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# Higher Education Appropriations Subcommittee

Tuesday February 6, 2018  
9:30 a.m. - 11:30 a.m.  
Webster Hall (212 Knott)

## MEETING PACKET



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**The Florida House of Representatives**  
**Appropriations Committee**  
**Higher Education Appropriations Subcommittee**

**Richard Corcoran**  
**Speaker**

**Larry Ahern**  
**Chair**

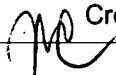

**AGENDA**

**Tuesday, February 6, 2018**  
**9:30 a.m. – 11:30 a.m.**  
**Webster Hall (212 KNOTT)**

- I. **Call to Order/Roll Call**
- II. **Opening Remarks**
- III. **Consideration of the following bill:**
  - CS/HB 423 Higher Education by Post-Secondary Education Subcommittee, Rodrigues
- IV. **Closing Remarks/Adjournment**

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 423 Higher Education  
**SPONSOR(S):** Post-Secondary Education Subcommittee and Rodrigues  
**TIED BILLS:** None **IDEN./SIM. BILLS:** CS/SB 4

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Post-Secondary Education Subcommittee	12 Y, 1 N, As CS	Bishop	Bishop
2) Higher Education Appropriations Subcommittee		 Crowley	Lloyd 
3) Education Committee			

### SUMMARY ANALYSIS

The bill establishes the "Excellence in Higher Education Act of 2018". Specifically, the bill:

- Modifies state university performance funding metrics and requires the Board of Governors (BOG) to develop and implement a performance agreement with each university.
- Requires the BOG to work with each university to establish 1-year, 2-year, 3-year, and 4-year improvement benchmarks for determining eligibility for performance funding.
- Requires the BOG to submit a plan for transitioning from the current partial performance-based funding model to a complete performance-based continuous improvement funding model focused on outcomes.
- Revises excellence standards for the Preeminent State Research Universities Program.
- Revises requirements for SUS institution direct-support organizations (DSO).
- Expands the Florida Bright Futures Academic Scholars (FAS) award to cover 100 percent of tuition and specified fees plus \$300 per fall and spring semester for textbooks and college-related expenses and the Florida Bright Futures Medallion Scholars award to cover 75 percent of tuition and fees.
- Authorizes the use of the Bright Futures Scholarship during the summer-term if funding is provided.
- Expands eligibility for the Benacquisto Scholarship Program to include eligible out-of-state students.
- Revises the state-to-private match requirements for the First Generation Matching Grant Program.
- Establishes the Florida Farmworker Student Scholarship Program for farmworkers and their children.
- Requires each state university to adopt an undergraduate block tuition policy for fall 2019.
- Establishes the World Class Faculty and Scholar Program to support the efforts of state universities to recruit and retain exemplary faculty and research scholars.
- Establishes the State University Professional and Graduate Degree Excellence Program to enhance the quality and excellence of state university programs in medicine, law, and business.
- Requires a reverse transfer agreement for Florida College System (FCS) associate in arts degree (AA) transfer students who transfer to a state university prior to earning the AA degree.
- Allows FCS institutions to require students to take the college placement test for diagnostic purposes.
- Requires the BOG to enter into an agreement with the Department of Economic Opportunity (DEO) for access to individual reemployment assistance wage reports for auditing and evaluation purposes;
- Prohibits ratio of state university students to administrators from exceeding ratio of students to faculty.
- Requires the University of South Florida (USF) to develop and implement a plan for phasing-out the separate accreditation of the USF St. Petersburg and USF Manatee/Sarasota campuses.

This bill includes initiatives which increase state funding requirements by \$140 million. See Fiscal Comments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2018, except as otherwise expressly provided.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0423a.HEA.DOCX

DATE: 1/18/2018

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### **Board of Governors Powers and Duties Relating to Accountability**

The BOG is required to develop a strategic plan specifying goals and objectives for the State University System (SUS) and each constituent university, including each university's contribution to overall system goals and objectives.<sup>1</sup>

The strategic plan must include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis.<sup>2</sup> Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds determined by the BOG, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:<sup>3</sup>

- job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation; and
- data-driven gap analyses, conducted by the BOG, of the state's job market demands and the outlook for jobs that require a baccalaureate or higher degree.

The BOG is also required to develop an accountability plan for the SUS and each constituent university. The accountability plan must be submitted as part of the legislative budget request and address institutional and system achievement goals and objectives specified in the strategic plan.<sup>4</sup>

In May 2012, the Chair of the BOG issued a call to action to education, business and workforce, and legislative leaders to address Florida's need for future baccalaureate degree attainment.<sup>5</sup> In response to the call, the Commission on Higher Education Access and Educational Attainment (Commission), composed of seven members, was established. Among the major products from the Commission's work was a sustainable method for conducting a gap analysis of baccalaureate level workforce demand.<sup>6</sup>

##### **Preeminent State Research Universities Program**

The Preeminent State Research Universities Program is a collaborative partnership between the BOG and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.<sup>7</sup> A state university that meets 11 of the 12 academic and research excellence standards specified in law<sup>8</sup> is designated a "preeminent state research university."<sup>9</sup>

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<sup>1</sup> Section 1001.706(5)(b), F.S.

<sup>2</sup> Section 1001.706(5)(b)4., F.S.

<sup>3</sup> *Id.*

<sup>4</sup> Section 1001.706(5)(c), F.S.

<sup>5</sup> Board of Governors, *Aligning Workforce and Higher Education for Florida's Future* (Nov. 21, 2013), available at [http://www.flbog.edu/about/\\_doc/commission-materials/Access-and-Attainment-Comm-FINAL-REPORT-10\\_29\\_13\\_rev.docx](http://www.flbog.edu/about/_doc/commission-materials/Access-and-Attainment-Comm-FINAL-REPORT-10_29_13_rev.docx).

<sup>6</sup> *Id.*

<sup>7</sup> Section 1001.7065(1), F.S.

<sup>8</sup> Section 1001.7065(2), F.S. The standards include: incoming freshman academic characteristics (average weighted GPA and average SAT score); institutional ranking nationally; freshman retention rate; six-year graduation rate; national academy membership of institution faculty; research expenditures (2 measures); research expenditure national ranking; patents awarded annually; doctoral degrees awarded annually; postdoctoral appointees annually; and institutional endowment.

<sup>9</sup> Section 1001.7065(3)(a), F.S.

Currently, the University of Florida and the Florida State University are designated as preeminent state research universities.<sup>10</sup>

A state research university that meets at least 6 of the 12 standards is designated as an “emerging preeminent state research university.”<sup>11</sup> Currently, the University of Central Florida and the Tampa campus of the University of South Florida are designated as emerging preeminent state research universities.<sup>12,13</sup> Each designated emerging preeminent state research university receives an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

### Unique Courses

A university that is designated a preeminent state research university may require its incoming first-time-in-college (FTIC) students to take a six-credit set of unique courses.<sup>14</sup> The university may stipulate that credit for such courses may not be earned through any acceleration mechanism<sup>15</sup> or any other transfer credit specifically determined by the university.<sup>16</sup>

### Programs of National Excellence

The BOG is encouraged to establish standards and measures to identify individual programs in state universities that objectively reflect national excellence and make recommendations to the Legislature for ways to enhance and promote such programs.<sup>17</sup>

### **State University System Performance-Based Incentive**

Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model consists of the state’s investment in performance funding plus institutional investments, which include funds deducted from the base funding of each state university in an amount provided in the General Appropriations Act (GAA).<sup>18</sup>

The SUS Performance-Based Incentive is awarded to state universities using performance-based metrics<sup>19</sup> adopted by the BOG.<sup>20</sup> The current metrics selected by the BOG include the following:<sup>21</sup>

- Percent of bachelor’s graduates employed (earning \$25,000+) and/or continuing their education further 1 year after graduation;
- Median average full-time wages of undergraduates employed in Florida 1 year after graduation;
- Average cost to the student (net tuition and fees per 120 semester credit hours);
- Six year graduation rate (full-time and part-time FTIC);

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<sup>10</sup> Board of Governors, State University System of Florida, *System Summary of University Work Plans 2016*, at 10, available at [http://www.fbog.edu/about/\\_doc/budget/workplan\\_2016/2016\\_SYSTEM\\_WORK\\_PLAN\\_2016-09-09.pdf](http://www.fbog.edu/about/_doc/budget/workplan_2016/2016_SYSTEM_WORK_PLAN_2016-09-09.pdf)

<sup>11</sup> Section 1001.7065(3)(b), F.S.

<sup>12</sup> Board of Governors, State University System of Florida, *Meeting Minutes* (September 22, 2016), available at [http://www.fbog.edu/documents\\_meetings/0202\\_1035\\_7803\\_9.2.2%20BOG\\_minutes%202016\\_09\\_22.pdf](http://www.fbog.edu/documents_meetings/0202_1035_7803_9.2.2%20BOG_minutes%202016_09_22.pdf)

<sup>13</sup> Board of Governors, State University System of Florida, *Minutes* (June 22-23, 2016) available at [http://www.fbog.edu/documents\\_meetings/0201\\_1020\\_7637\\_13.2.2%20BOG\\_minutes%202016\\_06\\_23.pdf](http://www.fbog.edu/documents_meetings/0201_1020_7637_13.2.2%20BOG_minutes%202016_06_23.pdf)

<sup>14</sup> Section 1001.7065(6), F.S.

<sup>15</sup> Acceleration mechanisms include Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), credit by examination, and dual enrollment.

<sup>16</sup> Section 1001.7065(6), F.S.

<sup>17</sup> Section 1001.7065(8), F.S.

<sup>18</sup> Section 1001.92(2), F.S.

<sup>19</sup> Board of Governors, *Performance Funding Model Overview*, available at [http://www.fbog.edu/about/budget/docs/performance\\_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf](http://www.fbog.edu/about/budget/docs/performance_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf).

<sup>20</sup> Section 1001.92(1), F.S.

<sup>21</sup> Board of Governors, *Performance Funding Model Overview*, available at [http://www.fbog.edu/about/budget/docs/performance\\_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf](http://www.fbog.edu/about/budget/docs/performance_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf)

- Academic progress rate (2<sup>nd</sup> year retention with GPA above 2.0);
- Bachelor's degrees awarded in areas of strategic emphasis (includes STEM);
- University access rate (percent of undergraduates with a Pell grant);
- Graduate degrees awarded in areas of strategic emphasis (includes STEM)<sup>22</sup>;
- Board of Governors choice
  - Percent of baccalaureate degrees awarded without excess hours (FAMU, FAU, FGCU, FIU, UCF, UNF, USF, UWF)
  - Number of faculty awards (FSU, UF)
  - National ranking – Top 50 (NCF)
- Board of Trustees choice.

The BOG must adopt benchmarks to evaluate each state university's performance on the metrics.<sup>23</sup> The evaluation measures a state university's achievement of institutional excellence or need for improvement, which determines the university's eligibility to receive performance funding.<sup>24</sup>

The BOG assigns points for both excellence and improvement and the higher point value on each metric is counted toward each university's total score. A university must earn more than 50 points (out of a possible 100) to be eligible for the state investment in performance funding. However, the three lowest scoring institutions are not eligible for the state's investment in performance funding regardless of whether they earn more than 50 points. In addition, any university that earns 50 points or less has its institutional investment withheld and is required to submit an improvement plan to the BOG. If improvement is demonstrated according to the approved improvement plan, the institutional investment will be restored.<sup>25</sup>

### State University Direct Support Organizations

A university direct-support organization (DSO) is a Florida corporation not for profit, incorporated under the provisions of chapter 617 and approved by the Department of State<sup>26</sup>. Each of the 12 state universities have at least one DSO. The DSOs are organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, a state university.<sup>27</sup> Each DSO has been reviewed and certified by the university BOT to be operating in a manner consistent with the goals of the university and in the best interest of the state.<sup>28</sup>

The university BOTs are currently authorized to permit the use of property, facilities, and personal services at their university by the DSO.<sup>29</sup> "Personal services" includes full-time or part-time personnel as well as payroll processing.<sup>30</sup> Currently, 10 of the state universities allow their DSOs to use personal services which are funded through university funds.

The university DSOs are currently prohibited from giving, either directly or indirectly, any gift to a political committee for any purpose other than those certified by a majority roll call vote of the governing board of the DSO at a regularly scheduled meeting as being directly related to the educational mission of the institution.<sup>31</sup>

<sup>22</sup> New College of Florida substitutes Freshman graduating in Top 10% of high school class for this metric.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> Board of Governors, *Performance Funding Model Overview*, available at

[http://www.flbog.edu/about/budget/docs/performance\\_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf](http://www.flbog.edu/about/budget/docs/performance_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf)

<sup>26</sup> Section 1004.28(1)(a)(1), F.S.

<sup>27</sup> Section 1004.28(1)(a)(2), F.S.

<sup>28</sup> Section 1004.28(1)(a)(3), F.S.

<sup>29</sup> Section 1004.28(2)(a), F.S.

<sup>30</sup> Section 1004.28(1)(b), F.S.

<sup>31</sup> Section 1004.28(4), F.S.

Currently, all records of the DSOs other than the auditor's report, management letter, and any supplemental data requested by the BOG, university BOT, the Auditor General, and the Office of Program Policy Analysis and Government Accountability are confidential.<sup>32</sup>

### State University Research and Development

According to the BOG, for Florida to "secure its place as a national leader in the 21st century, it must prove competitive in discovery and innovation."<sup>33</sup> The stronger the universities and the State of Florida are in research and development (R&D) performance and reputation, the more competitive Florida becomes in attracting and retaining the best and most promising faculty, students, staff, and companies.<sup>34</sup>

In a 2014-15 National Science Foundation survey of R&D spending across the United States, the State of Florida ranked 4<sup>th</sup> on total research and development expenditures among public universities, behind California, Texas, and Michigan.<sup>35</sup> States with strong and competitive research enterprises support the research infrastructure within their state with a wide range of statewide grant programs to make their state universities more competitive for federal grant opportunities.<sup>36</sup>

In Florida, the state universities have identified the need for funding to support university efforts to:<sup>37</sup>

- increase research capacity, output, and impact through targeted cluster hiring of talented faculty and strategic investments in research infrastructure;
- increase and enhance undergraduate student participation in research through undergraduate research programs; and connect university research to Florida's industry and economic development through industry-sponsored research at state universities and research commercialization activities.

### Statewide Articulation Agreement

The SBE and the BOG are required to enter into a statewide articulation agreement to preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit across and among Florida's education entities, and reinforce the articulation and admission policies specified in law.<sup>38</sup>

The articulation agreement must provide that every associate in arts graduate of an FCS institution has met all general education requirements, has indicated a baccalaureate institution and program of interest by the time the student earns 30 semester hours, and must be granted admission to the upper division, with certain exceptions,<sup>39</sup> of a state university or an FCS institution that offers a baccalaureate degree.<sup>40</sup> However, eligibility for admission to a state university does not provide to a transfer student guaranteed admission to the specific university or degree program that the student chooses.<sup>41</sup>

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<sup>32</sup> Section 1004.28(5)(b), F.S.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> Email. Board of Governors (Jan. 12, 2017)

<sup>36</sup> Board of Governors, *Draft of Advancing Research and Innovation Legislative Budget Request*, Presentation to the Board of Governors Task Force on University Research (Sept. 22, 2016), available at [http://www.flbog.edu/documents\\_meetings/0201\\_1017\\_7616\\_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20\\_2017\\_18%201aug2016%20Form%201%20\(002\)\\_JMI.pdf](http://www.flbog.edu/documents_meetings/0201_1017_7616_10.3.2%20TF-RSRCH%2003b%20LBR%20Request%20VPRs%20_2017_18%201aug2016%20Form%201%20(002)_JMI.pdf).

<sup>37</sup> *Id.*

<sup>38</sup> Section 1007.23(1), F.S.

<sup>39</sup> Section 1007.23(2)(a), F.S., exceptions include limited access programs, teacher certification programs, and those requiring an audition.

<sup>40</sup> Section 1007.23(2)(a), F.S.

<sup>41</sup> Board of Governors Regulation 6.004(2)(b)

## Developmental Education

Developmental education is instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction.<sup>42</sup> Developmental education may be delivered through a variety of delivery strategies described in law.<sup>43</sup>

Each FCS institution BOT must develop a plan to implement the developmental education strategies defined in law<sup>44</sup> and rules<sup>45</sup> of the SBE.<sup>46</sup> A university BOT may contract with a FCS institution to provide developmental education services for their students in need of developmental education.<sup>47</sup> Florida Agricultural and Mechanical University (FAMU) is also authorized to offer developmental education.<sup>48</sup>

During the 2013 Legislative Session, Senate Bill 1720 revised requirements relating to common placement testing.<sup>49</sup> The bill exempted any student who entered 9<sup>th</sup> grade in a Florida public school in the 2003-2004, or any year thereafter, and earned a standard high school diploma from taking the common placement test.

Prior to 2015, high schools were required to administer the Postsecondary Education Readiness Test (PERT) to all students in 11<sup>th</sup> grade who scored at Level 2 or 3 on the statewide, standardized 10<sup>th</sup> grade ELA assessment or Levels 2 through 4 on the Algebra I EOC assessment.<sup>50</sup> Students who demonstrated college readiness by achieving scores established by the state board on alternate assessments were not required to take the PERT. However, when a student did not achieve the minimum scores necessary to demonstrate college readiness on either the PERT or an alternative assessment, the school was required to use the test results to advise the student of identified deficiencies and provide appropriate postsecondary preparatory instruction during his or her 12<sup>th</sup> grade year. The student was required to complete the postsecondary preparatory instruction prior to high school graduation.<sup>51</sup> This requirement ensured that college readiness skills were assessed in high school and remediation was provided for any skill deficiencies prior to graduation. However, in an effort to reduce duplicative and excessive assessments, the legislature repealed the requirement to administer the PERT in high school.

## Block Tuition

The BOG is authorized to approve a proposal from a university BOT to implement flexible tuition<sup>52</sup> policies including, but not limited to, block tuition.<sup>53</sup> The block tuition policy for resident undergraduate students or undergraduate-level courses must be based on the established per-credit-hour

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<sup>42</sup> Section 1008.02(1), F.S.

<sup>43</sup> *Id.* Strategies include modularized instruction that is customized and targeted to address specific skills gaps, compressed course structures that accelerate student progression from developmental instruction to college level coursework, contextualized developmental instruction that is related to meta-majors, and corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.

<sup>44</sup> *Id.*

<sup>45</sup> Rule 6A-14.030(12), F.A.C.

<sup>46</sup> Section 1008.30(5)(a), F.S.

<sup>47</sup> Section 1008.30(5)(c), F.S.

<sup>48</sup> Board of Governors Regulation 6.008(1).

<sup>49</sup> Florida Senate Staff Analysis for SB 1720 (2013). *Available at:* <http://flsenate.gov/Session/Bill/2013/1720/Analyses/2013s1720.ap.PDF>

<sup>50</sup> Section 1008.30(3), F.S. (2014)

<sup>51</sup> Florida House of Representatives Staff Analysis for HB 7069 (2015). *Available at:* <http://flsenate.gov/Session/Bill/2015/7069/Analyses/h7069z.EDC.PDF>

<sup>52</sup> Section 1009.01, F.S., defines tuition as the basic fee charged to a student for instruction provided by a public postsecondary education institution in this state.

<sup>53</sup> Section 1009.24(15)(a), F.S.



undergraduate tuition.<sup>54</sup> The block tuition policy for nonresident undergraduate students must be based on the established per-credit-hour undergraduate tuition and out-of-state fee.<sup>55</sup> The BOG has not received a block tuition policy proposal for approval from any state university.<sup>56</sup>

### Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program (Bright Futures) was established in 1997<sup>57</sup> as a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement. The student must enroll in a degree program, certificate program, or applied technology diploma program at an eligible public or private postsecondary education institution<sup>58</sup> in Florida after graduating from high school.<sup>59</sup> Bright Futures consists of three types of awards:<sup>60</sup>

- Florida Academic Scholars (FAS);<sup>61</sup>
- Florida Medallion Scholars (FMS);<sup>62</sup> and
- Florida Gold Seal Vocational Scholars (FGSV) and Florida Gold Seal CAPE Scholars.<sup>63</sup>

Bright Futures program award amounts are specified annually in the GAA.<sup>64</sup> The 2017-2018 GAA provides FAS awards equal to 100 percent of tuition and applicable fees, and an additional \$300 each fall and spring semester for textbooks and college-related expenses.<sup>65</sup> The applicable fees include the activity and service fee, health fee, athletic fee, financial aid fee, capital improvement fee, campus access/transportation fee, technology fee, and the tuition differential fee.<sup>66</sup> However, current law prohibits both the technology fee and tuition differential fee from being included in any Florida Bright Futures Scholarship Program award.<sup>67</sup> The Department of Education (DOE) authorized these fees to be included in the 2017-2018 FAS awards<sup>68</sup> as appropriated in the 2017-2018 GAA. Students attending a private postsecondary education institution receive a comparable amount.<sup>69</sup>

A student may use a Bright Futures award for summer term enrollment if funds are available.<sup>70</sup> However, funds have not been appropriated for Bright Futures summer term awards since the 2000-2001 fiscal year.<sup>71</sup>

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<sup>54</sup> Section 1009.24(15)(a)3., F.S.

<sup>55</sup> *Id.*

<sup>56</sup> Board of Governors, *2017 Legislative Bill Analysis for SB 2* (Jan. 18, 2017), at 4.

<sup>57</sup> Section 2, ch. 1997-77, L.O.F.

<sup>58</sup> A student who receives any award under the Florida Bright Futures Scholarship Program, who is enrolled in a nonpublic postsecondary education institution, and who is assessed tuition and fees that are the same as those of a full-time student at that institution, receives a fixed award calculated by using the average tuition and fee calculation as prescribed by the Department of Education for full-time attendance at a public postsecondary education institution at the comparable level. Section 1009.538, F.S.

<sup>59</sup> Sections 1009.53(1) and 1009.531(2)(a)-(c), F.S. Starting with 2012-2013 graduates, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.

<sup>60</sup> Section 1009.53(2), F.S.

<sup>61</sup> Section 1009.534, F.S.

<sup>62</sup> Section 1009.535, F.S.

<sup>63</sup> Section 1009.536, F.S.

<sup>64</sup> Sections 1009.534(2), 1009.535(2), and 1009.536(3), F.S.

<sup>65</sup> Specific Appropriation 4, 2017-70, L.O.F. The 2017-2018 GAA also provides FMS awards at \$77 at 4-year institutions, \$63 at 2-year institutions, \$53 for upper-division programs at Florida Colleges, and \$39 for career and technical centers. *Id.*

<sup>66</sup> Florida Department of Education, 2017-18 Bright Futures Scholarship Program Award Amounts Update, July 12, 2017, *available at* <http://edr.state.fl.us/content/conferences/financialaid/DOEMemorandum.pdf>.

<sup>67</sup> Sections 1009.22(7), 1009.23(10), 1009.24(13) and (16), F.S.

<sup>68</sup> Florida Department of Education, 2017-18 Bright Futures Scholarship Program Award Amounts Update, July 12, 2017, *available at* <http://edr.state.fl.us/content/conferences/financialaid/DOEMemorandum.pdf>.

<sup>69</sup> Section 1009.538, F.S.

<sup>70</sup> Section 1009.53 (9), F.S.

<sup>71</sup> Florida Office of Economic and Demographic Research, Student Financial Aid Impact Conference (March 2015), *available at* <http://edr.state.fl.us/Content/conferences/financialaidimpact/archives/150303financialaidimpact.pdf>.

## First Generation Matching Grant Program

The First Generation Matching Grant Program was established in 2006<sup>72</sup> to enable each state university to provide donors with a matching grant incentive for contributions to create grant-based student financial aid for undergraduate students who demonstrate financial need and whose parents have not earned a baccalaureate degree.<sup>73</sup> Funds appropriated for the program must be allocated by the Office of Student Financial Assistance (within the DOE) to match private contributions on a dollar-for-dollar basis.<sup>74</sup>

## Benacquisto Scholarship Program

The Benacquisto Scholarship Program, created in 2014,<sup>75</sup> rewards any Florida high school graduate who receives recognition as a National Merit Scholar (NMS) or National Achievement Scholar (NAS) and who enrolls in a baccalaureate degree program at an eligible Florida public or independent postsecondary education institution.<sup>76</sup> Among other statutory eligibility requirements,<sup>77</sup> the student must earn a standard Florida high school diploma or equivalent and be a state resident.<sup>78</sup>

The award amounts are as follows:

- At a Florida public postsecondary education institution the award is equal to the institutional cost of attendance less the sum of the student's Bright Futures Scholarship and NMS or NAS award;<sup>79,80</sup>
- At a Florida independent postsecondary education institution the award is equal to the highest cost of attendance at a Florida public university, as reported by the BOG, less the sum of the student's Bright Futures Scholarship and NMS or NAS award.<sup>81</sup>

## Stanley G. Tate Florida Prepaid College Program

The Florida Prepaid College Program (Prepaid Program) provides families an affordable and secure way to save for tuition and specified fees at Florida's postsecondary institutions.<sup>82</sup> The Prepaid Program allows a family to pay for tuition and specified fees in advance of enrollment in a state postsecondary institution at a rate lower than the projected corresponding cost at the time of actual enrollment.<sup>83</sup> These payments are invested in a manner that yields sufficient interest to generate the difference between the prepaid amount and the cost of tuition and specified fees at the time of actual enrollment. For the Fall 2014 semester, 57,945 students used a Florida Prepaid College Plan at a state university.<sup>84</sup>

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<sup>72</sup> Section 1, ch. 2006-73, L.O.F.

<sup>73</sup> Section 1009.701(1), F.S.

<sup>74</sup> *Id.* at (2)

<sup>75</sup> The Benacquisto Scholarship Program was formerly titled the Florida National Merit Scholar Incentive Program. Section 26, ch. 2016-237, L.O.F.

<sup>76</sup> Section 1009.893, F.S.

<sup>77</sup> Section 1009.893(4), F.S.

<sup>78</sup> Section 1009.893(4)(a), F.S. Under section 1009.40(1)(a)2., F.S., the student must meet the requirements of Florida residency for tuition purposes under s. 1009.21, F.S.; see also Rule 6A-10.044, F.A.C.

<sup>79</sup> The National Merit Scholarship Corporation discontinued the National Achievement Scholarship Program with the conclusion of the 2015 program, <http://www.nationalmerit.org/s/1758/interior.aspx?sid=1758&gid=2&pgid=433> (last visited Jan. 20, 2017).

<sup>80</sup> Section 1009.893(5)(a), F.S.

<sup>81</sup> *Id.* at (5)(b)

<sup>82</sup> Florida Prepaid College Board 2015 Annual Report, available at [http://www.itppv.com/documents/pdf/fpcb\\_2015\\_annual\\_report\\_web.pdf](http://www.itppv.com/documents/pdf/fpcb_2015_annual_report_web.pdf).

<sup>83</sup> Section 1009.98, F.S.

<sup>84</sup> Florida Prepaid College Board 2015 Annual Report, available at [http://www.itppv.com/documents/pdf/fpcb\\_2015\\_annual\\_report\\_web.pdf](http://www.itppv.com/documents/pdf/fpcb_2015_annual_report_web.pdf).

## SUS Faculty/Administrator Ratios

From 2010 through 2014, universities reduced the ratio of students to administrators (meaning the number of administrators was growing faster than the number of students) while student to full-time faculty ratios increased slightly.<sup>85</sup> The number of staff with administrative duties has increased at a faster rate than that of students or full-time faculty.<sup>86</sup>

### William L. Boyd, IV, Florida Resident Access Grant (FRAG)

The William L. Boyd, IV, FRAG is a tuition assistance program that is available to full-time degree-seeking undergraduate students registered at an independent nonprofit college or university which is located in and chartered by the state; which is accredited by the SACSCOC; which grants baccalaureate degrees; is not a state university or FCS institution; and has a secular purpose.<sup>87</sup>

### University of South Florida Branch Campuses

The University of South Florida (USF) is currently considered to be a “system” which includes three, separately accredited institutions: USF; USF St. Petersburg; and USF Sarasota-Manatee.<sup>88</sup> Both USF St. Petersburg and USF Sarasota/Manatee must be operated and maintained as separate organizational and budget entities of USF and all appropriations for both campuses are set forth as separate line items in the GAA.<sup>89</sup> Both campuses are required to have a Campus Board and a Campus Executive Officer<sup>90</sup> and obtain separate SACSCOC accreditation.<sup>91</sup>

### Intellectual and Viewpoint Diversity

In 2006, the American Association of Colleges and Universities (AAC&U) issued a statement on academic freedom and educational responsibility<sup>92</sup>. According to AAC&U:

*In any education of quality, students encounter an abundance of intellectual diversity—new knowledge, different perspectives, competing ideas, and alternative claims of truth. This intellectual diversity is experienced by some students as exciting and challenging, while others are confused and overwhelmed by the complexity. Liberal education, the nation’s signature educational tradition, helps students develop the skills of analysis and critical inquiry with particular emphasis on exploring and evaluating competing claims and different perspectives.*

Diversity is defined by Webster’s dictionary as “the condition of having or being composed of differing elements” and “the inclusion of different types of people (such as people of different races or cultures) in a group or organization.”<sup>93</sup> Colleges and universities have long sought to foster diversity on campus. However, recent events on multiple college campuses across the country have raised the question of whether diversity of thought is included in what appears to be an evolving definition of diversity.

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<sup>85</sup> Office of Program Policy Analysis and Government Accountability, *OPPAGA Research on State University System Administrative Positions and Salaries*, Presentation to the House Higher Education Appropriations Subcommittee (March 14, 2017), available at: <http://www.oppaga.state.fl.us/monitor/docs/Presentations/PI7-17.pdf>

<sup>86</sup> *Id.*

<sup>87</sup> Section 1009.89(1) and (3), F.S.

<sup>88</sup> University of South Florida – About USF <http://www.usf.edu/about-usf/index.aspx> (last visited January 11, 2018).

<sup>89</sup> Sections 1004.33(1)(a) and 1004.34(1)(a), F.S.

<sup>90</sup> Sections 1004.33(1)(b) and 1004.34(1)(b), F.S.

<sup>91</sup> Sections 1004.33(1)(c) and 1004.34(1)(c), F.S.

<sup>92</sup> American Association of Colleges and Universities, *Academic Freedom and Educational Responsibility* (Washington DC: Association of Colleges and Universities, 2006) Available at: <https://www.aacu.org/about/statements/academic-freedom>

<sup>93</sup> Merriam-Webster Dictionary. Available at: <https://www.merriam-webster.com/dictionary/diversity>

## **Effect of Proposed Changes**

### **Board of Governors Powers and Duties Relating to Accountability**

The bill modifies the requirements of the strategic plan, developed by the BOG, to require state universities to use data-driven gap analyses to identify internship opportunities in high-demand fields.

Modifications to BOG's strategic plan emphasize the value of internships in experiential learning.<sup>94</sup> Through internships, students are likely to gain exposure to relevant on-the-job experience and develop skills critical to securing and maintaining gainful employment in high-demand fields of unmet need.

The bill requires the BOG to match individual student information with information from state and federal agencies that maintain educational and employment records and to enter into an agreement with DEO that allows access to reemployment assistance wage reports maintained by DEO. The agreement must protect individual privacy and provide that student information obtained through the agreement may be used only for the purposes of auditing and evaluating higher education programs offered by state universities. This access will decrease the BOG response time for legislative requests.

### **Preeminent State Research Universities Program**

Consistent with the emphasis on a 4-year graduation rate metric for the SUS Performance-Based Incentive program, the bill revises the full-time FTIC student graduation rate metric for the preeminent state research university program from a 6-year to a 4-year rate, and modifies the benchmark for the graduation rate metric from 70 percent to 60 percent. The amount of funding provided to emerging preeminent state research universities is revised from one-half to one-quarter of the total additional funding awarded to preeminent state research universities.

### **Unique Courses**

The bill eliminates the authority for the preeminent state research universities to require FTIC students to take a six-credit unique set of courses. Currently, UF lists two such courses and Florida State University lists one such course.<sup>95</sup>

### **Programs of Excellence**

The bill changes from a recommendation to a requirement that the BOG establish standards and measures for programs of excellence throughout the SUS and specifies that the programs include undergraduate, graduate, and professional degrees. Additionally, the bill requires the BOG to make recommendations to the Legislature for enhancing and promoting such programs by September 1, 2018.

### **State University System Performance-Based Incentive**

The bill, in an effort to better reflect the progress and outcomes of ALL students, revises existing performance funding metrics to include:

- 4-year graduation rate for FTIC students
- 2-year graduation rate for 2+2 transfer students
- 6 year graduation rates for Pell-eligible students as compared with non-Pell-eligible students
- Percent of students graduating without excess hours (for all institutions)
- Retention rates that incorporate 30, 60 and 90 credit hour milestones.
- Additional metrics approved by the BOG that reflect the unique mission of each university

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<sup>94</sup> Governor Scott's "Finish in Four, Save More" challenge encourages universities and colleges to "make it easier for students to get class credit for internships in their fields, which puts students on the path to getting a good paying job." Office of the Governor, *Governor Rick Scott Issues "Finish in Four, Save More" Challenge to Universities and Colleges* (May 25, 2016) <http://www.flgov.com/2016/05/25/governor-rick-scott-issues-finish-in-four-save-more-challenge-to-universities-and-colleges/> (last visited Jan. 20, 2017).

<sup>95</sup> Florida Statewide Course Numbering System (<http://scns.fldoe.org>).

The following metrics remain unchanged:

- Percent of graduates employed (earning \$25,000+) and/or continuing their education further 1 year after graduation;
- Median average full-time wages of undergraduates employed in Florida 1 year after graduation;
- Average cost to the student (net tuition and fees per 120 semester credit hours);
- Bachelor's degrees awarded in strategic areas of emphasis (includes STEM)

The BOG is required to develop and implement a performance agreement with each university that, by August 1, 2018, establishes baseline benchmarks unique to each university on the common performance metrics. The BOG must establish 1-year, 2-year, 3-year, and 4-year benchmarks for improvement based on the performance agreement entered into with each university that are to be used to determine eligibility for performance funding. In addition, the bill requires the office of the inspector general to annually verify the accuracy of the data used to implement performance funding and preeminence funding.

The bill eliminates unnecessary competition between universities for the state investment in performance funding because each university will compete against its own past performance. All universities will have the opportunity to meet eligibility requirements for performance funding if they meet their own individual improvement benchmarks. However, there will still be "skin in the game" because continuous improvement will be required for a share of the state investment and any regression in performance will still result in the withholding of the institutional investment (base funding).

The bill requires the BOG, in consultation with the state universities, to submit to the Governor, President of the Senate and Speaker of the House by January 1, 2019, a plan for transitioning from the current partial performance-based funding model to a complete performance-based continuous improvement funding model that is focused on outcomes. The plan must include:

- A revised method for the equitable distribution of performance funds that is not based solely on historical funding distributions; and
- A proposed method for transitioning to a complete performance-based funding formula driven by outcomes.

The Legislature will also consult with an independent contractor to develop an alternative transition plan that will be considered along with the BOG plan for legislative approval. Legislative approval of a performance funding plan is required before any performance funds may be distributed beginning with the 2019-2020 fiscal year.

### **State University Direct Support Organizations**

The bill prohibits state university BOTs from permitting the use of state funds for travel expenses by any state university DSO. DSOs are also prohibited from giving, either directly or indirectly, any gift to a political committee.

The bill narrows the provisions of current law relating to the confidentiality of records of a university DSO. Pursuant to the bill, any information related to the expenditure of state funds, and any information related to the expenditure of private funds for travel are no longer confidential.

The bill strengthens the oversight of DSOs by university boards of trustees by requiring each board to establish thresholds for approval of purchases, acquisitions, projects, and issuance of debt. In addition, the bill revises the appointment and approval process for members of a DSO board of directors. Specifically, the chair of the board of trustees will appoint at least one representative to the board of directors and the executive committee of any DSO and the board of trustees shall approve all other appointments.

The bill requires that personal services for DSOs must comply with requirements for other state employees and stipulates that, no later than July 1, 2019, university transfers of any state appropriation to direct-support organizations by a board of trustees may include only funds pledged for debt.

### **World Class Faculty and Scholar Program**

The bill establishes the World Class Faculty and Scholar Program to elevate the national prominence of state universities in Florida. Specifically, this section:

- Authorizes state university investments in recruiting and retaining talented faculty and specifies that funding for the program will be as provided in the GAA.
- Expresses that such investments may include, but not be limited to, investments in research-centric cluster hires, faculty research and research commercialization efforts, instructional and research infrastructure, undergraduate student participation in research, professional development, awards for outstanding performance, and postdoctoral fellowships.
- Expresses that such investments may not be used for the construction of buildings.
- Requires annually, by March 15, the BOG to provide to the Governor, President of the Senate, and Speaker of the House of Representatives, an accountability report which includes specific expenditure information on program funds and the impact of those expenditures in elevating the national competitiveness of the universities, specifically relating to the:
  - success in recruiting research faculty and the resulting research funding;
  - 4-year graduation rate;
  - number of undergraduate courses offered with fewer than 50 students; and
  - increased national academic standing of targeted programs.

### **State University Professional and Graduate Degree Excellence Program**

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

- Authorizes quality improvement efforts of the state universities and specifies that funding for the program will be as provided in the GAA.
- Expresses that such efforts may include, but not be limited to, targeted investments in faculty, students, research, infrastructure, and other strategic endeavors to elevate the national and global prominence of state university medicine, law, and graduate-level business programs.
- Expresses that funds may not be used for the construction of buildings.
- Requires annually, by March 15, the BOG to provide to the Governor, President of the Senate, and Speaker of the House of Representatives, an accountability report which includes specific expenditure information on program funds and the impact of those expenditures in elevating the national and global prominence of the university medicine, law, and graduate-level business programs, specifically relating to the:
  - first-time pass rate on the United States Medical Licensing Examination;
  - first-time pass rate on the Florida Bar Examination;
  - percentage of graduates enrolled or employed at a wage threshold that reflects the added value of a graduate-level business degree;
  - advancement in rankings of the state university medicine, law, and graduate-level business programs; and
  - added economic benefit of the universities to the state.

### **Reverse Transfer Agreements**

The bill requires state universities to transfer credits back to the FCS institution once a transfer student earns the remaining credits for the Associate in Arts (AA) degree so that the FCS institution can award the AA degree to the student.

## Developmental Education

The bill strengthens developmental education instruction provided by state universities by emphasizing the focus on instructional strategies specified in law.<sup>96</sup> FAMU is the only state university within the SUS that provides developmental education.<sup>97</sup> Consequently, FAMU may need to revise its developmental education program to incorporate the developmental education strategies specified in law.

The bill authorizes postsecondary institutions to assess students using the PERT (on a case-by-case basis) for diagnostic purposes, which will allow institutions to improve advising for students and collect more robust student success data. Students will still have the option to opt out of developmental courses and enroll directly in college credit courses regardless of the score they receive on the PERT.

## Block Tuition

The bill requires each state university board of trustees to adopt, for implementation by the fall 2019 semester, a block tuition policy for resident and non-resident undergraduate students. The policy must apply to the entering freshman class of full-time FTIC students and may be extended to other enrolled students. Each university must submit its policy, including its potential impact on students to the BOG by April 1, 2018. By August 1, 2018, the Chancellor of the SUS must provide a report to the Governor, the President of the Senate, and the Speaker of the House, summarizing the institutional policies and the board's review and approval of such policies. The report must also include recommendations for improving block tuition and fee benefits for students.

## Florida Bright Futures Scholarship Program

The bill eliminates the prohibitions in Florida law<sup>98</sup> regarding the inclusion of the following fees in Florida Bright Futures Scholarship Program awards:

- Technology fees at state universities and FCS institutions, and for postsecondary workforce education provided by school districts and FCS institutions.
- The tuition differential fee at a state university.

The bill codifies the FAS award amount<sup>99</sup> to cover 100 percent of tuition and certain tuition-indexed fees<sup>100</sup> plus \$300 for textbooks and educational expenses during each fall and spring semester or the equivalent, beginning in the 2017-2018 academic year. The Legislature appropriated \$397.3 million in the 2017-2018 GAA for the Bright Futures Program, which includes \$274.1 million<sup>101</sup> to provide FAS awards at an amount equal to 100 percent of tuition and specified fees, including a \$300 per semester textbook stipend.<sup>102</sup>

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<sup>96</sup> Section 1008.02, F.S.

<sup>97</sup> BOG Regulation 6.008(1).

<sup>98</sup> Sections 1009.22(7), 1009.23(10), and 1009.24(13), F.S.

<sup>99</sup> The 2017-2018 GAA provides that Florida Academic Scholars must receive an award equal to 100 percent of tuition and applicable fees, and an additional \$300 each fall and spring semester for textbooks and college-related expenses. Specific Appropriation 4, 2017-70, L.O.F.

<sup>100</sup> The tuition-indexed fees specified in the bill include financial aid, capital improvements, technology enhancements, equipping buildings, or the acquisition of improved real property, and technology (s. 1009.22, F.S.); activity and service, financial aid, technology, capital improvements, technology enhancements, and equipping student buildings or the acquisition of improved real property (s. 1009.23, F.S.); financial aid, Capital Improvement Trust Fund, activity and service, health, athletic, technology, transportation access, and includes the tuition differential (s. 1009.24, F.S.). The bill specifies that only university-wide transportation access fees may be included in any Bright Futures award.

<sup>101</sup> Office of Economic & Demographic Research, Florida Bright Futures Scholarship Program, Awards History and Forecast, available at: <http://edr.state.fl.us/Content/conferences/financialaid/ConferenceResults.pdf>, at 7.

<sup>102</sup> Specific Appropriation 4, 2017-70 L.O.F.

Award amounts for the FMS award are increased to cover 75 percent of tuition and specified fees, beginning in the 2018 fall semester. Additionally, Florida Bright Futures Scholarship awards may be used for summer term enrollment if funds are provided in the GAA.

Compared to 2017, FMS awards, the 75 percent award amount is projected to increase the per-credit-hour awards as shown in the table below:

	2017-2018 FMS Per-Credit-Hour Award <sup>103</sup>	Projected 2018-2019 FMS Per-Credit-Hour Award
4-Year Institutions	\$77	\$159
2-Year Institutions	\$63	\$80
Upper Division in the FCS	\$53	\$92
Career/Technical Education	\$39	\$62

### First Generation Matching Grant Program

The bill expands need-based financial aid by revising the state to private match requirements from a 1:1 match to a 2:1 match. In Fiscal Year 2015-16, 8,234 initial and renewal students received an average award of \$1,289.45, with 13,700 unfunded eligible students reported by postsecondary education institutions.<sup>104</sup> The increase in the state matching contribution may raise the award amount or make more awards available for eligible students, which may help these students to graduate on time. However, the bill specifies that new funds must first be used to increase the number of scholarships awarded to students before increasing the amount of funding per scholarship.

### Benacquisto Scholarship Program

The bill modifies eligibility requirements for the Benacquisto Scholarship Program to attract qualified students from out-of-state and assist these students in paying for higher education in Florida, graduate on time, and incur less education-related debt. Specifically, this section:

- Establishes student eligibility criteria, which apply only to students who are not residents of the state and who initially enroll in a baccalaureate degree program in the 2017-2018 academic year or thereafter, requiring such students to:
  - Physically reside in Florida on or near the campus of the postsecondary education institution in which they enroll;
  - Earn a high school diploma or equivalent or complete a home education program, comparable to Florida; and
  - Be accepted by and enroll full-time in a baccalaureate degree program at an eligible regionally accredited public or private postsecondary education institution.
- Provides that for an eligible student who is not a resident of the state and who attends:
  - A public postsecondary education institution, the award amount must be equal to the institutional cost of attendance<sup>105</sup> for a resident of the state less the student's National Merit Scholarship. Such student is exempt from out-of-state fees.
  - A private postsecondary education institution, the award amount must be equal to the highest cost of attendance<sup>106</sup> for a resident of the state enrolled at a state university, less the student's National Merit Scholarship.

<sup>103</sup> *Id.*

<sup>104</sup> Florida Department of Education, Office of Student Financial Assistance, *End-of-Year Report, 2015-16*, First Generation Matching Grant Program (FGMG), available at [https://www.floridastudentfinancialaidsg.org/pdf/EOY\\_Reports/2015-16/FGMG\\_2015\\_2016.pdf](https://www.floridastudentfinancialaidsg.org/pdf/EOY_Reports/2015-16/FGMG_2015_2016.pdf).

<sup>105</sup> The 2016-17 cost of attendance on campus for full time undergraduate Florida resident students includes tuition and fees, books and supplies, room and board, transportation, and other expenses; the average annual cost of attendance for the State University System is \$21,534.98. Board of Governors, *Fall/Spring Cost of Attendance On-Campus for Full-Time Undergraduate Florida Residents 2016-17*, available at [http://www.flbog.edu/about/\\_doc/budget/attendance/CostAttendance2016\\_17\\_FINAL.xlsx](http://www.flbog.edu/about/_doc/budget/attendance/CostAttendance2016_17_FINAL.xlsx).

<sup>106</sup> The highest State University System cost of attendance in 2016-17 is \$23,463 at Florida International University.



Of the 320 National Merit Scholars (NMS) and National Achievement Scholars (NAS) who initially enrolled in a Florida college or university in the 2015-16 academic year,<sup>107</sup> 266 received an initial award as a Benacquisto Scholar.<sup>108</sup> The other 54 NMS who enrolled in a Florida university during the 2015-16 academic year most likely graduated from out-of-state high schools, and thus were not eligible for the Benacquisto Scholarship. Assuming this number of students remains constant for the 2017-18 academic year, and these out-of-state students otherwise meet the eligibility requirements, the cost to fund the additional out-of-state students is estimated to be \$1.2 million.

### **Florida Farmworker Student Scholarship Program**

The bill creates the Florida Farmworker Scholarship Program (Farmworker Scholarship), to be administered by the DOE. The DOE may award up to 50 scholarships annually to farmworkers, as defined in s. 420.503, and the children of such farmworkers, who meet the scholarship eligibility criteria. To be eligible for an initial scholarship, a student must:

- Have resident status as required by s. 1009.40, F.S., and rules of the SBE;
- Earn a minimum cumulative 3.5 weighted grade point average (GPA) for all high school courses creditable towards a diploma;
- Complete a minimum of 30 hours of community service;
- Have at least a 90 percent attendance rate and not have had any disciplinary action brought against him or her, as documented on the student's high school transcript.

Undocumented immigrants are not eligible for an award. A Farmworker Scholarship recipient, who is enrolled full-time, is eligible for an award equal to 100 percent of tuition and specified fees at a public postsecondary institution. A scholarship recipient must maintain a cumulative 2.5 college GPA to renew the award, and may receive funding for a maximum of 100 percent of the number of credit hours required to complete his or her degree program. The bill specifies that funding for the Farmworker Scholarship is contingent upon an appropriation in the GAA.

### **Stanley G. Tate Florida Prepaid College Program**

The bill specifies that a Florida Prepaid College Program plan (Prepaid Plan), purchased prior to July 1, 2024, is obligated to pay only for the credit hours in which a student is enrolled. In effect, this section of the bill protects a student under any potential block tuition policy by limiting the Prepaid Plan obligation to actual hours in which the student enrolls, even if the student enrolls in fewer credit hours than the rate at which the block tuition is set.

### **SUS faculty/Administrator Ratios**

The bill requires that the legislative budget request for each state university must include 5-year trend information on ratios of student enrollment to both faculty and administrators. The ratio of students to administrators may not grow at a faster rate than the ratio of students to faculty at any university.

### **William L. Boyd, IV, Florida Resident Access Grant (FRAG)**

The bill renames the William L. Boyd, IV, Florida Resident Access Grant (FRAG) Program as the William L. Boyd, IV, Effective Access to Student Education (EASE) Grant Program.

### **University of South Florida**

The bill requires the University of South Florida Board of Trustees to, no later than January 15, 2019, adopt and submit an implementation plan to the BOG to phase-out the separate SACSCOC

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<sup>107</sup> National Merit Scholarship Corporation, *2014-15 Annual Report* (Oct. 31, 2015), available at [http://www.nationalmerit.org/s/1758/images/gid2/editor\\_documents/annual\\_report.pdf](http://www.nationalmerit.org/s/1758/images/gid2/editor_documents/annual_report.pdf).

<sup>108</sup> Florida Department of Education, Office of Student Financial Assistance, *End-of-Year Report, 2015-16*, Benacquisto Scholarship (FIS), available at: [https://www.floridastudentfinancialaid.org/pdf/EOY\\_Reports/2015-16/FIS\\_2015\\_2016.pdf](https://www.floridastudentfinancialaid.org/pdf/EOY_Reports/2015-16/FIS_2015_2016.pdf).

accreditation of the USF St. Petersburg and USF Sarasota/Manatee campuses. The implementation plan must:

- Provide detailed action steps and a timeline to ensure that each campus's separate accreditation is terminated no later than June 30, 2020, with no lapse in accreditation for any campus during the phase-out process;
- Be carried out in a manner that limits disruption to students attending any USF campus and does not impede any student's ability to complete a baccalaureate degree in 4 years;
- Provide that all campuses and other component units of USF shall operate under a single institutional accreditation from SACSCOC on or before July 1, 2020; and
- Provide that, on each regularly scheduled submission date after July 1, 2020, USF will report consolidated data for all campuses and students to the BOG and the Integrated Postsecondary Education Data System (IPEDS).

The bill provides that, for purposes of determining eligibility for funding through the State University System Performance-Based Incentive or the Preeminent State Research Universities Program, students who meet all of the following criteria will not be included by the BOG when calculating or confirming the graduation rate or retention rate for USF:

- The student was admitted and initially enrolled before the spring 2019 semester as an FTIC student at the USF St. Petersburg or the USF Sarasota/Manatee; and
- The student voluntarily disenrolled from all USF campuses without graduating before the date of termination of the separate SACSCOC accreditation of his or her admitting campus.

Finally, the bill specifies that the Florida Center for the Partnership for Arts Integrated Teaching within USF shall be physically headquartered at the university's Sarasota/Manatee campus.

### **Intellectual and Viewpoint Diversity**

The bill requires the BOG to annually, by September 1, report on the intellectual freedom and viewpoint diversity at each institution by conducting a survey of students, faculty and administrators. The survey must be objective, non-partisan, statistically valid, and enable comparisons among institutions over time.

## **B. SECTION DIRECTORY:**

**Section 1.** Names the act the "Florida Excellence in Higher Education Act of 2018."

**Section 2.** Amends s.1001.706, F.S., requiring each state university to use gap analysis to identify internship opportunities for students; requiring the BOG to develop and implement a performance agreement with each constituent university and establish baseline benchmarks; requiring the BOG to work with each university to establish 1-year, 2-year, 3-year, and 4-year improvement benchmarks for determining performance funding eligibility; requiring the Office of the Inspector General to annually verify the accuracy of data used to implement performance funding; requiring the BOG to match certain student information with specified educational and employment records; requiring the BOG to enter into an agreement with DEO that allows access to reemployment assistance wage data reports; requiring the BOG to annually report on intellectual freedom and viewpoint diversity at each institution.

**Section 3.** Amends s. 1001.7065, F.S., revising the excellence standards and benchmarks for the Preeminent State Research Universities program; reducing funding for available for emerging preeminent state research universities; and requiring the BOG to establish standards and measures for programs of national excellence.

**Section 4.** Amends s. 1001.92, F.S., revising the metrics for the State University System Performance-Based Incentive; requiring benchmarks and metrics must remain in place for 4 years and may not be adjusted after university performance data has been received by the BOG; stipulating each state university that meets benchmarks for improvement established in the performance agreement are eligible for a share of the state investment in performance funding; revising the criteria for determining if an institutional investment in performance funds will be withheld; revising the distribution of institutional investment funds that are not restored; requiring that, beginning with the 2019-202 fiscal year, the Legislature must approve a performance funding plan prior to the distribution of funds; requiring the BOG to submit a plan to the Governor, President of the Senate and Speaker of the House by January 1, 2019 for transitioning from a partial performance-based funding model to a complete performance-based continuous improvement model.

**Section 5.** Amends s. 1004.28, F.S., revising the requirements for rules a state university board of trustees must adopt relating to the services, activities, and expenses of its DSOs; prohibiting the transfer of funds to certain state university DSOs; prohibiting the use of state funds for certain purposes; requiring the chair of the board of trustees to appoint certain members of a state university DSO; requiring the university board of trustees to approve all appointments to a state university; deleting an exception to the prohibition against DSOs donating gifts to a political committee; requiring the disclosure of certain financial documents;

**Section 6.** Creates s. 1004.6497, F.S., creating the World Class Faculty and Scholar Program to fund and support efforts of state universities to recruit and retain exemplary faculty and research scholars.

**Section 7.** Creates s. 1004.6498, F.S., creating the State University Professional and Graduate Degree Excellence Program to support the efforts of state universities to enhance the quality and excellence of programs in medicine, law, and business.

**Section 8.** Amends s. 1007.23, F.S., requiring the statewide articulation agreement to provide for a reverse transfer agreement.

**Section 9.** Amends s. 1008.30, F.S., revising developmental education instruction at a state university and authorizing postsecondary institutions to assess students using the PERT for diagnostic purposes.

**Section 10.** Amends s. 1008.46, F.S., revising the date by which the BOG must submit an annual accountability report.

**Section 11.** Amends 1009.22, F.S., providing authority for the payment of specific postsecondary workforce education fees with Bright Futures Scholarship awards.

**Section 12.** Amends s. 1009.23, F.S., providing authority for the payment of specific Florida College System fees with Bright Futures Scholarship awards.

**Section 13.** Amends s. 1009.24, F.S., providing authority for the payment of specific state university fees with Bright Futures Scholarship awards; requiring each state university board of trustees to adopt a block tuition policy for implementation by fall 2019.

**Section 14.** Amends s. 1009.53, F.S., permitting students to use Bright Futures Scholarship awards for summer term beginning in the 2018 summer term; authorizing the use of other Bright Futures Scholarship awards for summer term if funding is provided in the GAA.

**Section 15.** Amends s. 1009.534, F.S., revising award amount for the Florida Academic Scholars award.

**Section 16.** Amends s. 1009.535, F.S., revising award amount for the Florida Medallion Scholars award.

**Section 17.** Amends s. 1009.701, F.S., revising the contribution ratios for the First Generation Matching Grant Program; requiring that additional funds be used to increase the number of eligible students receiving an award before awards amounts may be increased.

**Section 18.** Amends s. 1009.893, F.S., expanding eligibility for the Benacquisto Scholarship Program to include eligible out-of-state students.

**Section 19.** Creating s. 1009.894, F.S., establishing the Florida Farmworker Student Scholarship Program for farmworkers and their children.

**Section 20.** Amends s. 1009.98, F.S., specifies that a Florida Prepaid College Program Plan is obligated to pay only for the credit hours in which a student is enrolled.

**Section 21.** Amends s. 1011.90, F.S., requiring that the BOG legislative budget request include 5-year trend information on the ratio of student enrollment to faculty and administrators at each university; requiring that the ratio of students to administrators may not grow at a greater rate than the ratio of students to faculty.

**Section 22.** Directs the Division of Law Revision and Information to prepare a Reviser's bill for the 2019 Regular Session to substitute the term "Effective Access to Student Education Grant Program" for "Florida Resident Access Grant Program" and the term Effective Access to Student Education grant" for "Florida resident access grant."

**Section 23.** Repeals ss. 1004.33 and 1004.34, F.S., effective July 1, 2020.

**Section 24.** Creates s. 1004.335, F.S., requiring USF to adopt and submit a plan, no later than January 15, 2019, to phase out the separate accreditations of USF St. Petersburg and USF Manatee/Sarasota by July 1, 2020; providing that certain students may not be included in specified graduation and retention rate calculations.

**Section 25.** Amends s. 1004.344, F.S., specifying the physical location of the Florida Center for the Partnership for Arts Integrated Teaching is at the USF Sarasota/Manatee campus.

**Section 26.** This bill takes effect upon becoming law.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The estimated fiscal impact to expand the Bright Futures Scholarship coverage for the 2018-2019 fiscal year is \$121.8 million in recurring funds from the Educational Enhancement Trust Fund (EETF). More specifically,

- \$11.7 million in additional funding to cover the workload increase associated with 3,699 additional FAS students which includes funding for the summer term. The total cost to provide 100 percent of tuition and fees for FAS is \$68.8 million (\$59.3 million, plus \$9.5 million for the summer term). Recurring funding was provided in the 2017-2018 General Appropriations Act to cover 100 percent of tuition and fees to FAS, including the summer

term;<sup>109</sup> therefore, only funding for the increased workload is included in the total estimated fiscal impact for the 2018-2019 fiscal year. The Department of Education is currently providing FAS awards at 100 percent of tuition and fees during 2017-2018.<sup>110</sup>

- \$81.7 million for the FMS award to cover 75 percent of tuition and specified fees for an estimated 46,521 FMS-eligible students, and
- \$28.4 million for 2018-2019 FMS summer term awards at 75% of tuition and fees.

The estimated fiscal impact of expanding the Benacquisto Scholarship Program Fund for a projected 59 additional scholars from out of state is \$1.2 million for the 2018-2019 fiscal year.

The estimated cost for the Florida Farmworker Student Scholarship Program is \$317,355 in Fiscal Year 2018-2019. \$500,000 in recurring general revenue was appropriated for this program in the 2017-2018 General Appropriations Act.<sup>111</sup> The appropriation was in anticipation of CS/CS/SB 374 becoming law in Fiscal Year 2017-2018. The new program's implementation did not occur since the Governor vetoed CS/CS/SB 374.<sup>112</sup> No additional appropriation is required in the 2018-19 fiscal year because the associated recurring funds for the scholarship program as provided in the 2017-2018 General Appropriations Act were not vetoed, and therefore, remain in the base budget.

Additionally, the following provisions are expected to have an indeterminate impact on state revenues and expenditures:

- Requiring state universities to adopt and implement a block tuition policy for resident and non-resident undergraduate students at the state universities.
- Establishing the World Class Faculty and Scholar Program - funding will be as provided in the GAA.
- Establishing the State University Professional and Graduate Degree Excellence programs - funding will be as provided in the GAA.

## B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

### 1. Revenues:

None.

### 2. Expenditures:

None.

## C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill increases financial aid and tuition assistance to students. Specifically, the bill:

- Modifies the Florida Medallion Scholars (FMS) award to an amount equal to 75 percent of public postsecondary education institution tuition and specified fees for educational expenses. The increase in the FMS award to cover 75 percent of tuition and specified fees may increase the current average FMS award per academic year by approximately:
  - \$2,000 if the student is enrolled at a 4-year institution.
  - \$300 if the student is enrolled at a 2-year institution.

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<sup>109</sup> Chapter 2017-70, Laws of Florida, (SB 2500), Specific Appropriation 4

<sup>110</sup> Department of Education memorandum: OSFA-State: #17-18:07

<sup>111</sup> Chapter 2017-70, Laws of Florida, (SB 2500), Specific Appropriation 73

<sup>112</sup> The Florida Farmworker Student Scholarship Program was created in section 134 of CS for CS for SB 374, which was vetoed.

<http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=56972&SessionId=83>

- Expands the Benacquisto Scholarship Program to include out-of-state National Merit Scholar students who meet the specified eligibility criteria, which is likely to provide a significant cost savings to such students. Such students may be eligible for an annual award of approximately \$21,148.
- Doubles the state match for the First Generation in College Matching Grant, which may make the matching grant available to additional eligible students, provide increased awards to currently eligible students, or a combination of the two.
- Establishes the Florida Farmworker Student Scholarship Program for farmworkers and the children of farmworkers. Scholarship recipients are eligible for an award equal to 100 percent of tuition and specified fees at a public postsecondary institution. A scholarship recipient who enrolls in 30 credit hours per academic year at a state university is estimated to receive an award of approximately \$6,000.
- Requires state universities to adopt and implement a block tuition policy. The impact on students will depend upon the parameters of the various policies implemented and the number of credits in which a particular student enrolls.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

N/A

2. Other:

N/A

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 17, 2018, the House Post-Secondary Education Subcommittee adopted a proposed committee substitute (PCS) and reported the bill favorably as amended. The PCS as amended differs from the bill in the following ways:

#### State University System Performance Funding Incentive

- Revises existing performance funding metrics to include:
  - 4-year graduation rate for FTIC students
  - 2-year graduation rate for 2+2 transfer students
  - 6 year graduation rates for Pell-eligible students as compared with non-Pell-eligible students
  - Percent of students graduating without excess hours (for all institutions)
  - Retention rates that incorporate 30, 60 and 90 credit hour milestones.
  - Additional metrics approved by the BOG that reflect the unique mission of each university

- Requires the BOG to develop and implement a performance agreement with each university that (by August 1, 2018) establishes baseline benchmarks unique to each university on the common performance metrics.
- Requires the BOG to establish 1-year, 2-year, 3-year, and 4-year benchmarks for improvement based on the performance agreement entered into with each university.
- Requires the office of the inspector general to annually verify the accuracy of the data used to implement performance funding and preeminence funding.
- Requires the BOG, in consultation with the state universities, to submit to the Governor, Senate President and Speaker (by January 1, 2019), a plan for transitioning from the current partial performance-based funding model to a complete performance-based continuous improvement funding model focused on outcomes.
- Stipulates that the Legislature will also consult with an independent contractor to develop an alternative transition plan.
- Legislative approval of performance plans is required before any performance funds may be distributed beginning with the 2019-2020 fiscal year.

#### **State University Direct Support Organizations (DSOs)**

- Requires that personal services for DSOs must comply with requirements for other state employees.
- Requires thresholds for approval of purchases, acquisitions, projects, and issuance of debt.
- Requires that, no later than July 1, 2019, university transfers of any state appropriation to direct-support organizations by a board of trustees may include only funds pledged for debt.
- Revises the appointment and approval process for members of a DSO board of directors.

#### **Block Tuition**

- Delays the implementation date for the block tuition policy from fall 2018 to fall 2019 semester.
- Stipulates that block tuition policy may not increase the cost of tuition and fees for students above 2017-2018 level

#### **State University Accountability Process**

- Amends the due date for the BOG annual accountability report from December 31 to March 15.

#### **Reverse Transfer**

- Requires the statewide articulation agreement to include a reverse transfer agreement that requires a state university to transfer credits back to the FCS institution once the remaining credits for the AA degree have been earned so that the FCS institution can grant the student an AA degree from the FCS institution.

#### **Employment Data Access**

- Requires the BOG to enter into an agreement with DEO that allows access to reemployment assistance wage data for purposes of auditing and evaluating higher education programs at state universities.

#### **Developmental Education**

- Allows colleges to assess students using the PERT (on a case-by-case basis) for diagnostic purposes to improve advising and collect student success data.

#### **Administrative Growth Rate**

- Requires the legislative budget request to include 5-year trend information on ratios of student enrollment to faculty and administrators at each university.
- The ratio of students to administrators at any state university may not grow at a greater rate than the ratio of students to faculty.

#### **First Generation Matching Grant Program**

- Requires that additional funds must first be used to increase the number of students getting a scholarship before the amount of each scholarship awarded may be increased.

### **University of South Florida**

- Requires USF Board of Trustees, no later than January 15, 2019, to adopt and submit an implementation plan to the Board of Governors to phase-out the separate SACSCOC accreditation of the USF St. Petersburg and USF Manatee/Sarasota campuses.
- Requires termination of separate accreditation by June 30, 2020, with no lapse in accreditation for any USF campus.
- Requires that, on or before July 1, 2020, the entirety of the USF, including all campuses and other component units of the university shall operate under a single institutional accreditation.
- Requires consolidation of data for all campuses for purposes of reporting data to IPEDS and BOG.
- Holds USF harmless for students who enroll in a branch campus prior to consolidation or who drop out of all USF campuses before the separation.
- Specifies that PAInT is physically headquartered at the Manatee/Sarasota location of USF.

### **Intellectual and Viewpoint Diversity**

- Requires BOG to annually, by September 1, report on the intellectual freedom and viewpoint diversity at each institution by conducting a survey of students, faculty and administrators.

### **Retroactivity**

- Removes retroactivity of certain provisions to 2017-2018.

### **Specific Appropriations**

- Deletes specific appropriations in the bill.

The bill analysis is drafted to the PCS as amended, as adopted by the Post-Secondary Education Subcommittee.



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 the Board  
 4           of Governors to report on the intellectual freedom and  
 5           viewpoint diversity of each institution; requiring  
 6           state universities to identify internship  
 7           opportunities in high-demand fields; revising the  
 8           Board of Governor's accountability plan to include  
 9           certain performance agreements; providing requirements  
 10          for such agreements; requiring the Board of Governors  
 11          to establish improvement benchmarks for specified  
 12          purposes; providing requirements for the Office of the  
 13          Inspector General; requiring the Board of Governors to  
 14          match certain student information with specified  
 15          educational and employment records; providing the  
 16          Board of Governors with access to certain reports  
 17          maintained by the Department of Economic Opportunity;  
 18          requiring the Board of Governors to enter into an  
 19          agreement with the department to ensure the proper use  
 20          and privacy of certain data; amending s. 1001.7065,  
 21          F.S.; revising the preeminent state research  
 22          universities program academic and research excellence  
 23          standards; revising the amount an emerging preeminent  
 24          state research university may receive; deleting the  
 25          authority for such universities to stipulate a special

26 course requirement for incoming students; requiring  
 27 the Board of Governors to establish certain standards  
 28 by a specified date; amending s. 1001.92, F.S.;  
 29 revising the performance-based metrics for the state  
 30 university performance-based incentives; providing  
 31 requirements for such metrics and benchmarks used to  
 32 evaluate a university; revising provisions relating to  
 33 the amount of funding available and the distribution,  
 34 withholding, and reinstatement of funds; requiring  
 35 legislative approval of performance funding plans  
 36 before the distribution of performance funds;  
 37 requiring the Board of Governors, in consultation with  
 38 the state universities and by a specified date, to  
 39 submit a plan for transitioning to a complete  
 40 performance-based continuous improvement funding  
 41 model; providing plan requirements; amending s.  
 42 1004.28, F.S.; revising the requirements for rules a  
 43 state university board of trustees must adopt relating  
 44 to the services, activities, and expenses of its  
 45 direct-support organizations; prohibiting the transfer  
 46 of funds to certain state university direct-support  
 47 organizations; prohibiting the use of state funds for  
 48 certain purposes; requiring, rather than authorizing  
 49 the chair of the board of trustees to appoint certain  
 50 members of a state university direct-support

51 organization; requiring the university board of  
 52 trustees to approve all appointments to a state  
 53 university direct-support organization; deleting an  
 54 exception to the prohibition against direct-support  
 55 organizations donating gifts to a political committee;  
 56 requiring the disclosure of certain financial  
 57 documents; creating s. 1004.6497, F.S.; establishing  
 58 the World Class Faculty and Scholar Program; providing  
 59 the purpose and intent; authorizing state university  
 60 investments in certain faculty retention, recruitment,  
 61 and recognition activities; specifying funding as  
 62 provided in the General Appropriations Act; requiring  
 63 an annual report to the Governor and the Legislature  
 64 by a specified date; creating s. 1004.6498, F.S.;  
 65 establishing the State University Professional and  
 66 Graduate Degree Excellence Program; providing the  
 67 purpose; listing the quality improvement efforts that  
 68 may be used to elevate the prominence of state  
 69 university medicine, law, and graduate-level business  
 70 programs; specifying funding as provided in the  
 71 General Appropriations Act; requiring an annual report  
 72 to the Governor and the Legislature by a specified  
 73 date; amending s. 1006.62, F.S.; providing that a  
 74 student who is subject to a disciplinary hearing is  
 75 entitled to certain rights; amending s. 1007.23, F.S.;

76 requiring the statewide articulation agreement to  
 77 provide for a reverse transfer agreement; providing  
 78 for an associate degree to be awarded to certain  
 79 students by Florida College System institutions;  
 80 providing requirements for state universities;  
 81 amending s. 1008.30, F.S.; authorizing a Florida  
 82 College System institution to require the common  
 83 placement test for diagnostic purposes; authorizing  
 84 certain state universities to continue to provide  
 85 developmental education instruction; amending s.  
 86 1008.46, F.S.; revising the date by which the Board of  
 87 Governors must submit an annual accountability report;  
 88 amending ss. 1009.22 and 1009.23, F.S.; removing the  
 89 prohibition on the inclusion of a technology fee in  
 90 the Florida Bright Futures Scholarship Program award;  
 91 amending s. 1009.24, F.S.; removing the prohibition on  
 92 the inclusion of a technology fee and a tuition  
 93 differential fee in the Florida Bright Futures  
 94 Scholarship Program award; requiring each state  
 95 university board of trustees to implement a block  
 96 tuition policy for specified undergraduate students  
 97 beginning in a specified academic semester; requiring  
 98 the Chancellor of the State University System to  
 99 submit a report to the Governor and the Legislature by  
 100 a specified date; amending s. 1009.53, F.S.;

101 authorizing a student to use Florida Bright Futures  
 102 Scholarship Program awards for summer term enrollment;  
 103 amending s. 1009.534, F.S.; specifying Florida  
 104 Academic Scholars award amounts to cover tuition,  
 105 fees, textbooks, and other educational expenses;  
 106 amending s. 1009.535, F.S.; specifying Florida  
 107 Medallion Scholars award amounts to cover specified  
 108 tuition and fees; amending s. 1009.701, F.S.; revising  
 109 the state-to-private match requirement for  
 110 contributions to the First Generation Matching Grant  
 111 Program beginning in a specified fiscal year;  
 112 providing for the increase in award amounts under  
 113 certain circumstances; extending the program to  
 114 include Florida College System institution students;  
 115 amending s. 1009.893, F.S.; extending coverage of the  
 116 Benacquisto Scholarship Program to include tuition and  
 117 fees for qualified nonresident students; creating s.  
 118 1009.894, F.S.; creating the Florida Farmworker  
 119 Student Scholarship Program; providing a purpose;  
 120 requiring the Department of Education to administer  
 121 the scholarship program; providing student eligibility  
 122 criteria; specifying award amounts and distributions;  
 123 providing for funding as specified in the General  
 124 Appropriations Act; amending s. 1009.98, F.S.;

125 providing that certain payments from the Florida

126 Prepaid College Board to a state university on behalf  
 127 of a qualified beneficiary may not exceed a specified  
 128 amount; amending s. 1011.90, F.S.; providing  
 129 requirements for certain legislative budget requests;  
 130 prohibiting certain ratios relating to student  
 131 enrollment from growing faster than a specified rate;  
 132 providing a directive to the Division of Law Revision  
 133 and Information; providing for the future repeal of  
 134 ss. 1004.33 and 1004.34, F.S., relating to the  
 135 University of South Florida St. Petersburg and  
 136 Manatee/Sarasota, respectively; creating s. 1004.335,  
 137 F.S.; requiring the University of South Florida to  
 138 adopt and submit a plan to phase out the separate  
 139 accreditations of the University of South Florida St.  
 140 Petersburg and the University of South Florida  
 141 Manatee/Sarasota by a specified date; providing  
 142 requirements for such plan; providing that certain  
 143 students may not be included in specified graduation  
 144 and retention rate calculations; amending s. 1004.344;  
 145 requiring the University of South Florida's Florida  
 146 Center for the Partnership for Arts Integrated  
 147 Teaching to be located at a certain branch campus;  
 148 providing an effective date.

149  
 150 Be It Enacted by the Legislature of the State of Florida:

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

Section 2. Paragraphs (b), (c), and (e) of subsection (5) of section 1001.706, Florida Statutes, are amended, and paragraph (j) is added to subsection (3) and paragraph (h) is added to subsection (5) of that section, to read:

1001.706 Powers and duties of the Board of Governors.—

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

(j) The Board of Governors shall annually report, by September 1 of each year, on the intellectual freedom and viewpoint diversity at each institution through an objective, nonpartisan, and statistically valid survey that enables comparison among institutions over time. Each institution shall conduct an annual survey of students, faculty, and administrators that assesses the extent to which competing ideas, perspectives, and claims of truth are presented and members of the university community feel safe and supported in exploring and articulating their beliefs and viewpoints on campus and in the classroom.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's

176 contribution to overall system goals and objectives. The  
 177 strategic plan must:

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

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

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

197 4. Include criteria for designating baccalaureate degree  
 198 and master's degree programs at specified universities as high-  
 199 demand programs of emphasis. Fifty percent of the criteria for  
 200 designation as high-demand programs of emphasis must be based on



201 achievement of performance outcome thresholds determined by the  
 202 Board of Governors, and 50 percent of the criteria must be based  
 203 on achievement of performance outcome thresholds specifically  
 204 linked to:

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

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

217 (c) The Board of Governors shall develop an accountability  
 218 plan for the State University System by developing and  
 219 implementing a performance agreement with ~~and~~ each constituent  
 220 university. The accountability plan must address institutional  
 221 and system achievement of goals and objectives specified in the  
 222 strategic plan adopted pursuant to paragraph (b) and must be  
 223 submitted as part of its legislative budget request. The initial  
 224 performance agreement shall, by August 1, 2018, establish  
 225 baseline benchmarks for each state university based on the

226 previous 2-year average performance on each common metric  
 227 established pursuant to s. 1001.92. Once institution-specific  
 228 baseline benchmarks are established, the Board of Governors must  
 229 work with each university to establish and include in the  
 230 performance agreement 1-year, 2-year, 3-year, and 4-year  
 231 improvement benchmarks for determining eligibility for  
 232 performance funding.

233 (e) The Board of Governors shall maintain an effective  
 234 information system to provide accurate, timely, and cost-  
 235 effective information about each university. The board shall  
 236 continue to collect and maintain, at a minimum, management  
 237 information as such information existed on June 30, 2002. The  
 238 Office of the Inspector General shall annually verify the  
 239 accuracy of the data used to implement ss. 1001.7065 and  
 240 1001.92.

241 (h) The Board of Governors shall match individual student  
 242 information with information in the files of state and federal  
 243 agencies that maintain educational and employment records. The  
 244 board must enter into an agreement with the Department of  
 245 Economic Opportunity that allows access to the individual  
 246 reemployment assistance wage records maintained by the  
 247 department. The agreement must protect individual privacy and  
 248 provide that student information may be used only for the  
 249 purposes of auditing or evaluating higher education programs  
 250 offered by state universities.

251 Section 3. Paragraph (d) of subsection (2), paragraph (c)  
 252 of subsection (5), and subsections (6) and (8) of section  
 253 1001.7065, Florida Statutes, are amended to read:

254 1001.7065 Preeminent state research universities program.—

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

259 (d) A 4-year graduation rate of 60 percent or higher for  
 260 full-time, first-time-in-college students, as reported annually  
 261 to the IPEDS. However, for the 2018 determination of a state  
 262 university's preeminence designation and the related  
 263 distribution of the 2018-2019 fiscal year appropriation  
 264 associated with preeminence and emerging preeminence, a  
 265 university is considered to have satisfied this graduation rate  
 266 measure by attaining a 6-year graduation rate of 70 percent or  
 267 higher by October 1, 2017, for full-time, first-time-in-college  
 268 students, as reported annually to the IPEDS and confirmed by the  
 269 Board of Governors.

270 (5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM  
 271 SUPPORT.—

272 (c) The award of funds under this subsection is contingent  
 273 upon funding provided in the General Appropriations Act to  
 274 support the preeminent state research universities program  
 275 created under this section. Funding increases appropriated

276 beyond the amounts funded in the previous fiscal year shall be  
 277 distributed as follows:

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

281 2. Each designated emerging preeminent state research  
 282 university that meets the criteria in paragraph (b) shall,  
 283 beginning in the 2018-2019 fiscal year, receive an amount of  
 284 funding that is equal to one-fourth ~~one-half~~ of the total  
 285 increased amount awarded to each designated preeminent state  
 286 research university.

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

299 (7)(8) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE  
 300 UNIVERSITY SYSTEM.—The Board of Governors shall ~~is encouraged to~~

301 establish standards and measures whereby individual  
 302 undergraduate, graduate, and professional degree programs in  
 303 state universities ~~which~~ that objectively reflect national  
 304 excellence can be identified and make recommendations to the  
 305 Legislature by September 1, 2018, as to how any such programs  
 306 could be enhanced and promoted.

307 Section 4. Section 1001.92, Florida Statutes, is amended  
 308 to read:

309 1001.92 State University System Performance-Based  
 310 Incentive.—

311 (1) A State University System Performance-Based Incentive  
 312 shall be awarded to state universities using performance-based  
 313 metrics adopted by the Board of Governors of the State  
 314 University System. The performance-based metrics must include:

315 (a) Four-year graduation rates for full-time, first-time-  
 316 in-college students.

317 (b) Two-year graduation rates for full-time 2+2 associate  
 318 degree transfer students from Florida College System  
 319 institutions.†

320 (c) Retention rates, with points awarded for students  
 321 earning 30, 60, and 90 credits.†

322 (d) Postgraduation education rates.†

323 (e) Degree production.†

324 (f) Affordability.†

325 (g) Postgraduation employment and salaries, including wage

326 thresholds that reflect the added value of a baccalaureate  
 327 degree.

328 (h) Six-year graduation rates for students who are  
 329 eligible for a Pell Grant as compared with students who are not  
 330 eligible for a Pell Grant, with points deducted for decreases in  
 331 the enrollment of students who are eligible for a Pell Grant.

332 (i) The percent of students graduating without excess  
 333 hours. ~~access; and~~

334  
 335 The Board of Governors may approve other metrics ~~approved by the~~  
 336 ~~board~~ in a formally noticed meeting that reflect the unique  
 337 mission of each university. The board shall adopt benchmarks to  
 338 evaluate each state university's performance on the metrics to  
 339 measure the state university's achievement of institutional  
 340 ~~excellence or need for~~ improvement and minimum requirements for  
 341 eligibility to receive performance funding. Benchmarks and  
 342 metrics must remain in place for 4 years and may not be adjusted  
 343 after university performance data has been received by the Board  
 344 of Governors.

345 (2) Each fiscal year, the amount of performance funding  
 346 ~~funds~~ available for allocation to each ~~the~~ state university  
 347 ~~universities~~ based on the performance-based funding model shall  
 348 include:

349 (a) The state ~~consist of the state's~~ investment, which  
 350 consists of the state appropriation for ~~in~~ performance funding.

351 (b) The plus institutional investment, which consists  
 352 ~~investments consisting of funds solely~~ deducted from the base  
 353 funding of ~~the each~~ state university ~~in the State University~~  
 354 ~~System~~ in an amount provided in the General Appropriations Act.

355 (3)(a) Each state university that meets the benchmarks for  
 356 improvement established in its performance agreement pursuant to  
 357 s. 1001.706(5)(c) shall be eligible for a share of the state  
 358 investment in performance funding.

359 (b) Each state university that meets or exceeds the  
 360 baseline performance benchmarks established in its performance  
 361 agreement pursuant to s. 1001.706(5)(c) shall have its  
 362 institutional investment restored. ~~The Board of Governors shall~~  
 363 ~~establish minimum performance funding eligibility thresholds for~~  
 364 ~~the state's investment and the institutional investments. A~~  
 365 ~~state university that meets the minimum institutional investment~~  
 366 ~~eligibility threshold, but fails to meet the minimum state~~  
 367 ~~investment eligibility threshold, shall have its institutional~~  
 368 ~~investment restored but is ineligible for a share of the state's~~  
 369 ~~investment in performance funding. The institutional investment~~  
 370 ~~shall be restored for each institution eligible for the state's~~  
 371 ~~investment under the performance-based funding model.~~

372 (4)(3)(a) Each A state university that fails to maintain or  
 373 exceed meet the baseline performance benchmarks established in  
 374 its performance agreement pursuant to s. 1001.706(5)(c) Board of  
 375 Governors' minimum institutional investment performance funding

376 ~~eligibility threshold~~ shall have its institutional investment  
 377 withheld by the board and must submit an improvement plan to the  
 378 board that specifies the activities and strategies for improving  
 379 the state university's performance. The board must review and  
 380 approve the improvement plan and, if the plan is approved, must  
 381 monitor the state university's progress in implementing the  
 382 activities and strategies specified in the improvement plan. The  
 383 state university shall submit monitoring reports to the board by  
 384 December 31 and May 31 of each year in which an improvement plan  
 385 is in place. ~~The ability of a state university to submit an~~  
 386 ~~improvement plan to the board is~~ valid for ~~limited to~~ 1 fiscal  
 387 year.

388 (b) The Chancellor of the State University System shall  
 389 withhold disbursement of the institutional investment until the  
 390 monitoring report is approved by the Board of Governors. A state  
 391 university determined by the board to be making satisfactory  
 392 progress on implementing the improvement plan shall receive no  
 393 more than one-half of the withheld institutional investment in  
 394 January and the balance of the withheld institutional investment  
 395 in June. A state university that fails to make satisfactory  
 396 progress may not have its full institutional investment  
 397 restored. ~~Any institutional investment funds that are not~~  
 398 ~~restored shall be redistributed in accordance with the board's~~  
 399 ~~performance-based metrics.~~

400 (5)~~(4)~~ Distributions of performance funding, as provided



401 in this section, shall be made to each of the state universities  
 402 listed in the Education and General Activities category in the  
 403 General Appropriations Act. Beginning with the 2019-2020 fiscal  
 404 year, funds may only be distributed pursuant to a performance  
 405 funding plan that is approved by the Legislature. In addition to  
 406 the plan submitted by the Board of Governors pursuant to  
 407 subsection (6), the Legislature shall review recommendations  
 408 from an independent entity selected by the Legislature.

409 ~~(6)(5)~~ By January 1, 2019 ~~October 1 of each year,~~ the  
 410 Board of Governors, in consultation with the state universities,  
 411 shall submit to the Governor, the President of the Senate, and  
 412 the Speaker of the House of Representatives a plan for  
 413 transitioning from the current partial performance-based funding  
 414 model to a complete performance-based continuous improvement  
 415 funding model that focuses on outcomes. The plan must include  
 416 the following:

417 (a) A revised method for the equitable distribution of  
 418 performance funds that is not based solely on historical funding  
 419 distributions. Funding must be distributed in accordance with  
 420 the performance agreements adopted pursuant to s.  
 421 1001.706(5)(c).

422 (b) A proposed method for transitioning to a complete  
 423 performance-based funding formula driven by outcomes ~~report on~~  
 424 ~~the previous fiscal year's performance funding allocation which~~  
 425 ~~must reflect the rankings and award distributions.~~

426        ~~(7)(6)~~ The Board of Governors shall adopt regulations to  
 427 administer this section.

428        Section 5. Paragraphs (b) and (c) of subsection (2),  
 429 subsections (3) and (4), and paragraph (b) of subsection (5) of  
 430 section 1004.28, Florida Statutes, are amended, and paragraph  
 431 (d) is added to subsection (2) of that section, to read:

432        1004.28 Direct-support organizations; use of property;  
 433 board of directors; activities; audit; facilities.—

434        (2) USE OF PROPERTY.—

435        (b) The board of trustees, in accordance with rules and  
 436 guidelines of the Board of Governors, shall prescribe by rule  
 437 conditions with which a university direct-support organization  
 438 must comply in order to use property, facilities, or personal  
 439 services at any state university, including that personal  
 440 services must comply with the requirements of s. 1012.976. Such  
 441 rules shall provide for budget and audit review and oversight by  
 442 the board of trustees, including thresholds for approval of  
 443 purchases, acquisitions, projects, and issuance of debt. No  
 444 later than July 1, 2019, the transfer of a state appropriation  
 445 by the board of trustees to any direct-support organization may  
 446 only include funds pledged for debt.

447        (c) The board of trustees may not transfer any funds to  
 448 and shall not permit the use of property, facilities, or  
 449 personal services at any state university by any university  
 450 direct-support organization that does not provide equal

451 employment opportunities to all persons regardless of race,  
 452 color, religion, gender, age, or national origin.

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

456 (3) BOARD OF DIRECTORS.—The chair of the university board  
 457 of trustees shall ~~may~~ appoint at least one a representative to  
 458 the board of directors and the executive committee of any  
 459 direct-support organization established under this section. The  
 460 president of the university for which the direct-support  
 461 organization is established, or his or her designee, shall also  
 462 serve on the board of directors and the executive committee of  
 463 any direct-support organization established to benefit that  
 464 university. The university board of trustees shall approve all  
 465 appointments to any direct-support organization not authorized  
 466 by this subsection.

467 (4) ACTIVITIES; RESTRICTION.—A university direct-support  
 468 organization is prohibited from giving, either directly or  
 469 indirectly, any gift to a political committee as defined in s.  
 470 106.011 for any purpose ~~other than those certified by a majority~~  
 471 ~~roll call vote of the governing board of the direct-support~~  
 472 ~~organization at a regularly scheduled meeting as being directly~~  
 473 ~~related to the educational mission of the university.~~

474 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC  
 475 MEETINGS EXEMPTION.—

476 (b) All records of the organization other than the  
 477 auditor's report, management letter, any records related to the  
 478 expenditure of state funds, any records related to the  
 479 expenditure of private funds for travel, and any supplemental  
 480 data requested by the Board of Governors, the university board  
 481 of trustees, the Auditor General, and the Office of Program  
 482 Policy Analysis and Government Accountability shall be  
 483 confidential and exempt from s. 119.07(1).

484 Section 6. Section 1004.6497, Florida Statutes, is created  
 485 to read:

486 1004.6497 World Class Faculty and Scholar Program.-

487 (1) PURPOSE AND LEGISLATIVE INTENT.-The World Class  
 488 Faculty and Scholar Program is established to fund, beginning in  
 489 the 2017-2018 fiscal year, and support the efforts of state  
 490 universities to recruit and retain exemplary faculty and  
 491 research scholars. It is the intent of the Legislature to  
 492 elevate the national competitiveness of Florida's state  
 493 universities through faculty and scholar recruitment and  
 494 retention.

495 (2) INVESTMENTS.-Retention, recruitment, and recognition  
 496 efforts, activities, and investments may include, but are not  
 497 limited to, investments in research-centric cluster hires,  
 498 faculty research and research commercialization efforts,  
 499 instructional and research infrastructure, undergraduate student  
 500 participation in research, professional development, awards for

501 outstanding performance, and postdoctoral fellowships.

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

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

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

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

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

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

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

522 4. The increase in national academic standing of targeted  
 523 programs, specifically advancement in ranking among top 50  
 524 universities in the targeted programs in well-known and highly  
 525 respected national public university rankings, including, but

526 not limited to, the U.S. News and World Report rankings, which  
 527 reflect national preeminence, using the most recent rankings.

528 Section 7. Section 1004.6498, Florida Statutes, is created  
 529 to read:

530 1004.6498 State University Professional and Graduate  
 531 Degree Excellence Program.—

532 (1) PURPOSE.—The State University Professional and  
 533 Graduate Degree Excellence Program is established to fund,  
 534 beginning in the 2017-2018 fiscal year, and support the efforts  
 535 of state universities to enhance the quality and excellence of  
 536 professional and graduate schools and degree programs in  
 537 medicine, law, and business and expand the economic impact of  
 538 state universities.

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

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

549 (4) ACCOUNTABILITY.—By March 15 of each year, the Board of  
 550 Governors shall provide to the Governor, the President of the

551 Senate, and the Speaker of the House of Representatives a report  
 552 summarizing information from the universities in the State  
 553 University System, including, but not limited to:

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

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

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

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

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

567 4. The advancement in the rankings of the state university  
 568 medicine, law, and graduate-level programs in well-known and  
 569 highly respected national graduate-level university rankings,  
 570 including, but not limited to, the U.S. News and World Report  
 571 rankings, which reflect national preeminence, using the most  
 572 recent rankings; and

573 5. The added economic benefit of the universities to the  
 574 state.

575 Section 8. Subsection (7) is added to section 1007.23,

576 Florida Statutes, to read:

577 1007.23 Statewide articulation agreement.—

578 (7) The articulation agreement must specifically provide  
 579 for a reverse transfer agreement for Florida College System  
 580 associate in arts degree-seeking students who transfer to a  
 581 state university prior to earning an associate in arts degree.  
 582 Students must be awarded an associate in arts degree by the  
 583 Florida College System institution upon completion of degree  
 584 requirements at the state university if the student earned a  
 585 majority of the credit hours from the Florida College System  
 586 institution. State universities must identify students who have  
 587 completed requirements for the associate in arts degree and  
 588 transfer credits earned at the state university back to the  
 589 Florida College System institution so that the associate in arts  
 590 degree may be awarded by the Florida College System institution.

591 Section 9. Subsections (3), (4), and (5) of section  
 592 1008.30, Florida Statutes, are amended to read:

593 1008.30 Common placement testing for public postsecondary  
 594 education.—

595 (3) ~~By October 31, 2013,~~ The State Board of Education  
 596 shall establish by rule the test scores a student must achieve  
 597 to demonstrate readiness to perform college-level work, and the  
 598 rules must specify the following:

599 (a) A student may ~~who entered 9th grade in a Florida~~  
 600 ~~public school in the 2003-2004 school year, or any year~~



601 ~~thereafter, and earned a Florida standard high school diploma or~~  
 602 ~~a student who is serving as an active duty member of any branch~~  
 603 ~~of the United States Armed Services shall not be required to~~  
 604 take the common placement test unless the Florida College System  
 605 institution deems the test necessary as a diagnostic tool to  
 606 provide appropriate advising. Regardless of whether the test is  
 607 taken, a student may ~~and shall~~ not be required to enroll in  
 608 developmental education instruction in a Florida College System  
 609 institution. However, a student ~~who is not required to take the~~  
 610 ~~common placement test and is not required to enroll in~~  
 611 ~~developmental education under this paragraph~~ may opt to be  
 612 ~~assessed and to~~ enroll in developmental education instruction,  
 613 and the college shall provide such ~~assessment and~~ instruction  
 614 upon the student's request.

615 (b) A student who takes the common placement test and  
 616 whose score on the test indicates a need for developmental  
 617 education must be advised of all the developmental education  
 618 options offered at the institution and, after advisement, shall  
 619 be allowed to enroll in the developmental education option of  
 620 his or her choice.

621 (c) A student who demonstrates readiness by achieving or  
 622 exceeding the test scores established by the state board and  
 623 enrolls in a Florida College System institution within 2 years  
 624 after achieving such scores shall not be required to retest ~~or~~  
 625 ~~complete developmental education~~ when admitted to any Florida

626 College System institution.

627 (4) ~~By December 31, 2013,~~ The State Board of Education, in  
 628 consultation with the Board of Governors, shall approve a series  
 629 of meta-majors and the academic pathways that identify the  
 630 gateway courses associated with each meta-major. Florida College  
 631 System institutions shall use placement test results to  
 632 determine the extent to which each student demonstrates  
 633 sufficient communication and computation skills to indicate  
 634 readiness for his or her chosen meta-major. Florida College  
 635 System institutions shall counsel students into college credit  
 636 courses as quickly as possible, with developmental education  
 637 limited to that content needed for success in the meta-major.

638 (5)(a) Each Florida College System institution board of  
 639 trustees shall develop a plan to implement the developmental  
 640 education strategies defined in s. 1008.02 and rules established  
 641 by the State Board of Education. The plan must be submitted to  
 642 the Chancellor of the Florida College System for approval ~~no~~  
 643 ~~later than March 1, 2014, for implementation no later than the~~  
 644 ~~fall semester 2014.~~ Each plan must include, at a minimum, local  
 645 policies that outline:

646 1. Documented student achievements such as grade point  
 647 averages, work history, military experience, participation in  
 648 juried competitions, career interests, degree major declaration,  
 649 or any combination of such achievements that the institution may  
 650 consider, in addition to common placement test scores, for

651 advising students regarding enrollment options.

652 2. Developmental education strategies available to  
653 students.

654 3. A description of student costs and financial aid  
655 opportunities associated with each option.

656 4. Provisions for the collection of student success data.

657 5. A comprehensive plan for advising students into  
658 appropriate developmental education strategies based on student  
659 success data.

660 (b) ~~Beginning October 31, 2015,~~ Each Florida College  
661 System institution shall annually prepare an accountability  
662 report that includes student success data relating to each  
663 developmental education strategy implemented by the institution.  
664 The report shall be submitted to the Division of Florida  
665 Colleges by October 31 in a format determined by the Chancellor  
666 of the Florida College System. By December 31, the chancellor  
667 shall compile and submit the institutional reports to the  
668 Governor, the President of the Senate, the Speaker of the House  
669 of Representatives, and the State Board of Education.

670 (c) A university board of trustees may contract with a  
671 Florida College System institution board of trustees for the  
672 Florida College System institution to provide developmental  
673 education on the state university campus. Any state university  
674 in which the percentage of incoming students requiring  
675 developmental education equals or exceeds the average percentage

676 of such students for the Florida College System may offer  
 677 developmental education without contracting with a Florida  
 678 College System institution; however, any state university  
 679 offering college-preparatory instruction as of January 1, 1996,  
 680 may continue to provide developmental education instruction as  
 681 defined in s. 1008.02(1) ~~such services.~~

682 Section 10. Paragraph (a) of subsection (1) of section  
 683 1008.46, Florida Statutes, is amended to read:

684 1008.46 State university accountability process.—It is the  
 685 intent of the Legislature that an accountability process be  
 686 implemented that provides for the systematic, ongoing evaluation  
 687 of quality and effectiveness of state universities. It is  
 688 further the intent of the Legislature that this accountability  
 689 process monitor performance at the system level in each of the  
 690 major areas of instruction, research, and public service, while  
 691 recognizing the differing missions of each of the state  
 692 universities. The accountability process shall provide for the  
 693 adoption of systemwide performance standards and performance  
 694 goals for each standard identified through a collaborative  
 695 effort involving state universities, the Board of Governors, the  
 696 Legislature, and the Governor's Office, consistent with  
 697 requirements specified in s. 1001.706. These standards and goals  
 698 shall be consistent with s. 216.011(1) to maintain congruity  
 699 with the performance-based budgeting process. This process  
 700 requires that university accountability reports reflect measures

701 defined through performance-based budgeting. The performance-  
 702 based budgeting measures must also reflect the elements of  
 703 teaching, research, and service inherent in the missions of the  
 704 state universities.

705 (1)(a) By March 15 ~~December 31~~ of each year, the Board of  
 706 Governors shall submit an annual accountability report providing  
 707 information on the implementation of performance standards,  
 708 actions taken to improve university achievement of performance  
 709 goals, the achievement of performance goals during the prior  
 710 year, and initiatives to be undertaken during the next year. The  
 711 accountability reports shall be designed in consultation with  
 712 the Governor's Office, the Office of Program Policy Analysis and  
 713 Government Accountability, and the Legislature.

714 Section 11. Subsection (7) of section 1009.22, Florida  
 715 Statutes, is amended to read:

716 1009.22 Workforce education postsecondary student fees.—

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

726 ~~Florida Bright Futures Scholarship Program.~~ Fifty percent of  
 727 technology fee revenues may be pledged by a Florida College  
 728 System institution board of trustees as a dedicated revenue  
 729 source for the repayment of debt, including lease-purchase  
 730 agreements, not to exceed the useful life of the asset being  
 731 financed. Revenues generated from the technology fee may not be  
 732 bonded.

733 Section 12. Subsection (10) of section 1009.23, Florida  
 734 Statutes, is amended to read:

735 1009.23 Florida College System institution student fees.—

736 (10) Each Florida College System institution board of  
 737 trustees is authorized to establish a separate fee for  
 738 technology, which may not exceed 5 percent of tuition per credit  
 739 hour or credit-hour equivalent for resident students and may not  
 740 exceed 5 percent of tuition and the out-of-state fee per credit  
 741 hour or credit-hour equivalent for nonresident students.

742 Revenues generated from the technology fee shall be used to  
 743 enhance instructional technology resources for students and  
 744 faculty. The technology fee may apply to both college credit and  
 745 developmental education ~~and shall not be included in any award~~  
 746 ~~under the Florida Bright Futures Scholarship Program.~~ Fifty  
 747 percent of technology fee revenues may be pledged by a Florida  
 748 College System institution board of trustees as a dedicated  
 749 revenue source for the repayment of debt, including lease-  
 750 purchase agreements, not to exceed the useful life of the asset

751 being financed. Revenues generated from the technology fee may  
 752 not be bonded.

753 Section 13. Subsection (13), paragraph (r) of subsection  
 754 (14), paragraphs (a) and (b) of subsection (15), paragraphs (a),  
 755 (b), and (e) of subsection (16), and subsection (20) of section  
 756 1009.24, Florida Statutes, are amended to read:

757 1009.24 State university student fees.—

758 (13) Each university board of trustees may establish a  
 759 technology fee of up to 5 percent of the tuition per credit  
 760 hour. The revenue from this fee shall be used to enhance  
 761 instructional technology resources for students and faculty. ~~The~~  
 762 ~~technology fee may not be included in any award under the~~  
 763 ~~Florida Bright Futures Scholarship Program established pursuant~~  
 764 ~~to ss. 1009.53-1009.538.~~

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

768 (r) Traffic and parking fines, charges for parking decals,  
 769 and transportation access fees. Only universitywide  
 770 transportation access fees may be included in any state  
 771 financial assistance award authorized under part III of chapter  
 772 1009, as specifically authorized by law or the General  
 773 Appropriations Act.

774

775 With the exception of housing rental rates and except as

776 otherwise provided, fees assessed pursuant to paragraphs (h)-(s)  
 777 shall be based on reasonable costs of services. The Board of  
 778 Governors shall adopt regulations and timetables necessary to  
 779 implement the fees and fines authorized under this subsection.  
 780 The fees assessed under this subsection may be used for debt  
 781 only as authorized under s. 1010.62.

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

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

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

789 3.a. A proposal from a university board of trustees to  
 790 implement flexible tuition policies, such as undergraduate or  
 791 graduate block tuition, block tuition differential, or market  
 792 tuition rates for graduate-level online courses or graduate-  
 793 level courses offered through a university's continuing  
 794 education program. A block tuition policy for resident  
 795 undergraduate students or undergraduate-level courses must ~~shall~~  
 796 be based on the per-credit-hour undergraduate tuition  
 797 established under subsection (4). A block tuition policy for  
 798 nonresident undergraduate students must ~~shall~~ be based on the  
 799 per-credit-hour undergraduate tuition and out-of-state fee  
 800 established under subsection (4). Flexible tuition policies,



801 including block tuition, may not increase the state's fiscal  
 802 liability or obligation.

803 b. A block tuition policy, which must be adopted by each  
 804 university board of trustees for implementation beginning in the  
 805 fall 2019 academic semester. The policy must apply to the  
 806 entering freshman class of full-time, first-time-in-college  
 807 students and may be extended to include other enrolled students.  
 808 The policy must, at a minimum:

809 (I) Include block tuition and any required fees,  
 810 including, but not limited to, tuition differential fees,  
 811 activity and service fees, financial aid fees, capital  
 812 improvement fees, athletic fees, health fees, and technology  
 813 fees.

814 (II) Require the university to maximize the application of  
 815 appropriate accelerated credits to minimize unnecessary credits  
 816 and excess hours.

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

820 (b) A proposal developed pursuant to paragraph (a) shall  
 821 be submitted in accordance with the public notification  
 822 requirements of subsection (20) and guidelines established by  
 823 the Board of Governors. Approval by the Board of Governors of  
 824 such proposals ~~proposal~~ must be made in accordance with ~~the~~  
 825 ~~provisions of~~ this subsection. By April 1, 2018, each state

826 university board of trustees must submit to the Board of  
 827 Governors its block tuition policy, adopted pursuant to  
 828 subparagraph (a)3., along with information on the potential  
 829 impact of the policy on students. By August 1, 2018, the  
 830 Chancellor of the State University System must submit to the  
 831 Governor, the President of the Senate, and the Speaker of the  
 832 House of Representatives a summary report of such policies, the  
 833 status of the board's review and approval of such policies, and  
 834 the board's recommendations for improving block tuition and fee  
 835 benefits for students.

836 (16) Each university board of trustees may establish a  
 837 tuition differential for undergraduate courses upon receipt of  
 838 approval from the Board of Governors. However, beginning July 1,  
 839 2014, the Board of Governors may only approve the establishment  
 840 of or an increase in tuition differential for a state research  
 841 university designated as a preeminent state research university  
 842 pursuant to s. 1001.7065(3). The tuition differential shall  
 843 promote improvements in the quality of undergraduate education  
 844 and shall provide financial aid to undergraduate students who  
 845 exhibit financial need.

846 (a) Seventy percent of the revenues from the tuition  
 847 differential shall be expended for purposes of undergraduate  
 848 education. Such expenditures may include, but are not limited  
 849 to, increasing course offerings, improving graduation rates,  
 850 increasing the percentage of undergraduate students who are

851 | taught by faculty, decreasing student-faculty ratios, providing  
 852 | salary increases for faculty who have a history of excellent  
 853 | teaching in undergraduate courses, improving the efficiency of  
 854 | the delivery of undergraduate education through academic  
 855 | advisement and counseling, and reducing the percentage of  
 856 | students who graduate with excess hours. This expenditure for  
 857 | undergraduate education may not be used to pay the salaries of  
 858 | graduate teaching assistants. Except as otherwise provided in  
 859 | this subsection, the remaining 30 percent of the revenues from  
 860 | the tuition differential, or the equivalent amount of revenue  
 861 | from private sources, shall be expended to provide financial aid  
 862 | to undergraduate students who exhibit financial need, including  
 863 | students who are scholarship recipients under s. 1009.984, to  
 864 | meet the cost of university attendance. This expenditure for  
 865 | need-based financial aid shall not supplant the amount of need-  
 866 | based aid provided to undergraduate students in the preceding  
 867 | fiscal year from financial aid fee revenues, the direct  
 868 | appropriation for financial assistance provided to state  
 869 | universities in the General Appropriations Act, or from private  
 870 | sources. The total amount of tuition differential waived under  
 871 | subparagraph (b)7. ~~(b)8.~~ may be included in calculating the  
 872 | expenditures for need-based financial aid to undergraduate  
 873 | students required by this subsection. If the entire tuition and  
 874 | fee costs of resident students who have applied for and received  
 875 | Pell Grant funds have been met and the university has excess

876 funds remaining from the 30 percent of the revenues from the  
 877 tuition differential required to be used to assist students who  
 878 exhibit financial need, the university may expend the excess  
 879 portion in the same manner as required for the other 70 percent  
 880 of the tuition differential revenues.

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

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

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

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

901 no more than a 2-percent increase in the tuition differential  
 902 for each performance standard:

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

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

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

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

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

916 5.6. Beneficiaries having prepaid tuition contracts  
 917 pursuant to s. 1009.98(2)(b) which were in effect on July 1,  
 918 2007, and which remain in effect, are exempt from the payment of  
 919 the tuition differential.

920 ~~6.7.~~ The tuition differential may not be charged to any  
 921 student who was in attendance at the university before July 1,  
 922 2007, and who maintains continuous enrollment.

923 ~~7.8.~~ The tuition differential may be waived by the  
 924 university for students who meet the eligibility requirements  
 925 for the Florida public student assistance grant established in

926 s. 1009.50.

927 8.9. Subject to approval by the Board of Governors, the  
 928 tuition differential authorized pursuant to this subsection may  
 929 take effect with the 2009 fall term.

930 (e) The Board of Governors shall submit a report to the  
 931 President of the Senate, the Speaker of the House of  
 932 Representatives, and the Governor describing the implementation  
 933 of the provisions of this subsection no later than February 1 of  
 934 each year. The report shall summarize proposals received by the  
 935 board during the preceding fiscal year and actions taken by the  
 936 board in response to such proposals. In addition, the report  
 937 shall provide the following information for each university that  
 938 has been approved by the board to assess a tuition differential:

939 1. The course or courses for which the tuition  
 940 differential was assessed and the amount assessed.

941 2. The total revenues generated by the tuition  
 942 differential.

943 3. With respect to waivers authorized under subparagraph  
 944 (b)7. ~~(b)8.~~, the number of students eligible for a waiver, the  
 945 number of students receiving a waiver, and the value of waivers  
 946 provided.

947 4. Detailed expenditures of the revenues generated by the  
 948 tuition differential.

949 5. Changes in retention rates, graduation rates, the  
 950 percentage of students graduating with more than 110 percent of

951 the hours required for graduation, pass rates on licensure  
 952 examinations, the number of undergraduate course offerings, the  
 953 percentage of undergraduate students who are taught by faculty,  
 954 student-faculty ratios, and the average salaries of faculty who  
 955 teach undergraduate courses.

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

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

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

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

967 Section 14. Subsection (9) of section 1009.53, Florida  
 968 Statutes, is amended to read:

969 1009.53 Florida Bright Futures Scholarship Program.—

970 (9) A student may use a Florida Academic Scholar ~~an~~ award  
 971 for summer term enrollment beginning in the 2018 summer term, as  
 972 funded in the General Appropriations Act. A student may use  
 973 other Florida Bright Futures Scholarship Program awards for  
 974 summer term enrollment, if funded in the General Appropriations  
 975 Act ~~if funds are available.~~

976 Section 15. Subsection (2) of section 1009.534, Florida  
 977 Statutes, is amended to read:

978 1009.534 Florida Academic Scholars award.—

979 (2) A Florida Academic Scholar who is enrolled in a  
 980 certificate, diploma, associate, or baccalaureate degree program  
 981 at a public or nonpublic postsecondary education institution is  
 982 eligible, beginning in the 2017-2018 academic year, for an award  
 983 equal to the amount required to pay 100 percent of tuition and  
 984 fees established under ss. 1009.22(3), (5), (6), and (7);  
 985 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-  
 986 (13), (14)(r), and (16), as applicable, and is eligible for an  
 987 additional \$300 each fall and spring academic semester or the  
 988 equivalent for textbooks and ~~specified in the General~~  
 989 ~~Appropriations Act~~ to assist with the payment of educational  
 990 expenses.

991 Section 16. Subsection (2) of section 1009.535, Florida  
 992 Statutes, is amended to read:

993 1009.535 Florida Medallion Scholars award.—

994 (2) A Florida Medallion Scholar who is enrolled in a  
 995 certificate, diploma, associate, or baccalaureate degree program  
 996 at a public or nonpublic postsecondary education institution is  
 997 eligible, beginning in the fall 2018 semester, for an award  
 998 equal to the amount required to pay 75 percent of tuition and  
 999 fees established under ss. 1009.22(3), (5), (6), and (7);  
 1000 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-



1001 (13), (14)(r), and (16), as applicable ~~specified in the General~~  
 1002 ~~Appropriations Act~~ to assist with the payment of educational  
 1003 expenses.

1004 Section 17. Subsections (1), (2), and (4) and paragraph  
 1005 (c) of subsection (5) of section 1009.701, Florida Statutes, are  
 1006 amended to read:

1007 1009.701 First Generation Matching Grant Program.—

1008 (1) The First Generation Matching Grant Program is created  
 1009 to enable each state university and Florida College System  
 1010 institution to provide donors with a matching grant incentive  
 1011 for contributions that will create grant-based student financial  
 1012 aid for undergraduate students who demonstrate financial need  
 1013 and whose parents, as defined in s. 1009.21(1), have not earned  
 1014 a baccalaureate degree. In the case of any individual who  
 1015 regularly resided with and received support from only one  
 1016 parent, an individual whose only such parent did not complete a  
 1017 baccalaureate degree would also be eligible.

1018 (2) Funds appropriated by the Legislature for the program  
 1019 shall be allocated by the Office of Student Financial Assistance  
 1020 to match private contributions on a dollar-for-dollar basis;  
 1021 however, beginning in the 2018-2019 fiscal year, such funds  
 1022 shall be allocated at a ratio of \$2 of state funds to \$1 of  
 1023 private contributions to provide additional funding to increase  
 1024 the number of eligible students receiving the scholarship. After  
 1025 all eligible students have received an award, the remaining

1026 funds may be used to increase award amounts based on financial  
 1027 need. Contributions made to a state university or a Florida  
 1028 College System institution and pledged for the purposes of this  
 1029 section are eligible for state matching funds appropriated for  
 1030 this program and are not eligible for any other state matching  
 1031 grant program. Pledged contributions are not eligible for  
 1032 matching prior to the actual collection of the total funds. The  
 1033 Office of Student Financial Assistance shall reserve a  
 1034 proportionate allocation of the total appropriated funds for  
 1035 each state university and Florida College System institution on  
 1036 the basis of full-time equivalent enrollment. Funds that remain  
 1037 unmatched as of December 1 shall be reallocated to state  
 1038 universities and colleges that have remaining unmatched private  
 1039 contributions for the program on the basis of full-time  
 1040 equivalent enrollment.

1041 (4) Each participating state university and Florida  
 1042 College System institution shall establish an application  
 1043 process, determine student eligibility for initial and renewal  
 1044 awards in conformance with subsection (5), identify the amount  
 1045 awarded to each recipient, and notify recipients of the amount  
 1046 of their awards.

1047 (5) In order to be eligible to receive a grant pursuant to  
 1048 this section, an applicant must:

1049 (c) Be accepted at a state university or Florida College  
 1050 System institution.

1051 Section 18. Subsections (2), (4), and (5) of section  
 1052 1009.893, Florida Statutes, are amended to read:  
 1053 1009.893 Benacquisto Scholarship Program.—  
 1054 (2) The Benacquisto Scholarship Program is created to  
 1055 reward a ~~any Florida~~ high school graduate who receives  
 1056 recognition as a National Merit Scholar or National Achievement  
 1057 Scholar and who initially enrolls in the 2014-2015 academic year  
 1058 or, later, in a baccalaureate degree program at an eligible  
 1059 Florida public or independent postsecondary educational  
 1060 institution.  
 1061 (4) In order to be eligible for an award under the  
 1062 scholarship program, a student must meet the requirements of  
 1063 paragraph (a) or paragraph (b).†  
 1064 (a) A student who is a resident of the state, ~~Be a state~~  
 1065 ~~resident~~ as determined in s. 1009.40 and rules of the State  
 1066 Board of Education, must:†  
 1067 1. ~~(b)~~ Earn a standard Florida high school diploma or its  
 1068 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,  
 1069 or s. 1003.435 unless:  
 1070 a. ~~1.~~ The student completes a home education program  
 1071 according to s. 1002.41; or  
 1072 b. ~~2.~~ The student earns a high school diploma from a non-  
 1073 Florida school while living with a parent who is on military or  
 1074 public service assignment out of this state;  
 1075 2. ~~(e)~~ Be accepted by and enroll in a Florida public or

1076 independent postsecondary educational institution that is  
 1077 regionally accredited; and

1078 ~~3.(d)~~ Be enrolled full-time in a baccalaureate degree  
 1079 program at an eligible regionally accredited Florida public or  
 1080 independent postsecondary educational institution during the  
 1081 fall academic term following high school graduation.

1082 (b) A student who initially enrolls in a baccalaureate  
 1083 degree program in the 2018-2019 academic year or later and who  
 1084 is not a resident of this state, as determined in s. 1009.40 and  
 1085 rules of the State Board of Education, must:

1086 1. Physically reside in this state on or near the campus  
 1087 of the postsecondary educational institution in which the  
 1088 student is enrolled;

1089 2. Earn a high school diploma from a school outside  
 1090 Florida which is comparable to a standard Florida high school  
 1091 diploma or its equivalent pursuant to s. 1002.3105, s.  
 1092 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home  
 1093 education program in another state; and

1094 3. Be accepted by and enrolled full-time in a  
 1095 baccalaureate degree program at an eligible regionally  
 1096 accredited Florida public or independent postsecondary  
 1097 educational institution during the fall academic term following  
 1098 high school graduation.

1099 (5)(a)1. An eligible student who meets the requirements of  
 1100 paragraph (4)(a), who is a National Merit Scholar or National

1101 Achievement Scholar, and who attends a Florida public  
 1102 postsecondary educational institution shall receive a  
 1103 scholarship award equal to the institutional cost of attendance  
 1104 minus the sum of the student's Florida Bright Futures  
 1105 Scholarship and National Merit Scholarship or National  
 1106 Achievement Scholarship.

1107 2. An eligible student who meets the requirements under  
 1108 paragraph (4) (b), who is a National Merit Scholar, and who  
 1109 attends a Florida public postsecondary educational institution  
 1110 shall receive a scholarship award equal to the institutional  
 1111 cost of attendance for a resident of this state minus the  
 1112 student's National Merit Scholarship. Such student is exempt  
 1113 from the payment of out-of-state fees.

1114 (b) An eligible student who is a National Merit Scholar or  
 1115 National Achievement Scholar and who attends a Florida  
 1116 independent postsecondary educational institution shall receive  
 1117 a scholarship award equal to the highest cost of attendance for  
 1118 a resident of this state enrolled at a Florida public  
 1119 university, as reported by the Board of Governors of the State  
 1120 University System, minus the sum of the student's Florida Bright  
 1121 Futures Scholarship and National Merit Scholarship or National  
 1122 Achievement Scholarship.

1123 Section 19. Section 1009.894, Florida Statutes, is created  
 1124 to read:

1125 1009.894 Florida Farmworker Student Scholarship Program.-

1126 The Legislature recognizes the vital contribution of farmworkers  
 1127 to the economy of this state. The Florida Farmworker Student  
 1128 Scholarship Program is created to provide scholarships for  
 1129 farmworkers, as defined in s. 420.503, and the children of such  
 1130 farmworkers.

1131 (1) The Department of Education shall administer the  
 1132 Florida Farmworker Student Scholarship Program according to  
 1133 rules and procedures established by the State Board of  
 1134 Education. Beginning in the 2017-2018 academic year, up to 50  
 1135 scholarships shall be awarded annually according to the criteria  
 1136 established in subsection (2) and contingent upon an  
 1137 appropriation in the General Appropriations Act.

1138 (2)(a) To be eligible for an initial scholarship, a  
 1139 student must, at a minimum:

1140 1. Have a resident status as required by s. 1009.40 and  
 1141 rules of the State Board of Education;

1142 2. Earn a minimum cumulative weighted grade point average  
 1143 of 3.5 for all high school courses creditable toward a diploma;

1144 3. Complete a minimum of 30 hours of community service;  
 1145 and

1146 4. Have at least a 90 percent attendance rate and not have  
 1147 had any disciplinary action brought against him or her, as  
 1148 documented on the student's high school transcript.

1149  
 1150 For purposes of this section, students who are undocumented for

1151 federal immigration purposes are not eligible for an award.

1152 (b) The department shall rank eligible initial applicants  
 1153 for the purposes of awarding scholarships based on need, as  
 1154 determined by the department.

1155 (c) To renew a scholarship awarded pursuant to this  
 1156 section, a student must maintain at least a cumulative grade  
 1157 point average of 2.5 or higher on a 4.0 scale for college  
 1158 coursework.

1159 (3) A scholarship recipient must enroll in a minimum of 12  
 1160 credit hours per term, or the equivalent, at a public  
 1161 postsecondary educational institution in this state to receive  
 1162 funding.

1163 (4) A scholarship recipient may receive an award for a  
 1164 maximum of 100 percent of the number of credit hours required to  
 1165 complete an associate or baccalaureate degree program or receive  
 1166 an award for a maximum of 100 percent of the credit hours or  
 1167 clock hours required to complete up to 90 credit hours of a  
 1168 program that terminates in a career certificate. The scholarship  
 1169 recipient is eligible for an award equal to the amount required  
 1170 to pay the tuition and fees established under ss. 1009.22(3),  
 1171 (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11);  
 1172 and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, at a  
 1173 public postsecondary educational institution in this state.  
 1174 Renewal scholarship awards must take precedence over new  
 1175 scholarship awards in a year in which funds are not sufficient

1176 to accommodate both initial and renewal awards. The scholarship  
 1177 must be prorated for any such year.

1178 (5) Subject to appropriation in the General Appropriations  
 1179 Act, the department shall annually issue awards from the  
 1180 scholarship program. Before the registration period each  
 1181 semester, the department shall transmit payment for each award  
 1182 to the president or director of the postsecondary educational  
 1183 institution, or his or her representative. However, the  
 1184 department may withhold payment if the receiving institution  
 1185 fails to submit the following reports or make the following  
 1186 refunds to the department:

1187 (a) Each institution shall certify to the department the  
 1188 eligibility status of each student to receive a disbursement  
 1189 within 30 days before the end of its regular registration  
 1190 period, inclusive of a drop and add period. An institution is  
 1191 not required to reevaluate the student eligibility after the end  
 1192 of the drop and add period.

1193 (b) An institution that receives funds from the  
 1194 scholarship program must certify to the department the amount of  
 1195 funds disbursed to each student and remit to the department any  
 1196 undisbursed advance within 60 days after the end of the regular  
 1197 registration period.

1198 (6) The department shall allocate funds to the appropriate  
 1199 institutions and collect and maintain data regarding the  
 1200 scholarship program within the student financial assistance



1201 database as specified in s. 1009.94.

1202 (7) Funding for this program shall be as provided in the  
 1203 General Appropriations Act.

1204 Section 20. Present paragraphs (e) and (f) of subsection  
 1205 (10) of section 1009.98, Florida Statutes, are redesignated as  
 1206 paragraphs (f) and (g), respectively, and a new paragraph (e) is  
 1207 added to that subsection, to read:

1208 1009.98 Stanley G. Tate Florida Prepaid College Program.—

1209 (10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

1210 (e) Notwithstanding the number of credit hours used by a  
 1211 state university to assess the amount for registration fees,  
 1212 tuition, tuition differential, or local fees, the amount paid by  
 1213 the board to any state university on behalf of a qualified  
 1214 beneficiary of an advance payment contract purchased before July  
 1215 1, 2024, may not exceed the number of credit hours taken by that  
 1216 qualified beneficiary at the state university.

1217 Section 21. Subsection (4) of section 1011.90, Florida  
 1218 Statutes, is amended to read:

1219 1011.90 State university funding.—

1220 (4) The Board of Governors shall establish and validate a  
 1221 cost-estimating system consistent with the requirements of  
 1222 subsection (1) and shall report as part of its legislative  
 1223 budget request the actual expenditures for the fiscal year  
 1224 ending the previous June 30. The legislative budget request must  
 1225 also include 5-year trend information on the ratios of student

1226 enrollment to faculty and administrators at each university. The  
 1227 ratio of students to administrators at any state university may  
 1228 not grow at a greater rate than the ratio of students to  
 1229 faculty. Expenditure analysis, operating budgets, and annual  
 1230 financial statements of each university must be prepared using  
 1231 the standard financial reporting procedures and formats  
 1232 prescribed by the Board of Governors. These formats shall be the  
 1233 same as used for the 2000-2001 fiscal year reports. Any  
 1234 revisions to these financial and reporting procedures and  
 1235 formats must be approved by the Executive Office of the Governor  
 1236 and the appropriations committees of the Legislature jointly  
 1237 under the provisions of s. 216.023(3). The Board of Governors  
 1238 shall continue to collect and maintain at a minimum management  
 1239 information existing on June 30, 2002. The expenditure analysis  
 1240 report shall include total expenditures from all sources for the  
 1241 general operation of the university and shall be in such detail  
 1242 as needed to support the legislative budget request.

1243 Section 22. The Division of Law Revision and Information  
 1244 is directed to substitute the term "Effective Access to Student  
 1245 Education Grant Program" for "Florida Resident Access Grant  
 1246 Program" and the term "Effective Access to Student Education  
 1247 grant" for "Florida resident access grant" wherever those terms  
 1248 appear in the Florida Statutes.

1249 Section 23. Effective July 1, 2020, sections 1004.33 and  
 1250 1004.34, Florida Statutes, are repealed.

1251 Section 24. Section 1004.335, Florida Statutes, is created  
 1252 to read:

1253 1004.335 Accreditation consolidation of University of  
 1254 South Florida branch campuses.-

1255 (1) No later than January 15, 2019, the Board of Trustees  
 1256 of the University of South Florida must adopt and submit to the  
 1257 Board of Governors an implementation plan to orderly phase out  
 1258 the separate accreditation of the University of South Florida  
 1259 St. Petersburg campus and the University of South Florida  
 1260 Sarasota/Manatee campus, which were conferred by the Southern  
 1261 Association of Colleges and Schools Commission on Colleges  
 1262 (SACSCOC) pursuant to ss. 1004.33 and 1004.34, respectively.

1263 (2) The implementation plan must:

1264 (a) Detail any necessary steps, and the timeline for such  
 1265 steps, to ensure that the separate accreditation for each campus  
 1266 is terminated no later than June 30, 2020. The implementation  
 1267 plan must also ensure that there is no lapse in institutional  
 1268 accreditation for any campus during the phasing-out process.

1269 (b) Be designed and carried out in a manner that, to the  
 1270 extent possible, minimizes any disruption to students attending  
 1271 any University of South Florida campus, with an emphasis on  
 1272 ensuring that each student's opportunity to graduate from the  
 1273 university within 4 years of his or her initial first-time-in-  
 1274 college enrollment is not impeded as a result of the  
 1275 consolidation of SACSCOC accreditation.

1276 (c) Provide that on or before July 1, 2020, the entirety  
 1277 of the University of South Florida, including all campuses and  
 1278 other component units of the university, shall operate under a  
 1279 single institutional accreditation from the SACSCOC.

1280 (d) Provide that on each regularly scheduled submission  
 1281 date subsequent to July 1, 2020, the University of South Florida  
 1282 shall report consolidated data for all of the university's  
 1283 campuses and students to the Integrated Postsecondary Education  
 1284 Data System and to the Board of Governors. The Board of  
 1285 Governors shall use the consolidated data for purposes of  
 1286 determining eligibility for funding pursuant to ss. 1001.7065  
 1287 and 1001.92.

1288 (3) Notwithstanding the provisions of ss. 1001.7065 and  
 1289 1001.92 or any Board of Governors regulation to the contrary  
 1290 relating to the calculation of graduation rates and retention  
 1291 rates, a student who meets all of the following criteria may not  
 1292 be counted by the Board of Governors when calculating or  
 1293 confirming the graduation rate or the retention rate of the  
 1294 University of South Florida under those sections:

1295 (a) The student was admitted to and initially enrolled  
 1296 before the spring 2019 semester as a first-time-in-college  
 1297 student at the University of South Florida St. Petersburg or the  
 1298 University of South Florida Sarasota/Manatee.

1299 (b) The student voluntarily disenrolled from all  
 1300 University of South Florida campuses without graduating before

1301 the date of termination of the separate SACSCOC accreditation of  
 1302 his or her admitting campus.

1303 (4) This section expires July 1, 2020.

1304 Section 25. Subsection (1) of section 1004.344, Florida  
 1305 Statutes, is amended to read:

1306 1004.344 The Florida Center for the Partnerships for Arts  
 1307 Integrated Teaching.—

1308 (1) The Florida Center for the Partnerships for Arts  
 1309 Integrated Teaching is created within the University of South  
 1310 Florida and shall be physically headquartered at the University  
 1311 of South Florida Sarasota/Manatee.

1312 Section 26. This act shall take effect upon becoming a  
 1313 law.