



26 |       Governors to enter into an agreement with the  
27 |       Department of Economic Opportunity for certain  
28 |       purposes; providing requirements for such agreement;  
29 |       amending s. 1001.7065, F.S.; revising the standards  
30 |       for the preeminent state research universities  
31 |       program; requiring the Board of Governors to use a  
32 |       certain plan for determining preeminence designations  
33 |       and awards for a specified fiscal year; amending s.  
34 |       1001.92, F.S.; revising the state university system  
35 |       performance-based incentives; revising the  
36 |       performance-based metrics to include specific data  
37 |       beginning in a certain fiscal year; authorizing the  
38 |       Board of Governors to approve other metrics;  
39 |       prohibiting the adjustment of such metrics once  
40 |       specified data has been received; providing for the  
41 |       future repeal of s. 1001.92(1)(h), F.S., relating to a  
42 |       specific performance-based metric for the State  
43 |       University System Performance-Based Incentive;  
44 |       amending s. 1002.21, F.S.; requiring a public  
45 |       postsecondary educational institution to take into  
46 |       consideration anti-Semitism under certain instances of  
47 |       discrimination; defining the term "anti-Semitism";  
48 |       providing construction; amending s. 1004.085, F.S.;  
49 |       requiring innovative pricing techniques and payment  
50 |       options to include an opt-out provision; amending s.

51 1004.28, F.S.; providing that state appropriations  
52 transferred to specified entities by state university  
53 board of trustees may only be used for specified  
54 purposes; revising a specified reporting requirement;  
55 amending s. 1004.335, F.S.; clarifying that the  
56 University of South Florida St. Petersburg and the  
57 University of South Florida Sarasota/Manatee are  
58 branch campuses; revising the date the Board of  
59 Governors will use specified data to determine funding  
60 under certain circumstances; requiring the Board of  
61 Governors to monitor the implementation of a specified  
62 plan; providing requirements for specified campuses to  
63 be considered a branch campus; amending s. 1004.346,  
64 F.S.; removing the limitation on the length of time a  
65 Phosphate Research and Activities Board member may  
66 serve after expiration of his or her term; amending s.  
67 1004.41, F.S.; requiring the University of Florida  
68 Board of Trustees to approve appointments to specified  
69 boards of directors and other entities relating to the  
70 J. Hillis Miller Health Center; providing that state  
71 appropriations transferred to certain entities by the  
72 University of Florida Board of Trustees may only be  
73 used for specified purposes; amending s. 1007.23,  
74 F.S.; requiring the statewide articulation agreement  
75 to provide for a reverse transfer agreement; providing

76 | for an associate degree to be awarded to certain  
77 | students by Florida College System institutions;  
78 | providing requirement for state universities;  
79 | requiring, by a specified academic year, Florida  
80 | College System institutions and state universities to  
81 | execute agreements to establish "2+2" targeted pathway  
82 | programs; providing requirements for such Florida  
83 | College System institutions, state universities, and  
84 | agreements; specifying requirements for student  
85 | participation; requiring the State Board of Education  
86 | and the Board of Governors to collaborate to eliminate  
87 | barriers in executing pathway articulation agreements;  
88 | amending s. 1007.27, F.S.; requiring district school  
89 | boards to notify students about credit-by-examination  
90 | and dual enrollment equivalency lists; amending s.  
91 | 1009.215, F.S.; providing that students enrolled in a  
92 | specified pilot program who are eligible to receive  
93 | Bright Futures Scholarships are also eligible for such  
94 | scholarship funds for designated terms under specified  
95 | circumstances; amending s. 1009.24, F.S.; conforming a  
96 | cross-reference; amending s. 1011.90, F.S.; providing  
97 | requirements for certain legislative budget requests;  
98 | prohibiting certain ratios relating to student  
99 | enrollment from growing faster than a specified rate;  
100 | requiring the Commissioner of Education to submit

101 specified recommendations relating to performance  
 102 funds for Florida College System institutions to the  
 103 State Board of Education and the Legislature by a  
 104 specified date; providing requirements for the  
 105 implementation of any recommendations; providing  
 106 effective dates.

107  
 108 Be It Enacted by the Legislature of the State of Florida:

109  
 110 Section 1. Subsection (6) of section 215.985, Florida  
 111 Statutes, is amended to read:

112 215.985 Transparency in government spending.—

113 (6) The Department of Management Services shall establish  
 114 and maintain a website that provides current information  
 115 relating to each employee or officer of a state agency, a state  
 116 university, a Florida College System institution, or the State  
 117 Board of Administration, regardless of the appropriation  
 118 category from which the person is paid.

119 (a) For each employee or officer, the information must  
 120 include, at a minimum, his or her:

- 121 1. Name and salary or hourly rate of pay.
- 122 2. Position number, class code, and class title.
- 123 3. Employing agency and budget entity.

124 (b) The information must be searchable by state agency,  
 125 state university, Florida College System institution, and the

126 State Board of Administration, and by employee name, salary  
127 range, or class code and must be downloadable in a format that  
128 allows offline analysis.

129 Section 2. Subsection (18) is added to section 1001.03,  
130 Florida Statutes, to read:

131 1001.03 Specific powers of State Board of Education.—

132 (18) The State Board of Education shall require each  
133 Florida College System institution to conduct an annual  
134 assessment of the intellectual freedom and viewpoint diversity  
135 at that institution. The State Board of Education shall select  
136 or create an objective, non-partisan, and statistically valid  
137 survey, to be used by each institution, that considers the  
138 extent to which competing ideas and perspectives are presented  
139 and members of the college community feel free to express their  
140 beliefs and viewpoints on campus and in the classroom. The State  
141 Board of Education shall annually compile and publish the  
142 assessments by September 1 of each year, beginning September 1,  
143 2020.

144 Section 3. Paragraph (e) of subsection (5) of section  
145 1001.706, Florida Statutes, is amended and paragraph (j) is  
146 added to subsection (3) and paragraph (i) is added to subsection  
147 (5) of that section, to read:

148 1001.706 Powers and duties of the Board of Governors.—

149 (3) POWERS AND DUTIES RELATING TO ORGANIZATION AND  
150 OPERATION OF STATE UNIVERSITIES.—

151        (j) The Board of Governors shall require each institution  
152 to conduct an annual assessment of the intellectual freedom and  
153 viewpoint diversity at that institution. The Board of Governors  
154 shall select or create an objective, non-partisan, and  
155 statistically valid survey, to be used by each institution, that  
156 considers the extent to which competing ideas and perspectives  
157 are presented and members of the university community feel free  
158 to express their beliefs and viewpoints on campus and in the  
159 classroom. The Board of Governors shall annually compile and  
160 publish the assessments by September 1 of each year, beginning  
161 September 1, 2020.

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

163        (e) The Board of Governors shall maintain an effective  
164 information system to provide accurate, timely, and cost-  
165 effective information about each university. The board shall  
166 continue to collect and maintain, at a minimum, management  
167 information as such information existed on June 30, 2002. To  
168 ensure consistency, the Board of Governors shall define the data  
169 components and methodology used to implement ss. 1001.7065 and  
170 1001.92. Each university shall conduct an annual audit to verify  
171 that the data submitted pursuant to ss. 1001.7065 and 1001.92  
172 complies with the data definitions established by the board and  
173 submit the audits to the Board of Governors Office of Inspector  
174 General as part of the annual certification process required by  
175 the Board of Governors.

176        (i) The Board of Governors shall match individual student  
177 information with information in the files of state and federal  
178 agencies that maintain educational and employment records. The  
179 board must enter into an agreement with the Department of  
180 Economic Opportunity that allows access to the individual  
181 reemployment assistance wage records maintained by the  
182 department. The agreement must protect individual privacy and  
183 provide that student information may be used only for the  
184 purposes of auditing or evaluating higher education programs  
185 offered by state universities.

186        Section 4. Effective upon this act becoming law,  
187 subsections (3) through (7) of section 1001.7065, Florida  
188 Statutes, are renumbered as subsections (4) through (8),  
189 respectively, paragraphs (c), (d), (j), (k), and (l) of  
190 subsection (2) are amended, and a new subsection (3) is added to  
191 that section, to read:

192        1001.7065 Preeminent state research universities program.—

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

197        (c) A freshman retention rate of 90 percent or higher for  
198 full-time, first-time-in-college students, as reported annually  
199 in the Board of Governors Accountability Plan ~~to the Integrated~~  
200 ~~Postsecondary Education Data System (IPEDS).~~



201 (d) A 4-year graduation rate of 60 percent or higher for  
202 full-time, first-time-in-college students, as reported annually  
203 in the Board of Governors Accountability Plan ~~to the IPEDS.~~  
204 ~~However, for the 2018 determination of a state university's~~  
205 ~~preeminence designation and the related distribution of the~~  
206 ~~2018-2019 fiscal year appropriation associated with preeminence~~  
207 ~~and emerging preeminence, a university is considered to have~~  
208 ~~satisfied this graduation rate measure by attaining a 6-year~~  
209 ~~graduation rate of 70 percent or higher by October 1, 2017, for~~  
210 ~~full-time, first-time-in-college students, as reported to the~~  
211 ~~IPEDS and confirmed by the Board of Governors.~~

212 (j) Four hundred or more doctoral degrees awarded  
213 annually, including professional doctoral degrees awarded in  
214 medical and health care disciplines, as reported annually in the  
215 Board of Governors ~~Annual~~ Accountability Plan ~~Report~~.

216 (k) Two hundred or more postdoctoral appointees annually,  
217 as reported annually in the Board of Governors Accountability  
218 Plan ~~TARU annual report~~.

219 (l) An endowment of \$500 million or more, as reported  
220 annually in the Board of Governors ~~Annual~~ Accountability Plan  
221 ~~Report~~.

222 (3) The Board of Governors shall use its 2019  
223 Accountability Plan for determining a state university's  
224 preeminence designation and distributing awards for the 2019-  
225 2020 fiscal year appropriation. This subsection shall expire on

226 July 1, 2020.

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

229 1001.92 State University System Performance-Based  
230 Incentive.—

231 (1) A State University System Performance-Based Incentive  
232 shall be awarded to state universities using performance-based  
233 metrics adopted by the Board of Governors of the State  
234 University System. Beginning with the Board of Governors'  
235 determination of each university's performance improvement and  
236 achievement ratings ~~for 2018~~, and the related distribution of  
237 the annual 2018-2019 fiscal year appropriation, the performance-  
238 based metrics must include:

239 (a) 4-year graduation rates;

240 (b) Beginning in fiscal year 2020-2021, 2-year graduation  
241 rates for full-time 2+2 associate degree transfer students from  
242 Florida College System institutions. Points must be deducted if  
243 a state university reduces the percentage of associate in arts  
244 degree transfer students enrolled during the fall term;

245 (c) Retention rates;

246 (d) Postgraduation education rates;

247 (e) Degree production;

248 (f) Affordability;

249 (g) Postgraduation employment and salaries, including wage  
250 thresholds that reflect the added value of a baccalaureate

251 degree;

252 (h) Access rate, based on the percentage of undergraduate  
253 students enrolled during the fall term who received a Pell Grant  
254 during the fall term;

255 (i) Beginning in fiscal year 2020-2021, the difference  
256 between the 6-year graduation rate for students who are eligible  
257 for a Pell Grant and the 6-year graduation rate for students who  
258 are not eligible for a Pell Grant within each state university.  
259 Points must be deducted if a state university reduces the  
260 percentage of undergraduate students enrolled during the fall  
261 term who are eligible to receive a Pell Grant; and

262 (j) Beginning in fiscal year 2020-2021, the percent of  
263 students graduating without excess hours.

264

265 The Board of Governors may approve and other metrics ~~approved by~~  
266 ~~the board~~ in a publicly formally noticed meeting. The board  
267 shall adopt benchmarks to evaluate each state university's  
268 performance on the metrics to measure the state university's  
269 achievement of institutional excellence or need for improvement  
270 and minimum requirements for eligibility to receive performance  
271 funding. Benchmarks and metrics may not be adjusted after  
272 university performance data has been received by the Board of  
273 Governors ~~Access rate benchmarks must be differentiated and~~  
274 ~~scored to reflect the varying access rate levels among the state~~  
275 ~~universities; however, the scoring system may not include bonus~~

276 ~~points.~~

277 Section 6. Section 1001.92(1)(h), Florida Statutes, as  
278 amended by this act is repealed on June 30, 2020.

279 Section 7. Subsection (6) is added to section 1002.21,  
280 Florida Statutes, to read:

281 1002.21 Postsecondary student and parent rights.—

282 (6) ANTI-SEMITISM.—A public postsecondary educational  
283 institution must treat discrimination by students or employees  
284 or resulting from institutional policies motivated by anti-  
285 Semitic intent in an identical manner to discrimination  
286 motivated by race. For purposes of this subsection, the term  
287 "anti-Semitism" includes a certain perception of the Jewish  
288 people, which may be expressed as hatred toward Jewish people,  
289 rhetorical and physical manifestations of anti-Semitism directed  
290 toward a person, his or her property, or toward Jewish community  
291 institutions or religious facilities.

292 (a) Examples of anti-Semitism include:

293 1. Calling for, aiding, or justifying the killing or  
294 harming of Jews, often in the name of a radical ideology or an  
295 extremist view of religion.

296 2. Making mendacious, dehumanizing, demonizing, or  
297 stereotypical allegations about Jews as such or the power of  
298 Jews as a collective, especially, but not exclusively, the myth  
299 about a world Jewish conspiracy or of Jews controlling the  
300 media, economy, government, or other societal institutions.

301 3. Accusing Jews as a people of being responsible for real  
302 or imagined wrongdoing committed by a single Jewish person or  
303 group, the State of Israel, or even for acts committed by non-  
304 Jews.

305 4. Accusing Jews as a people or the State of Israel of  
306 inventing or exaggerating the Holocaust.

307 5. Accusing Jewish citizens of being more loyal to Israel,  
308 or the alleged priorities of Jews worldwide, than to the  
309 interest of their own nations.

310 (b) Examples of anti-Semitism related to Israel include:

311 1. Demonizing Israel by using the symbols and images  
312 associated with classic anti-Semitism to characterize Israel or  
313 Israelis, drawing comparisons of contemporary Israeli policy to  
314 that of the Nazis, or blaming Israel for all inter-religious or  
315 political tensions.

316 2. Applying a double standard to Israel by requiring  
317 behavior of Israel that is not expected or demanded of any other  
318 democratic nation, or focusing peace or human rights  
319 investigations only on Israel.

320 3. Delegitimizing Israel by denying the Jewish people  
321 their right to self-determination and denying Israel the right  
322 to exist.

323  
324 However, criticism of Israel that is similar to criticism toward  
325 any other country may not be regarded as anti-Semitic.

326        (c) Nothing in this subsection shall be construed to  
327 diminish or infringe upon any right protected under the First  
328 Amendment to the United States Constitution, or the State  
329 Constitution. Nothing in this subsection shall be construed to  
330 conflict with federal or state discrimination laws.

331        Section 8. Subsection (5) of section 1004.085, Florida  
332 Statutes, is amended to read:

333            1004.085 Textbook and instructional materials  
334 affordability.—

335            (5) Each Florida College System institution and state  
336 university board of trustees is authorized to adopt policies in  
337 consultation with providers, including bookstores, which allow  
338 for the use of innovative pricing techniques and payment options  
339 for textbooks and instructional materials. Such policies may  
340 include bulk pricing arrangements that enable students to  
341 purchase course materials or texts that are delivered digitally;  
342 delivered through other technologies that are, or the licenses  
343 of which are, required for use within a course; or delivered in  
344 a print format. Innovative pricing techniques and payment  
345 options must include an opt-in or opt-out provision for students  
346 and may be approved only if there is documented evidence that  
347 the options reduce the cost of textbooks and instructional  
348 materials for students taking a course.

349        Section 9. Paragraph (b) of subsection (2) of section  
350 1004.28, Florida Statutes, is amended to read:

351 1004.28 Direct-support organizations; use of property;  
 352 board of directors; activities; audit; facilities.—

353 (2) USE OF PROPERTY.—

354 (b) The board of trustees, in accordance with regulations  
 355 and guidelines of the Board of Governors, shall prescribe by  
 356 regulation conditions with which a university direct-support  
 357 organization must comply in order to use property, facilities,  
 358 or personal services at any state university, including that  
 359 personal services must comply with s. 1012.976. Such regulations  
 360 shall provide for budget and audit review and oversight by the  
 361 board of trustees, including thresholds for approval of  
 362 purchases, acquisitions, projects, and issuance of debt.

363 Beginning ~~No later than~~ July 1, 2019, the transfer of a state  
 364 appropriation by the board of trustees to any direct-support  
 365 organization and its subsidiaries and affiliates may ~~only~~  
 366 include only funds pledged for capital projects. ~~Beginning July~~  
 367 ~~1, 2019, and annually thereafter,~~ Each university board of  
 368 trustees shall annually report to the Legislature the amount of  
 369 state appropriations transferred to any direct-support  
 370 organization and its subsidiaries and affiliates during the  
 371 previous fiscal year, the purpose for which the funds were  
 372 transferred, and the remaining balance of any funds transferred.

373 Section 10. Subsection (7) of section 1004.335, Florida  
 374 Statutes, is renumbered as subsection (8), subsection (1),  
 375 paragraphs (a) and (g) of subsection (4), subsection (5), and

376 paragraph (a) of subsection (6) are amended, and a new  
 377 subsection (7) is added to that section, to read:

378 1004.335 Accreditation consolidation of University of  
 379 South Florida branch campuses.—

380 (1) The University of South Florida Consolidation Planning  
 381 Study and Implementation Task Force is established to develop  
 382 recommendations to improve service to students by phasing out  
 383 the separate accreditation of the University of South Florida  
 384 St. Petersburg branch campus and the University of South Florida  
 385 Sarasota/Manatee branch campus, which were conferred by the  
 386 Southern Association of Colleges and Schools Commission on  
 387 Colleges (SACSCOC) pursuant to ss. 1004.33 and 1004.34,  
 388 respectively.

389 (4) No later than February 15, 2019, the task force must  
 390 submit a report to the University of South Florida Board of  
 391 Trustees which includes, at a minimum, recommendations on the  
 392 following:

393 (a) Identification of specific degrees in programs of  
 394 strategic significance, including health care, science,  
 395 technology, engineering, mathematics, and other program  
 396 priorities to be offered at the University of South Florida St.  
 397 Petersburg branch campus and the University of South Florida  
 398 Sarasota/Manatee branch campus and the timeline for the  
 399 development and delivery of programs on each campus;

400 (g) Developing and delivering integrated academic



401 programs, student and faculty governance, and administrative  
402 services to better serve the students, faculty, and staff at the  
403 University of South Florida College of Marine Science, the  
404 University of South Florida Sarasota/Manatee branch campus, and  
405 the University of South Florida St. Petersburg branch campus.

406 (5) No later than March 15, 2019, the Board of Trustees of  
407 the University of South Florida, after considering the  
408 recommendations of the task force, must adopt and submit to the  
409 Board of Governors an implementation plan that:

410 (a) Establishes a timeline for each step that is necessary  
411 to terminate the separate accreditation for each campus no later  
412 than June 30, 2020, while maintaining branch campus status for  
413 both campuses, so that there is no lapse in institutional  
414 accreditation for any campus during the phasing-out process.

415 (b) Minimizes disruption to students attending ~~any the~~  
416 University of South Florida or any of its branch campuses ~~campus~~  
417 so that the consolidation of SACSCOC accreditation does not  
418 impede a student's ability to graduate within 4 years after  
419 initial first-time-in-college enrollment.

420 (c) Requires that, on or before July 1, 2020, the entirety  
421 of the University of South Florida, including all branch  
422 campuses and other component units of the university, operate  
423 under a single institutional accreditation from the SACSCOC.

424 (d) Requires that, on each regularly scheduled submission  
425 date subsequent to July 1, 2020, the University of South Florida

426 report consolidated data for all of the university's campuses  
427 and students to the Integrated Postsecondary Education Data  
428 System and to the Board of Governors. The Board of Governors  
429 shall use the consolidated data for purposes of determining  
430 eligibility for funding pursuant to ss. 1001.7065 and 1001.92.  
431 However, if the University of South Florida meets the deadline  
432 outlined in paragraph (c) and the University of South Florida  
433 Sarasota/Manatee and the University of South Florida St.  
434 Petersburg maintain branch campus status as defined in  
435 subsection (7), the Board of Governors may not use the  
436 consolidated data for purposes of determining eligibility for  
437 funding pursuant to s. 1001.7065 until July 1, 2022.

438  
439 The Board of Governors shall monitor the fidelity of the  
440 implementation of the plan.

441 (6) Notwithstanding ss. 1001.7065 and 1001.92 or any Board  
442 of Governors regulation to the contrary relating to the  
443 calculation of graduation rates and retention rates, a student  
444 who meets all of the following criteria may not be counted by  
445 the Board of Governors when calculating or confirming the  
446 graduation rate or the retention rate of the University of South  
447 Florida under those sections:

448 (a) The student was admitted to and initially enrolled  
449 before the spring 2020 semester as a first-time-in-college  
450 student at the University of South Florida St. Petersburg branch

451 campus or the University of South Florida Sarasota/Manatee  
452 branch campus.

453 (7) For purposes of this section, a branch campus is an  
454 instructional site located geographically apart and independent  
455 of the main campus of the institution. A location is independent  
456 of the main campus if the location is:

457 (a) Permanent in nature;

458 (b) Offers courses in educational programs leading to a  
459 degree, diploma, certificate, or other recognized educational  
460 credential;

461 (c) Has its own faculty and administrative or supervisory  
462 organization; and

463 (d) Has its own budgetary and hiring authority.

464 Section 11. Paragraph (c) of subsection (2) of section  
465 1004.346, Florida Statutes, is amended to read:

466 1004.346 Florida Industrial and Phosphate Research  
467 Institute.—

468 (2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate  
469 Research and Activities Board is created to monitor the  
470 expenditure of funds appropriated to the university from the  
471 Phosphate Research Trust Fund.

472 (c) Members of the board appointed by the Governor shall  
473 be appointed to 3-year terms. A board member may continue to  
474 serve until a successor is appointed, ~~but not more than 180 days~~  
475 ~~after the expiration of his or her term.~~ A board member is

476 eligible for reappointment to subsequent terms.

477 Section 12. Paragraph (b) of subsection (4) and paragraph  
478 (b) of subsection (5) of section 1004.41, Florida Statutes, are  
479 amended, paragraph (g) is added to subsection (4), and paragraph  
480 (f) is added to subsection (5) of that section, to read:

481 1004.41 University of Florida; J. Hillis Miller Health  
482 Center.—

483 (4)

484 (b) The University of Florida Board of Trustees shall  
485 provide in the lease or by separate contract or agreement with  
486 Shands Teaching Hospital and Clinics, Inc., for the following:

487 1. Approval of the articles of incorporation of Shands  
488 Teaching Hospital and Clinics, Inc., by the University of  
489 Florida Board of Trustees.

490 2. Governance of Shands Teaching Hospital and Clinics,  
491 Inc., by a board of directors appointed, subject to removal, and  
492 chaired by the President of the University of Florida, or his or  
493 her designee, and vice chaired by the Vice President for Health  
494 Affairs of the University of Florida or his or her designee. The  
495 University of Florida Board of Trustees shall approve all  
496 appointments to the board and its subsidiaries and affiliates.

497 3. Use of hospital facilities and personnel in support of  
498 community service and patient care, research programs, and the  
499 teaching roles of the health center.

500 4. Continued recognition of the collective bargaining

501 units and collective bargaining agreements as currently composed  
502 and recognition of the certified labor organizations  
503 representing those units and agreements.

504 5. Use of hospital facilities and personnel in connection  
505 with research programs conducted by the health center.

506 6. Reimbursement to Shands Teaching Hospital and Clinics,  
507 Inc., for indigent patients, state-mandated programs,  
508 underfunded state programs, and costs to Shands Teaching  
509 Hospital and Clinics, Inc., for support of the teaching and  
510 research programs of the health center. Such reimbursement shall  
511 be appropriated to either the health center or Shands Teaching  
512 Hospital and Clinics, Inc., each year by the Legislature after  
513 review and approval of the request for funds.

514 7. Audit of the financial statements of Shands Teaching  
515 Hospital and Clinics, Inc., in accordance with generally  
516 accepted accounting principles as prescribed by the Governmental  
517 Accounting Standards Board for a separate corporation affiliated  
518 with a government entity that holds a voting majority interest  
519 of the affiliated corporation's governing board. The financial  
520 statements shall be provided to the University of Florida Board  
521 of Trustees for attachment to its audited financial statement  
522 which is provided to the Auditor General. The University of  
523 Florida may obtain additional financial information from Shands  
524 Teaching Hospital and Clinics, Inc., upon request by the Auditor  
525 General. This subparagraph applies equally to any not-for-profit

526 subsidiary of Shands Teaching Hospital and Clinics, Inc., which  
527 directly delivers health care services and also qualifies as an  
528 instrumentality of the state under the governance control and  
529 the primary purpose standards specified in this section.

530 (g) Beginning July 1, 2019, the transfer of state  
531 appropriations by the University of Florida Board of Trustees to  
532 Shands Teaching Hospital and Clinic, Inc., and its subsidiaries  
533 and affiliates may only include funds pledged for capital  
534 projects; for the delivery of health care services; for matching  
535 dollars for intergovernmental services; or for funding graduate  
536 medical education.

537 (5)

538 (b) The University of Florida Board of Trustees shall  
539 provide in the lease or by separate contract or agreement with  
540 Shands Jacksonville Medical Center, Inc., and Shands  
541 Jacksonville HealthCare, Inc., for the following:

542 1. Approval of the articles of incorporation of Shands  
543 Jacksonville Medical Center, Inc., and of Shands Jacksonville  
544 HealthCare, Inc., by the University of Florida Board of  
545 Trustees, which may act through the president of the university  
546 or his or her designee. In approving the articles of  
547 incorporation of Shands Jacksonville Medical Center, Inc., and  
548 of Shands Jacksonville HealthCare, Inc., the president of the  
549 university, or his or her designee, may act as the chair of the  
550 board of directors, or the president of the university or his or

551 her designee or members of the University of Florida Board of  
552 Trustees may act as the approving body of Shands Jacksonville  
553 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.

554 2. Governance of Shands Jacksonville Medical Center, Inc.,  
555 and of Shands Jacksonville HealthCare, Inc., by boards of  
556 directors appointed, subject to removal, and chaired by the  
557 President of the University of Florida, or his or her designee.  
558 One director of each board may be so appointed after being  
559 nominated by the mayor of the City of Jacksonville subject to  
560 the applicable standards for directors of such board. If there  
561 is a vice chair of the board of directors of Shands Jacksonville  
562 Medical Center, Inc., or Shands Jacksonville HealthCare, Inc.,  
563 the Vice President for Health Affairs of the University of  
564 Florida, or his or her designee or the designee of the president  
565 of the university, shall hold that position. The University of  
566 Florida Board of Trustees shall approve all appointments to the  
567 board and its subsidiaries and affiliates.

568 3. Use of the Shands Jacksonville Medical Center, Inc.,  
569 hospital facilities and personnel in support of community  
570 service and patient care, research programs, and the teaching  
571 roles of the health center of the University of Florida Board of  
572 Trustees.

573 4. Reimbursement to Shands Jacksonville Medical Center,  
574 Inc., for indigent patients, state-mandated programs,  
575 underfunded state programs, and costs to the not-for-profit

576 corporation for support of the teaching and research programs of  
577 the health center. Such reimbursement shall be appropriated to  
578 either the health center or the not-for-profit corporation each  
579 year by the Legislature after review and approval of the request  
580 for funds.

581         5. Audit of the financial statements of Shands  
582 Jacksonville Medical Center, Inc., and Shands Jacksonville  
583 HealthCare, Inc., in accordance with generally accepted  
584 accounting principles as prescribed by the Governmental  
585 Accounting Standards Board for a separate corporation affiliated  
586 with a government entity that holds a voting majority interest  
587 of the affiliated corporation's governing board. The financial  
588 statements shall be provided to the University of Florida Board  
589 of Trustees for attachment to its audited financial statement  
590 which is provided to the Auditor General. The University of  
591 Florida may obtain additional financial information from Shands  
592 Jacksonville Medical Center, Inc., and Shands Jacksonville  
593 HealthCare, Inc., upon request by the Auditor General. This  
594 subparagraph applies equally to any not-for-profit subsidiary  
595 which directly delivers health care services and also qualifies  
596 as an instrumentality of the state under the governance control  
597 and primary purpose standards specified in this section.

598         (f) Beginning July 1, 2019, the transfer of state  
599 appropriations by the University of Florida Board of Trustees to  
600 Shands Jacksonville Medical Center, Inc., and Shands



601 Jacksonville HealthCare, Inc., and any of their subsidiaries and  
602 affiliates may only include funds pledged for capital projects;  
603 for the delivery of health care services; for matching dollars  
604 for intergovernmental services; or for funding graduate medical  
605 education.

606 Section 13. Subsections (7) and (8) are added to section  
607 1007.23, Florida Statutes, to read:

608 1007.23 Statewide articulation agreement.—

609 (7) The articulation agreement must specifically provide  
610 for a reverse transfer agreement for Florida College System  
611 associate in arts degree-seeking students who transfer to a  
612 state university before earning an associate in arts degree.  
613 Students must be awarded an associate in arts degree by the  
614 Florida College System institution upon completion of degree  
615 requirements at the state university if the student earned a  
616 majority of the credit hours from the Florida College System  
617 institution. State universities must identify students who have  
618 completed requirements for the associate in arts degree and  
619 transfer credits earned at the state university back to the  
620 Florida College System institution so that the associate in arts  
621 degree may be awarded by the Florida College System institution.

622 (8) By the 2019-2020 academic year, to strengthen  
623 Florida's "2+2" system of articulation and improve student  
624 retention and on-time graduation, each Florida College System  
625 institution shall execute at least one "2+2" targeted pathway

626 articulation agreement with one or more state universities, and  
627 each state university shall execute at least one such agreement  
628 with one or more Florida College System institutions to  
629 establish "2+2" targeted pathway programs. The agreement must  
630 provide students who graduate with an associate in arts degree  
631 and who meet specified requirements guaranteed access to the  
632 state university and a degree program at that university, in  
633 accordance with the terms of the "2+2" targeted pathway  
634 articulation agreement.

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

637 1. Enroll in the program before completing 30 credit  
638 hours, including, but not limited to, college credits earned  
639 through articulated acceleration mechanisms pursuant to s.  
640 1007.27;

641 2. Complete an associate in arts degree; and

642 3. Meet the university's transfer requirements.

643 (b) A state university that executes a "2+2" targeted  
644 pathway articulation agreement must meet the following  
645 requirements in order to implement a "2+2" targeted pathway  
646 program in collaboration with its partner Florida College System  
647 institution:

648 1. Establish a 4-year, on-time graduation plan for a  
649 baccalaureate degree program, including, but not limited to, a  
650 plan for students to complete associate in arts degree programs,

651 general education courses, common prerequisite courses, and  
652 elective courses;

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

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

660 (c) To assist the state universities and Florida College  
661 System institutions with implementing the "2+2" targeted pathway  
662 programs effectively, the State Board of Education and the Board  
663 of Governors shall collaborate to eliminate barriers in  
664 executing "2+2" targeted pathway articulation agreements.

665 Section 14. Subsection (2) of section 1007.27, Florida  
666 Statutes, is amended to read:

667 1007.27 Articulated acceleration mechanisms.—

668 (2)(a) The Department of Education shall annually identify  
669 and publish the minimum scores, maximum credit, and course or  
670 courses for which credit is to be awarded for each College Level  
671 Examination Program (CLEP) subject examination, College Board  
672 Advanced Placement Program examination, Advanced International  
673 Certificate of Education examination, International  
674 Baccalaureate examination, Excelsior College subject  
675 examination, Defense Activity for Non-Traditional Education

676 Support (DANTES) subject standardized test, and Defense Language  
677 Proficiency Test (DLPT). The department shall use student  
678 performance data in subsequent postsecondary courses to  
679 determine the appropriate examination scores and courses for  
680 which credit is to be granted. Minimum scores may vary by  
681 subject area based on available performance data. In addition,  
682 the department shall identify such courses in the general  
683 education core curriculum of each state university and Florida  
684 College System institution.

685 (b) Each district school board shall notify students who  
686 enroll in articulated acceleration mechanism courses or who take  
687 examinations pursuant to this section of the credit-by-  
688 examination equivalency list adopted by rule by the State Board  
689 of Education and the dual enrollment course and high school  
690 subject area equivalencies approved by the state board pursuant  
691 to s. 1007.271.

692 Section 15. Upon the expiration and reversion of the  
693 amendment made to section 1009.215, Florida Statutes, pursuant  
694 to section 13, chapter 2018-10, Laws of Florida, subsection (3)  
695 of section 1009.215, Florida Statutes, is amended to read:

696 1009.215 Student enrollment pilot program for the spring  
697 and summer terms.—

698 (3) Students who are enrolled in the pilot program and who  
699 are eligible to receive Bright Futures Scholarships under ss.  
700 1009.53-1009.536 shall be eligible to receive the scholarship

701 award for attendance during the spring and summer terms. This  
702 student cohort shall also be eligible to receive Bright Futures  
703 Scholarships for the fall semester term to be used for off-  
704 campus or online coursework, if Bright Futures Scholarship  
705 funding is provided by the Legislature for three terms for that  
706 academic year for other eligible students ~~no more than 2~~  
707 ~~semesters or the equivalent in any fiscal year, including the~~  
708 ~~summer term.~~

709 Section 16. Subsection (16) of section 1009.24, Florida  
710 Statutes, is amended to read:

711 1009.24 State university student fees.—

712 (16) Each university board of trustees may establish a  
713 tuition differential for undergraduate courses upon receipt of  
714 approval from the Board of Governors. However, beginning July 1,  
715 2014, the Board of Governors may only approve the establishment  
716 of or an increase in tuition differential for a state research  
717 university designated as a preeminent state research university  
718 pursuant to s. 1001.7065(4) ~~s. 1001.7065(3)~~. The tuition  
719 differential shall promote improvements in the quality of  
720 undergraduate education and shall provide financial aid to  
721 undergraduate students who exhibit financial need.

722 (a) Seventy percent of the revenues from the tuition  
723 differential shall be expended for purposes of undergraduate  
724 education. Such expenditures may include, but are not limited  
725 to, increasing course offerings, improving graduation rates,

726 increasing the percentage of undergraduate students who are  
727 taught by faculty, decreasing student-faculty ratios, providing  
728 salary increases for faculty who have a history of excellent  
729 teaching in undergraduate courses, improving the efficiency of  
730 the delivery of undergraduate education through academic  
731 advisement and counseling, and reducing the percentage of  
732 students who graduate with excess hours. This expenditure for  
733 undergraduate education may not be used to pay the salaries of  
734 graduate teaching assistants. Except as otherwise provided in  
735 this subsection, the remaining 30 percent of the revenues from  
736 the tuition differential, or the equivalent amount of revenue  
737 from private sources, shall be expended to provide financial aid  
738 to undergraduate students who exhibit financial need, including  
739 students who are scholarship recipients under s. 1009.984, to  
740 meet the cost of university attendance. This expenditure for  
741 need-based financial aid shall not supplant the amount of need-  
742 based aid provided to undergraduate students in the preceding  
743 fiscal year from financial aid fee revenues, the direct  
744 appropriation for financial assistance provided to state  
745 universities in the General Appropriations Act, or from private  
746 sources. The total amount of tuition differential waived under  
747 subparagraph (b)7. may be included in calculating the  
748 expenditures for need-based financial aid to undergraduate  
749 students required by this subsection. If the entire tuition and  
750 fee costs of resident students who have applied for and received

751 Pell Grant funds have been met and the university has excess  
752 funds remaining from the 30 percent of the revenues from the  
753 tuition differential required to be used to assist students who  
754 exhibit financial need, the university may expend the excess  
755 portion in the same manner as required for the other 70 percent  
756 of the tuition differential revenues.

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

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

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

768 3. For each state university that is designated as a  
769 preeminent state research university by the Board of Governors,  
770 pursuant to s. 1001.7065, the aggregate sum of tuition and the  
771 tuition differential may be increased by no more than 6 percent  
772 of the total charged for the aggregate sum of these fees in the  
773 preceding fiscal year. The tuition differential may be increased  
774 if the university meets or exceeds performance standard targets  
775 for that university established annually by the Board of

776 Governors for the following performance standards, amounting to  
777 no more than a 2-percent increase in the tuition differential  
778 for each performance standard:

779 a. An increase in the 4-year graduation rate for full-  
780 time, first-time-in-college students, as reported annually to  
781 the Integrated Postsecondary Education Data System.

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

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

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

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

793 6. The tuition differential may not be charged to any  
794 student who was in attendance at the university before July 1,  
795 2007, and who maintains continuous enrollment.

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

800 8. Subject to approval by the Board of Governors, the



801 tuition differential authorized pursuant to this subsection may  
802 take effect with the 2009 fall term.

803 (c) A university board of trustees may submit a proposal  
804 to the Board of Governors to implement a tuition differential  
805 for one or more undergraduate courses. At a minimum, the  
806 proposal shall:

807 1. Identify the course or courses for which the tuition  
808 differential will be assessed.

809 2. Indicate the amount that will be assessed for each  
810 tuition differential proposed.

811 3. Indicate the purpose of the tuition differential.

812 4. Indicate how the revenues from the tuition differential  
813 will be used.

814 5. Indicate how the university will monitor the success of  
815 the tuition differential in achieving the purpose for which the  
816 tuition differential is being assessed.

817 (d) The Board of Governors shall review each proposal and  
818 advise the university board of trustees of approval of the  
819 proposal, the need for additional information or revision to the  
820 proposal, or denial of the proposal. The Board of Governors  
821 shall establish a process for any university to revise a  
822 proposal or appeal a decision of the board.

823 (e) The Board of Governors shall submit a report to the  
824 President of the Senate, the Speaker of the House of  
825 Representatives, and the Governor describing the implementation

826 of the provisions of this subsection no later than February 1 of  
827 each year. The report shall summarize proposals received by the  
828 board during the preceding fiscal year and actions taken by the  
829 board in response to such proposals. In addition, the report  
830 shall provide the following information for each university that  
831 has been approved by the board to assess a tuition differential:

832 1. The course or courses for which the tuition  
833 differential was assessed and the amount assessed.

834 2. The total revenues generated by the tuition  
835 differential.

836 3. With respect to waivers authorized under subparagraph  
837 (b)7., the number of students eligible for a waiver, the number  
838 of students receiving a waiver, and the value of waivers  
839 provided.

840 4. Detailed expenditures of the revenues generated by the  
841 tuition differential.

842 5. Changes in retention rates, graduation rates, the  
843 percentage of students graduating with more than 110 percent of  
844 the hours required for graduation, pass rates on licensure  
845 examinations, the number of undergraduate course offerings, the  
846 percentage of undergraduate students who are taught by faculty,  
847 student-faculty ratios, and the average salaries of faculty who  
848 teach undergraduate courses.

849 (f) No state university shall be required to lower any  
850 tuition differential that was approved by the Board of Governors

851 and in effect prior to January 1, 2009, in order to comply with  
852 the provisions of this subsection.

853 Section 17. Subsection (4) of section 1011.90, Florida  
854 Statutes, is amended to read:

855 1011.90 State university funding.—

856 (4) The Board of Governors shall establish and validate a  
857 cost-estimating system consistent with the requirements of  
858 subsection (1) and shall report as part of its legislative  
859 budget request the actual expenditures for the fiscal year  
860 ending the previous June 30. The legislative budget request must  
861 also include 5-year trend information on the number of faculty  
862 and administrators at each university. The Board of Governors,  
863 by regulation, shall define faculty and administrative personnel  
864 classifications and shall also report the definitions in the  
865 legislative budget request. The growth rate of administrators at  
866 any state university may not exceed the growth rate of faculty.  
867 Expenditure analysis, operating budgets, and annual financial  
868 statements of each university must be prepared using the  
869 standard financial reporting procedures and formats prescribed  
870 by the Board of Governors. These formats shall be the same as  
871 used for the 2000-2001 fiscal year reports. Any revisions to  
872 these financial and reporting procedures and formats must be  
873 approved by the Executive Office of the Governor and the  
874 appropriations committees of the Legislature jointly under the  
875 provisions of s. 216.023(3). The Board of Governors shall

876 | continue to collect and maintain at a minimum management  
877 | information existing on June 30, 2002. The expenditure analysis  
878 | report shall include total expenditures from all sources for the  
879 | general operation of the university and shall be in such detail  
880 | as needed to support the legislative budget request.

881 |       Section 18. By October 1, 2020, the Commissioner of  
882 | Education, in consultation with Florida College System  
883 | institutions and an independent entity, shall submit to the  
884 | State Board of Education and Legislature recommendations for  
885 | future consideration on the most efficient process to achieve a  
886 | complete performance-based, continuous improvement model focused  
887 | on outcomes which provides for the equitable distribution of  
888 | performance funds. The implementation of any recommendations  
889 | shall not occur unless affirmatively enacted by the Legislature.

890 |       Section 19. Except as otherwise expressly provided in this  
891 | act and except for this section, which shall take effect upon  
892 | this act becoming a law, this act shall take effect July 1,  
893 | 2019.