MEMORANDUM

TO: Florida College System Presidents

FROM: Kathy Hebda

DATE: June 30, 2020

SUBJECT: SB 72 – Higher Education

The 2020 Florida Legislature passed Senate Bill (SB) 72, an act related to Higher Education, which has implications for Florida College System (FCS) and State University System (SUS) institutions related to rules and regulations in building projects, grant programs and academic/research standards and establishes the Florida Institute of Politics and the Adam Smith Center for the Study of Economic Freedom.

The following sections of the legislation are relevant to FCS Institutions:

Modified Public Education Capital Outlay (PECO) list criteria for FCS institutions’ projects.

SB 72 amended section (s.) 1001.03, Florida Statutes (F.S.), as it relates to the State Board of Education’s (SBOE) authority to develop and submit the prioritized PECO list of FCS institution projects for funding consideration by the Florida Legislature, under s. 1013.64(4), F.S.

Specifically, the legislation will require the SBOE to modify the process in which it develops its priority funding recommendation list that is provided to the legislature for new construction, remodeling or renovation projects that have not received prior state funding. Previously, a new project could only be included on the list if there were sufficient excess funds pursuant to s. 1013.60, F.S. However, as of July 1, 2020, the SBOE will prioritize new projects if sufficient capacity within the bonding estimate from the Revenue Estimating Conference exists. Essentially, this provision puts the FCS on equal footing with the SUS in the ability to add new projects.

Provisions for postsecondary students relating to innovative pricing techniques and payment options.

Additionally, SB 72 amended s. 1004.085, F.S., dealing with textbook and instructional materials affordability. Currently, institutions may not automatically enroll students in services that provide textbooks and instructional materials electronically; rather, students must “opt in” to take advantage of cost-savings measures for programs. As of July 1, 2020, pricing techniques and payment options must include an opt-in OR opt-out provision for students. If an institution adopts an opt-out policy, the institution may automatically assign all students in a course to receive digital materials or other pricing payment options unless the student opts out of the policy. Students selecting the opt-out provision would be responsible for acquiring any necessary course materials on their own.
Institutions should be aware of the new provision and may wish to consider using an opt-out policy if there is documented evidence that the options reduce the cost of textbooks and instructional materials for students. Institutions should document which course sections use the opt-out model as well as the number of students choosing to opt-out for annual reporting purposes pursuant to s. 1004.085(7), F.S.

Modifies provisions relating to the carry forward of operational funds by SUS and FCS institutions.

SB 72 amended s. 1013.841, F.S., modifying reporting dates. This provision extends the time for institutions to submit their spending plans for carry forward balances in excess of 5 or 7 percent, based on FTE enrollment of less than 15,000 and 15,000 or greater, respectively.

- New deadlines:
  - The carry forward spending plans shall be submitted to the Boards of Trustees for review and approval by September 30, 2020, and each September 30 thereafter.
  - The SBOE shall review and publish the carry forward spending plans for FCS institutions by November 15, 2020, and each November 15 thereafter.

Additionally, the legislation allows institutions to have a commitment of funds in a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor (e.g. costs of donating medical supplies during COVID-19).

Modifies provisions related to Florida’s Grant and Scholarship programs.

SB 72 modifies multiple Florida Grant and Scholarship programs to increase access, eligibility and attainment as follows:

**Florida Student Assistance Grant (FSAG) Program:**

- Priority in the distribution of summer awards must be given to students who are within one semester of completing a degree or certificate program, as applicable (the FSAG Public program also includes priority for students who have not yet earned nine semester hours in summer terms).
- Priority in the distribution of grant funds may be given to students who are within one semester of completing a degree or certificate program, as applicable.
- Timely distribution of funding is ensured by allowing the department to suspend or revoke future term funding if institutions fail to timely remit refunds due to the department.

**Benacquisto Scholarship Program:**

- Modifies requirements for initial eligibility and scholarship renewal provisions for students who wish to participate in the program:
  - Removes the National Achievement Scholarship calculation when determining the award amount for students.
Requires students to be enrolled fulltime; however, an eligible student who has fewer than 12 credits remaining to completion, may receive funding for one term in order to complete the degree.

- Provides that renewal is not affected by changes to the student’s residency status.
- Establishes time constraints on eligibility: students would be eligible for five years after high school graduation and could only receive the award for 10 semesters.
- Provides that exceptions to renewal requirements may be granted in cases of verifiable illness or other documented emergency that hindered the student’s ability to maintain eligibility.

Florida Bright Futures Program:

- Modifies the Florida Academic Scholars award to specify an annual stipend for textbooks, as appropriated in the General Appropriations Act (GAA). Previously students were only eligible for $300 for each fall and spring semester.
- Modifies the Florida Medallion Scholars award to specify that beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at an FCS institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees.

The following topics were included in SB 72 and relate to SUS institutions and to nonpublic colleges and universities.

- Extends the term a board member can serve until a successor is appointed for the Phosphate Research and Activities Board.
- Establishes the Florida Institute of Politics at Florida State University and the Adam Smith Center for the Study of Economic Freedom at Florida International University.
- Modifies provisions related to the Board of Governors, its legislative budget requests and employee contracts.
- Expands agency contract criteria for services with nonpublic colleges or universities.

KH/chh

Attachment

cc: FCS Council of Business Affairs
An act relating to higher education; amending s. 287.057, F.S.; authorizing state agencies to contract with independent, nonprofit colleges and universities that meet specified requirements; amending s. 1001.03, F.S.; revising requirements for certain new construction, remodeling, or renovation projects; amending s. 1001.7065, F.S.; revising standards for the preeminent state research universities program; requiring such standards to be reported annually in a specified plan; repealing the programs of excellence designation within the State University System; creating the “state universities of distinction” designation within the State University System; requiring the Board of Governors to establish standards and measures for specific state university competencies; providing requirements for such standards and measures; authorizing the Board of Governors to annually submit such programs to the Legislature for funding by a specified date; amending s. 1001.92, F.S.; revising the performance-based metrics for state universities to include specific data; authorizing the Board of Governors to approve other metrics; prohibiting the adjustment of such metrics and benchmarks once specified data has been received; amending s. 1004.085, F.S.; requiring innovative pricing techniques and payment options to include an opt-out provision; amending s. 1004.346, F.S.; removing a limitation on the length of time a
Phosphate Research and Activities Board member may
serve after expiration of his or her term; creating s. 1004.6499, F.S.; creating the Florida Institute of
Politics within Florida State University College of
Social Sciences and Public Policy; providing the
purpose and goals of the institute; creating s. 1004.64991, F.S.; creating the Adam Smith Center for
the Study of Economic Freedom; providing a purpose and
goals of the center; amending s. 1009.50, F.S.;
requiring that grants administered through the Florida
Public Student Assistance Grant Program not exceed a
certain amount; authorizing students who receive an
award in the fall or spring term to receive an award
in the summer term, subject to the availability of
funds; providing for the prioritization of eligible
summer awards; prohibiting institutions from
dispensing grants to students whose expected family
contribution exceeds a certain amount; requiring the
formula used to distribute funds for the program to
account for changes in the number of eligible students
across all student assistance grant programs;
requiring institutions to certify the amount of funds
disbursed within a specified timeframe; requiring
institutions to remit any undisbursed advances within
a specified timeframe; providing an exception;
requiring institutions that receive moneys through the
program to prepare and submit to the department by a
specified date a biennial report that includes a
financial audit conducted by the Auditor General;
authorizing the department to conduct its own annual
or biennial audit under certain circumstances;
authorizing the department to suspend or revoke an
institution’s eligibility or request a refund of
moneys overpaid to the institution under certain
circumstances; providing a timeframe for such refunds;
amending s. 1009.505, F.S.; requiring grants
administered through the Florida Public Postsecondary
Career Education Student Assistance Grant Program to
not exceed a certain amount; authorizing students who
receive an award in the fall or spring term to receive
an award in the summer term, subject to the
availability of funds; providing for the
prioritization of eligible summer awards; requiring
the formula used to distribute funds for the program
to account for changes in the number of eligible
students across all student assistance grant programs;
requiring institutions to certify the amount of funds
disbursed within a specified timeframe; requiring
institutions to remit any undisbursed advances within
a specified timeframe; providing an exception;
requiring institutions that receive moneys through the
program to prepare and submit to the department by a
specified date a biennial report that includes a
financial audit conducted by the Auditor General;
authorizing the department to conduct its own annual
or biennial audit under certain circumstances;
authorizing the department to suspend or revoke an
institution’s eligibility or request a refund of
moneys overpaid to the institution under certain circumstances; providing a timeframe for such refunds; authorizing funds appropriated for state student assistance grants to be deposited in a specified trust fund; requiring that any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program remain in the trust fund, subject to certain statutory exceptions; amending s. 1009.51, F.S.; requiring that grants administered through the Florida Private Student Assistance Grant Program not exceed a certain amount; authorizing students who receive an award in the fall or spring term to receive an award in the summer term, subject to the availability of funds; providing for the prioritization of eligible summer awards; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a specified timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; revising a requirement for a biennial report; amending s. 1009.52, F.S.; requiring that grants administered through the Florida Postsecondary Student Assistance Program...
Grant Program not exceed a certain amount; authorizing students who receive an award in the fall or spring term to receive an award in the summer term, subject to the availability of funds; providing for the prioritization of eligible summer awards; prohibiting institutions from dispensing grants to students whose expected family contribution exceeds a certain amount; requiring the formula used to distribute funds for the program to account for changes in the number of eligible students across all student assistance grant programs; requiring institutions to certify the amount of funds disbursed within a specified timeframe; requiring institutions to remit any undisbursed advances within a specified timeframe; providing an exception; revising a requirement for a biennial report; amending s. 1009.534, F.S.; revising provisions relating to additional funds for textbooks under Florida Academic Scholars award; amending s. 1009.535, F.S.; revising the amount of an award certain Florida Medallion Scholars may receive under certain circumstances; amending s. 1009.893, F.S.; revising and specifying eligibility for initial awards under the Benacquisto Scholarship Program; revising requirements for a student to receive a renewal award; providing a timeframe within which students may receive an award; providing an exception to renewal requirements; amending s. 1011.45, F.S.; revising the date by which a university must annually submit a spending plan to the university’s board of trustees.
for approval; revising the date by which the Board of
Governors must annually review and approve such plan;
authorizing certain expenditures in a carry forward
spending plan to include a commitment of funds to a
contingency reserve for certain purposes; amending s.
1011.90, F.S.; providing requirements for a specified
legislative budget request; requiring the Board of
Governors to define specified classifications by
regulation and report such definitions in such budget
requests; creating s. 1012.977, F.S.; providing for
the disclosure of contracts that affect the integrity
of state universities or entities; providing
definitions; providing penalties for failure to
disclose such information; amending s. 1013.841, F.S.;
revising the date by which a Florida College System
institution must annually submit a spending plan to
the institution’s board of trustees for approval;
revising the date by which the State Board of
Education must annually review and publish such plans;
authorizing certain expenditures in a carry forward
spending plan to include a commitment of funds to a
contingency reserve for certain purposes; providing
effective dates.

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

Section 1. Subsection (21) of section 287.057, Florida
Statutes, is amended to read:

287.057 Procurement of commodities or contractual
services.—

(21) An agency may contract for services with any independent, nonprofit college or university which is located within the state on the same basis as it may contract with any state university or college if the independent, nonprofit college or university:

(a) and is accredited by the Southern Association of Colleges and Schools; or, on the same basis as it may contract with any state university and college

(b) Is authorized to operate within this state pursuant to chapter 1005, offers a professional degree, and is accredited by the Middle States Commission on Higher Education.

Section 2. Paragraph (c) of subsection (18) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(18) PUBLIC EDUCATION CAPITAL OUTLAY.—The State Board of Education shall develop and submit the prioritized list required by s. 1013.64(4). Projects considered for prioritization shall be chosen from a preliminary selection group which shall include the list of projects maintained pursuant to paragraph (d) and the top two priorities of each Florida College System institution.

(c) A new construction, remodeling, or renovation project that has not received an appropriation in a previous year shall not be considered for inclusion on the prioritized list required by s. 1013.64(4), unless:

1. A plan is provided to reserve funds in an escrow account, specific to the project, into which shall be deposited each year an amount of funds equal to 0.5 percent of the total

CODING: Words stricken are deletions; words underlined are additions.
value of the building for future maintenance;

2. There **exists** sufficient **capacity** within the cash and bonding estimate of funds by the Revenue Estimating Conference to accommodate the **project excess** funds from the allocation provided pursuant to s. 1013.60 within the 3-year Public Education Capital Outlay funding cycle planning period which are not needed to complete the projects listed pursuant to paragraph (d); and

3. The project has been recommended pursuant to s. 1013.31.

Section 3. Effective upon this act becoming a law, subsections (2), (5), and (7) of section 1001.7065, Florida Statutes, are amended to read:

1001.7065 Preeminent state research universities program.—

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—The following academic and research excellence standards are established for the preeminent state research universities program and shall be reported annually in the Board of Governors Accountability Plan:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale or an average ACT score of 25 or higher on a 36 score scale, using the latest published national concordance table developed jointly by the College Board and ACT, Inc., for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.
(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

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

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of $200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of $150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United
States Patent and Trademark Office for the most recent 3-year period.

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

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of $500 million or more, as reported in the Board of Governors Annual Accountability Report.

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM SUPPORT.—

(a) A state university that is designated as a preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university’s meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

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

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

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

(7) STATE UNIVERSITIES PROGRAMS OF DISTINCTION EXCELLENCE
THROUGHOUT THE STATE UNIVERSITY SYSTEM.—The Board of Governors
shall establish standards and measures whereby state
universities that focus on one core competency unique to the
State University System that achieves excellence at the national
or state level, meets state workforce needs, and fosters an
innovation economy that focuses on areas such as health care,
security, transportation, and science, technology, engineering,
and mathematics (STEM), including supply chain management,
individual undergraduate, graduate, and professional degree
programs in state universities which objectively reflect
national excellence can be identified. The Board of Governors
may annually submit such programs, excluding those from
preeminent state research universities, and make recommendations.
to the Legislature by January 9, 2018, as to how any such programs could be enhanced and promoted.

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

1001.92 State University System Performance-Based Incentive.—

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

(a) The 4-year graduation rate for first-time-in-college students;

(b) Beginning in fiscal year 2021-2022, the 2-year graduation rate for associate in arts transfer students;

(c) Retention rates;

(d) Postgraduation education rates;

(e) Degree production;

(f) Affordability;

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

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

(i) Beginning in fiscal year 2021-2022, the 6-year
graduation rate for students who are awarded a Pell Grant in their first year.

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

Section 5. Subsection (4) of section 1004.085, Florida Statutes, is amended to read:

1004.085 Textbook and instructional materials affordability.—

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

Section 6. Effective upon this act becoming a law,
paragraph (c) of subsection (2) of section 1004.346, Florida
Statutes, is amended to read:
1004.346 Florida Industrial and Phosphate Research
Institute.—
(2) PHOSPHATE RESEARCH AND ACTIVITIES BOARD.—The Phosphate
Research and Activities Board is created to monitor the
expenditure of funds appropriated to the university from the
Phosphate Research Trust Fund.
(c) Members of the board appointed by the Governor shall be
appointed to 3-year terms. A board member may continue to serve
until a successor is appointed, but not more than 180 days after
the expiration of his or her term. A board member is eligible
for reappointment to subsequent terms.

Section 7. Section 1004.6499, Florida Statutes, is created
to read:
1004.6499 Florida Institute of Politics.—
(1) The Florida Institute of Politics is established at the
Florida State University within the College of Social Sciences
and Public Policy. The purpose of the institute is to provide
the southeastern region of the United States with a world class,
bipartisan, nationally renowned institute of politics.
(2) The goals of the institute are to:
(a) Motivate students throughout the Florida State
University to become aware of the significance of government and
civic engagement at all levels and politics in general.

(b) Provide students with an opportunity to be politically active and civically engaged.

(c) Nurture a greater awareness and passion for public service and politics.

(d) Plan and host forums to allow students and guests to hear from and interact with experts from government, politics, policy, and journalism on a frequent basis.

(e) Become a national and state resource on polling information and survey methodology.

(f) Provide fellowships and internship opportunities to students in government, nonprofit organizations, and community organizations.

(g) Provide training sessions for newly elected state and local public officials.

(h) Organize and sponsor conferences, symposia, and workshops throughout this state to educate and inform citizens, elected officials, and appointed policymakers regarding effective policymaking techniques and processes.

(i) Create and promote research and awareness regarding politics, citizen involvement, and public service.

(j) Collaborate with related policy institutes and research activities at the Florida State University and other institutions of higher education to motivate, increase, and sustain citizen involvement in public affairs.

Section 8. Section 1004.64991, Florida Statutes, is created to read:

1004.64991 The Adam Smith Center for the Study of Economic Freedom.
(1) The Adam Smith Center for the Study of Economic Freedom at Florida International University, is hereby created.

(2) The goals of the center are to:

(a) Study the effect of government and free-market economies on individual freedom and human prosperity.

(b) Conduct and promote research on the effect of political and economic systems on human prosperity.

(c) Plan and host research workshops and conferences to allow, students, scholars, and guests to exchange in civil discussion of democracy and capitalism.

(d) Provide fellowship and mentoring opportunities to students engaged in scholarly studies of the effect of political and economic systems on human prosperity.

Section 9. Section 1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(1) There is hereby created a Florida Public Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the state board.

(2) (a) State student assistance grants through the program may be made only to degree-seeking students who enroll in at least 6 semester hours, or the equivalent per term, and who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually for the amount of demonstrated unmet need for the cost of education and may not exceed the maximum annual award an amount equal to the average prior
academic year cost of tuition fees and other registration fees for 30 credit hours at state universities or such other amount as specified in the General Appropriations Act, to any recipient. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a state student assistance grant. Recipients of the grants must have been accepted at a state university or Florida College System institution authorized by Florida law. If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree program and students who have not yet earned at least 9 semester hours by attendance at one or more summer sessions. A student is eligible for the award for 110 percent of the number of credit hours required to complete the program in which enrolled, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida public student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree program. shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds
one and one-half times the maximum Pell Grant-eligible family
contribution level established by the department. An institution
may not impose additional criteria to determine a student’s
eligibility to receive a grant award.

(d) Each participating institution shall report to the
department by the established date, the eligible students
eligible for the program for whom grant moneys are disbursed
each academic term. Each institution shall also report to the
department necessary demographic and eligibility data for such
students.

(3) Based on the unmet financial need of an eligible
applicant, the amount of a Florida public student assistance
grant must be between $200 and the weighted average of the cost
of tuition and other registration fees for 30 credit hours at
state universities per academic year or the amount specified in
the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Public
Student Assistance Grant shall be distributed to eligible
institutions in accordance with a formula approved by the State
Board of Education. The formula must consider at least the
prior year’s distribution of funds, the number of full-time
eligible applicants who did not receive awards, the
standardization of the expected family contribution, and
provisions for unused funds. The formula must account for
changes in the number of eligible students across all student
assistance grant programs established pursuant to this section
and ss. 1009.505, 1009.51, and 1009.52.

(b) Payment of Florida public student assistance grants
shall be transmitted to the president of the state university or
Florida College System institution, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student’s eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration each spring term. An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term.

(e) Each institution that receives moneys through the Florida Public Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by the Auditor General, of the institution’s administration of the program and a complete accounting of moneys allocated to the institution for the program. Such report shall be submitted to the department by March 1 every other year. The department may
conduct its own annual or biennial audit of an institution’s administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution’s eligibility to receive future moneys for the program or may request a refund of any moneys overpaid to the institution for the program if the department finds that an institution has not complied with this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department any advances by June 1 of each year.

(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.

(6) The State Board of Education shall establish rules necessary to implement this section.

Section 10. Subsections (5) and (6) of section 1009.505, Florida Statutes, are renumbered as subsections (6) and (7), respectively, a new subsection (5) is added to that section, and subsections (3) and (4) of that section are amended, to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

(3)(a) Student assistance grants through the program may be made only to certificate-seeking students enrolled at least half-time in a public postsecondary career certificate program
who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually to any recipient for the amount of demonstrated unmet need for the cost of education and may not exceed the average annual cost of tuition and registration fees or such other amount as specified in the General Appropriations Act. Priority in the distribution of grant moneys may be given to students who are within one semester of completing a certificate program. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a grant under this section. Recipients of the grants must have been accepted at a Florida College System institution authorized by Florida law or a career center operated by a district school board under s. 1001.44. If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one term of completing a certificate program. A student is eligible for the award for 110 percent of the number of clock hours required to complete the program in which enrolled.

(b) A student applying for a Florida public postsecondary career education student assistance grant shall be required to apply for the Pell Grant. A Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student; however, a Pell Grant entitlement shall not be required as a condition of receiving a grant under this section.

(c) Each participating institution shall report to the
department by the established date the eligible students
eligible for the program for to whom grant moneys are disbursed
each academic term. Each institution shall also report to the
department necessary demographic and eligibility data for such
students.

(4)(a) The funds appropriated for the Florida Public
Postsecondary Career Education Student Assistance Grant Program
shall be distributed to eligible Florida College System
institutions and district school boards in accordance with a
formula approved by the department. The formula must account for
changes in the number of eligible students across all student
assistance grant programs established pursuant to this section
and ss. 1009.50, 1009.51, and 1009.52.

(b) Payment of Florida public postsecondary career
education student assistance grants shall be transmitted to the
president of the Florida College System institution or to the
district school superintendent, or to the designee thereof, in
advance of the registration period. Institutions shall notify
students of the amount of their awards.

(c) The eligibility status of each student to receive a
disbursement shall be determined by each institution as of the
der end of its regular registration period, inclusive of a drop-add
period. Institutions shall not be required to reevaluate a
student’s eligibility status after this date for purposes of
changing eligibility determinations previously made.

(d) Participating institutions shall certify to the
department within 30 days after the end of regular registration
each term the amount of funds disbursed to each student and
shall remit to the department any undisbursed advances within 60
days after the end of regular registration each spring term. An
exception to the remittance deadline may be granted if the
institution documents to the department how it plans to disburse
awards to students for the subsequent summer term. An
institution that uses funds for the summer term shall certify to
the department the amount of funds disbursed to each student and
shall remit to the department any undisbursed advances within 30
days after the end of the summer term.

(e) Each institution that receives moneys through the
Florida Public Postsecondary Career Education Student Assistance
Grant Program shall prepare a biennial report that includes a
financial audit, conducted by the Auditor General, of the
institution’s administration of the program and a complete
accounting of moneys allocated to the institution for the
program. Such report shall be submitted to the department by
March 1 every other year. The department may conduct its own
annual or biennial audit of an institution’s administration of
the program and its allocated funds in lieu of the required
biennial report and financial audit report. The department may
suspend or revoke an institution’s eligibility to receive future
moneys for the program or may request a refund of any moneys
overpaid to the institution if the department finds that an
institution has not complied with this section. Any refund
requested pursuant to this paragraph shall be remitted within 60
days after notification by the department.

(5) Funds appropriated by the Legislature for state student
assistance grants may be deposited in the State Student
Financial Assistance Trust Fund. Notwithstanding s. 216.301 and
pursuant to s. 216.351, any balance in the trust fund at the end
of any fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section by June 1 of each year.

Section 11. Section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(1) There is created a Florida Private Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.

(2)(a) Florida private student assistance grants from the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award an amount equal to the average tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than $200 shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic
corporation by the state. If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree or certificate program. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida private student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree or certificate program shall be given to students with the lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution the level established by the department. An institution may not impose additional criteria to determine a student’s eligibility to receive a grant award.

(d) Each participating institution shall report to the department by the established date the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report to the
department necessary demographic and eligibility data for such students.

(3) Based on the unmet financial need of an eligible applicant, the amount of a Florida private student assistance grant must be between $200 and the average cost of tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year or the amount specified in the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Private Student Assistance Grant shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year’s distribution of funds, the number of full-time eligible applicants who did not receive awards, the standardization of the expected family contribution, and provisions for unused funds. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.

(b) Payment of Florida private student assistance grants shall be transmitted to the president of the college or university, or to his or her representative, in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement shall be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions shall not be required to reevaluate a student’s eligibility status after this date for purposes of
changing eligibility determinations previously made.

(d) Institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 60 days after the end of regular registration each spring term. An exception to the remittance deadline may be granted if the institution documents to the department how it plans to disburse awards to students for the subsequent summer term. An institution that uses funds for the summer term shall certify to the department the amount of funds disbursed to each student and shall remit to the department any undisbursed advances within 30 days after the end of the summer term by June 1 of each year.

(e) Each institution that receives moneys through the Florida Private Student Assistance Grant Program shall prepare a biennial report that includes a financial audit, conducted by an independent certified public accountant, of the institution’s administration of the program and a complete accounting of moneys in the State Student Financial Assistance Trust Fund allocated to the institution for the program. Such report shall be submitted to the department by March 1 every other year. The department may conduct its own annual or biennial audit of an institution’s administration of the program and its allocated funds in lieu of the required biennial report and financial audit report. The department may suspend or revoke an institution’s eligibility to receive future moneys from the trust fund for the program or request a refund of any moneys overpaid to the institution through the trust fund for the program if the department finds that an institution has not
complied with the provisions of this section. Any refund requested pursuant to this paragraph shall be remitted within 60 days after notification by the department.
(5) Funds appropriated by the Legislature for Florida private student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Private Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.
(6) The State Board of Education shall adopt rules necessary to implement this section.

Section 12. Section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—
(1) There is created a Florida Postsecondary Student Assistance Grant Program. The program shall be administered by the participating institutions in accordance with rules of the State Board of Education.
(2)(a) Florida postsecondary student assistance grants through the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual
award an amount equal to the average prior academic year cost of
tuition and other registration fees for 30 credit hours at state
universities plus $1,000 per academic year, or as
specified in the General Appropriations Act, to any applicant. A demonstrated
unmet need of less than $200 shall render the applicant
ineligible for a Florida postsecondary student assistance grant.
Recipients of such grants must have been accepted at a
postsecondary institution that is located in this the state and
that is:
   1. A private nursing diploma school approved by the Florida
Board of Nursing; or
   2. A college or university licensed by the Commission for
Independent Education, excluding those institutions the students
of which are eligible to receive a Florida private student
assistance grant pursuant to s. 1009.51.

If funds are available, a student who received an award in the
fall or spring term may receive an award in the summer term.
Priority in the distribution of summer awards shall be given to
students who are within one semester of completing a degree or
certificate program. No student may receive an award for more
than the equivalent of 9 semesters or 14 quarters of full-time
enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida postsecondary student
assistance grant shall be required to apply for the Pell Grant.
The Pell Grant entitlement shall be considered when conducting
an assessment of the financial resources available to each
student.

(c) Priority in the distribution of grant moneys may be
given to students who are within one semester of completing a
degree or certificate program shall be given to students with
the lowest total family resources, in accordance with a
nationally recognized system of need analysis. Using the system
of need analysis, the department shall establish a maximum
expected family contribution. An institution may not make a
grant from this program to a student whose expected family
contribution exceeds one and one-half times the maximum Pell
Grant-eligible family contribution the level established by the
department. An institution may not impose additional criteria to
determine a student’s eligibility to receive a grant award.

(d) Each participating institution shall report to the
department by the established date, the eligible students
eligible for the program for to whom grant moneys are disbursed
each academic term. Each institution shall also report to the
department necessary demographic and eligibility data for such
students.

(3) Based on the unmet financial need of an eligible
applicant, the amount of a Florida postsecondary student
assistance grant must be between $200 and the average cost of
tuition and other registration fees for 30 credit hours at state
universities plus $1,000 per academic year or the amount
specified in the General Appropriations Act.

(4)(a) The funds appropriated for the Florida Postsecondary
Student Assistance Grant shall be distributed to eligible
institutions in accordance with a formula approved by the State
Board of Education. The formula shall consider at least the
prior year’s distribution of funds, the number of full-time
eligible applicants who did not receive awards, the
standardization of the expected family contribution, and
provisions for unused funds. The formula must account for
changes in the number of eligible students across all student
assistance grant programs established pursuant to this section
and ss. 1009.50, 1009.505, and 1009.51.

(b) Payment of Florida postsecondary student assistance
grants shall be transmitted to the president of the eligible
institution, or to his or her representative, in advance of the
registration period. Institutions shall notify students of the
amount of their awards.

(c) The eligibility status of each student to receive a
disbursement shall be determined by each institution as of the
end of its regular registration period, inclusive of a drop-add
period. Institutions shall not be required to reevaluate a
student’s eligibility status after this date for purposes of
changing eligibility determinations previously made.

(d) Institutions shall certify to the department within 30
days after the end of regular registration each term the amount
of funds disbursed to each student and shall remit to the
department any undisbursed advances within 60 days after the end
of regular registration each spring term. An exception to the
remittance deadline may be granted if the institution documents
to the department how it plans to disburse awards to students
for the subsequent summer term. An institution that uses funds
for the summer term shall certify to the department the amount
of funds disbursed to each student and shall remit to the
department any undisbursed advances within 30 days after the end
of the summer term by June 1 of each year.

(e) Each institution that receives moneys through the
Florida Postsecondary Student Assistance Grant Program shall  
prepare a biennial report that includes a financial audit,  
conducted by an independent certified public accountant, of the  
institution’s administration of the program and a complete  
accounting of moneys in the State Student Financial Assistance  
Trust Fund allocated to the institution for the program. Such  
report shall be submitted to the department by March 1 every  
other year. The department may conduct its own annual or  
biennial audit of an institution’s administration of the program  
and its allocated funds in lieu of the required biennial report  
and financial audit report. The department may suspend or revoke  
an institution’s eligibility to receive future moneys from the  
trust fund for the program or request a refund of any moneys  
overpaid to the institution through the trust fund for the  
program if the department finds that an institution has not  
complied with the provisions of this section. Any refund  
requested pursuant to this paragraph shall be remitted within 60  
days after notification by the department.  

(5) Any institution that was eligible to receive state  
student assistance grants on January 1, 1989, and that is not  
eligible to receive grants pursuant to s. 1009.51 is eligible to  
receive grants pursuant to this section.  

(6) Funds appropriated by the Legislature for Florida  
postsecondary student assistance grants may be deposited in the  
State Student Financial Assistance Trust Fund. Notwithstanding  
the provisions of s. 216.301 and pursuant to s. 216.351, any  
balance in the trust fund at the end of any fiscal year which  
has been allocated to the Florida Postsecondary Student  
Assistance Grant Program shall remain therein and shall be
available for carrying out the purposes of this section and as otherwise provided by law.

(7) The State Board of Education shall adopt rules necessary to implement this section.

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

1009.534 Florida Academic Scholars award.—

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

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

1009.535 Florida Medallion Scholars award.—

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary education institution is eligible, beginning in the fall 2018 semester, for an award equal to the amount necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-
(13), (14)(r), and (16), as applicable, to assist with the payment of educational expenses. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at a Florida College System institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees established under s. 1009.23(3), (4), (7), (8), (10), and (11) to assist with the payment of educational expenses. 

Section 15. Subsections (2), (4), (5), and (6) of section 1009.893, Florida Statutes, are amended to read:

1009.893 Benacquisto Scholarship Program.—

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

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

(a) A student who is a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

   a. The student completes a home education program according to s. 1002.41; or

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

2. Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

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

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

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

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

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

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

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

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

(6)(a) To be eligible for a renewal award, a student must be enrolled full time, earn all credits for which he or she was enrolled, and maintain a 3.0 or higher grade point average. An eligible Benacquisto Scholar who has fewer than 12 credits remaining to complete his or her first baccalaureate degree may receive funding for one term in order to complete the degree.

(b) A student’s renewal status is not affected by subsequent changes in the residency status of the student or the residency status of the student’s family.
A student may receive the scholarship award for a maximum of 100 percent of the number of credit hours required to complete a baccalaureate degree program, or until completion of a baccalaureate degree program, whichever comes first.

(d) A student may receive an award for up to 5 years following high school graduation and may not receive the award for more than 10 semesters.

(e) A student who receives an award under this program and fails to meet the renewal requirements due to a verifiable illness or other documented emergency may be granted an exception pursuant to s. 1009.40(1)(b)4.

Section 16. Subsection (2) and paragraphs (e) and (f) of subsection (3) of section 1011.45, Florida Statutes, are amended, and paragraph (g) is added to subsection (3) of that section, to read:

1011.45 End of year balance of funds.—Unexpended amounts in any fund in a university current year operating budget shall be carried forward and included as the balance forward for that fund in the approved operating budget for the following year.

(2) Each university that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall be submitted to the university’s board of trustees for review, approval, or, if necessary, amendment by September 30, 2020, and each September 30 thereafter. The Board of Governors shall review, approve, and amend, if necessary, each university’s carry forward spending plan by November 15, 2020, and each November 15 thereafter.
(3) A university’s carry forward spending plan shall include the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

(e) Operating expenditures that support the university mission and that are nonrecurring; and

(f) Any purpose specified by the board or in the General Appropriations Act; and

(g) A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36.

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

1011.90 State university funding.—

(4) The Board of Governors shall establish and validate a cost-estimating system consistent with the requirements of subsection (1) and shall report as part of its legislative budget request the actual expenditures for the fiscal year ending the previous June 30. The legislative budget request must also include 5-year trend information on the number of faculty and administrators at each university and the proportion of FTE dedicated to instruction and research compared to administration. The Board of Governors, by regulation, shall define faculty and administrator classifications and shall also report the definitions in the legislative budget request.

Expenditure analysis, operating budgets, and annual financial statements of each university must be prepared using the standard financial reporting procedures and formats prescribed by the Board of Governors. These formats shall be the same as
used for the 2000-2001 fiscal year reports. Any revisions to these financial and reporting procedures and formats must be approved by the Executive Office of the Governor and the appropriations committees of the Legislature jointly under the provisions of s. 216.023(3). The Board of Governors shall continue to collect and maintain at a minimum management information existing on June 30, 2002. The expenditure analysis report shall include total expenditures from all sources for the general operation of the university and shall be in such detail as needed to support the legislative budget request.

Section 18. Section 1012.977, Florida Statutes, is created to read:

1012.977 Disclosure of contracts that affect the integrity of state universities or entities; penalties.—

(1) Any person employed by a state university or entity engaging in research which was created or authorized pursuant to part II of chapter 1004 consents to the policies of the university or entity, the regulations of the Board of Governors, and the laws of this state. At a minimum, such policies shall require employees engaged in the design, conduct, or reporting of research to disclose and receive a determination that the outside activity or financial interest does not affect the integrity of the state university or entity.

(2)(a) "Financial interest" includes anything of value other than that provided directly by the university or entity.

(b) "Outside activity" includes anything an employee does for an organization or an individual, other than the university or entity, that is related to the employee’s expertise.

(3) An employee who has failed to disclose any outside
activity or financial interest as required by subsection (1) shall be suspended without pay pending the outcome of an investigation which shall not exceed 60 days. Upon conclusion of the investigation, the university or entity may terminate the contract of the employee.

Section 19. Paragraph (b) of subsection (2), paragraph (b) of subsection (3), and subsection (4) of section 1013.841, Florida Statutes, are amended to read:

1013.841 End of year balance of Florida College System institution funds.—

(2)

(b) Each Florida College System institution with a final FTE less than 15,000 for the prior year that retains a state operating fund carry forward balance in excess of the 5 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall include all excess carry forward funds from state operating funds. The spending plan shall be submitted to the Florida College System institution’s board of trustees for approval by September 30, 2020, and each September 30 thereafter. The State Board of Education shall review and publish each Florida College System institution’s carry forward spending plan by November 15, 2020, and each November 15 thereafter.

(3)

(b) Each Florida College System institution with a final FTE of 15,000 or greater for the prior year that retains a state operating fund carry forward balance in excess of the 7 percent minimum shall submit a spending plan for its excess carry forward balance. The spending plan shall include all excess
carry forward funds from state operating funds. The spending plan shall be submitted to the Florida College System institution’s board of trustees for approval by September 30, 2020, and each September 30 thereafter. The State Board of Education shall review and publish each Florida College System institution’s carry forward spending plan by November 15, 2020, and each November 15 thereafter.

(4) A Florida College System institution identified in paragraph (3)(b) must include in its carry forward spending plan the estimated cost per planned expenditure and a timeline for completion of the expenditure. Authorized expenditures in a carry forward spending plan may include:

(a) Commitment of funds to a public education capital outlay project for which an appropriation was previously provided, which requires additional funds for completion, and which is included in the list required by s. 1001.03(18)(d);

(b) Completion of a renovation, repair, or maintenance project that is consistent with the provisions of s. 1013.64(1), up to $5 million per project;

(c) Completion of a remodeling or infrastructure project, up to $10 million per project, if such project is survey recommended pursuant to s. 1013.31;

(d) Completion of a repair or replacement project necessary due to damage caused by a natural disaster for buildings included in the inventory required pursuant to s. 1013.31;

(e) Operating expenditures that support the Florida College System institution’s mission which are nonrecurring; and

(f) Any purpose approved by the state board or specified in the General Appropriations Act; and
(g) A commitment of funds to a contingency reserve for expenses incurred as a result of a state of emergency declared by the Governor pursuant to s. 252.36.

Section 20. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.