragraph (b) shall,
174 beginning in the 2018-2019 fiscal year, receive an amount of

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175 funding that is equal to one-fourth ~~one-half~~ of the total
176 increased amount awarded to each designated preeminent state
177 research university.

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

190 (6) ~~(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
191 AUTHORITY.—The Board of Governors is encouraged to identify and
192 grant all reasonable, feasible authority and flexibility to
193 ensure that each designated preeminent state research university
194 and each designated emerging preeminent state research
195 university is free from unnecessary restrictions.

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

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204 Section 4. Subsections (1), (2), and (4) of section
205 1001.92, Florida Statutes, are amended to read:

206 1001.92 State University System Performance-Based
207 Incentive.—

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

226 (2) Each fiscal year, the amount of funds available for
227 allocation to the state universities based on the performance-
228 based funding model shall consist of the state's investment in
229 performance funding plus institutional investments consisting of
230 funds deducted from the base funding of each state university in
231 the State University System in an amount provided by the
232 Legislature ~~in the General Appropriations Act~~. The Board of

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233 Governors shall establish minimum performance funding
234 eligibility thresholds for the state's investment and the
235 institutional investments. A state university that meets the
236 minimum institutional investment eligibility threshold, but
237 fails to meet the minimum state investment eligibility
238 threshold, shall have its institutional investment restored but
239 is ineligible for a share of the state's investment in
240 performance funding. The institutional investment shall be
241 restored for each institution eligible for the state's
242 investment under the performance-based funding model.

243 (4) Distributions of performance funding, as provided in
244 this section, shall be made by the Legislature to each of the
245 state universities ~~listed in the Education and General~~
246 ~~Activities category in the General Appropriations Act.~~

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

250 1004.28 Direct-support organizations; use of property;
251 board of directors; activities; audit; facilities.—

252 (2) USE OF PROPERTY.—

253 (a) Each state university board of trustees is authorized
254 to permit the use of property, facilities, and personal services
255 at any state university by any university direct-support
256 organization, and, subject to the provisions of this section,
257 direct-support organizations may establish accounts with the
258 State Board of Administration for investment of funds pursuant
259 to part IV of chapter 218. Beginning July 1, 2023, a state
260 university board of trustees may not permit any university
261 direct-support organization to use personal services.

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262 (b) The board of trustees, in accordance with regulations
263 ~~rules~~ and guidelines of the Board of Governors, shall prescribe
264 by regulation ~~rule~~ conditions with which a university direct-
265 support organization must comply in order to use property,
266 facilities, or personal services at any state university. Such
267 regulations ~~rules~~ shall provide for budget and audit review and
268 oversight by the board of trustees.

269 (c) The board of trustees shall not permit the use of
270 property, facilities, or personal services at any state
271 university by any university direct-support organization that
272 does not provide equal employment opportunities to all persons
273 regardless of race, color, religion, gender, age, or national
274 origin.

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

278 (3) BOARD OF DIRECTORS.—The chair of the university board
279 of trustees shall ~~may~~ appoint at least one ~~a~~ representative to
280 the board of directors and the executive committee of any
281 direct-support organization established under this section. The
282 president of the university for which the direct-support
283 organization is established, or his or her designee, shall also
284 serve on the board of directors and the executive committee of
285 any direct-support organization established to benefit that
286 university.

287 (4) ACTIVITIES; RESTRICTION.—A university direct-support
288 organization is prohibited from giving, either directly or
289 indirectly, any gift to a political committee as defined in s.
290 106.011 for any purpose ~~other than those certified by a majority~~

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291 ~~roll call vote of the governing board of the direct support~~
292 ~~organization at a regularly scheduled meeting as being directly~~
293 ~~related to the educational mission of the university.~~

294 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC MEETINGS
295 EXEMPTION.—

296 (b) All records of the organization other than the
297 auditor's report, management letter, any records related to the
298 expenditure of state funds, any records related to the
299 expenditure of private funds for travel, and any supplemental
300 data requested by the Board of Governors, the university board
301 of trustees, the Auditor General, and the Office of Program
302 Policy Analysis and Government Accountability shall be
303 confidential and exempt from s. 119.07(1).

304 Section 6. Section 1004.6497, Florida Statutes, is created
305 to read:

306 1004.6497 World Class Faculty and Scholar Program.—

307 (1) PURPOSE AND LEGISLATIVE INTENT.—The World Class Faculty
308 and Scholar Program is established to fund, beginning in the
309 2017-2018 fiscal year, and support the efforts of state
310 universities to recruit and retain exemplary faculty and
311 research scholars. It is the intent of the Legislature to
312 elevate the national competitiveness of Florida's state
313 universities through faculty and scholar recruitment and
314 retention.

315 (2) INVESTMENTS.—Retention, recruitment, and recognition
316 efforts, activities, and investments may include, but are not
317 limited to, investments in research-centric cluster hires,
318 faculty research and research commercialization efforts,
319 instructional and research infrastructure, undergraduate student

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320 participation in research, professional development, awards for
321 outstanding performance, and postdoctoral fellowships.

322 (3) FUNDING AND USE.—Funding for the program shall be as
323 provided by the Legislature. Each state university shall use the
324 funds only for the purpose and investments authorized under this
325 section. These funds may not be used to construct buildings.

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

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

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

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

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

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

341 4. The increase in national academic standing of targeted
342 programs, specifically advancement in ranking of the targeted
343 programs among top 50 universities in well-known and highly
344 respected national public university rankings, including, but
345 not limited to, the U.S. News and World Report rankings, which
346 reflect national preeminence, using the most recent rankings.

347 Section 7. Section 1004.6498, Florida Statutes, is created
348 to read:

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349 1004.6498 State University Professional and Graduate Degree
350 Excellence Program.—

351 (1) PURPOSE.—The State University Professional and Graduate
352 Degree Excellence Program is established to fund, beginning in
353 the 2017-2018 fiscal year, and support the efforts of state
354 universities to enhance the quality and excellence of
355 professional and graduate schools and degree programs in
356 medicine, law, and business and expand the economic impact of
357 state universities.

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

363 (3) FUNDING AND USE.—Funding for the program shall be as
364 provided by the Legislature. Each state university shall use the
365 funds only for the purpose and investments authorized under this
366 section. These funds may not be used to construct buildings.

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

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

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

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

392 Section 8. Paragraph (c) of subsection (5) of section
393 1008.30, Florida Statutes, is amended to read:

394 1008.30 Common placement testing for public postsecondary
395 education.—

396 (5)

397 (c) A university board of trustees may contract with a
398 Florida College System institution board of trustees for the
399 Florida College System institution to provide developmental
400 education on the state university campus. Any state university
401 in which the percentage of incoming students requiring
402 developmental education equals or exceeds the average percentage
403 of such students for the Florida College System may offer
404 developmental education without contracting with a Florida
405 College System institution; however, any state university
406 offering college-preparatory instruction as of January 1, 1996,

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407 may continue to provide developmental education instruction as
408 defined in s. 1008.02(1) ~~such services.~~

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

411 1009.22 Workforce education postsecondary student fees.—

412 (7) Each district school board and Florida College System
413 institution board of trustees is authorized to establish a
414 separate fee for technology, not to exceed 5 percent of tuition
415 per credit hour or credit-hour equivalent for resident students
416 and not to exceed 5 percent of tuition and the out-of-state fee
417 per credit hour or credit-hour equivalent for nonresident
418 students. Revenues generated from the technology fee shall be
419 used to enhance instructional technology resources for students
420 and faculty ~~and shall not be included in any award under the~~
421 ~~Florida Bright Futures Scholarship Program.~~ Fifty percent of
422 technology fee revenues may be pledged by a Florida College
423 System institution board of trustees as a dedicated revenue
424 source for the repayment of debt, including lease-purchase
425 agreements, not to exceed the useful life of the asset being
426 financed. Revenues generated from the technology fee may not be
427 bonded.

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

430 1009.23 Florida College System institution student fees.—

431 (10) Each Florida College System institution board of
432 trustees is authorized to establish a separate fee for
433 technology, which may not exceed 5 percent of tuition per credit
434 hour or credit-hour equivalent for resident students and may not
435 exceed 5 percent of tuition and the out-of-state fee per credit

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436 hour or credit-hour equivalent for nonresident students.
437 Revenues generated from the technology fee shall be used to
438 enhance instructional technology resources for students and
439 faculty. The technology fee may apply to both college credit and
440 developmental education ~~and shall not be included in any award~~
441 ~~under the Florida Bright Futures Scholarship Program.~~ Fifty
442 percent of technology fee revenues may be pledged by a Florida
443 College System institution board of trustees as a dedicated
444 revenue source for the repayment of debt, including lease-
445 purchase agreements, not to exceed the useful life of the asset
446 being financed. Revenues generated from the technology fee may
447 not be bonded.

448 Section 11. Subsection (13), paragraph (r) of subsection
449 (14), paragraphs (a) and (b) of subsection (15), paragraphs (a),
450 (b), and (e) of subsection (16), and subsection (20) of section
451 1009.24, Florida Statutes, are amended to read:

452 1009.24 State university student fees.—

453 (13) Each university board of trustees may establish a
454 technology fee of up to 5 percent of the tuition per credit
455 hour. The revenue from this fee shall be used to enhance
456 instructional technology resources for students and faculty. ~~The~~
457 ~~technology fee may not be included in any award under the~~
458 ~~Florida Bright Futures Scholarship Program established pursuant~~
459 ~~to ss. 1009.53-1009.538.~~

460 (14) Except as otherwise provided in subsection (15), each
461 university board of trustees is authorized to establish the
462 following fees:

463 (r) Traffic and parking fines, charges for parking decals,
464 and transportation access fees. Only universitywide

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465 transportation access fees may be included in any state
466 financial assistance award authorized under part III of this
467 chapter, as specifically authorized by law or the General
468 Appropriations Act.

469

470 With the exception of housing rental rates and except as
471 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)
472 shall be based on reasonable costs of services. The Board of
473 Governors shall adopt regulations and timetables necessary to
474 implement the fees and fines authorized under this subsection.
475 The fees assessed under this subsection may be used for debt
476 only as authorized under s. 1010.62.

477 (15) (a) Unless otherwise required, a university board of
478 trustees may adopt, and the Board of Governors may approve:

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

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

485 3.a. A proposal from a university board of trustees to
486 implement flexible tuition policies, such as undergraduate or
487 graduate block tuition, block tuition differential, or market
488 tuition rates for graduate-level online courses or graduate-
489 level courses offered through a university's continuing
490 education program. A block tuition policy for resident
491 undergraduate students or undergraduate-level courses must ~~shall~~
492 be based on the per-credit-hour undergraduate tuition
493 established under subsection (4). A block tuition policy for

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494 nonresident undergraduate students must ~~shall~~ be based on the
495 per-credit-hour undergraduate tuition and out-of-state fee
496 established under subsection (4). Flexible tuition policies,
497 including block tuition, may not increase the state's fiscal
498 liability or obligation.

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

505 (I) Include block tuition and any required fees, including,
506 but not limited to, tuition differential fees, activity and
507 service fees, financial aid fees, capital improvement fees,
508 athletic fees, health fees, and technology fees.

509 (II) Require the university to maximize the application of
510 appropriate accelerated credits to minimize unnecessary credits
511 and excess hours.

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

515 (b) A proposal developed pursuant to paragraph (a) shall be
516 submitted in accordance with the public notification
517 requirements of subsection (20) and guidelines established by
518 the Board of Governors. Approval by the Board of Governors of
519 such proposals ~~proposal~~ must be made in accordance with the
520 ~~provisions of~~ this subsection. Each state university board of
521 trustees must, by April 1, 2018, submit to the Board of
522 Governors its board-approved block tuition policy, adopted

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523 pursuant to subparagraph (a)3., along with information on the
524 potential impact of the policy on students. By August 1, 2018,
525 the Chancellor of the State University System must submit to the
526 Governor, the President of the Senate, and the Speaker of the
527 House of Representatives a summary report of such policies, the
528 status of the board's review and approval of such policies, and
529 the board's recommendations for improving block tuition and fee
530 benefits for students.

531 (16) Each university board of trustees may establish a
532 tuition differential for undergraduate courses upon receipt of
533 approval from the Board of Governors. However, beginning July 1,
534 2014, the Board of Governors may only approve the establishment
535 of or an increase in tuition differential for a state research
536 university designated as a preeminent state research university
537 pursuant to s. 1001.7065(3). The tuition differential shall
538 promote improvements in the quality of undergraduate education
539 and shall provide financial aid to undergraduate students who
540 exhibit financial need.

541 (a) Seventy percent of the revenues from the tuition
542 differential shall be expended for purposes of undergraduate
543 education. Such expenditures may include, but are not limited
544 to, increasing course offerings, improving graduation rates,
545 increasing the percentage of undergraduate students who are
546 taught by faculty, decreasing student-faculty ratios, providing
547 salary increases for faculty who have a history of excellent
548 teaching in undergraduate courses, improving the efficiency of
549 the delivery of undergraduate education through academic
550 advisement and counseling, and reducing the percentage of
551 students who graduate with excess hours. This expenditure for

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552 undergraduate education may not be used to pay the salaries of
553 graduate teaching assistants. Except as otherwise provided in
554 this subsection, the remaining 30 percent of the revenues from
555 the tuition differential, or the equivalent amount of revenue
556 from private sources, shall be expended to provide financial aid
557 to undergraduate students who exhibit financial need, including
558 students who are scholarship recipients under s. 1009.984, to
559 meet the cost of university attendance. This expenditure for
560 need-based financial aid shall not supplant the amount of need-
561 based aid provided to undergraduate students in the preceding
562 fiscal year from financial aid fee revenues, the direct
563 appropriation for financial assistance provided to state
564 universities in the General Appropriations Act, or from private
565 sources. The total amount of tuition differential waived under
566 subparagraph (b)7. ~~(b)8.~~ may be included in calculating the
567 expenditures for need-based financial aid to undergraduate
568 students required by this subsection. If the entire tuition and
569 fee costs of resident students who have applied for and received
570 Pell Grant funds have been met and the university has excess
571 funds remaining from the 30 percent of the revenues from the
572 tuition differential required to be used to assist students who
573 exhibit financial need, the university may expend the excess
574 portion in the same manner as required for the other 70 percent
575 of the tuition differential revenues.

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

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

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

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

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

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

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

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

608 ~~5. The tuition differential shall not be included in any~~
609 ~~award under the Florida Bright Futures Scholarship Program~~

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610 ~~established pursuant to ss. 1009.53-1009.538.~~

611 ~~5.6.~~ Beneficiaries having prepaid tuition contracts
612 pursuant to s. 1009.98(2)(b) which were in effect on July 1,
613 2007, and which remain in effect, are exempt from the payment of
614 the tuition differential.

615 ~~6.7.~~ The tuition differential may not be charged to any
616 student who was in attendance at the university before July 1,
617 2007, and who maintains continuous enrollment.

618 ~~7.8.~~ The tuition differential may be waived by the
619 university for students who meet the eligibility requirements
620 for the Florida public student assistance grant established in
621 s. 1009.50.

622 ~~8.9.~~ Subject to approval by the Board of Governors, the
623 tuition differential authorized pursuant to this subsection may
624 take effect with the 2009 fall term.

625 (e) The Board of Governors shall submit a report to the
626 President of the Senate, the Speaker of the House of
627 Representatives, and the Governor describing the implementation
628 of the provisions of this subsection no later than February 1 of
629 each year. The report shall summarize proposals received by the
630 board during the preceding fiscal year and actions taken by the
631 board in response to such proposals. In addition, the report
632 shall provide the following information for each university that
633 has been approved by the board to assess a tuition differential:

634 1. The course or courses for which the tuition differential
635 was assessed and the amount assessed.

636 2. The total revenues generated by the tuition
637 differential.

638 3. With respect to waivers authorized under subparagraph

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639 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the
640 number of students receiving a waiver, and the value of waivers
641 provided.

642 4. Detailed expenditures of the revenues generated by the
643 tuition differential.

644 5. Changes in retention rates, graduation rates, the
645 percentage of students graduating with more than 110 percent of
646 the hours required for graduation, pass rates on licensure
647 examinations, the number of undergraduate course offerings, the
648 percentage of undergraduate students who are taught by faculty,
649 student-faculty ratios, and the average salaries of faculty who
650 teach undergraduate courses.

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

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

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

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

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

664 1009.53 Florida Bright Futures Scholarship Program.—

665 (9) A student may use a Florida Academic Scholars ~~an~~ award
666 for summer term enrollment beginning in the 2018 summer term, as
667 funded by the Legislature. A student may use a Florida Medallion

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668 Scholars award for summer term enrollment beginning in the 2019
669 summer term, as funded by the Legislature. A student may use
670 other Florida Bright Futures Scholarship Program awards for
671 summer term enrollment, if funded by the Legislature ~~if funds~~
672 ~~are available.~~

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

675 1009.534 Florida Academic Scholars award.—

676 (2) A Florida Academic Scholar who is enrolled in a
677 certificate, diploma, associate, or baccalaureate degree program
678 at a public or nonpublic postsecondary education institution is
679 eligible, beginning in the 2017-2018 academic year, for an award
680 equal to the amount necessary to pay 100 percent of tuition and
681 fees established under ss. 1009.22(3), (5), (6), and (7);
682 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
683 (13), (14)(r), and (16), as applicable, and is eligible for an
684 additional \$300 each fall and spring academic semester or the
685 equivalent for textbooks, ~~specified in the General~~
686 ~~Appropriations Act~~ to assist with the payment of educational
687 expenses.

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

690 1009.535 Florida Medallion Scholars award.—

691 (2) A Florida Medallion Scholar who is enrolled in a
692 certificate, diploma, associate, or baccalaureate degree program
693 at a public or nonpublic postsecondary education institution is
694 eligible, beginning in the fall 2018 semester, for an award
695 equal to the amount necessary to pay 75 percent of tuition and
696 fees established under ss. 1009.22(3), (5), (6), and (7);

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697 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
698 (13), (14)(r), and (16), as applicable ~~specified in the General~~
699 ~~Appropriations Act~~ to assist with the payment of educational
700 expenses.

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

704 1009.701 First Generation Matching Grant Program.—

705 (1) The First Generation Matching Grant Program is created
706 to enable each state university and Florida College System
707 institution to provide donors with a matching grant incentive
708 for contributions that will create grant-based student financial
709 aid for undergraduate students who demonstrate financial need
710 and whose parents, as defined in s. 1009.21(1), have not earned
711 a baccalaureate degree. In the case of any individual who
712 regularly resided with and received support from only one
713 parent, an individual whose only such parent did not complete a
714 baccalaureate degree would also be eligible.

715 (2) Funds appropriated by the Legislature for the program
716 shall be allocated by the Office of Student Financial Assistance
717 to match private contributions on a dollar-for-dollar basis;
718 however, beginning in the 2018-2019 fiscal year, such funds
719 shall be allocated at a ratio of \$2 of state funds to \$1 of
720 private contributions. Contributions made to a state university
721 or a Florida College System institution and pledged for the
722 purposes of this section are eligible for state matching funds
723 appropriated for this program and are not eligible for any other
724 state matching grant program. Pledged contributions are not
725 eligible for matching prior to the actual collection of the

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726 total funds. The Office of Student Financial Assistance shall
727 reserve a proportionate allocation of the total appropriated
728 funds for each state university and Florida College System
729 institution on the basis of full-time equivalent enrollment.
730 Funds that remain unmatched as of December 1 shall be
731 reallocated to state universities and colleges that have
732 remaining unmatched private contributions for the program on the
733 basis of full-time equivalent enrollment.

734 (4) Each participating state university and Florida College
735 System institution shall establish an application process,
736 determine student eligibility for initial and renewal awards in
737 conformance with subsection (5), identify the amount awarded to
738 each recipient, and notify recipients of the amount of their
739 awards.

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

742 (c) Be accepted at a state university or Florida College
743 System institution.

744 Section 16. Subsections (2), (4), and (5) of section
745 1009.893, Florida Statutes, are amended to read:

746 1009.893 Benacquisto Scholarship Program.—

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

754 (4) In order to be eligible for an award under the

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755 scholarship program, a student must meet the requirements of
756 paragraph (a) or paragraph (b).†

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

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

763 a.1.† The student completes a home education program
764 according to s. 1002.41; or

765 b.2.† The student earns a high school diploma from a non-
766 Florida school while living with a parent who is on military or
767 public service assignment out of this state;

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

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

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

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

782 2. Earn a high school diploma from a school outside Florida
783 which is comparable to a standard Florida high school diploma or

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784 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
785 1003.4282, or s. 1003.435 or must complete a home education
786 program in another state; and

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

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

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

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

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813 Futures Scholarship and National Merit Scholarship or National
814 Achievement Scholarship.

815 Section 17. Section 1009.894, Florida Statutes, is created
816 to read:

817 1009.894 Florida Farmworker Student Scholarship Program.—
818 The Legislature recognizes the vital contribution of farmworkers
819 to the economy of this state. The Florida Farmworker Student
820 Scholarship Program is created to provide scholarships for
821 farmworkers, as defined in s. 420.503, and the children of such
822 farmworkers.

823 (1) The Department of Education shall administer the
824 Florida Farmworker Student Scholarship Program according to
825 rules and procedures established by the State Board of
826 Education. Beginning in the 2017-2018 academic year, up to 50
827 scholarships shall be awarded annually according to the criteria
828 established in subsection (2) and contingent upon an
829 appropriation by the Legislature.

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

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

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

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

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

840
841 For purposes of this section, students who are undocumented for

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842 federal immigration purposes are not eligible for an award.

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

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

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

854 (4) A scholarship recipient may receive an award for a
855 maximum of 100 percent of the number of credit hours required to
856 complete an associate or baccalaureate degree program or receive
857 an award for a maximum of 100 percent of the credit hours or
858 clock hours required to complete up to 90 credit hours of a
859 program that terminates in a career certificate. The scholarship
860 recipient is eligible for an award equal to the amount required
861 to pay the tuition and fees established under ss. 1009.22(3),
862 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);
863 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a
864 public postsecondary educational institution in this state.
865 Renewal scholarship awards must take precedence over new
866 scholarship awards in a year in which funds are not sufficient
867 to accommodate both initial and renewal awards. The scholarship
868 must be prorated for any such year.

869 (5) Subject to appropriation by the Legislature, the
870 department shall annually issue awards from the scholarship

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871 program. Before the registration period each semester, the
872 department shall transmit payment for each award to the
873 president or director of the postsecondary educational
874 institution, or his or her representative. However, the
875 department may withhold payment if the receiving institution
876 fails to submit the following reports or make the following
877 refunds to the department:

878 (a) Each institution shall certify to the department the
879 eligibility status of each student to receive a disbursement
880 within 30 days before the end of its regular registration
881 period, inclusive of a drop and add period. An institution is
882 not required to reevaluate the student eligibility after the end
883 of the drop and add period.

884 (b) An institution that receives funds from the scholarship
885 program must certify to the department the amount of funds
886 disbursed to each student and remit to the department any
887 undisbursed advance within 60 days after the end of the regular
888 registration period.

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

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

897 1009.98 Stanley G. Tate Florida Prepaid College Program.—

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

899 (e) Notwithstanding the number of credit hours used by a

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900 state university to assess the amount for registration fees,
901 tuition, tuition differential, or local fees, the amount paid by
902 the board to any state university on behalf of a qualified
903 beneficiary of an advance payment contract purchased before July
904 1, 2024, may not exceed the number of credit hours taken by that
905 qualified beneficiary at the state university.

906 Section 19. The provisions of this act creating ss.
907 1004.6497, 1004.6498, and 1009.894, Florida Statutes, and the
908 provisions amending ss. 1009.22, 1009.23, 1009.24, 1009.53, and
909 1009.534(2), Florida Statutes, apply retroactively to July 1,
910 2017.

911 Section 20. The Division of Law Revision and Information is
912 directed to substitute the term "Effective Access to Student
913 Education Grant Program" for "Florida Resident Access Grant
914 Program" and the term "Effective Access to Student Education
915 grant" for "Florida resident access grant" wherever those terms
916 appear in the Florida Statutes.

917 Section 21. For the 2018-2019 fiscal year, \$129,292,554 in
918 recurring funds from the Educational Enhancement Trust Fund and
919 \$1,736,404 in recurring funds from the General Revenue Fund are
920 appropriated to the Department of Education to implement this
921 act. Of these funds, \$2,959,916 from the Educational Enhancement
922 Trust Fund shall be used for 2019 summer term awards for Florida
923 Bright Futures Academic Scholars, \$27,582,720 from the
924 Educational Enhancement Trust Fund shall be used for 2019 summer
925 term awards for Florida Bright Futures Medallion Scholars,
926 \$98,749,918 from the Educational Enhancement Trust Fund shall be
927 used for Florida Bright Futures Scholarship Program awards,
928 \$1,236,404 from the General Revenue Fund shall be used for the

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929 Benacquisto Scholarship Program, and \$500,000 from the General
930 Revenue Fund shall be used for the Florida Farmworker Student
931 Scholarship Program.

932 Section 22. This act shall take effect upon becoming a law.